

Analysis of the connotation and promotion path of Chinese law modernization

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Abstract: "A strong modern country must be a strong country under the rule of law." The connotation of modernization is very rich, and with the development and progress of human civilization, it has been expanded and deepened, but modernization has always been inseparable from the rule of law. Practice has proved that taking the road of Chinese-style legal modernization, building a socialist legal system with Chinese characteristics and building a socialist country under the rule of law is an inevitable requirement for modernization of the national governance system and governance capacity, and for building a modern socialist country in an all-round way. In the perspective of scientific socialism, this paper analyzes the scientific connotation from the basic concepts and significant characteristics of the road to and theoretical system of Chinese-style legal modernization, and then looks into the historical value of Chinese-style legal modernization from six aspects, including politics, economy, society, civilization, national soft power and the goal of building socialist modernization, so as to provide corresponding insights for scientifically grasping the promotion route of Chinese-style legal modernization and accelerating the comprehensive promotion of Chinese-style modernization and the construction of a powerful modern socialist country.

Keywords: Chinese-style legal modernization, scientific connotation, route for promotion

1. Introduction

The rule of law is an inevitable trend of historical development, an important symbol of the progress of human civilization, and a basic approach and mode of modern national governance. From the perspective of the development of modern countries in the world, they all start from the construction of the legal system that is compatible with their national conditions, and take the modernization of the legal system with their own national characteristics as a key step to solve social problems and promote national modernization. It can be said that the more modern a country becomes, the more it must be governed by law. To build a modern socialist country in an all-round way, it is necessary to enforce the rule of law, promote high-quality economic and social development with the construction of the legal system, and effectively guarantee the construction of a modern socialist country in an all-round way.

2. Scientific Connotation of Chinese-style Legal Modernization

2.1 Basic Concept

In his speech at the conference celebrating the centennial of the founding of the Communist Party of China, the state leader put forward a new political theory and a new proposition of "Chinese-style modernization road". In the report to the 20th National Congress of the Communist Party of China, the basic theory of Chinese-style modernization is comprehensively and systematically expounded, and the essential requirements of Chinese-style modernization are deeply revealed. "The Chinese-style modernization has provided a new choice for mankind to realize modernization," "We must give better play to the guarantee role of the rule of law in strengthening the foundation, stabilizing expectations and benefiting the long-term development, and comprehensively build a modern socialist country on the track of the rule of law."^①The key is to bring economic, political, social, ecological, national defense and armed forces, and party construction, state, government, political party, military and social governance into the track of rule of law. Rule of law, as the basic support and universal standard of modern national governance, is an important part of China's comprehensive construction of a modern socialist country. The comprehensive realization of Chinese-style modernization on the track of rule of

law has been established as the modernization line of China, and the concept of "Chinese-style legal modernization" has also emerged.

Chinese-style legal modernization is the extension of the connotation of the political theory "New Road of Chinese-style Modernization", the concrete embodiment of Chinese-style modernization in the field of rule of law, an important part of Chinese-style modernization, the modernization of rule of law under the guidance of Marxist socialist legal theory, and the original scientific concept of socialist thought with Chinese characteristics in the new era. It has a distinctive socialist character. The route for Chinese-style legal modernization is a correct path in line with China's national conditions, follows the rule of law and leads to good laws and good governance, and is a new form of legal civilization formed in the process of realizing the fundamental transformation from a big country ruled by law to a strong country ruled by law. ^②

2.2 Significant Characteristics

The report of the 20th National Congress of the Communist Party of China pointed out that "Chinese-style modernization is socialist modernization led by the Communist Party of China, which has the common characteristics of modernization of other countries, and more importantly, Chinese characteristics based on its own national conditions." As an important part of the Chinese modernization, the modernization of Chinese legal system also has the basic characteristics of all countries, and more importantly, the prominent characteristics of the legal system based on the socialist legal system with Chinese characteristics, such as Sinicization, people-orientation and comprehensiveness.

