

An Exploration of Moral Education and Rule of Law Education in the Course of Ideological and Political Theory

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Abstract: Morality represents the conceptual and normative framework that individuals develop regarding ethical distinctions and virtuous conduct within the realm of societal production and existence. Law, on the other hand, constitutes the social standard established by the state and enforced through coercive measures. The pursuit of modernizing the national governance system and its capacity necessitates a convergence of moral governance and the rule of law, wherein the amalgamation of intrinsic moral principles and extrinsic legal regulations becomes imperative. Moral education and rule of law education are intrinsically intertwined, mutually reinforcing each other not only in terms of educational objectives and outcomes but also in their underlying value systems. The divergence between the two primarily manifests in the realms of educational content and pedagogical approaches. As a specialized discipline aimed at cultivating moral and legal consciousness among students, the course titled “Morality and the Rule of Law” should, in the context of educational practice, be rooted in the philosophy of “reconnecting with students’ lived experiences”. Teaching should be organized by drawing upon students’ personal encounters and essential life lessons. Students should be encouraged to develop a comprehensive understanding of this interdisciplinary course, actively engaging with various facets of national politics, economics, society, and jurisprudence. The cultivation of a profound belief in the legal system and the nurturing of a heightened awareness of regulatory frameworks ought to be central to the pedagogy, ensuring that moral and legal education becomes an integral part of students’ daily lives. This approach will instill a sense of reverence and trust in the legal apparatus, thereby fostering a voluntary commitment to upholding the principles of law.

1. Background

Moral education is an educational process of the continuation, construction, and transformation of moral and social norms, and is an important guarantee for the sustainable vitality of human morality. [1] In 2014, China proposed to incorporate legal education into the national education

system, starting with young people, by introducing courses on the rule of law in primary and secondary schools. Starting from 2016, the textbooks for ideological and political theory courses in compulsory education were unified under the name of “Morality and Rule of Law”. As a crucial course in implementing the fundamental task of cultivating moral character and nurturing well-rounded individuals, “Morality and Rule of Law” bears the responsibility of providing moral education and rule of law education to junior high school students.

In the contemporary era, the effective implementation of the fundamental strategy of rule by law and the fundamental approach of rule by virtue is vital for the construction of a rule of law in China. It is imperative to uphold the integration of rule by law and rule by virtue, allowing for a mutual complementary and synergy between the realms of legal governance and moral governance within the framework of national governance. This convergence serves as a catalyst in advancing the modernization of the national governance system and capacity. Moreover, it is crucial to emphasize the role of morality in providing a robust support system for the rule of law. The tenets of governing by law must be steadfastly upheld while simultaneously recognizing the foundational significance of governing by virtue, which should never be disregarded regardless of circumstance. Morality plays a role in the law, yet it never stays the same through the ages; the law must deal with changing morality, such as attitudes towards slavery or homosexuality. [2] Since humanity entered the realm of civilized society, the coexistence of moral governance and legal governance has become the prevailing norm, with morality and law assuming pivotal roles as primary resources within the domain of social governance. Consequently, the amalgamation of moral governance and legal governance has emerged as the predominant model of social governance. The law should strive to ameliorate our societal morality. [3] The relationship between law and morality represents a captivating pursuit within the realm of legal studies, wherein those navigating the legal terrain, once conquering its perils, are no longer exposed to the precariousness of catastrophic consequences.[4]

Morality encompasses the notions of right and wrong and a system of behavioral norms that individuals develop in the context of social production and life. According to Hume, morality consists of natural morality (the spontaneous biological manifestation of human beings, such as charity and benevolence) and artificial morality (ethics constructed through ethical principles, which represents the social manifestation of individuals, such as justice and loyalty) [5]. Rawls posited that morality consists of authoritative morality (the moral norms that children initially encounter, primarily composed of various principles), communal morality (the moral principles individuals should adhere to when assuming roles in different communities after entering society), and principled morality (the final stage of moral development) [6]. Fuller argued that morality encompasses obligatory morality (pertaining to the fundamental requirements for safeguarding social order) and aspirational morality (principles that contribute to improving the quality of life and fostering strong interpersonal connections) [7]. Law, on the other hand, refers to the social norms established by the state and enforced through its coercive power. In terms of the relationship between morality and law, law represents codified morality, while morality represents an individual’s internalized law. Morality regulates an individual’s internal thoughts and motivations, while law governs external relations among people. Morality is characterized by self-discipline, ambiguity, diversity, internal constraints, non-procedural nature, and non-justiciability. Law, on the other hand, is characterized by external enforcement, definiteness, uniformity, external compulsion, procedural nature, and justiciability.

