

ORIGINAL CONTRIBUTIONS OF
XI JINPING THOUGHT ON THE RULE OF LAWORIGINAL CONTRIBUTIONS OF
XI JINPING THOUGHT ON THE RULE OF LAW TO
THE THEORY OF THE RULE OF LAW SYSTEM*Jiang Bixin*

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The theory of the rule of law system, as an original contribution of Xi Jinping Thought on the Rule of Law, provides scientific and contemporary methodologies and guidance for addressing China's rule of law issues. The rule of law system serves multiple functions: it is a crucial safeguard for Chinese modernization, the key project of China's governance system, the focus of advancing law-based governance in all respects, and the cornerstone for ensuring economic and social development. The building of the rule of law system follows a value logic centered on people, a methodological logic of systems thinking, and a problem-oriented practical logic. The theory of the rule of law system encompasses a rich connotation, which emphasizes systematic, dynamic, multidimensional, constructive, governance-based, preventive, coordinated, international, practical, and high-quality building of the rule of law. The new contributions of the theory of the rule of law system are manifested in five respects: taking the Constitution as the overarching principle of the rule of law system, endowing this system with new scientific connotations, clarifying its core imperatives and upholding it as our fundamental rules, revealing the intrinsic connections between the rule of law system and the modernization of national governance, and proposing a strategic blueprint and methodological pathways for the coordinated advancement of the rule of law system.

Xi Jinping Thought on the Rule of Law represents the latest achievement in adapting Marxism to the Chinese context and the needs of our times, serving as the fundamental guideline for advancing law-based governance in all respects. The system of socialist rule of law with Chinese characteristics, an original concept within this thought, marks a pivotal shift in China's legal development — from 'center on legislation' to 'center on the implementation of law'. This shift has propelled China's rule of law into a new historic period, laying a solid foundation for building a socialist

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country under the rule of law and constituting a historic milestone in China's legal progress. The formation and evolution of the theory of Chinese socialist rule of law embodies General Secretary *Xi Jinping*'s profound insight into the comprehensive and systematic building of the rule of law, providing a novel theoretical framework and practical roadmap for the rule of law in the new era. This paper elaborates on the functional definition, logic building, and theoretical connotations of the rule of law system.

I. FUNCTIONAL POSITIONING AND CONSTRUCTION LOGIC OF THE SYSTEM OF THE RULE OF LAW

The concept of the socialist rule of law system with Chinese characteristics breaks through the limitations of the traditional concept of a legal system. The traditional legal system primarily focuses on the compliance of legal norms, while the rule of law system is a more comprehensive and systematic concept, and also a multifaceted, dynamic, and coordinated complete system. The proposal of this theoretical concept provides a practical solution to China's rule of law issues, characterized by strong contemporary and indigenous relevance. It carries profound theoretical, practical, historical, and international significance.

A. Functional Positioning of the System of the Rule of Law

As an important part of the national governance system, the rule of law system not only provides an institutional guarantee for the Chinese modernization but also ensures social stability and high-quality economic development by regulating the relationship between public power and private rights.

1. *A Guarantee for the Chinese Modernization.* — The rule of law system provides an institutional guarantee for Chinese modernization. The *Resolution of the Central Committee of the Communist Party of China on Further Deepening Reform Comprehensively to Advance Chinese Modernization* (hereinafter referred to as the Resolution), adopted at the Third Plenary Session of the 20th Central Committee of the Communist Party of China, has identified 'refining the system of socialist rule of law with Chinese characteristics, and moving to a higher stage in building a socialist country under the rule of law' as 'the overall objectives of further deepening reform comprehensively'. The rule of law plays a significant role in consolidating foundations, ensuring stable expectations, and delivering

long-term benefits. Improving the building of the socialist legal system with Chinese characteristics is an inevitable requirement for maintaining the systematic nature, standardization, and coordination of various systems, institutions, and mechanisms, and provides a solid institutional guarantee for the realization of Chinese modernization.

2. *A Core Part of China's System for Governance.* — General Secretary *Xi Jinping* pointed out: ‘The system of the rule of law is a core part of national governance system.’¹ General Secretary *Xi Jinping* also stressed that ‘The law is of great value in the governance of a country, and the rule of law is a key pillar for the national governance system and capacity.’² The rule of law system occupies a pivotal position in the national governance system and serves as an important support for realizing the modernization of national governance. As the most great and important norm in governing the country and managing state affairs, law, through the effective operation of the rule of law system, can standardize the exercise of state power, protect citizens’ rights, coordinate social relations, maintain social order, provide a stable institutional framework and rule for national governance, and ensure that national governance activities proceed in an orderly manner under the rule of law.