Sinicization. The modernization of Chinese legal system is the modernization with Chinese characteristics and has a distinctive socialist nature. The Communist Party of China is the strong leadership core of the cause of socialism with Chinese characteristics. Upholding the leadership of the Party is the greatest strength of the socialist system with Chinese characteristics, and it is the fundamental guarantee and an insurmountable red line for the modernization of the Chinese-style legal system. Before the Chinese-style legal modernization was proposed, all countries in the world believed that the western mode of legal modernization was the only correct way. There is no single universal model and standard for modernization in the world. Countries should, in the process of building the legal system, follow the requirements of historical development and form their own unique path of modernization. Looking back on China's socialist legal construction, we have constantly explored and practiced along the way, constantly adjusted legal reform in accordance with China's own historical characteristics and the specific national conditions of a large population, and finally walked out of a socialist legal road with Chinese characteristics that conforms to China's national conditions and follows the essence of rule of law. At the same time, legal modernization of our country is combined with a long and profound excellent traditional legal culture. In ancient China, "virtue and law" were adopted in social governance, emphasizing the combination of rule of law and rule of virtue to achieve the purpose of governing the country and society. At the same time, the modernization of Chinese legal system is also inheriting the combination of our rule of law and rule of virtue, and China's excellent traditional legal culture is also nourishing Chinese legal modernization.

People-orientation. The modernization of the Chinese legal system is the modernization based on people, and has a distinct people-oriented nature. According to the essential requirements of Chinese modernization, it is not difficult to find that its essence is human modernization in the final analysis, and then analyze that the core purpose of Chinese legal modernization is to focus on the good life of people and promote the all-round development of people. In modern times, the protection of human rights in our country has been used as a baseless excuse for the West to attack our country, which ignores our basic national conditions. China is a socialist country, and the modernization of the legal system is driven by people. People are the decisive force for reform, so all reforms must be based on people; people are the creator and promoter of history. "Public opinion" means politics, and "public opinion" means the rule of law. To address people's concerns and resolve contradictions among people is to promote the Chinese-style modernization drive. The Communist Party of China adheres to people-centered development philosophy, upholds the principle of putting people first, always puts the interests of people first, respects and protects human rights, and promotes all-round human development, thus leading people in promoting the reform and development of the modernization of the Chinese-style legal system.

Comprehensiveness. Chinese-style legal modernization is a comprehensive, active and systematic reform, with a distinct nature of comprehensiveness. The Chinese-style legal modernization is the

relationship between the whole and the part, and the legal construction in China is also closely related to the reform of political, economic, cultural, ecological and military construction, emphasizing the comprehensive and coordinated development of material, political, spiritual, social and ecological civilization. The law is the bottom line for rule of the society in which we live, telling us what we can and cannot do, and it is the same for the state and society. Every social reform will be accompanied by a reform of the legal system, so comprehensiveness is very important. As an important means to promote the modernization process, rule of law solves all problems of unbalanced and inadequate social development in the modernization process. In the past, the Western-style legal modernization was mainly characterized by "fragmentation" and "decentralization". The modernization of Chinese legal system is a top-down, standardized and comprehensive reform in the field of Chinese-style rule of law. The Chinese-style legal modernization has always been committed to comprehensively building a modern socialist country on the track of rule of law, improving the socialist legal system, promoting the modernization of the national governance system and governance capacity, comprehensively promoting rule of law and the Party in accordance with regulations, and comprehensively promoting the synchronized development of all modernization undertakings in China.

3. Time Value

The modernization of the legal system in China can be traced back to the late Qing Dynasty, the capitalist laws promulgated by the Republic of China government, and then the socialist legal system with Chinese characteristics after the reform and opening up. The Chinese people have always steadfastly sought and improved the path of legal modernization of what suits China's national conditions. Although China has made great achievements in legal construction, there are still some problems of weak law enforcement and non-compliance. At a time when the world is undergoing major changes unseen in a century, the report of the Party's 20th National Congress has provided us with a profound interpretation of the basic connotation and essential requirements of Chinese-style modernization, and has pointed out the direction and core meaning of Chinese-style legal modernization. Combined with China's basic national conditions, historical characteristics and new needs of development, the interpretation of the time value of the modernization of Chinese legal system from the economic, political, cultural and other perspectives is of great significance for how to promote modernization of Chinese legal system and build a scientific and complete socialist legal system.