The core of China’s traditional model of moral governance is rooted in the moral values that reflect the reality of natural economy and feudal society. Many principles within this model, such as “enlightened virtue and cautious punishment”, “governing through virtue” “virtue as the primary, punishment as the auxiliary”, and “virtue and rituals as the foundation of governance and education, punishment as a means of governance and education”, emphasize the use of moral force to

influence hearts and minds. Through persuasion and education, it aims to encourage individuals to voluntarily adhere to social moral norms. Ancient Chinese believed that “governing with laws and regulations without moral values would lead to a shameless society, while governing with virtues and rituals would instill a sense of shame and integrity”. The traditional model of moral governance in China has achieved a high level of social governance in ancient times. In contrast, the Western modern cultural model of the rule of law integrates diverse moral perspectives under the standard of justice. It places the legitimacy of laws and regulations within the framework of moral consensus. By shaping legal rules, practices, and ecosystems through moral spirit, principles, and norms, it adheres to the notion that compliance with the law is not only a legal obligation but also a moral duty. This model sanctifies obedience to the law and establishes a rule of law system characterized by justice-oriented morality, rule-based morality, and obedience-oriented morality. In the context of significant transformations in modern socio-economic and political realms, promoting the modernization of the national governance system and capacity necessitates the coordination of moral governance and legal governance. It requires the effective integration of self-discipline-based morality and externally-imposed law. We ought to deepen the probing into hidden moral education, actively research teaching methods of hidden moral education curricula, and greatly raise the quality of moral education, to promote students' ideological and moral standards to constantly rise [8].

2. The Relationship between Moral Education and Rule of Law Education

From an educational perspective, both moral education and legal education aim to cultivate competent socialist citizens. In modern society, individuals require not only moral self-discipline but also legal recognition of their citizenship. The course on “Morality and the Rule of Law” provides students with moral and legal education, distinct from specialized ethics education and legal education. Its objective is to enhance students' civic literacy. In this sense, although moral education and legal education may emphasize different aspects, they can ultimately converge and achieve harmony.

From an educational perspective, both moral education and legal education necessitate attention to students' lived experiences. As a specialized course in moral education, the course “Morality and the Rule of Law” establishes a pedagogical philosophy rooted in the notion of “reconnecting with students' lived realities”. Concerning moral education, the didactic inclination of the “Morality and the Rule of Law” course towards knowledge acquisition engenders inefficiencies in educational efficacy, whereby students merely acquire “knowledge pertaining to morality” rather than genuine “moral knowledge” per se. In the context of legal education, the foremost concern of the “Morality and the Rule of Law” course should be the cultivation of students' legal consciousness and spirit. Presently, within the pedagogical praxis of the “Morality and the Rule of Law” course, teachers evince a heightened emphasis on the rote memorization of conceptual frameworks, principles, and methodological approaches. This inclination is primarily attributable to the alignment of such content with standardized evaluative frameworks, as well as its perceived efficacy in augmenting students' academic performance. To enhance the educational efficacy of the “Morality and the Rule of Law” course, genuine attention must genuinely be directed towards students' lived experiences, thereby enabling them to tangibly apprehend the omnipresence of morality and law in their immediate milieu. Only then can students' moral qualities and legal consciousness be effectively enhanced.

From a values perspective, moral education and legal education share a common goal of guiding students towards living a virtuous life. That which is affirmed by the law is advocated by morality, while that which is prohibited by the law is opposed by morality. The self-discipline demanded by

moral education contributes to a conscious adherence to the law. The principles of fairness, justice, democracy, and freedom propagated by legal education are not only legal principles but also fall within the realm of morality. In this sense, moral education and legal education mutually reinforce and promote each other.