3. *Goal of Comprehensive Law-Based Governance.* — General Secretary *Xi Jinping* emphasized: ‘Comprehensively advancing the law-based governance involves many aspects, and in practical work, there must be a goal that takes overall command and drives all parties forward. The goal is building a system of socialist rule of law with Chinese characteristics.’³ The building of the system of socialist rule of law with Chinese characteristics takes overall command of the entire cause of promoting the rule of law. It systematically integrates legislation, law enforcement, administration of justice, observance of the law and other links, thereby enabling the building of the rule of law to form a well-coordinated and integrated whole. Centering on the building of the rule of law system, we can make overall plans for various tasks in advancing the rule of law, allocate legal resources in a reasonable way, improve the efficiency and effectiveness of promoting the rule of law, and push for the realization of the strategic goal of

1 XI JINPING, ON EXERCISING LAW-BASED GOVERNANCE ON ALL FRONTS, at 112 (Central Party Literature Press, 2020).

2 NATIONAL ETHNIC AFFAIRS COMMISSION, A READER ON THE STUDY AND GUIDANCE OF THE CENTRAL CONFERENCE ON ETHNIC WORK, at 268-269 (The Ethnic Publishing House, 2015).

3 XI JINPING, EXPLANATIONS ON THE ‘RESOLUTION OF THE CENTRAL COMMITTEE OF THE COMMUNIST PARTY OF CHINA ON SEVERAL MAJOR ISSUES CONCERNING COMPREHENSIVELY ADVANCING LAW-BASED GOVERNANCE’, in XI JINPING, ON EXERCISING LAW-BASED GOVERNANCE ON ALL FRONTS, at 93 (Central Party Literature Press, 2020).

comprehensively advancing the law-based governance.

4. *Cornerstone of Socioeconomic Development.* — The socialist market economy is an economy under the rule of law, and the system of the rule of law provides a sound legal environment for economic and social development. Through the formulation and implementation of a complete set of laws and regulations, it can regulate the behaviors of market entities, maintain market order, safeguard fair competition, stimulate market vitality, and promote high-quality economic development. At the same time, the legal system also plays an important guarantee role in fields such as social development, cultural development, and ecological civilization development, and provides a solid rule of law foundation for the comprehensive, coordinated and sustainable development of the economy and society.

B. Construction Logic of the System of the Rule of Law

The building of the rule of law system requires continuous summary of experience, extraction of patterns, and improvement of systems in long-term practice. Clarifying the logical framework of the rule of law system helps grasp the direction in building the rule of law from a macro perspective, promotes rule of law construction to continuously adapt to the development requirements in the new era, and realizes the scientificization, systematization and practicalization of the rule of law system.

1. *People-Centered Value Logic.* — General Secretary Xi Jinping pointed out: ‘We must develop the rule of law for the people and rely on them, and it must benefit and protect them ... In the whole process of our law-based governance we must represent the people’s interests, reflect their wishes, protect their rights and interests, and improve their wellbeing ...’⁴ The fundamental purpose of building the rule of law system is to protect the people’s rights and interests in accordance with the law. It is necessary to fully reflect the people’s will in legislation and to effectively safeguard their interests in law enforcement and administration of justice, so that the people can see, in every legal system, every law-enforcement decision, and every judicial case, that fairness and justice are served, thereby making the rule of law a solid guarantee for the people’s happiness and well-being.

2. *Methodological Logic of System Thinking.* — General Secretary Xi Jinping pointed out: ‘System thinking is a fundamental ideology and

4 XI JINPING, THE GOVERNANCE OF CHINA III, at 284 (Foreign Languages Press, 2020).

methodology for work.’⁵ The formation and improvement of the theory of the rule of law system is the result of viewing the building of the rule of law from systematic thinking. First, the rule of law system is an organic whole composed of multiple subsystems that are interconnected and interact with each other. With the development of a system of socialist rule of law with Chinese characteristics as the goal, the rule of law system takes the institutional system for ensuring the comprehensive implementation of the *Constitution* as the fundamental cornerstone of the building of the rule of law, the comprehensive legal norm system as the underpinning, the efficient law-based implementation system as the key link, the rigorous law-based supervision system as a strong guarantee, the robust law-based support system as all-round backing, and a sound system of Party regulations system as a reflection of unique advantages and a provider of political guarantees. These subsystems are interconnected and mutually reinforcing in terms of internal logic, jointly serving the overall goal of law-based governance in all respects, and providing solid theoretical support and institutional guarantees for comprehensively building a modern socialist country under the rule of law. Second, the rule of law system emphasizes the coordinated cooperation among various subsystems. It highlights the overall coordination of legislation, law enforcement, administration of justice, and observance of the law, so as to achieve the systematic, holistic, and coordinated building of the rule of law. Finally, the development of the rule of law system is integrated with the overall goal of modernizing China’s national system and capacity for governance. The development of the rule of law system is planned from the overall perspective of national development, enabling it to adapt to the reform and development in various fields such as economic, political, cultural, social, and ecological progress.

