

ORIGINAL CONTRIBUTIONS OF XI JINPING THOUGHT ON THE RULE OF LAW TO THE THEORY OF LAW-BASED SOCIETY

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TABLE OF CONTENTS

I. CONCEPT AND CATEGORY OF LAW-BASED SOCIETY	44
<i>A. Innovative Nature of the Concept of Law-Based Society</i>	44
<i>B. Innovative Nature of the Category of Law-Based Society</i>	45
II. SCIENTIFIC POSITIONING AND	
BASIC CHARACTERISTICS OF LAW-BASED SOCIETY	46
<i>A. Scientific Positioning of Law-Based Society</i>	46
<i>B. Basic Characteristics of Law-Based Society</i>	47
III. IMPROVING THE SOCIAL GOVERNANCE SYSTEM IN	
LINE WITH THE RULE OF LAW	49
<i>A. Improving the Law-Based Social Governance Model Under Which</i> <i>Party Committees Exercise Leadership, Government Assumes Responsibility,</i> <i>Non-Governmental Actors Provide Assistance, and the Public Gets Involved</i>	50
<i>B. Creating a Social Governance Model Based on</i> <i>Collaboration, Participation, and Common Interests</i>	52
IV. KEY TASKS FOR BUILDING A LAW-BASED SOCIETY	
<i>A. Establishing a Robust Framework of Social Norms and Regulations</i>	53
<i>B. Advancing Law-Based Governance at</i> <i>Multiple Levels and Multiple Sectors</i>	54
<i>C. Improving the Systems for Diversified Prevention and</i> <i>Resolution of Conflicts and Disputes</i>	54
<i>D. Improving the Urban-Rural Public Legal Service System</i>	55
<i>E. Law-Based Governance of Cyberspace</i>	56
V. CREATIVELY INTERPRETING CHINA'S EXPERIENCE IN	
BUILDING A LAW-BASED SOCIETY	56
<i>A. The 'Fengqiao Model' in the New Era</i>	56
<i>B. Combining Self-Governance, Rule of Law, and Rule of Virtue</i>	57
<i>C. Building Social Integrity</i>	58
<i>D. Digital Social Governance</i>	59
VI. CONCLUSION	60

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Xi Jinping Thought on the Rule of Law makes original contributions to the theory of law-based society across multiple dimensions. General Secretary Xi Jinping innovatively proposed the concept and category of law-based society, endowing it with relatively independent theoretical connotations and constituent domains. He asserted that ‘a law-based society is the foundation for building a law-based country’, scientifically positioning the role of such a society and innovatively delineating its basic characteristics. General Secretary Xi Jinping profoundly elaborated on establishing a sound social governance system based on the rule of law, improving governance mechanisms, and fostering a social governance model characterized by collaboration, participation, and common interests. He comprehensively outlined key tasks for the construction of a law-based society, providing fundamental guidance for the deployment and advancement of such efforts; and he innovatively interpreted China’s experiences in building a law-based society, offering exemplary models for its promotion. These original contributions represent significant innovations in Marxist theories on the rule of law and provide fundamental principles for the development of a law-based society in China.

Based on an in-depth analysis of the social governance and the building of the rule of law in China, Xi Jinping Thought on the Rule of Law creatively introduces the concept and category of law-based society, articulates the contemporary challenges of building such a society, and systematically addresses a series of theoretical and practical issues pertinent to the establishment of a law-based society in the new era. Xi Jinping Thought on the Rule of Law results in a theory of law-based society that is rich in content, profound in exposition, rigorous in logic, complete in system, and

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distinct in its practical orientation. It contains a series of innovative and landmark concepts, categories, ideas, and strategies for building a law-based society, making major original contributions to the advancement of Marxist theories on the rule of law.

I. CONCEPT AND CATEGORY OF LAW-BASED SOCIETY

General Secretary *Xi Jinping* proposed a significant proposition of ‘taking integrated steps to build a country, government, and society based on the rule of law’,¹ and issued a series of strategic deployments aimed at building a law-based society. He innovatively introduced the concept and category of a law-based society.

