

On the People's Position of Xi Jinping Thought on the Rule of Law

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Abstract

The central work conference on comprehensive rule of law held in November 2020 established the guiding position of Xi Jinping's thought on the rule of law in comprehensively governing the rule of law. As an important part of Xi Jinping thought on socialism with Chinese characteristics for a New Era, Xi Jinping thought on the rule of law in the field of the rule of law expresses its discourses, connotations, and essentials, which all demonstrate the fundamental stance of people's nature. The people's stance of Xi Jinping's thought on the rule of law is based on the theoretical support of the sinicization of Marxist thought on the rule of law, and is rooted in the historical process of the party leading the people to build the rule of law. The dialectical unity of value and purpose has a scientific and meticulous logical framework. Starting from its logical framework, this paper focuses on the scientific, contemporary and instructive nature of the people's standpoint of Xi Jinping's thought on the rule of law, and deeply comprehends the brilliance of the people's thoughts that condense it.

Keywords

Xi Jinping's Thought on the Rule of Law; People's Position; Theoretical Logic; Historical Experience; Value Purpose.

1. The Theoretical Logic

Since the 18th National Congress of the Communist Party of China, the CPC Central Committee with Comrade Xi Jinping as the core has continuously deepened its understanding and grasp of the rule of law, condensed it into a series of new concepts, new ideas and new strategies for comprehensively promoting the rule of law, and formed Xi Jinping's thought on the rule of law. Starting from a class standpoint, Xi Jinping's thought on the rule of law originally proposed that the comprehensive rule of law should adhere to the people-centered approach, and clarified the people's standpoint of socialist law [1].

As the product of the combination of the continuous legal construction of socialism with Chinese characteristics and the Marxist legal theory, Xi Jinping's thought on the rule of law shows a complete scientific logic and a clear people's position, and has a rich Marxist position, thinking method and people's view. At the same time, it endows Marxism with practical needs and theoretical innovation to adapt to contemporary development through the rich interpretation of the times, and describes a new chapter of Marxist thought on the rule of law.

1.1. The Origin of the Theory of the Chinese People's Standpoint under the Rule of Law --Marxist Standpoint and Method

The position question basically answers the question of "why people". When the classical Marxist writers examine the category of legal system, they always place their concern for human beings as their logical starting point and value orientation for exploring the nature of the phenomenon of human rule of law. Marx said: "In a democracy, the law exists for people." At the same time, Marx keenly found that there was real inequality behind the equality of western capitalist legal forms, and revealed this hypocrisy in the Critique of Gotha's Program.

Although it has the limitations of the times, its theory has clarified the basic standpoints and methods for the proletariat all over the world to build a new country, new political power, and new rule of law.

1.2. The Origin of the Theory of the Chinese People's Subject under the Rule of Law--Marxist Historical Materialism

The basic viewpoint of Marxist historical materialism holds that the people are the creators of history and the creators of social material wealth and spiritual wealth. This scientific thesis escapes the shackles of the times, and sees the profound power hidden in the broad masses of the people with visionary eyes.

Since the 18th National Congress of the Communist Party of China, our party has always anchored the position of "the people are supreme", upheld the principal position of the people in the construction of the socialist legal system, and promoted the socialist rule of law spirit throughout the society that the people are the defenders of the authority of laws and laws are the protection umbrella of the people's rights and interests. This is a vivid expression of Xi Jinping's people-centered concept in the field of the rule of law, a high degree of certification of the principal position of the masses, and a shining example of rational brilliance of historical materialism.

2. The Historical Experience

Xi Jinping's thought on the rule of law is rational thinking and in-depth analysis based on theoretical logic and historical purpose, and it is the inevitable result of historical evolution. It draws on and absorbs the experience of our party's leaders in the construction of the rule of law in the past dynasties, and creatively combines it with the practice of the rule of law in contemporary China.

2.1. The People's View of Mao Zedong's Important Exposition of the Rule of Law

The Chinese Communists represented by Mao Zedong combined the basic theory of Marxism with the concrete revolution and construction of China. Its theory of the rule of law is embodied in the issue of the state system and the political system, and it contains profound people's standpoints and intentions.

