

# Discussion on the System Construction of Case Teaching in Administrative Law

Yueqi Wang

Ji Lin Justice Officer Academy, Jilin, Changchun 130062, China

**ABSTRACT.** The implementation of case teaching of administrative law for law students in China is not only a practical need to implement the plan of training outstanding legal talents and the national strategy of basically establishing a government ruled by law, but also an urgent need to enhance the core competitiveness of the administrative law discipline. The teaching mode is also facing a big challenge. How to make students understand the complicated and difficult knowledge system? How can students better use theoretical knowledge? These are the key points and difficulties in the process of teaching. Therefore, we have analyzed some important issues such as the objective trend of administrative law case teaching, the theoretical model of administrative law case teaching, the methodology of administrative law case teaching, and the implementation path of administrative law case teaching. This paper discusses the significance and practical strategies of the integration of case teaching methods in administrative law teaching, hoping to improve the teaching effect of administrative law.

**KEYWORDS:** Administrative law, Case teaching, System construction

## 1. Introduction

The innovation of teaching methods of administrative law is one of the issues that the administrative law pays more attention to in recent years. It has also attracted the attention of the education department and the competent department of legal education [1]. Therefore, the degree to which students apply legal knowledge will determine their professional quality and ability. The teaching of administrative law is an important component of legal education, and is also one of the legal knowledge that students should master. Therefore, the teaching of administrative law is very important. The national unified judicial examination has been held for many years, but the scores of administrative law subjects are still low. Even after passing the judicial examination, many students still admit that their impression of administrative law is still not deep [2]. The content of case teaching is the focus of administrative law teaching. After long-term research and exploration, a relatively stable teaching mode has been formed, which enables students to analyze and study existing cases and master relevant knowledge. This teaching method takes students as the main body and attaches importance to students' discussion instead of knowledge recitation. [3] Case teaching of administrative law can be said to be the most basic and applied teaching method among various new teaching methods of administrative law. However, there is almost no systematic statement in the field of administrative law on that the basic theoretical and practical problems of case teaching of administrative law are. So how should we implement the case teaching method and construct the case teaching method system? What are the obstacles to its implementation and how to overcome? The following will focus on research and analysis.

## 2. Application of Case Teaching Method in Administrative Law Teaching

### *2.1 Case Selection Should Be Cautious and Conform to the Basic Requirements of Administrative Law Teaching*

Case teaching method takes cases as the main body. Therefore, the choice of cases is very important. There are many sources of cases, but how to filter the correct cases from the sources is very important [4]. The theoretical system of administrative law has been relatively fixed, and a wide variety of administrative law textbooks also provide important introductory books for beginners. In the specific design of teaching materials, specific knowledge is usually initially defined, then introduced by cases, followed by legal analysis, to consolidate the knowledge of administrative law and add additional cases for discussion. For example, some teachers screen cases from media news but fail to pay attention to the accuracy and authenticity of this case in media news, thus causing the classroom effect to fall short of expectations, even misleading students and leading students to the wrong path.

The introduction of administrative cases into administrative law case teaching will inevitably trigger chain reactions in curriculum design, analysis methods and teaching methods, thus forming a comprehensive mode different from the traditional single administrative law case teaching mode [5]. The difference between the two modes can be reflected in Table 1 below.

*Table 1 the Difference Between a Single Administrative Law Case Teaching Mode and a Comprehensive Administrative Law Case Teaching Mode*

Comparative matters	Case teaching method	
	Simplify the case teaching mode of administrative law	Comprehensive case teaching mode of administrative law
Course design	Case analysis is attached to the teaching of administrative law course	Setting up an independent course of case analysis in administrative law
Case selection	Judicial cases	Both judicial and administrative cases are equally important
Analytical method	An analysis based on the claim right	Both case analysis and group case analysis, claim basis analysis and three-level analysis are emphasized
Teaching methods	Presupposition of standard answers, lack of interactive debate	Pay attention to the interaction between teachers and students, students

When preaching and explaining legal theories, legal concepts or legal provisions, under the careful design and guidance of teachers, and according to the actual needs of legal teaching, students are guided to analyze and discuss through typical cases. Administrative law teaching consists of a series of units, such as administrative law concepts, administrative law norms, administrative law systems, etc. Administrative law cases are only one unit parallel or parallel to the above units. Let the students analyze the case as participants in the case, strengthen the interaction between students and teachers and students, stimulate students' enthusiasm for learning, fully reflect the students' dominant position, and thus improve the effect of classroom teaching.

## ***2.2 Cases Should Be Explained in Different Categories, and Cases Should Be Taught According to the Content of Administrative Law Teaching***

The explanation of cases is an important factor in case teaching method. For some complex administrative principles, it can be shown through simple and short cases. It can be said that the lack of examples has become an important obstacle to the improvement of the teaching quality of administrative law, and even some scholars in China have severely criticized administrative law as a "blackboard administrative law" with insufficient "indomitable spirit" and "site" [6]. The arrangement of case teaching system based on panoramic judicial practice cases is different from that of case teaching system based on typical cases or events. The case teaching system based on panoramic judicial practice cases focuses on the comprehensiveness and systematicness of cases. Because complex cases can only make students dizzy, it is not helpful for students to understand complex principles. When describing relatively simple cases, specific cases can be used to show. Specific and detailed cases can make students understand simple cases more deeply. So as to deepen students' knowledge and understanding of the legal theory, legal concepts or legal provisions, and improve students' ability to analyze and solve practical legal problems.