A. Innovative Nature of the Concept of Law-Based Society

The concept of law-based society has long existed in China, generally referring to a society with a legal system or a society governed by the rule of law. The concept of ‘law-based society’ is composed of two concepts: ‘rule of law’, which contrasts with ‘rule by man’, and ‘society’, which is distinguished from ‘nature’. Historically, the notion of a law-based society was articulated in opposition to a society governed by personal authority. For an extended period, the distinction between society and country was minimal, with society often conflated within the country, leading to the synonymy of ‘law-based society’ and ‘law-based country’. Consequently, during that era, the concepts of ‘law-based society’, ‘law-based country’, and ‘law-based governance’ were considered equivalent.

While not a novel concept, Xi Jinping Thought on the Rule of Law has endowed it with a new connotation, separating the idea of a ‘law-based society’ from the broader notion of ‘rule of law’. This separation assigns it an independent theoretical connotation and constituent domains, as well as specific developmental planning. In Western contexts, the rule of law is regarded as a theoretical, ideological, or political model, with its principles discussed from various perspectives without subdividing into secondary theoretical categories or delineating specific fields for advancing the rule of law. Xi Jinping Thought on the Rule of Law appropriately distinguishes a

¹ XI JINPING, SPEECH AT THE CONFERENCE HELD BY ALL SECTORS OF THE CAPITAL TO COMMEMORATE THE 30TH ANNIVERSARY OF THE PROMULGATION AND IMPLEMENTATION OF THE CURRENT CONSTITUTION (DECEMBER 4, 2012), in XI JINPING, THE GOVERNANCE OF CHINA I, at 142 (Foreign Languages Press, 2018).

law-based society from a law-based country and a law-based government, emphasizing the rule of law in social life. This Thought embodies strong Chinese characteristics and innovative features, reflecting a distinctive understanding of the rule of law within the Chinese context.

B. Innovative Nature of the Category of Law-Based Society

The innovative nature of the concept of law-based society determines, to some extent, the innovative nature of its category. The category of a ‘law-based society’ should be understood in relation to the interconnected domains of the law-based country, law-based government, and law-based society. From the proposition of ‘taking integrated steps to build a country, government, and society based on the rule of law’, it is evident that the law-based country, law-based government, and law-based society are all integral components of comprehensive law-based governance. However, the law-based society exists as an independent domain relative to the country and government, thus constituting a distinct category separate from them. The relationship among the law-based country, law-based government, and law-based society can be summarized as ‘one body with two wings’: the law-based country forms the ‘body’, establishing the fundamental framework for building the rule of law; the law-based government and law-based society are the ‘wings’, existing in parallel with each other, each encompassing specific domains.

A law-based country is the goal of developing the rule of law. Building a socialist country under the rule of law is a key objective established by the Party for the modernization of socialist governance. Developing a comprehensive system of socialist rule of law serves as the primary approach to achieve this aim. The *Plan to Build the Rule of Law in China (2020-2025)* systematically advances the rule of law by fully implementing the *Constitution* and establishing a system of socialist rule of law with Chinese characteristics. A law-based country provides the overarching structure and fundamental framework for a law-based government and society. The focus of a law-based government is the institutionalized, standardized, proceduralized, and law-based operation of government power, providing institutional space for building a law-based society. The core of a law-based society is the rule of law in social life beyond the operation of public authority, embodying the achievements of building the rule of law in social life.

II. SCIENTIFIC POSITIONING AND BASIC CHARACTERISTICS OF LAW-BASED SOCIETY

General Secretary *Xi Jinping*, based on a profound analysis of the fundamental laws governing the rule of law in the country, scientifically defines the law-based society, asserting that ‘a law-based society is the foundation for building a law-based country’, and innovatively delineates the core characteristics of a law-based society.