First, to stabilize social order and promote economic development, through the modernization of the legal system, we can maintain social order, improve the level of rule of law, reduce social instability factors, and provide a good social environment for economic development. This will help attract domestic and foreign investment and promote sustainable economic growth; Second, strengthen government governance and power checks and balances. Modernization of the legal system helps build a law-based government, clarify government responsibilities, strengthen supervision and restriction of government power, improve government governance efficiency, prevent corruption, and provide institutional guarantees for equity and justice. Third, to promote social justice and equity, the modernization of the legal system helps to build a just social system, protect citizens' rights, promote social equity, prevent social injustice and inequality, and enhance social credibility and cohesion; Fourth, strengthen the country's soft power. The modernization of the legal system can improve the country's image and reputation in the world and enhance the country's soft power. A country with a sound legal system is more likely to gain recognition from partners and the international community in international affairs; Fifth, to promote social civilization and progress, the modernization of the legal system is conducive to promoting social civilization and progress, improving social and cultural literacy, cultivating citizens' concept of rule of law and legal literacy, and promoting the development of social civilization; The modernization of the legal system helps to build a more complete legal system, emphasizes the protection of citizens' human rights and personal freedoms, enhances citizens' trust in the law, and promotes the development of a more open and free society; The modernization of the legal system is a part of the comprehensive construction of socialist modernization, which is conducive to realizing the Chinese Dream of the great rejuvenation of the Chinese nation and pushing the country toward the goal of modernization.

Generally speaking, the value of the modernization of the Chinese legal system is to provide an institutional guarantee for the stability, prosperity and civilization of China's society, which not only takes into full consideration the unique history and culture of China, but also combines the needs of today's social development. The new road of the modernization of the Chinese legal system is the latest achievement of the sinicization of the Marxist legal theory. The modernization of the Chinese legal system is an important content of the legal thoughts of socialism with Chinese characteristics in the

new era. Adhering to China's basic national conditions, there are obvious differences in value orientation and promotion route with the modernization of the western legal system. China is a socialist country, which always implements the principle of "people first" and takes the people's interests as the basic norm. Therefore, China's modernization is the modernization of the majority of people and the modernization of peaceful development. While the western capitalist countries emphasize the maximization of interests, and the interests are in the hands of a few people. Therefore, the modernization of the western capitalist countries is the modernization of the minority and the modernization of violent plunder. In summary, the modernization of the Chinese legal system is a modernization different from the western capitalist countries, which provides a new modernization program for all countries in the world, and is a new form of human civilization of the legal system.

4. Route for Promotion

The modernization of Chinese-style legal system is not only a scientific original concept and theoretical achievement, but also the latest road of socialist rule of law with Chinese characteristics, and the legal guarantee of Chinese-style modernization, which needs to be promoted by practice. The path of promoting the modernization of Chinese-style legal system is gradually developed under China's specific political, economic, cultural, scientific and technological background. To achieve Chinese-style modernization and build China into a great modern socialist country, we need to transform the modernization of the Chinese-style legal system into a driving force for the practice of rule of law, and fully integrate it into China's economic, political, cultural, ecological and other modernization undertakings, accelerate the construction of a modern legal model, and comprehensively build a modern socialist country on the track of rule of law to provide scientific legal guarantee for Chinese-style modernization.

4.1 Improve the system of rules and regulations within the Party

Adhere to the Party's leadership, govern the Party in accordance with rules, and accelerate the improvement of the system of party regulations. "Chinese-style modernization is socialist modernization led by the Communist Party of China." As the core of the modernization of the legal system in China, the CPC's leadership is the key to ensuring that the cause of rule of law conforms to the interests of the country and people and maintains the right direction. Rule of law is the basic guarantee for all undertakings to advance China's modernization and an important component of socialism with Chinese characteristics. To realize the modernization of the legal system with Chinese style, improve the socialist legal system with Chinese characteristics, and build a modern socialist country cannot do without the strong and scientific leadership of the CPC. We must ensure the Party's core leadership position in this reform in the field of rule of law in China, and give full play to the Party's core leadership role in taking the overall picture and coordinating all parties. Upholding the leadership of the Communist Party of China means upholding and improving the system of socialism with Chinese characteristics and taking the path of socialism with Chinese characteristics. Marx and Engels have said, "The class that overthrows the ruling class can only throw away all the old and dirty things in itself in a revolution, and can be competent in the work of rebuilding society." ^③ The Communist Party of China is an advanced party pursuing progress. Governing the Party according to rules and improving the system of internal laws and regulations have been the embodiment of the Party's self-revolutionary spirit for a long time. Governing the Party in accordance with regulations means that the Communist Party of China uses rule of law thinking and methods to promote self-revolution, takes governing the Party in accordance with regulations as a starting point, governs the Party in accordance with the law, strictly governs the Party, and strictly manages the Party, promotes social progress and reform from the beginning, promotes the modernization of Chinese-style legal system, promotes various undertakings of Chinese-style modernization, and constantly improves the institutional system for self-revolution within the Party to make a good start in building a socialist legal system with Chinese characteristics.