3. Problem-Oriented Practical Logic. — General Secretary Xi Jinping pointed out: ‘To strengthen problem awareness and adhere to a problem-oriented approach is to acknowledge the universality and objectivity of contradictions, and to take the understanding and resolution of contradictions as a breakthrough in advancing work.’⁶ The development of the rule of law system is closely centered on addressing practical issues in building the rule of law in China. To tackle prominent problems existing in the current building of the rule of law, such as the insufficient quality of legislation, non-standard law enforcement, lack of judicial impartiality, and weak

5 XI JINPING, *THE GOVERNANCE OF CHINA IV*, at 117 (Foreign Languages Press, 2022).

6 Xi Jinping, *Applying the Worldview and Methodology of Dialectical Materialism to Enhance the Ability to Solve Fundamental Issues in China’s Reform and Development*, *People’s Daily*, January 25, 2015, at 01.

awareness of the obligation to abide by the law, targeted solutions are formulated by improving various components of the rule of law system. In practice, we continue to summarize experience, and adjust and refine the rule of law system in light of actual conditions, so that it better conforms to China's national conditions and the practical needs in building the rule of law, and effectively advances the development of the practice of the rule of law.

II. RICH CONNOTATIONS OF THE THEORY OF THE SYSTEM OF THE RULE OF LAW

The formation of the theory of the rule of law system was not achieved overnight, but is rooted in profound theoretical and practical accumulation. With its rich connotations, this theory serves as a vital guide for developing the rule of law.

A. From Fragmented Rule of Law to Systematic Rule of Law

To a certain extent, the construction of traditional rule of law has the issue of fragmentation. There is a lack of effective integration among various links of the rule of law, and there are conflicts and incoordination among legal norms. The theory of the rule of law system under Xi Jinping Thought on the Rule of Law emphasizes systematic integration and holistic coordination, regarding the building of the rule of law as an organic unity. A complete set of legal norms, efficient enforcement measures, rigorous supervision mechanisms, effective legal protections, and a complete body of Party regulations are interconnected and mutually supportive, forming a rule of law system with rigorous logic and coordinated efficiency. This systematic construction method can effectively avoid the fragmentation in the building of the rule of law, enhance the overall effectiveness of building the rule of law, realize the optimal allocation of rule of law resources, and enable the rule of law to play a greater role in national governance.

B. From Static Rule of Law to Dynamic Rule of Law

General Secretary *Xi Jinping* emphasized: 'The vitality of law lies in its enforcement, and the authority of law also lies in its enforcement.'⁷ Traditional perspectives on the rule of law predominantly emphasized static

7 XI JINPING, *supra* note 3, 96.

legal norms, focusing on the enactment and content of the law. In contrast, the theory of the rule of law system underscores a dynamic process, covering legislation, enforcement, supervision, guarantee, and continuous refinement. While the legal normative system forms the foundation of the rule of law, its true essence lies in ensuring these norms are effectively enforced and adhered to in practice. The efficient law enforcement system translates static laws into dynamic governance through strict law enforcement, impartial administration of justice, and society-wide observance of the law. Simultaneously, the rigorous supervision system monitors implementation in real-time, identifying and rectifying deviations; the robust support system provides institutional and resource backing; at the same time, with the development and changes of society, the rule of law system continuously adjusts and improves itself to adapt to new situations and needs, which reflects the dynamic development characteristics of the rule of law.

C. From One-Dimensional Rule of Law to Multi-Dimensional Rule of Law

Traditional perspectives on the rule of law often confined it to a singular legal dimension, viewing governance through a fragmented lens. In contrast, the theory of the rule of law system under Xi Jinping Thought on the Rule of Law adopts a multidimensional framework, integrating the rule of law with multiple fields such as politics, economy, culture, society, and ecological civilization. In the political dimension, General Secretary *Xi Jinping* has profoundly revealed the relationship between politics and the rule of law: ‘Behind every form of the rule of law lies a political theory, within every model of the rule of law operates a political logic, and beneath every path of the rule of law rests a political stance.’⁸ It is emphasized that the leadership of the Party is the soul of socialist rule of law with Chinese characteristics, ensuring the correct direction for the building of the rule of law, while safeguarding the orderly operation of democratic politics through the rule of law. In the economic dimension, it is made clear that the socialist market economy is an economy under the rule of law, and legal means are used to regulate market order and promote economic development. In the cultural dimension, emphasis is placed on the cultivation of the rule of law culture, promoting the spirit of the socialist rule of law, and advancing the integration

⁸ PARTY LITERATURE RESEARCH OFFICE OF THE CPC CENTRAL COMMITTEE, EXCERPTS FROM XI JINPING’S REMARKS ON COMPREHENSIVELY ADVANCING LAW-BASED GOVERNANCE, at 34 (Central Party Literature Press, 2015).

of the rule of law culture with China's fine traditional legal culture. In the social dimension, the rule of law is used to safeguard social fairness and justice and maintain social harmony and stability. In the ecological civilization dimension, efforts are strengthened to formulate and enforce laws on ecological and environmental protection, and legal means are applied to promote green development. This multi-dimensional concept of the rule of law has expanded the vision for the building of the rule of law, enabling the rule of law to better serve all aspects of national development.