A. Scientific Positioning of Law-Based Society

Building a law-based society is the foundation for building a law-based country and a law-based government. This is a scientific conclusion drawn by Xi Jinping Thought on the Rule of Law from long-term governance practice. General Secretary *Xi Jinping* pointed out that ‘A law-based country, government, and society each have their own areas of focus, allowing them to exert a mutually reinforcing effect on one another. A law-based country is the goal of developing the rule of law; a law-based government is the main force in building a law-based country; a law-based society is the foundation for building a law-based country.’² The distinction among law-based country, law-based government, and law-based society originates from the division between the political state and civil society. Within the dual relationship of state and society, the political state functions as the public sphere of political activity, whereas civil society represents the domain of independent private life. While the state is indispensable, bearing critical responsibilities such as maintaining social order and providing public services, it cannot replace the functions of civil society. As social development matures, civil society can assume certain functions of the state, thereby alleviating governmental burdens. Consequently, the development of a law-based society inherently encompasses the construction of a law-based country and contributes to strengthening the social roots of the rule of law.

The comprehensive advancement of law-based governance requires the collective participation of the whole society. Modern state governance increasingly emphasizes the involvement of diverse social actors in managing public affairs, highlighting the interaction between government and society, and fostering social self-governance and self-improvement. Xi Jinping

² XI JINPING, SPEECH AT THE FIRST MEETING OF THE COMMISSION FOR LAW-BASED GOVERNANCE UNDER THE CPC CENTRAL COMMITTEE (AUGUST 24, 2018), in THE COMPREHENSIVE ADVANCEMENT OF LAW-BASED GOVERNANCE IN CHINA, at 229-230 (Central Party Literature Press, 2020).

Thought on the Rule of Law advocates for combining self-governance, rule of law, and rule of virtue, fully leveraging the positive role of social norms in social governance. This Thought aims to build a community where everyone bears responsibility and fulfills their duties, thereby consolidating the social foundation for comprehensive law-based governance.

Advancing the rule of law in social governance is both a crucial objective and a solid foundation for the modernization of national governance. Xi Jinping Thought on the Rule of Law emphasizes the rule of law as a vital safeguard for advancing the modernization of the social governance system. It advocates the application of law-based thinking and methods in social governance practices to address the increasing demands of the populace for democracy, rule of law, fairness, justice, security, and environmental sustainability. Xi Jinping Thought on the Rule of Law safeguards people's aspirations for a better life and fosters a favorable social environment for comprehensive law-based governance.

To build a law-based society, it is essential to cultivate a widespread consciousness of respecting, abiding by, learning, and applying the law across all sectors of society, thereby fostering a firm belief in the rule of law. Xi Jinping Thought on the Rule of Law emphasizes the foundational role of universal compliance with the law in building the rule of law for the society. It advocates for nurturing a collective faith in the rule of law, enhancing literacy of the rule of law among the populace, and guiding the people to become loyal advocates, conscious adherents, and resolute defenders of socialist rule of law, thereby solidifying the public's support for comprehensive law-based governance.

B. Basic Characteristics of Law-Based Society

The *Implementation Outline for Building a Society Based on the Rule of Law (2020-2025)* issued by the CPC Central Committee emphasizes the goal of 'building a socialist law-based society characterized by belief in the rule of law, fairness and justice, protection of rights, compliance of the law and integrity, vitality, and harmony and order.' This delineation accurately encapsulates the six key features of a law-based society and reflects the core principles of Xi Jinping Thought on the Rule of Law regarding the basic characteristics of a law-based society.

Belief in the rule of law. It entails a profound internal reverence and awe for the rule of law, whereby the rule of law is regarded as a core conviction and the spirit of the rule of law as a fundamental value pursuit. As General

Secretary *Xi Jinping* emphasized, ‘Only when the entire populace believes in and rigorously upholds the rule of law can the functioning of the state and society truly operate in line with the rule of law.’³ The authority of law derives from the genuine support and sincere faith of the people; the primary objective of a law-based society is to cultivate widespread belief in the rule of law among the people. Consequently, it is essential to strengthen publicity and education in the rule of law, enhance public awareness of the rule of law, and foster a conscious respect, belief, and compliance with the law, thereby consolidating the mass foundation for law-based governance.

