

Advancement and Limitation of Modern Civil and Commercial Law Culture

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ABSTRACT: *With the development of socialist modernization in China, the social system is becoming more and more perfect. Civil and commercial law has gradually formed a culture of civil and commercial law. At the same time, there are some advances and limitations. This paper analyses the advancement and limitation of modern civil and commercial law culture, and provides corresponding reference.*

The main role of civil and commercial law is to safeguard people's personal interests and ensure that people's freedom and equality and legitimate rights and interests are not infringed. The economic foundation decides the superstructure. Modern civil and commercial law plays an important role in promoting the development of society and economy. However, in the process of the development of modern civil and commercial law culture, there are still some advances and limitations.

KEYWORDS: *Modern Civil and Commercial Law Culture; Advancement; Limitation*

1. Advancement of Modern Civil and Commercial Law Culture

1.1 Advanced Ideas

The main idea of modern civil and commercial law culture is to guarantee the freedom and equality of human beings, which embodies the advanced nature of civil and commercial law culture to a great extent, and protects the legitimate rights and interests of human beings reasonably in the form of law. Freedom is the lifelong pursuit of many people. Modern civil and commercial law effectively guarantees people's freedom. Equality and being treated equally are everyone's legitimate rights and interests. Life is equal, without distinction between high and low. It highlights the concept of "people-oriented" society and embodies the advanced nature of

modern civil and commercial law culture. At the same time, the modern civil and commercial law also guarantees fairness and justice. The law is a balance. The most basic function is to maintain fairness and ensure that everyone's rights and interests are protected fairly. Therefore, modern civil and commercial law provides people with institutional safeguards, and promotes and develops with the social environment. Civil and commercial law is of great significance to the development of socialism in China.

1.2 Social and Cultural Aspects

With the development and progress of history, social culture has also developed. Civil and commercial law has also undergone a unique cultural precipitation in its continuous development and progress. After the industrial reform in the eighteenth century, the reallocation of social resources has had a profound impact on human resources. The social division of labor and the reorganization of division of labor have led to the emergence of civil and commercial laws at that time. The original civil and commercial laws were designed to better solve the problems and contradictions in the process of labor, safeguard people's labor relations, and enable social production activities to proceed steadily and steadily. The vital interests of witnesses are to realize the legitimate rights and interests of freedom, equality, fairness and justice. Since the development of civil and commercial law, continuous progress has been witnessed by the development of socialist market economic mechanism. The concept of freedom of civil and commercial law plays an important role in the socialist economic mechanism, which greatly embodies the advanced nature of the culture of civil and commercial law of our ancestors.

1.3 High Applicability

With the rapid development of China's social economy, fierce market competition makes businessmen violate professional ethics and make profits by illegal means. This phenomenon occurs repeatedly. In the current market environment, competition is inevitable. Necessary benign competition can effectively improve the quality of work and enhance the external image of enterprises. However, the emergence of vicious competition will only cause serious harm to the market economic system and affect people's legitimate rights and interests. Therefore, the progress and development of civil and commercial law provides legal basis and protection for people's life and work, and plays a normative role in market competition, enabling all walks of life to compete benignly, effectively reducing the occurrence of vicious competition, and preventing unfair means in market competition. Although the times are constantly changing and the society is constantly developing, the civil and commercial law should be highly adaptable at all times and become a solid backing to ensure the stability of people's social life.

2. Limitations of Modern Civil and Commercial Law Culture

With the continuous progress of our society, our country attaches more and more importance to laws and regulations, and laws and regulations are constantly improving and developing. Many laws have been established, and civil and commercial laws have been established and completed. Although they are adapted to the economic and cultural mechanism of our country, their shortcomings gradually emerge in the process of application. Socialist economic system is the cause of the problems in the culture of civil and commercial law. One of the elements. As far as the legal system is concerned, civil and commercial law mainly protects people's free, equal, fair and legitimate rights and interests, and provides legal basis for people's social life and economic rights and interests. The original idea of civil and commercial law is freedom, equality, fairness and justice. However, in the actual implementation process, it is contradictory to preserve the economic benefits of enterprises and people's own property, which is bound to be abandoned. The grass-roots masses have a low social status and belong to the vulnerable groups. In order to achieve greater economic benefits, enterprises with a high mass base and social status will damage their own interests. Therefore, there are some limitations in the civil and commercial law. In addition, with the rapid development of information technology, such as the Internet, people's production, life and work are integrated into the Internet, and the degree of informationization is getting higher and higher. However, the control effect of civil and commercial law on informationization is poor, its application is less, and even some areas of civil and commercial law can not be applied. Therefore, our country should pay more attention to the limitations of civil and commercial law and further improve [4].

3. Measures to Improve Modern Civil and Commercial Law Culture

The purpose of establishing civil and commercial law in China is to guarantee the people's free and equal legal rights and interests, so that people can compete freely and fairly. However, according to the current development of China's social and economic system, there are still many shortcomings in the civil and commercial law. The following are the countermeasures to improve the modern civil and commercial law culture: (1) To improve the legislative level, there is a serious shortage of informatization in the current civil and commercial law culture. By adjusting the legal content properly and strengthening the legal anticipation, we can advance the establishment of legal provisions related to informatization and expand them. The scope of application of the Civil and Commercial Law is in line with the development of the information age and the modern social and economic system; (2) To improve the protection of the rights and interests of grassroots and vulnerable groups. At present, the protection of grass-roots people and some vulnerable groups is poor in the process of implementing the Civil and Commercial Law of our country. The investigation shows that the protection function of civil and commercial law on people's legitimate rights and interests is not well played. Therefore, we need to attach importance to the protection of grassroots people and vulnerable groups. We need to amend the Civil and Commercial Law, put the interests of the people first,

apply the concept of "people-oriented" in the Civil and Commercial Law, so that the Civil and Commercial Law can play the greatest role and ensure the legitimate rights and interests of the people. In addition, the protection of civil and commercial law on social and public interests is very inadequate. Therefore, the state must attach importance to the revision of civil and commercial law, focusing on the protection of the fundamental interests of vulnerable groups and social and public interests. In light of the limitations of our civil and commercial law and the development of social and economic system, we should fully understand the needs of grassroots and vulnerable groups, so as to enable the civil and commercial law to be fully understood. It can better adapt to the development of society, ensure people's freedom and equality, and protect fair and just legitimate rights and interests from being damaged.

4. Concluding remarks

The establishment of civil and commercial law is conducive to the construction of our socialist society and the improvement of social and economic development, which has far-reaching impact in many aspects. However, there are advances and limitations in any law, and civil and commercial law is no exception. If we want to give full play to the role of civil and commercial law, we need to understand its advancement and limitations. However, the current situation of civil and commercial law in our country is lack of attention and protection to the grassroots masses and vulnerable groups. Therefore, we need to further improve civil and commercial law, establish a modern civil and commercial law culture adapted to the development of our country, and ensure that our citizens enjoy the legitimate rights and interests of freedom, equality, fairness and justice. I hope that through this article, we can provide reasonable suggestions for the development of our modern civil and commercial law culture, and further promote the development of our modern civil and commercial law culture.

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