4.2 Build a socialist legal system with Chinese characteristics

We must adhere to the basic strategy of comprehensively advancing the rule of law, and the path of advancing the modernization of legal system in China must emphasize the comprehensive rule of law, integrate the rule of law into the overall situation of national governance, and build a socialist legal system with Chinese characteristics. We will adhere to the principles of scientific legislation, strict law

enforcement, impartial administration of justice and full compliance with the law. Since entering the new era, along with the rapid development of China's social economy, social contradictions have changed from the contradiction between the people's ever-growing material and cultural needs and backward social production to the contradiction between the people's ever-growing needs for a better life and unbalanced and inadequate development. In order to solve the latest major social contradictions, China's legal construction has also ushered in major changes. As the basic strategy for the construction of the legal system in China, rule of law in an all-round way is the general method and policy for the modernization of legal system in China. To rule the country according to law, we must adhere to the "Five Systems". At the legislative level, we need to establish a complete system of national laws and regulations and perfect the system of intra-party regulations, so as to lay a good superstructure for our country to build a socialist country under the rule of law. At the implementation level, it is necessary to establish an efficient legal implementation system, a strict legal supervision system and a strong legal guarantee system to promote the modernization of the national governance system and governance capacity, and ensure the modernization of the Chinese-style legal system. The five systems and two levels complement each other as an organic whole, and jointly promote legal construction in China and governing according to the law in our country.

4.3 Accelerate the building of a legal society

We will strengthen publicity and education on the legal system and speed up the building of a law-based society. We will ensure that all people abide by the law, strengthen publicity and education on the rule of law, raise citizens' awareness of the rule of law, and foster a good atmosphere for the whole society to respect the law and abide by the law. First of all, we must strengthen citizens' understanding of constitutional authority, constitution as the fundamental law of our country, which stipulates the basic system, the basic national policy and the basic rights and obligations of citizens, study and publicize the constitution well, integrate the spirit of the constitution into our hearts, and constantly improve the concept of rule of law of social citizens. Secondly, because of our country's basic national conditions of the large population, complex terrain and ethnic confluence, popularization and publicity of our country's law are of large scale and high difficulty. We need to strengthen the construction of the legal personnel, improve the quality of law enforcement personnel, innovate the methods of popularization and publicity of rule of law, make full use of social channels such as schools, communities and online new media, take the opportunity of the scientific and technological revolution, use electronic information, artificial intelligence and other new technologies to promote publicity and education for the rule of law in China, and grasp the concept of promoting the rule of law. Cultivate citizens' legal literacy, let the concept of fairness and justice be deeply rooted in the hearts of the people, and let a harmonious society run smoothly on the track of rule of law.

5. Conclusion

The modernization of Chinese-style legal system is the latest achievement of the sinicization of Marxist legal theory, an important part of the thought on socialist legal construction with Chinese characteristics for the new era, a concrete manifestation of the rule of law in the socialist system with Chinese characteristics, and the institutional foundation for comprehensively advancing Chinese-style modernization. Only by scientifically grasping the scientific connotation of Chinese-style legal modernization, adhering to the leadership of the Communist Party of China, organically combining governing the party according to rules with governing the country according to law, and making full use of the advantages of science and technology and social resources, can we jointly promote the modernization and reform of Chinese-style legal system and build China into a powerful modern socialist country.

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