

# The Dilemma and Reform of Teaching Administrative Law and Administrative Procedure Law

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**Abstract:** Administrative Law and administrative Procedure Law, as one of the backbone courses of law major, play an important role in building a country under the rule of law, the government under the rule of law, and cultivating legal talents in the new era. The current administrative law teaching and talent training also faces many difficulties and challenges, this paper from the administrative law and administrative procedure law of the present situation of the teaching of this course, analyzes the characteristics of its and the dilemma faced, finally according to the current predicament, put forward some about administrative law and administrative procedure law teaching reform preliminary ideas and measures.

**Keywords:** Legal education; Administrative law teaching; Dilemma; Measures

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We need to start from the characteristics of administrative law teaching and administrative procedure law, and carry out effective response and innovation to realize the supply-side reform of legal education, promote the effective connection between administrative law teaching and the needs of legal practice, and realize the high-quality transportation of talents of rule of administrative law. This paper starts with the education status of administrative law in China, analyzes the characteristics of administrative law and the difficulties faced by administrative law teaching, and finally puts forward some preliminary thoughts on the reform of administrative law teaching in view of the aforementioned problems and dilemmas.

## 1. The Characteristics of Administrative Jurisprudence

Administrative Law and Administrative Procedure Law is one of the 14 core courses determined by the Teaching Steering Committee for the Discipline of Law in Higher Education Institutions of the Ministry of Education, and occupies a very important position in the legal education system of China. With the acceleration of the speed of administrative legislation and the rapid development of construction of rules of administrative Law, the importance of this course is also increasing day by day.

### 1.1 The universality of the research object of administrative law

Administrative jurisprudence takes administrative law as the research object, and the research object ultimately depends on the scope of administrative relations. In modern administrative countries, the scope of administrative relations is extremely extensive, and its scope is still expanding. But now many contents reflect only a part of the administrative law, which cannot meet the needs of the practice of administrative law.

### 1.2 The abstraction of the teaching contents of administrative law

Chinese legal education as a whole emphasizes the introduction of legal concepts, legal theories, and legal principles, which is highly abstract. Administrative law is a legal norm to adjust administrative relations, and constructs its own system with administrative behavior as the center. Administrative jurisprudence has a stronger sense of abstraction and distance. Administrative law is full of abstract concepts such as the principle of administration by law, the principle of proportionality, the principle of confidence, administrative subject, administrative authorization and administrative entrustment, administrative act, administrative reconsideration, administrative

litigation, state compensation, etc. These concepts are far from daily life, which intensifies the abstractness of administrative law and the difficulty of learning for students.

### **1.3 The pluralism of research methods of administrative law**

The essence of administrative law is to control and regulate administrative power. At the same time, administrative relations have a broad scope and involve different administrative fields. And with the development of the times, the domain of administrative law is constantly expanding. The field characterized by so many uncertainties of themes and perspectives objectively needs different research methods as support. The diversity of the research methods of administrative jurisprudence is an important feature of modern administrative law, and also reflects the richness and complexity of the practice of administrative law.

## **2. The Dilemmas and Challenges of Administrative Law Teaching**

Administrative law is one of the most difficult courses to teach in Chinese and foreign law schools. In major law schools of China, students are terrified by the sight of administrative law courses because of its complexity in content, abstract concepts, and uninteresting teaching. In addition to the overall dilemma of legal education reflected in administrative law teaching, administrative law teaching also faces some special difficulties and challenges based on its own characteristics.

### **2.1 The large and complex teaching content is not proportional to the teaching time, which is difficult for students to master**

With the change and development of economic society, the scope of administrative relations is getting larger and larger, so the teaching content of administrative law is also expanding. And the teaching of administrative law includes not only the substantive content of administrative law but also the administrative procedure law. In addition, administrative law is connected with knowledge of different disciplines, so the teaching content of administrative law is very complicated and still expanding. However, in contrast, except for a few colleges and universities, most colleges and universities only arrange one semester to teach administrative law, so there is a tension between the complicated teaching content and the limited teaching time. The result of the mismatch between teaching content and teaching time is that teachers of administrative law courses are unable to teach the complete system of administrative law, and can only selectively select key points or content that interests them. It makes many students unable to understand administrative law systemically and systematically, which increases the difficulty of learning administrative law to a large extent.