During the period of the new democratic revolution, the Communists creatively proposed the establishment of a new state under the people's democratic dictatorship, and in the Outline of the Constitution of the Chinese Soviet Republic, the people were placed at the top of the constitutional provisions. During the period of socialist revolution and construction, the Communists emphasized that socialist laws must reflect the will of the people and that the people must become the main body of the formulation of socialist laws.

Xi Jinping's thought on the rule of law adheres to and enriches MAO Zedong thought's theory of state and political system, and draws on its profound nourishment for the people. Clearly put forward "the people's congress system is to adhere to the leadership of the party, the people are masters of the country, in accordance with the law governing the organic unity of" fundamental institutional arrangement, such as theoretical proposition, have greatly enriched the regime theory of socialism with Chinese characteristics and values of the people's supreme, for the Chinese characteristic socialist democracy under the rule of law theory made original contributions [3].

2.2. Deng Xiaoping's View of the People on the Rule of Law

Deng Xiaoping Theory, which was formed and developed in the process of reflecting on and building the socialist democratic legal system, contains rich ideas of the rule of law, the most

iconic of which is the theory of the party and state system [4]. In his important exposition on the rule of law, Deng Xiaoping put forward major propositions such as promoting the legalization of the democratic system and correctly handling the relationship between the rule of man and the rule of law.

On the basis of absorbing the essence of Deng Xiaoping's system theory, Xi Jinping made a profound exposition on this. He emphasized that the rule of law must be people-centered at all times, placing the people as the main body of the core value of the socialist rule of law, and truly achieving "the rule of law for the people".

2.3. The People's View of the Important Exposition of the "Three Represents" Rule of Law

The third generation of Communists with Jiang Zemin at the core clearly proposed to further expand socialist democracy, improve the socialist legal system, rule the country according to law, and build a socialist country under the rule of law. In the view of the people, which is an important exposition of the rule of law, Jiang Zemin paid more attention to the role of the people in the specific process of building the rule of law [5]. On the one hand, it attaches great importance to legal education and raising the legal awareness of the whole people. On the other hand, Jiang Zemin believes that we must respect and implement the dominant position of the people in every aspect of the construction of the law.

The people's view of the important discussion of the "three represents" rule of law has greatly influenced the people's position of Xi Jinping's thought on the rule of law. Today, many fundamental views contained in his people's position have benefited a lot from this, such as good law and good governance, people's sovereignty. .

2.4. The Scientific Outlook on Development and the People's Outlook on the Rule of Law is an Important Exposition

Entering the new era, the Chinese Communists with Hu Jintao as the main representative have established people-oriented as an important concept for the party and the country to carry out various work, emphasizing that power is used by the people, feelings are related to the people, and interests are pursued by the people. At the same time, the CPC Central Committee especially emphasizes the beneficial role that the rule of law can play in the process of promoting the all-round development of human beings, and attaches great importance to the important role played by the government in promoting the construction of the rule of law and promoting the all-round development of human beings. During this period, the "people-oriented" rule of law value orientation has made progress with the times in terms of connotation, thought and form [6].

On this basis, Xi Jinping creatively developed the "people-oriented" concept of good governance, elevating the comprehensive rule of law to a strategic level related to people's happiness and well-being controlled by the people.

2.5. The Firm People's Stance of Xi Jinping's Thought on the Rule of Law

Xi Jinping's thought on the rule of law goes back to history, builds the foundation of reality, and provides profound answers to major theoretical questions such as why and how to implement comprehensive rule of law in the new era [2]. In its rule of law thinking, the people have always been in the supreme position, showing the profound feelings of the masses. And its firm people's stance has also continuously enriched new connotations and opened up new ideas due to the practice of building the rule of law based on the wisdom of predecessors and rooted in the land of China, and has grown into a contemporary, original and scientific concept of the rule of law.

On the one hand, the socialist rule of law construction under the guidance of Xi Jinping's thought on the rule of law adheres to the value concept of the supremacy of the people, and strives to resonate the progress of the rule of law with the all-round development of people. The formation and development of the people's stance of Xi Jinping's thought on the rule of law vividly demonstrated its scientific spirit of upholding integrity and innovation, and unprecedentedly demonstrated the high level, profound pattern and great generosity of the Marxist rule of law theory in China.

3. The Value Orientation

The people's stance of Xi Jinping's thought on the rule of law is based on the theoretical system of the rule of law with the most overall awareness, overall value and scientific logic of our party so far-Xi Jinping's thought on the rule of law. People stand with profound value implication. This firm position, with its vitality and superiority, promotes the construction of the rule of law in China, showing its value and purpose.