*D. From Spontaneous Rule of Law to
Constructive Rule of Law*

General Secretary *Xi Jinping* pointed out: 'Law-based governance in all respects is a systematic project. We must formulate integrated plans and pursue this goal in a more systematic, holistic and coordinated way.'⁹ In the early stage of building the rule of law, the advancement of the rule of law was, to a certain extent, spontaneous, lacking systematic planning and top-level design. The theory of the rule of law system embodies distinct constructive characteristics and serves as a purposeful and planned practice of advancing the rule of law under the guidance of scientific theories. Guided by Xi Jinping Thought on the Rule of Law, we have clearly put forward the overall goal of building the socialist rule of law system with Chinese characteristics, and formulated a series of specific strategic measures and implementation steps around this goal. From improving the legislative system and mechanism to deepening the reform of the judiciary, from strengthening the building of rule of law teams to enhancing rule of law publicity and education, every link has undergone careful design and overall arrangement. This reflects the in-depth grasp and proactive application of the laws governing the advancement of the rule of law, enabling the advancement of the rule of law in China to proceed rapidly and steadily on the track of scientific planning.

*E. From Managerial Rule of Law to
Governance-Based Rule of Law*

General Secretary *Xi Jinping* stressed that 'A single character distinguishes 'governance' from 'management' in Chinese, which represents

⁹ XI JINPING, *supra* note 1, 4.

systematic governance, law-based governance, source governance, and comprehensive measures.’¹⁰ Managerial rule of law focuses on the one-way management of society by the government, emphasizing the government’s authority and exercise of power. In contrast, governance-based rule of law emphasizes the joint participation of multiple subjects and builds a rule of law governance pattern involving the government, social organizations, enterprises, citizens, and other parties. In the building of the rule of law system, emphasis is placed on giving play to the role of social forces in the building of the rule of law, encouraging public participation in legislation, law enforcement supervision, and judicial activities, and promoting the organic integration of social autonomy and the rule of law. By establishing and improving a diversified dispute resolution mechanism, social entities are guided to resolve conflicts and disputes through negotiation, mediation, arbitration, and other means, so as to enhance the rule of law level of social governance. This shift from managerial rule of law to governance-based rule of law embodies the development trend of modern rule of law concepts, which is conducive to stimulating social vitality and improving the efficiency and fairness of social governance.

F. From Reactive Rule of Law to Preventive Rule of Law

General Secretary *Xi Jinping* stated: ‘To develop the rule of law, we must prioritize prevention and defuse potential risks while treating symptoms and solving existing problems.’ ‘We should channel more efforts of the rule of law toward the guidance and mitigation end, and improve preventive legal systems.’¹¹ Traditional rule of law often focuses on sanctioning and addressing illegal and criminal acts after their occurrence, representing a reactive governance model. In contrast, the theory of the rule of law system places greater emphasis on preventive rule of law, stressing the prevention of illegal and criminal offenses at the source. It eliminates the triggers and conditions of illegal and criminal offenses through multiple means such as improving the legal system, strengthening the rule of law publicity and education, and enhancing social governance. For instance, in legislation, emphasis is placed on risk prevention, and relevant laws and regulations are formulated to regulate and restrict potential social risks; efforts are made to

10 XI JINPING, ON COMPREHENSIVELY DEEPENING REFORM, at 95 (Central Party Literature Press, 2018).

11 Xi Jinping, *Resolutely Following a Path of Socialist Rule of Law with Chinese Characteristics to Provide Strong Safeguards of the Rule of Law for Building a Modern Socialist Country in All Respects*, 5 *Qiushi Journal* (2021).

strengthen the rule of law publicity and education to improve citizens' legal awareness and moral quality, enabling them to consciously abide by the law; and by enhancing social governance, social problems are resolved in a timely manner, social stability is maintained, and the occurrence of illegal and criminal offenses is reduced. The proposal of the concept of preventive rule of law reflects the deepening understanding of the functions of the rule of law, which is conducive to enhancing the foresight and initiative of social governance, thereby safeguarding social order and public security.

