

Building A New Era of Socialism with Chinese Characteristics: A Culture of the Rule of Law

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Abstract: Since Socialism with Chinese Characteristics entered a modern age, so to solve the main contradictions facing our country in this new era, it is necessary to continuously buttress the basic framework of the country ruled by law. The culture of strict adherence to law is related to the success or failure of the construction of a rule of law in China, and it has an important counter-effect to the rule of law. The rule of law culture of Socialism with Chinese Characteristics has a profound historical origin and has inherited and carried forward many outstanding achievements of law abidance civilizations. This law following custom is indispensable for developing democratic politics, promoting economic development, and creating amicable community. At the same time, it helps to realize the modernization of people. Many of the problems faced by this modern era can only be solved by following the guidelines of the Communist Party of China, continuously improving the level of productivity, and promoting the healthy development of the economy. Legal education should also be made necessary so it can encompass every facet of normal human life. Promote the cultural development of the rule of law of Socialism with Chinese Characteristics and make new contributions to enrich its theoretical system.

The true essence of a law-abiding society refers to a democratic society where all the actions of community are performed under the tutelage of laws and no action is, whatsoever, in discord with the law the and that the power restriction as the key for the smooth functioning of the society. The ensuing culture refers to the purpose of implementing the concept of the rule of law under the carrier of the current legal system. It includes democratic legislation, administration according to law, fair justice, legal supervision, legal publicity and education, and consciously abiding by the law. The great philosopher, Carl Marx has defined it as a type of way of life, the establishment growth of which is highly affected by the material condition of the society. This new age culture can be defined as the one under the lights of which the Communist Party of China, guided by the correct Marxist ideology, governs the country with an innovative concept of governance protecting the national interest of China. In this process, both criticized and inherited the traditional Chinese rule of law culture, but also absorbed the essence of other similar culture. Keep open, and continue to develop a civilized form of the high society which conforms to the development of above-mentioned era. This type of culture always takes people as the center while representing the interests of a major section of society.

1 The theoretical basis of the rule of law culture of Socialism with Chinese Characteristics

1.1 China's traditional rule of law culture

There exists a long history of prosperity of Chinese nation. In 87 BC, the Emperor Wu who was the seventh emperor of the Han Dynasty, during his period banned many philosophers but always gave importance to the teachings of the Confucian. This, in turn, made the Confucian rule of law the orthodox thought of the ruling class. By the end of this regime, the warlords contended for hegemony, and legalism and other ideas were valued. In the end, the traditional rule of law thought based on Confucianism, Legalism and Taoism was formed. Confucianism advocates morality as "li" and its role in the process of governing society. Emphasize the importance of ethical governance, supplemented by law and compulsive means, integrate etiquette and law, make the two complement

each other, and provide services for maintaining feudal rule. Legalists mainly were in favor of the use of severe penalties to successfully administer the state. Legalists represented by Guan Zhong, Shang Yang, and Han Feizi proposed: "Govern the country in accordance with the provisions of the law." "Regardless of closeness and estrangement, no matter noble or poor, everything is determined according to the law." "The monarch, courtiers, superiors, inferiors, nobles, and lowly all obey the law." "Punishment and rewards should be treated the same, and people should not be treated differently based on their status" and other important legal concepts. This provides an important reference for the construction of the rule of law culture in later generations. Taoists represented by Laozi and Zhuangzi advocate "No-action" in the way of governing the country. Emphasize that the development of the country should follow the characteristics and basic laws of things and make progress in a gradual and orderly manner, without deliberate intervention. It is necessary to control people's desires and behaviors within an appropriate range. On the one hand, Taoism proposes that the ruling class should do less, let alone act indiscriminately. On the other hand, it is proposed that the ruling class of the people should leave the people in a state of wantlessness and inaction, so that the country can maintain long-term stability. The traditional Chinese culture of rule of law under the integration of various ideas has an important influence on the formation of the culture of the rule of law in the new era of Socialism with Chinese Characteristics.

1.2 Marxist thoughts on the culture of the rule of law

The legal culture thought of Marx and Engels is the direct theoretical source of the being followed in China in the new era. Marx and Engels believed that law embodies the will of the ruling class and reveals the essence of law. This law forms the basis of a society and its formation and implementation are always greatly affected by the economic condition of the state and it is always directed to improve these conditions. When the law can correctly reflect the laws of economy, the law will promote social development. On the contrary, it will hinder economic development. In addition, the laws of capitalist countries guarantee the freedom of citizens to a limited extent. On the one hand, the bourgeoisie enacted laws to protect freedom; on the other hand, it was also using laws to restrict civil liberties. Because the other classes, especially bourgeoisie consequently will try to bend the rules and use law to gain and secure their individual interests. Only the laws under the socialist system truly guarantee the freedom and rights of the majority of the proletariat.