### **2.2 The teaching content overly emphasizes the theory, is out of line with real life, and lacks practicality.**

The teaching of administrative law takes administrative subject, administrative act and administrative remedy as the main line, focuses on teaching the basic concepts, principles and theories of administrative law, and has a certain distance from the practice of administrative law. However, legal education is also a vocational education, the content of administrative law teaching is too abstract to meet the needs of legal practice, and it is difficult to train outstanding talents of rule of administrative law. Compared with civil law, criminal law and other subjects, the teaching content of administrative law has a serious gap with the daily life of college students. They do not know much about administrative organs and their operation, and it is very difficult for them to understand and master them. The inability to absorb and understand the knowledge of administrative law taught can easily lead to students' resistance to learning administrative law.

### **2.3 The lack of connection between simple teaching methods and receptive abilities**

On the one hand, administrative law still continues the traditional teaching method based on theory teaching and takes concept definition, system interpretation and legal interpretation as the basic path. Due to the abstract content of administrative law and the estrangement from daily life, students generally cannot quickly enter the wonderful world of administrative law. On the other hand, even though some colleges and universities have set up administrative law practice teaching courses, the effect of administrative law practice teaching is not satisfactory due to the lack of relevant experience and the deficiency of macro design. "At present, it is not optimistic that the teaching situation of law major in colleges and universities, especially the practice teaching, and the practice teaching of law has a certain degree of arbitrariness, blindness, and empiricism, which cannot meet the requirements of cultivating legal professionals." Therefore, both the traditional teaching of administrative law and the new practice teaching of administrative law are not in harmony with students' understanding and acceptance ability.

## **3. The Innovation and Improvement of Administrative Law Teaching**

In view of the dilemmas faced by administrative law teaching, we can try to seek innovation and improvement from the aspects of teaching content, teaching methods, teaching subjects, etc., so as to better enhance students' interest in learning administrative law and facilitate students to understand the essence and content of administrative law faster.

### **3.1 The stratification of the teaching content of administrative law**

From the perspective of content, administrative law includes general provisions of administrative law and specific provisions of administrative law, and the general provisions of Administrative Law are further divided into substantive administrative law, administrative procedure law and administrative remedy law. In addition, administrative law also needs to teach some typical and instructive judicial cases, and also contains cross-knowledge from the perspectives of other disciplines such as political science, sociology and economics. Therefore, from the perspective of teaching content, we first need to establish the hierarchy of the teaching content of administrative law, and construct the system framework of the teaching content of administrative law from the perspectives of general provisions and specific provisions, entity and procedure, law and non-law, system and case. Then we need to arrange the course system and teaching time from the framework of the system. According to students' knowledge background and understanding ability, we can take the content of general provisions of administrative Law as the content of traditional compulsory courses of administrative law, and the content of administrative procedural law and create separate courses on administrative litigation law and administrative law cases.

### **3.2 The multimedia teaching method of administrative law**

We can make full use of modern information technology to transform traditional classroom and improve teaching effect. Multimedia, network and other modern information technology means have become an indispensable part of the study and life of higher vocational college students growing up in the Internet era. The main dilemma of administrative law teaching lies in the abstract content of administrative law and the serious gap between administrative law and students' daily life. As a result, students cannot understand administrative law quickly and are not interested in learning it. In course teaching, attention should be paid to using typical administrative examples or judicial cases in practice to analyze and interpret the corresponding contents of administrative law, and corresponding course interaction and case analysis should be carried out to further deepen the contextualization of the teaching content of administrative law. They are accustomed to using the Internet to obtain information, learn knowledge and communicate. Through modern information technologies such as multimedia, network, and digitization, teaching content has been optimized and enriched, achieving enrichment of teaching content; By utilizing modern information technologies such as multimedia, networking, and digitization, we have created a vivid teaching scenario that integrates images, text, sound, and images, achieving the visualization of abstract knowledge; To this end, these application methods can be organically integrated into the teaching practice of administrative law and administrative procedure Law to fully stimulate students' interest in learning, help them learn, understand and master knowledge and skills more conveniently and efficiently, broaden their horizons and add to their knowledge, and help teachers reflect and improve teaching in time to achieve good teaching effects.

### **Summary**

This paper analyzes the current situation of the teaching of administrative law and administrative procedure law, points out the current teaching dilemma, and puts forward some reform measures. We hope that through these measures, the teaching dilemma of the course can be changed to cultivate outstanding talents for the country.

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