3.1. The Theoretical Basis of the Rule of Law in China

From the traditional "people-oriented" thought in ancient times, to the "people-oriented" value stance contained in the Marxist theory that awakened the Chinese people, to the "people-oriented" people's stance brewed by the leaders of the communist party of China who relayed the practice of the rule of law from generation to generation, China The view of the people in the theory of the rule of law is just like this to this day. The original contribution of the people's position of Xi Jinping's thought on the rule of law is absolutely inseparable from these valuable experiences. Similarly, Xi Jinping's thought on the rule of law also feeds back on China's excellent traditional culture and the achievements of human civilization with its own vitality, washes away the outdated concepts, and gives it the color of the new era of the Chinese theory of the rule of law, radiating new brilliance.

3.2. Leading the Value Orientation of the Rule of Law in China

Practice has proved that only the communist party of China has clear requirements in its mind, precise interpretation in theory, and strict implementation of the "people-oriented" idea in practice. Undoubtedly a great goal guide and value orientation. Guided by this goal, it has injected a strong force of the rule of law into the advancement of the rule of law in China, demonstrated the quality of the rule of law in China, and will surely write a vivid footnote for the rule of law in China.

3.3. Relying on the Main Body of China to Aggregate the Rule of Law

At any time, the people are the most profound main body and the most extensive practical force for our country's commitment to the construction of the rule of law in China and the comprehensive promotion of the rule of law. To build a China under the rule of law, we must stand firm on the "people-oriented" position, engrave the "people" in our hearts and externalize them in our actions. Only in this way can we condense the consensus of the people on the rule of law, master the power of the people, and make the culture and spirit of the rule of law prevail in the whole society. Xi Jinping's thought on the rule of law insists on relying on the people to promote the construction of the rule of law, which will surely gather the continuous main support of the rule of law in China.

3.4. The Source of Power to Safeguard the Rule of Law in China

Building a rule-of-law China is not only a bright road for the country to improve its legal capacity and optimize its legal system, but also a great cause that concerns the interests of the broad masses of the people. To this end, while relying on the collective wisdom and practical creativity of the people, we must always take the fundamental interests of the vast majority of

the people as the starting point and end point of all legal construction work. The firm “people's position” of Xi Jinping's thought on the rule of law has always paid attention to the issues that the people in the field of the rule of law care about and have expressed strongly, pay attention to the omissions of the most basic legal affairs, and is determined to respond to the people's expectations. It also promotes the deepening of the rule of law from point to point, and protects the rights and interests of the people.

3.5. Contribute to the Rule of Law in China's Wisdom Business Card

The ravages of the COVID-19 pandemic around the world and the fact that western governments regard people's lives as nothing, which shows that the international community has not yet stepped out of the jungle society. In contrast, it was also caught off guard, or even the first to bear the brunt. In the face of the epidemic, China has taken strong, timely and efficient measures in the fields of politics, economy and the rule of law. The result of the still-flowing ideology of “people-centered”. At all stages of the epidemic, my country's laws and systems have always put the people's interests first, responded quickly to the real needs of the people for the rule of law, thought about what the people thought, and made laws for the people, all of which demonstrate the authenticity of the people's position in the construction of socialist China's legal system. With the construction of the rule of law China, the rule of law China will become the largest practice field and reservoir of human rule of law civilization, and contribute more Chinese wisdom cards to the global rule of law.

4. Conclusion

As our party's most comprehensive legal system with overall awareness, overall planning and scientific logic, Xi Jinping's thought on the rule of law is deeply rooted in our party and government's century-old practice of socialism with Chinese characteristics. Governing the country by law and building a scientific theoretical system for the rule of law in China is Marxism in contemporary China. Its firm people-centered fundamental position is the inheritance and development of the Marxist position, viewpoint, method and the essence of historical materialism. Return to form an organic cohesive whole. This is also an important reason why Xi Jinping's thought on the rule of law and its people's position can win the hearts and minds of the people, ensure science, and provide guidance. China's smart business cards have important influence. With the distinctive character of the people and the bright quality of the rule of law, Xi Jinping's thought on the rule of law is bound to lead the construction of the rule of law in China to a higher level.

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