Lenin who led the Russian proletariat to victory in the revolution was the first person to practice and achieve success in the theories of above-mentioned two great philosophers. He inherited and developed the legal culture thought of Marx and Engels. Putting Marxism into practice has greatly promoted Marxism all over the world. After the October Revolution, the Soviet Republic quickly enacted many laws to protect the results of the proletarian revolution. Lenin led the October Revolution and established the Soviet Republic. He proclaimed strict law for running the functions of the state successfully, paid attention to power supervision, and proposed several practical measures to further enrich and develop the Marxist culture. This became the basic footings of current culture.

The founders of communism in China including Mao Zedong, Deng Xiaoping, Jiang Zemin, and Hu Jintao, continued to strive and accumulate in the process of leading the people belonging to different identities in the country to build a country of Socialism with Chinese Characteristics. Consequently, this new form of socialism became the new norm. When Xi Jinping was in power, he was more inclined towards Marxism whose rudimentary elements include: seeking truth from facts, working in tandem with changing themes, and insisting on putting people as the center. On the basis of the Sinicization of Marxism by the older generation of party and state leaders such as Mao Zedong, they have continuously absorbed the colour of local customs. It further integrates the basic principles of Marxism with the specific reality of China to form a culture of the rule of law in the new era.

1.3 The Culture of the Rule of Law in the West

The basic starting point of modern western countries' legal culture thought is to uphold "the supremacy of law". They give more importance to freedom, equality in the eye of law, and care for human rights. The formation of the concept of the predominance of law is a challenge from the rising bourgeoisie in the West against the concept of the supremacy of kingship in Western feudal society. In modern Western societies, primacy to law means freedom and equality that are the most basic rights of people. Pursue fairness and justice, value civil liberties, and preach the use of law to make these rights clear and public, so that every citizen believes in the law, upholds the law, and believes in the law. Emphasize the importance of law in the smooth functioning of the state affairs. The current tradition of Chinese socialism is a mixture of Western heritage, extracting some of the

best value being taught by Western academia. For example, the section fifteen emphasis on "all people are equal before the law" (Commission, 2019) and "strict law enforcement and fair justice" are emphasized.

2 The Importance of Advancing the Cultural Construction of the Rule of Law with Chinese Characteristics in the New Era

2.1 The Inevitable Demand for the Development of Democratic Politics

The nature of our country is a socialist country with a people's democratic dictatorship. The state supports and guarantees the people's right to be protected by the state at any cost. And, both the state machinery and political parties work hard for this purpose. This is the fundamental purpose of the work of the party and the government. To practice this purpose, we must spare no effort to develop democratic politics. Running the affairs of country in compliance to law is the prerequisite and guarantee for the realization of democratic politics. The cultural construction of hegemony of law is an inevitable requirement for advancing the rule of law. First of all, building a good culture of rule of law is conducive to the national legislature and relevant experts and scholars to increase their enthusiasm for legislation and to attach importance to the role of legislation. When making legislation, importance must be given to current situation of the country so that the enacted laws can solve social problems more efficiently. It is conducive to formulating more scientific, reasonable and practical good laws and good laws. Secondly, only when good laws are implemented can they show their value. Fair law enforcement is an important part of carrying out any state's affairs. Building a culture supremacy of law rule of law is conducive to improving the professionalism and rule of law thinking of law enforcement personnel, thereby achieving strict law enforcement, civil law enforcement, and equal law enforcement. Thus, a larger number of people become a part of the system which carry out task of the state. "The people have a sense of trust, awe and a sense of responsibility for the rule of law. This becomes the key for the cultivation of a culture of the rule of law and the advancement of its construction." Professing this type of culture is favorable to the broad masses of people firmly safeguarding the authority of the Constitution and laws, and becoming a powerful promoter of the government's functioning strategy.

2.2 Realistic Needs to Promote Economic Development

The ultimate benefit of implementation of this culture is that it always buoys economic well-being of the homeland. Orderly civilization is the basic symbol of a country governed by law. A stable and good social environment is beneficial to socio-economic expansion. As a cultural productivity, the rule of law culture has a direct role in promoting economic development. Cultural productivity refers to the ability of cultural products, providing cultural services and cultural influence. We can say that it's a form of more advanced culture. Under the conditions of a market economy, the level of cultural productivity determines the level of economic development. The cultural industry can be directly transformed into economic benefits, which in turn will drive a series of economic development.