*G. From Fragmented and Sectional Rule of Law to
Synergistic and Coordinated Rule of Law*

General Secretary *Xi Jinping* pointed out: 'To address the key issues in the field of the rule of law, the fundamental approach lies in reform.'¹² 'It is imperative that departments and interested parties foster a stronger awareness of the overall situation, consciously think and act in line with the overall situation, free themselves from a closed departmental mentality, and support each other in their initiatives.'¹³ Fragmented and sectional rule of law often leads to fragmented governance, where inter-departmental and inter-regional disconnections result in inconsistent and uncoordinated legal implementation. In contrast, the theory of the rule of law system advocates for a collaborative model, emphasizing cross-departmental and cross-regional synergy in the building of the rule of law. The theory of the rule of law system emphasizes coordinated rule of law, focusing on inter-departmental and inter-regional coordination in advancing the rule of law. In terms of inter-departmental coordination, it is necessary to strengthen communication and collaboration among different legislative, law enforcement, and judicial departments, break down inter-departmental barriers, form a cohesive work force, and ensure the unified implementation of laws and regulations. In terms of inter-regional coordination, the Resolution adopted at the Third Plenary Session of the 20th Central Committee of the Communist Party of China clearly states that 'We will explore cross-regional collaboration on legislation.'¹⁴ To address cross-regional economic and social development issues as well as issues on the rule of law, it is essential to strengthen inter-regional rule of law cooperation and coordination, formulate unified regional rule of law

¹² XI JINPING, *supra* note 10, 141.

¹³ *Id.*, 142.

¹⁴ RESOLUTION OF THE CENTRAL COMMITTEE OF THE COMMUNIST PARTY OF CHINA ON FURTHER DEEPENING REFORM COMPREHENSIVELY TO ADVANCE CHINESE MODERNIZATION, at 29 (People's Publishing House, 2024).

rules, establish inter-regional rule of law coordination mechanisms, and promote the integrated development of the regional rule of law. Coordinated rule of law can effectively resolve the rule of law dilemmas caused by fragmentation between vertical departments and horizontal regions, improve the overall efficiency of rule of law development, and drive the coordinated advancement of national governance.

H. From Domestic Rule of Law to International Rule of Law

General Secretary *Xi Jinping* pointed out: ‘As an important component of the system of socialist rule of law with Chinese characteristics, law-based governance of foreign-related affairs is closely related to the law-based governance in all respects and the overall situation of China’s opening up and diplomatic work.’¹⁵ With the in-depth development of economic globalization and the continuous enhancement of China’s international status, the role of the international rule of law in national development has become increasingly prominent. The theory of the rule of law system not only focuses on domestic rule of law development, but also emphasizes the coordinated advancement of domestic rule of law and foreign-related rule of law, as well as active participation in the development of international rule of law. In terms of domestic rule of law, we continue to improve the system of socialist rule of law with Chinese characteristics, raise the level of domestic rule of law, and provide solid rule of law guarantees for China’s economic and social development. In terms of foreign-related rule of law, we strengthen the formulation and improvement of foreign-related laws and regulations, actively participate in the formulation and revision of international rules, use legal means to safeguard China’s national sovereignty, security, and development interests, and enhance China’s voice and influence in the field of international rule of law. At the same time, by strengthening international judicial cooperation and participating in international legal affairs, we promote the building of a fair and reasonable international rule of law order and offer Chinese ideas and approaches to the international community.

¹⁵ Xi Jinping, *Strengthening the Law-Based Governance of Foreign-Related Affairs to Create Favorable Legal Conditions and External Environment*, People’s Daily, November 29, 2023, at 01.

I. From Rule-Centered Rule of Law to Practice-Oriented Rule of Law

General Secretary *Xi Jinping* pointed out: ‘Practice is the foundation of law, and law must evolve with the development of practice.’¹⁶ Rule-based rule of law focuses on the enactment and compliance of legal norms, while practice-oriented rule of law prioritizes the application and effectiveness of law in real-world contexts. Regarding legislation, General Secretary *Xi Jinping* stated that ‘We should adhere to a problem-oriented approach and enhance the specificity, timeliness, systematicness and operability of legislation.’¹⁷ Regarding anti-corruption efforts, General Secretary *Xi Jinping* stated that we should ‘enhance the enforcement of anti-corruption legal systems and ensure their rigid operation.’¹⁸ The theory of the rule of law system emphasizes the integration of legal rules with the practice of the rule of law. By advancing sound legislation, strict law enforcement, impartial administration of justice, and society-wide observance of the law, it enables the law to truly integrate into social life and solve practical problems. In the legislative process, full consideration is given to the operability and implementation effects of laws to enhance the alignment between legal rules and social reality. In law enforcement and judicial practice, emphasis is placed on using rule of law thinking and methods to solve specific problems and improve the credibility of law enforcement and justice. At the same time, through strengthening legal publicity and education and the development of rule of law culture, we guide the whole society to form a sound atmosphere where people consciously abide by the law, seek legal solutions when encountering problems, and rely on the law to resolve issues, making the rule of law a way of life and code of conduct for the people.