## ***2.3 The Discussion of Cases is Also Very Important and Relates to the Classroom Effect of Administrative Law Teaching***

Cases are only taught but not analyzed, which is not beneficial to the improvement of students' application ability. Therefore, classroom discussion is also a part that teachers should pay attention to. The government ruled by law is not only a government with limited power, but also a government with power to do good. How to make administrative law a practical subject and how to transform the legislative provisions of administrative law to the applicable level of law have become the consensus in the field of administrative law teaching. In group discussions, teachers should pay close attention to the students' movements in order to prevent one speaker from listening to the others. And make every student do a good job of discussion report, mandatory requirements students think about the case. The whole process of case teaching of administrative law requires the participation of students. "Under the guidance of teachers, students think and analyze problems like judicial personnel and lawyers, so that students can obtain a real 'experience' of using various technologies and techniques to analyze and solve practical problems" [7]. We do not know how much scope and how long it will last to attribute administrative law to the theoretical discipline to some extent, but administrative law as a theoretical discipline still has certain influence in our country. It can also enable students to question the applicability of legal rules, enrich students' experience in research and judgment, promote students to firmly grasp specific legal judgment standards, and realize the internalization of legal knowledge.

#### ***2.4 Communicate with Students in Time and Do a Good Job of Reflection on Administrative Teaching***

Students' opinions are also very important for teachers' teaching, so we must do a good job of classroom reflection. Teachers should listen to and accept students' opinions and suggestions with an open mind, and if there is something to change, then they should add encouragement. Due to the lack of authoritative and practical textbooks, as well as the scarcity of class hours and the early start of classes, the teaching of administrative law teachers generally has the situation of selective teaching. Many teachers often talk about what they are interested in and ignore what they are not interested in or have not studied. Therefore, we should strengthen the application of administrative law by paying attention to its interpretation. The application of administrative law should include two levels: on the one hand, the application of administrative law by administrative organs in specific administrative acts; On the other hand is the application of administrative law by judicial organs in judicial trials [8]. Further, applied discipline is its basic orientation to administrative law, and theoretical analysis is attached to the basic factual jurisprudence of administrative law as an applied discipline. At the same time, teachers should do a good job of teaching reflection. When the case teaching method is implemented, teachers should make relevant records and summarize the records. So as to better carry out the system construction of case teaching method in administrative teaching.

### **3. Obstacles and Solutions of Case Teaching Method in Administrative Teaching**

#### ***3.1 Cases Are Not Interesting and Administrative Law Classes Are Not Active Enough***

Although administrative law cases can briefly explain the principles of administrative science, so that students can better understand the principles of administrative science, thus establishing an administrative law system. According to common sense, it should not be difficult for law students to pass the national judicial examination after going through a complete and systematic legal formal education. However, the reality is far from that. Some schools offer administrative law case courses, trying to solve dogmatic content in daily teaching through cases. For example, China University of Political Science and Law and Renmin University of China have offered courses such as administrative law case study. Therefore, how to enhance interest has become the key to the implementation of case teaching method in administrative law class. In terms of interest, teachers can make students interpret the cases. Students are the leading role in the class, and they are not involved in the class and the role in the case. The basic facts and events faced by administrative law as an applied discipline are the specific cases that occur every day and every hour in the application of administrative law [9]. The case must be determined according to the teaching content, so that the case can serve the teaching content in a real sense, in order to give full play to the role of the case in the teaching of administrative law.

#### ***3.2 The Case Analysis is Immature and the Administrative Law Course is Not Accurate Enough***

Nowadays, the education circle still lacks more research on case teaching method, which makes case analysis immature and affects the teaching quality of administrative law course. For this embarrassing situation, teachers should conduct more in-depth research. Most law students have not been able to enter the civil service and can only choose to be lawyers, in-house lawyers or even engage in jobs that have nothing to do with the law. Although broadening the employment perspective is of positive significance, as far as the effective governance of the country is concerned, most law students should undoubtedly enter the bureaucratic system. The static, closed, "case-by-case" or "case-by-case" teaching mode of administrative law case teaching is effective for non-legal professional background groups, but it is definitely not sufficient for legal professional learners [10]. Through a large number of teaching practices to improve the case teaching method, make the case teaching method system more mature. When teaching administrative law, teachers should also pay attention to the cultivation of their own legal knowledge and ability, enrich their own courses with a large amount of knowledge, and make their own courses more accurate. However, some teachers only sketchily combine the cases with the legal knowledge in the teaching materials, unable to organize the students to discuss and unable or unwilling to have equal communication with the students.