2.3 A Torchbearer of Congenial Society

Establishment of a democratic society is a cherished rule and this society can only be sustained by following the law. Fairness and justice, honesty and friendship, full of vitality, stability and order, and harmony between man and nature are the basic content of building a harmonious socialist society (O'Donnell, 2004). The type of culture we have been discussing so far is the one insists on putting people as the center, advocating scientific legislation, strict and fair law enforcement, promoting law-abiding by all, and pursuing social fairness and justice. It can be seen that the value pursuit of this culture is consistent with the goal of building a harmonious society; It not only builds it but also promotes it as well. Therefore, we can conclude from given evidences that this type of culture is trailblazing the efforts of creating an emphatic society.

2.4 Realize the Modernization of People

Historical materialism believes that history is created by human beings (Priya). Therefore, the main body of social modernization is also the large pool of the people. Human modernization is the prerequisite for social modernization. In social activities, people are the bearers of activities. Therefore, to complete modernization, human values, ways of thinking, and behaviors are required to continuously evolve and improve in the modernization process of human society. Only people with modern values, ways of thinking, and behaviors can build a modern society. The above discussed culture is also useful to the establishment of correct values for citizens, the cultivation of modern rule of law thinking, the formation of law literacy, and the full realization of human modernization.

3 The Future of the Culture of the Rule of Law in Socialism with Chinese Characteristics in the New Era

According to the report of the 19th National Congress of the Communist Party of China which was published in 2017, it was pointed out that the main contradictions in Chinese society have been transformed (Xinhua, 2017). This indicates that the construction of Socialism has entered a new era. Although China has made great achievements, there are still some shortcomings. China is a multi-ethnic unified country with a large land area and large regional environmental differences. Due to policy and regional differences, the economic development of various regions is not balanced. Unbalanced economic development will lead to uneven development of regional legal and cultural construction levels. The public's awareness of the rule of law still needs to be improved. In addition, China has experienced a long feudal society. The long-term feudal monarchs and aristocratic privileges made the people admire and awe not the law, but the power. This situation leads to the fact that the people do not fear the law and lack the spirit of patronizing it. Therefore, the construction of a culture of the rule of law needs to grasp the correct direction in the new era.

3.1 Adhere to the Leadership of the Party and Ensure the Correct Direction of the Construction of A Culture Of Rule Of Law

The Communist Party of China is an inevitable product of the historical development of modern Chinese society. The leadership of the Chinese Communist Party is the choice of history and the people. The fundamental trait of Socialism with Chinese Characteristics is that the Communist Party of China must be at helm, as the bodies of law and socialist deem it necessary, and realize that the people are the masters of the country Therefore, adhering to the leadership of the Communist Party of China is the basic prerequisite for the construction of such a culture

3.2 Improving Productivity is An Important Guarantee for the Construction of a Culture of the Rule of Law

The laws of a country are the result of the will of the economically dominant class. Different social forms have their own different legal systems and corresponding legal culture. Laws are produced to safeguard the interests of masses. With the continuous development of social productivity, the economic foundation is constantly changing and developing. This change, does not matter how small or large, is tested by using different economic indicators and tools. Therefore, the construction of a culture of rule of law must have an economic foundation as a material guarantee. And to maintain the continuity of it, policymakers must have sufficient and continuous economic support. During the evolutionary phase, we should always be heedless to the coordinated development of regions and promote common prosperity, so as to improve the differences in cultural levels caused by economic disparity between regions.

3.3 Cultivate the People's Awareness

Culture is the spiritual manifestation of human practical activities. The emergence and development of any kind of culture cannot be separated from practice. As the masses are the main body of practice, the construction and development of the rule of law culture is naturally inseparable from the masses. Let the people realize the fairness and justice of the rule of law in the

course of practice so they can have a sense of judicial security, and form a situation where the masses believe in superiority of law and support it. If the rule of law loses the support of the people, law enforcement will be water without a source. Therefore, adhering to the dominant position of the people, effectively protecting the legitimate rights and interests of the people, respecting the people's wishes, and stimulating the people's innovation motivation are the internal driving force for the burgeoning of the rule of law culture. In terms of publicity and education, we should combine law popularization in schools, family law popularization and social law popularization to form an all-round rule of law publicity pattern. While carrying out the rule of law education in the classroom and publicizing the law in the community, it actively utilizes the high-efficiency information dissemination of online communication and Internet short video platforms. In this way, the rule of law education can penetrate into all aspects of social life, form a joint force for publicity of the rule of law, cultivate the people's cognition of the socialist rule of law, and promote the healthy development of the culture of the rule of law of Socialism with Chinese Characteristics.

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