Rule of law manifests the essence of law is free. In the ultimate significance, it pursues the living state of human beings which contains order, equality, fair, justice and so on many value demands [9]. The primary difference between moral education and legal education lies in their content and methods. In terms of content, moral education focuses on morality, while legal education focuses on the law. In terms of their mode of operation, morality encompasses thoughts, emotions, and behaviors, while the law only pertains to actions. In terms of regulatory scope, both morality and the law have their respective independent domains. In terms of effectiveness, Jürgen Habermas refers to the effectiveness of morality as fairness and the effectiveness of the law as legitimacy [10]. Therefore, when providing moral education and legal education to students, it is essential to help them understand the differences between the two in these three aspects and appreciate the distinct roles of morality and the law in improving their lives. Regarding methods, moral education commonly employs techniques such as moral dilemmas, role-playing, and value clarification, while legal education often utilizes methods such as case studies and mock trials.

3. Conclusions and Recommendations

First and foremost, it is crucial to effectively implement the concept of “reconnecting with students’ lived experiences”. Embracing this concept entails that teachers should integrate curriculum content and organize classroom instruction based on the logical framework of students’ lives, rather than solely adhering to disciplinary logic and knowledge systems. “Reconnecting with students’ lived experiences” does not imply opposition to knowledge acquisition; rather, it emphasizes that students should not learn knowledge solely for the sake of knowledge itself. Instead, they should apply the knowledge they acquire to navigate various relationships in their lives. Therefore, teachers should integrate disciplinary knowledge based on the themes and concerns of students’ lives. This approach does not seek to negate the significance of knowledge acquisition for individual moral development. It rather opposes the notion of objectifying knowledge as the sole element for students’ moral development. It discourages over-reliance on simplistic modes of instruction, such as conveying concepts and rules through rote memorization. Particularly, it opposes evaluative methods that solely measure students’ performance based on the quantity of knowledge memorized. Whether it is moral education or legal education, both cannot be detached from students’ lived experiences. Students reconstruct their own experiences based on their pre-existing lived experiences. The familiarity they possess with their own lives, as well as the lives of their peers, eliminates any sense of strangeness. Through expression and processing, students, grounded in their familiar life experiences, make a transformative leap from “being” to “becoming”.

Secondly, it is important to accurately grasp that the “Morality and the Rule of Law” course is an “integrated” course. In terms of curriculum content, it organically integrates morality, mental health, law, and national conditions, closely connecting with students’ family, school, and social life. Therefore, teachers should actively tap into students’ life experiences to organize teaching content and create a platform for student learning. On the one hand, teachers need to have a broad knowledge perspective and knowledge reserves. On the other hand, they should not simplify the teaching of ethics and rule of law as mere knowledge transmission. Teachers should guide students to pay attention to various aspects of life, such as national politics, economy, society, and law, and connect these with students’ own experiences. By combining real-life topics with issues in the teaching materials, students can not only acquire deterministic knowledge but also transform it into

tacit knowledge and comprehensive knowledge that aligns with their personal growth during the learning process.

Furthermore, it is important to establish a belief in the rule of law and cultivate a sense of rules. In modern society, in addition to traditional moral beliefs, we should also have a belief in the rule of law. Traditional beliefs in China stem from the secular world, which is a form of moral belief that is imparted through lifelike and ritualized scenarios. Belief must be rooted in traditional culture, and in China, traditional rule of law culture is a culture that combines rituals and laws. Belief in rituals is essentially belief in laws, and traditional moral education includes a belief in the law. Therefore, it is in line with the formation of Chinese beliefs to enlighten individuals' conscience and foster recognition of the legitimacy of the law. By providing students with practical moral and rule of law education, we can instill in them a sense of awe and trust in the law, thus cultivating a conscious spirit of abiding by the law. This is also the Chinese way of establishing a belief in the rule of law. Social life relies on the guarantee of rules, which include legal rules, moral rules, game rules, etc., and are manifested in a series of regulations and systems. Cultivating students' sense of rules means enabling them to understand and identify with regulations and systems. Here, rules are not specific laws or regulations, but an abstract concept that requires people to abide by norms and principles in their daily lives. By integrating the sense of rules with students' personal interests, we can provide them with in-depth education on moral and legal rules, thus cultivating their sense of rules.

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