

Conceptual clarification and practical application on commercial law concepts

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ABSTRACT

The concept of commercial law is inseparable from the thinking of commercial law, and the concept of commercial law is the core spirit of the operation of commercial law thinking. Its contents include profit-making thinking, businessmen's autonomy, prioritizing efficiency and guaranteeing safety. Compared with civil law norms, commercial law concept has a comparative advantage for the application of rules of commercial practice, in terms of company law, the establishment of the company and the goodwill of the company is not effectively protected in the traditional civil law. The teaching practice of business law concepts is currently structurally deficient and needs to be optimized in the design of future teaching reforms. At the practical level, the overall work of optimizing the business environment cannot be separated from the support of the rule of law, and the value guidance of the concept of business law is even more indispensable.

KEYWORDS

Commercial law concepts; Business law thinking; Business teaching; Business environment

1. DEFINITION OF COMMERCIAL LAW CONCEPTS

1.1. The Relationship Between Business Law Thinking And Business Law Concepts

Commercial legal thinking is inextricably linked to commercial concepts, which are the centralized expression of commercial thinking. The manifestation of commercial law thinking in its underlying content is a "resource pool and organism" composed of many aspects such as commercial customs, commercial concepts, commercial beliefs and convictions, commercial purposes, commercial values, and commercial ideas. What "substantive commercial law" reveals is the "objective law" and "reason" of the respective existence and operation of commercial law facts, norms, etc., and is the objective attributes contained in the reality of commercial law and its practice itself and presented piecemeal. It is the objective attributes and the organic connection between these attributes which are presented in fragments, and one of the tasks of the researcher of commercial law theory is to systematize and rationalize these attributes and connections through continuous understanding, summarizing, inducting and refining. The internal system of substantive commercial law is the scientific understanding of the essence of commercial law and its internal objective law, which exists after the system of positive law such as rules and principles of commercial law, and is the soul and spirit of commercial law and sectoral law, and also the fundamental driving force of commercial law research [1].

At the formal level, commercial thinking refers to the concepts of commercial law, its rules and institutions, its principles, and the framework of an internally harmonized body of knowledge that follows the logic of commercial law itself. The concepts of commercial law are the "cornerstones" for understanding the rules and systems of commercial law. The norms of commercial law are the

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