J. From Basic-Needs Rule of Law to High-Quality, High-Level Rule of Law

General Secretary *Xi Jinping* has repeatedly emphasized ‘To reach a higher level in building the rule of law in China’.¹⁹ ‘We should strive to advance the Peaceful China Initiative and the rule of law in China to a higher level, and make new and greater contributions to safeguarding

16 PARTY LITERATURE RESEARCH OFFICE OF THE CPC CENTRAL COMMITTEE, *supra* note 8, 43.

17 *Id.*, 47.

18 *Id.*, 45.

19 XI JINPING, SPEECH AT SYMPOSIUM TO COMMEMORATE THE 120TH ANNIVERSARY OF COMRADE DENG XIAOPING’S BIRTH, at http://www.qstheory.cn/yaowen/2024-08/22/c_1130194848.htm (Last visited on August 1, 2025).

people's happiness, national security, and social stability.'²⁰ In the initial stage of building the rule of law, the primary goal was to meet society's demand for a basic legal order and address the need to ensure that there are laws to abide by. With the development of the economy and society, the people have put forward higher requirements for the rule of law. They not only demand that there are laws to abide by, but also call for higher-quality laws, better implementation effects, and the realization of fairness and justice. The theory of the rule of law system conforms to this development trend and is committed to building a high-quality and high-level rule of law. In terms of legislation, it pursues good laws and good governance, and enhances the scientific nature, democracy, and relevance of legislation, so that laws can better reflect the will of the people and conform to the laws of social development. In terms of rule of law enforcement, it strengthens the standardized development of law enforcement and judicial work, and improves the efficiency and impartiality of law enforcement and justice, ensuring laws are strictly and fairly implemented. In terms of rule of law supervision, it intensifies targeted checks on and oversight over the exercise of power, prevents abuse of power, and protects citizens' rights. In terms of rule of law guarantees, it continuously improves the rule of law guarantee system to provide a more solid material foundation, talent support, and technical guarantee for rule of law development. Through these measures, the development of the rule of law is promoted to move from meeting basic needs to achieving high quality and high standards, better satisfying the people's aspiration for a better life.

III. ORIGINAL CONTRIBUTIONS OF THE THEORY OF THE RULE OF LAW SYSTEM

Xi Jinping Thought on the Rule of Law represents the latest achievement in adapting Marxism to the Chinese context and the needs of the times, marking a groundbreaking advancement in socialist rule of law theory with Chinese characteristics and constituting an integral part of Xi Jinping Thought on Socialism with Chinese Characteristics for a New Era. Within its scientific system, the theory of the rule of law system holds pivotal significance, embodying a series of original contributions that redefine modern governance paradigms.

20 XI JINPING'S IMPORTANT INSTRUCTIONS ON POLITICAL AND LEGAL WORK EMPHASIZE UPHOLDING THE PARTY'S ABSOLUTE LEADERSHIP, LOYALTY IN PERFORMING DUTIES, AND RESPONSIBILITY IN ACTION TO PROVIDE STRONG SECURITY SAFEGUARDS FOR COMPREHENSIVELY ADVANCING THE GREAT CAUSE OF BUILDING A STRONG COUNTRY AND NATIONAL REJUVENATION, at http://www.qstheory.cn/yaowen/2024-01/14/c_1130059652.htm (Last visited on August 1, 2025).

A. Emphasizing the Constitution's Overarching Role in the Rule of Law System

The institutional system that ensures the full implementation of the *Constitution* is the cornerstone of building the rule of law and the primary task of the construction of the rule of law system. The *Constitution* is the fundamental law of the state and the general program for managing state affairs. It enjoys supreme legal status, legal authority and legal validity. The institutional system for ensuring the comprehensive implementation of the *Constitution* is crucial to the foundation and orientation of the rule of law development. General Secretary *Xi Jinping* pointed out: 'To improve the systems for ensuring full compliance with the *Constitution*, it is necessary to fully implement the provisions, principles and spirit of the *Constitution*, and to promote the implementation, interpretation and supervision of the *Constitution* in a systematic way. We should also advance the coordinated development of the legal norm system, the system for implementing the rule of law, the system for supervising the rule of law, the system for ensuring the rule of law and the system of Party regulations, to ensure that the *Constitution* is fully, accurately and comprehensively implemented.'²¹

Since the 18th CPC National Congress, the Party Central Committee with Comrade *Xi Jinping* at its core has attached great importance to the important role of the *Constitution* in governing the country, and has taken a series of effective measures to strengthen the implementation and supervision of the *Constitution*. It has promoted the *Constitution* to be embraced by the people and enhanced the whole people's awareness of the *Constitution* by establishing the National Constitution Day and introducing the constitutional oath system; strengthened the work of constitutionality review, improved the constitutionality review system, safeguarded the dignity and authority of the *Constitution*, and ensured that laws and regulations are consistent with the spirit of the *Constitution*; and improved the procedural mechanism for constitutional interpretation, actively responded to social concerns, and provided guarantees for the accurate understanding and application of the *Constitution*. These institutional arrangements have fundamentally consolidated the foundation for the development of the rule of law, provided fundamental basis and guarantees for the construction of other aspects of the rule of law system, and ensured that the development of the rule of law proceeds in the correct direction.