#### ***3.3 Too Much Emphasis on the Combination with Administrative Law Theory Has Destroyed the Integrity of the Case***

Many teachers have deleted many conditions, social background and important clues in the case in order to better integrate with the theory of administrative law when implementing the case teaching method, only showing the contents related to the knowledge of administrative law in the case. The national judicial examination is the necessary threshold for law students to enter the legal profession, and legal education must meet this demand. In view of the fact that administrative law is the most difficult subject in the national judicial examination, vigorously carrying out case teaching of administrative law can improve the examination-taking ability of law students, thus effectively relieving the

employment pressure of law students. Therefore, in the process of case teaching of law, systematic construction and methodological update should be carried out, in which systematic construction depends on the turning of methodology. Don't destroy the integrity of the case because of the theory of administrative law. This is not good for students to grasp the whole case. As a teaching activity based on the status of this discipline, administrative law cases cannot be separated, which is the first theoretical basis for the objective necessity of administrative law case teaching. This is the most difficult goal in case teaching of administrative law. This is partly due to the lack of teachers' teaching ability, and partly due to the students' lack of such antagonistic learning ability.

#### **4. The Significance of Constructing Case Teaching Method System for Administrative Law Teaching**

##### ***4.1 It is Helpful for Students to Better Understand and Apply the Theoretical Knowledge of Administrative Law***

Compared with traditional teaching methods, case teaching method is vivid and realistic. The traditional teaching method is just empty talk about theory, and students are just like standing in the clouds, illusory. I can't see anything at all. This kind of teaching method has only disadvantages and no benefits for students' understanding of knowledge. Generally speaking, administrative cases refer to all kinds of social events related to the rule of law in administration. Compared with judicial cases in real life, the biggest characteristic of administrative cases is that the events themselves have not entered the judicial field. Emphasis on technical rationality in administrative law interpretation. In the current legal interpretation of departmental laws, the legal interpretation of criminal law and civil law is in a booming trend, but the technical rationality of administrative law interpretation is still in its infancy, due to the influence of succession and inheritance and the promotion of judicial practice. If the traditional administrative law teaching in our country is classified in the above two modes, then deductive mode is the basic mode of the traditional administrative law teaching in our country. The case can better explain or explain the connotation and application of one or some legal principles, principles and rules. The selection of a case does not lie in the size of the target amount involved and the complexity of the content, but in the connection between the facts of the case and the legal knowledge given by the teacher.

##### ***4.2 It is Conducive to Improving Students' Independent Thinking Ability and Comprehensive Application of Administrative Law***

The implementation of case teaching includes group discussion. Group discussion is of great benefit to students' independent thinking ability. Students can improve their independent thinking ability and their language expression ability through group discussion. In contrast, the introduction of administrative case analysis model in the classroom teaching of administrative law can make up for this shortcoming. The reason is very simple. Administrative cases exist in various specific administrative control activities, directly reflecting the interests of different social groups. However, on the whole, we need to find more common and common problems in the judicial application process through empirical analysis and research. When the students analyze the cases, it is also an improvement to the students' application ability. In the mock court, the students' talents were brought into play and their logical thinking ability was also improved. If we put together the general rules of conduct and technical rules of an administrative department, then we will find that even the technical rules of a specific administrative department are many times more than the technical rules of the entire criminal law. Secondly, the selection of cases should be a gradual process. Teachers should select teaching cases according to the depth of teaching progress and the amount of legal knowledge they impart. Generally speaking, it is easy first and difficult later, with layers of depth.

##### ***4.3 It is Helpful to Perfect Students' Personality and Make Administrative Law Teaching More Meaningful***

Some students are too introverted to express themselves well. The case teaching method can make this part of students overcome their own shortcomings. Through classroom discussions, mock court and other means, the self-confidence of such students is enhanced and their language expression ability is cultivated. In our country, from the central government to the local government, a large number of administrative events occur every day. However, many events are only of local significance, and some are even specific problems in a certain place, which are not suitable for analysis in limited classroom teaching. The extraction of samples is the basis of case study, and cases published and compiled by authoritative agencies and departments are the main sources of samples. Through mutual discussion and argument, inspiration can be gained, sparks of truth can be ignited, legal thinking ability and debating skills can be improved, and the basic qualities of the legal profession can be cultivated. The original intention of administrative law teaching is to perfect personality and cultivate high-quality talents for the country. Moreover, the cases in case teaching come from life and are of great enlightenment and warning significance to students, thus achieving the purpose of educating students. The students' comprehensive ability and personality have also been improved.

## **5. Conclusion**

In a word, case teaching method has important application value in administrative law teaching, and plays an irreplaceable role in cultivating students' legal thinking ability, comprehensive case analysis ability, self-study legal ability, etc. Therefore, we believe that appropriate social feedback is necessary in case teaching of administrative law. This feedback should start with a social investigation of an administrative law case. Students can investigate the teaching case in the administrative law class and confirm the cause and effect of the case. The case teaching method should be applied reasonably in the teaching of administrative law, so as to give full play to the best effect of the case teaching method. Therefore, when implementing case teaching method, teachers should do not speak of false cases, do not fabricate cases arbitrarily, and do not integrate knowledge of administrative law into cases. The construction process of the content system can be classified according to the administrative scope and specific types of administrative actions established in administrative litigation.

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