21 Xi Jinping, *Writing a New Chapter in the Practice of China's Constitution in the New Era: Commemorating the 40th Anniversary of the Promulgation and Implementation of the Current Constitution*, People's Daily, December 20, 2022, at 01.

B. Endowing the Rule of Law System with New Scientific Connotations

General Secretary *Xi Jinping* pointed out: ‘The system of Chinese socialist rule of law is a legal manifestation of the Chinese socialist system.’²² Traditional theories of the rule of law primarily focused on the legal system, emphasizing the formulation and refinement of legal norms. In contrast, *Xi Jinping Thought on the Rule of Law* proposes a rule of law system with far broader connotations. This system encompasses a complete system of laws, a highly effective enforcement system, a stringent supervision system, effective supporting measures, and a sound system of Party regulations. The construction of this system expands from simply focusing on the formulation of legal norms to a comprehensive and systematic framework that covers the entire process of law — from enactment to enforcement, oversight, and support — along with the coordination of Party regulations. A complete system of laws and regulations requires that legislation not only be sufficient in quantity but also of high quality, conforming to the actual needs of national governance and social development. For example, with the vigorous development of the digital economy, the formulation and improvement of relevant legal norms regarding data security and platform supervision reflect the emphasis on legislation in emerging fields and fill the gaps in the original legal system. A highly effective enforcement system emphasizes that laws should not merely remain on paper but be effectively implemented in practice. In the field of administrative law enforcement, the reform of integrated law enforcement has been continuously advanced, reducing law enforcement levels, improving law enforcement efficiency, and ensuring that laws and regulations are effectively implemented in social operations. A stringent supervision system builds a supervision network covering all links such as legislation, law enforcement, and administration of justice to prevent the abuse of power. From the legislative supervision of people’s congresses to the internal supervision of judicial organs and then to the supervision of the general public, an all-round joint supervision force has been formed. Effective supporting measures provide support for the operation of the rule of law from multiple aspects such as personnel, funds, and technology. Cultivating a high-quality team of rule of law talents, ensuring funding input for judicial organs, and using modern information technology to improve judicial efficiency are all important components of the rule of law support system. A sound system of Party regulations incorporates Party building

22 PARTY LITERATURE RESEARCH OFFICE OF THE CPC CENTRAL COMMITTEE, *supra* note 8, 35.

into the rule of law. Party regulations and national laws complement each other and jointly promote the modernization of national governance, which is a unique feature of the socialist rule of law system with Chinese characteristics.

C. Clarifying the Core Imperatives and Fundamental Rules for Building the Rule of Law System

General Secretary *Xi Jinping* pointed out: ‘The system of socialist rule of law with Chinese characteristics is an important component of the system of socialism with Chinese characteristics. We must always keep socialism with Chinese characteristics in mind, and be fully committed to our path of socialist rule of law with Chinese characteristics.’²³ The path of socialist rule of law with Chinese characteristics is the core and fundamental guideline for building the rule of law system. This conclusion helps China avoid blindly embracing the Western ‘rule of law model’ and emphasizes that the rule of law system should be built based on China’s national conditions. China has unique historical and cultural traditions, social structures, and development stages, and cannot copy the Western rule of law model. From the perspective of historical and cultural traditions, concepts such as ‘governing by both virtue and law’ and ‘integrating ritual and law’ in China’s fine traditional legal culture have a long history and are deeply embedded in the national spirit. In the process of building the rule of law system, we draw on the essence of these traditional cultures, integrate the core socialist values into the development of the rule of law, and realize the combination of the rule of law and the rule of virtue. For example, in some civil laws, the legalization of ethical norms such as respecting the aged and caring for the young, and being dedicated and integral reflects the integration of tradition and modernity. From the perspective of social structure, China is a large country with a large population and vast territory, and there are distinct regional differences. The building of the rule of law system must adapt to this complex social structure: under a unified rule of law framework, local governments are granted a certain degree of legislative autonomy to meet the actual needs of different regions. In terms of development stage, China is in a critical period of realizing the great rejuvenation of the Chinese nation, facing many tasks such as economic transformation and social governance innovation. The building of the rule of law system focuses on the central tasks and provides

23 Xi Jinping, *Upholding the Path of Socialist Rule of Law with Chinese Characteristics and Better Advancing the Construction of the System of Socialist Rule of Law with Chinese Characteristics*, 4 *Qiushi Journal* (2022).

institutional guarantees for high-quality economic development and social harmony and stability. For instance, a series of laws and regulations have been formulated to promote scientific and technological innovation and optimize the business environment, driving the transformation and upgrading of the economy.

D. Revealing the Intrinsic Link Between the Rule of Law System and the Modernization of National Governance

The theory of the rule of law system expounds on the close connection between the rule of law system and the modernization of national governance, pointing out that we shall uphold the rule of law in modernizing the state system and capacity for governance, and that the rule of law system is the key project of the national governance system. The modernization of national governance covers various fields such as economy, politics, culture, society, and ecological civilization, and the rule of law system provides rules and order for governance in each field. In the economic field, by improving the legal system for the market economy, we regulate the behaviors of market entities, maintain market order, and promote the rational allocation of resources. Provisions on property rights and contracts in the *Civil Code* provide basic legal criteria for the operation of the market economy. In the political field, the rule of law system ensures the orderly operation of democratic politics, standardizes the exercise of power, and protects civil rights. The improvement of laws and regulations related to government information disclosure ensures that power is exercised in a transparent manner and enhances the credibility of the government. In the social field, the rule of law system is an important means to resolve social problems and maintain social stability. By building a diversified dispute resolution mechanism, problems are resolved at the grassroots level, and social harmony is maintained. In the field of ecological civilization, the introduction of a series of laws and regulations on ecological and environmental protection provides rule of law support for the construction of a Beautiful China and promotes green development.

E. Proposing the Strategic Blueprint and Methodological Pathways for the Coordinated Advancement of the Rule of Law System

In terms of strategies, we must pursue coordinated progress in law-based governance, law-based exercise of state power, and law-based government

administration, and promote the integrated development of the rule of law for the country, the government and the society. General Secretary *Xi Jinping* pointed out that ‘Law-based governance, law-based exercise of state power, and law-based government administration form an indivisible whole, the key to which is that the Party must keep its commitment to law-based exercise of state power and that governments at all levels must administer in accordance with the law.’²⁴ Law-based governance is the basic way for the Party to lead the people in governing the country, the law-based exercise of state power is the basic means for national governance, and law-based government administration constitutes the core requirement for building a law-based government. The three strategies are mutually reinforcing and progressively advanced, jointly constituting the overarching framework of rule of law development. A law-based country is the goal of developing the rule of law; building a law-based government is the key task and the main project; a law-based society is the foundation for building a law-based country. Building a law-based government well can serve as an exemplary model for the building of a law-based country and also contributes to driving the building of a law-based society. In terms of methodological approaches, we must emphasize sound legislation, strict law enforcement, impartial administration of justice, and society-wide observance of the law. Sound legislation requires the legislative process to be democratic and scientific, so as to improve the quality of legislation. Through conducting legislative research, soliciting public opinions, and other means, laws can better reflect the will of the people. Strict law enforcement demands that law enforcement agencies strictly administer in accordance with the law, standardize law enforcement procedures, and strengthen law enforcement supervision. Impartial administration of justice requires judicial organs to exercise their powers independently and impartially, and enhance judicial credibility. We should promote the reform of the litigation system centered on trials to ensure judicial impartiality. Society-wide observance of the law requires enhancing the whole-people’s awareness of the rule of law and creating a sound rule of law atmosphere. Through legal publicity and education, such as carrying out activities like ‘weeklong publicity campaign on *Constitution*’, citizens’ awareness of the rule of law can be raised, making the rule of law become a universal belief of the whole people.

24 XI JINPING, *supra* note 4, 285.

IV. CONCLUSION

Xi Jinping Thought on the Rule of Law has made original contributions to the theory of the rule of law system, providing a solid theoretical foundation and practical guidance for advancing the rule of law in all respects and building a socialist country governed by the rule of law. It has propelled the construction of the rule of law in China to new heights and contributed Chinese visions and solutions to the development of human civilization under the rule of law.

(Translated by Liu Jianbo)

(Edited by Gong Li)

习近平法治思想关于法治体系理论的原创性贡献

内容提要 法治体系理论是习近平法治思想中的原创性贡献，为解决中国的法治问题提供了科学性和时代性的方法和指引。法治体系具有多重功能，是中国式现代化的重要保障，是国家治理体系的骨干工程，是全面依法治国的总抓手，是保障经济社会发展的基石。法治体系的建构遵循了以人民为中心的价值逻辑，系统观念的方法逻辑以及问题导向的实践逻辑。法治体系理论蕴含法治建设体系化、动态化、多维性、建构性、治理性、预防性、协同性、国际性、实践性、高质量的丰富内涵。法治体系理论的新贡献体现在强调宪法对法治体系的统领作用，赋予法治体系以新的科学内涵，明确法治体系建设的核心要义与根本遵循，揭示法治体系与国家治理现代化的内在关联，提出统筹推进法治体系建设的战略布局与方法路径五个方面。