Fairness and justice. It refers to the proper coordination of social interest relations, the correct handling of social conflicts, and the effective safeguarding of social fairness and justice. These principles constitute the fundamental value pursuit of the building of socialist rule of law and serve as both the starting point and the goal of building the rule of law. General Secretary *Xi Jinping* emphasized that ‘We must firmly uphold the value pursuit of social fairness and justice within the rule of law, striving to ensure that the people feel fairness and justice in every legal system, every law enforcement decision, and every judicial case.’⁴ Achieving social fairness and justice relies on institutional guarantees; it is essential to accelerate the improvement of legal systems that reflect fairness in rights, opportunities, and rules, thereby fostering a social environment of fairness and justice and safeguarding the legitimate rights and interests of various social subjects in accordance with the law.

Protection of rights. It constitutes the substantive core of the law-based society; adherence to the rule of law and the pursuit of fairness and justice must be realized through the protection of rights. Advancing comprehensive law-based governance aims fundamentally to protect the rights and interests of the people in accordance with the law, ensuring that the broad spectrum of rights enjoyed by all citizens is effectively implemented. *China’s Constitution* and laws explicitly grant citizens extensive fundamental rights and include specific provisions for the protection of the rights of special groups such as women, children, the elderly, and persons with disabilities. Enhancing the protection of these rights is reflected not only in lawmaking, law enforcement, and administration of justice but also in market and social mechanisms.

3 XI JINPING, PROMOTING COMPREHENSIVE LAW-BASED GOVERNANCE AND GIVING PLAY TO THE POSITIVE ROLE OF LAW-BASED GOVERNANCE IN THE MODERNIZATION OF THE NATIONAL GOVERNANCE SYSTEM AND GOVERNANCE CAPACITY (FEBRUARY 5, 2020), in THE COMPREHENSIVE ADVANCEMENT OF LAW-BASED GOVERNANCE IN CHINA, at 275 (Central Party Literature Press, 2020).

4 XI JINPING, *supra* note 2, 229.

Compliance with the law and integrity. Integrity forms the moral foundation of compliance with the law; therefore, they are considered equivalent. The absence of integrity inevitably undermines the concept of the rule of law, leading to moral decay, commercial fraud, widespread corruption, and a surge in criminal activities. Consequently, the law-based society loses its moral cornerstone. Without social integrity, it is difficult to establish awareness of the rule of law and promote the spirit of the rule of law. Advancing the building of social integrity can create a favorable environment for compliance with the law by all.

Vitality. It is characterized by the respect for creative aspirations that promote social progress, support for creative activities, realization of creative talents, and recognition of creative achievements, resulting in a dynamic landscape in society. It is essential to establish a comprehensive social governance system that combines self-governance, rule of law, and rule of virtue, guiding government to govern society according to law, safeguarding social autonomy, and stimulating the vitality of social subjects.

Harmony and order. General Secretary *Xi Jinping* emphasized that a well-functioning society must be both dynamic and harmonious.⁵ To achieve this, it is essential to balance vitality with order by implementing systematic, law-based, comprehensive, and source governance approaches. Emphasis should be placed on identifying issues and resolving conflicts, thereby fostering new social vitality within a relatively stable and orderly social framework. Adhering to the principles of social governance, it is crucial to employ law-based thinking and methods to address various social problems, ensuring that society remains both vibrant and harmonious.

III. IMPROVING THE SOCIAL GOVERNANCE SYSTEM IN LINE WITH THE RULE OF LAW

Xi Jinping Thought on the Rule of Law profoundly emphasizes the establishment of a sound social governance system in line with the rule of law. This entails the improvement of social governance institutions and mechanisms to foster a social governance model based on collaboration, participation, and common interests.

5 XI JINPING, SPEECH DURING THE INVESTIGATION IN ZHEJIANG (MAY 25-27, 2015), in *SELECTED EXPERTS FROM XI JINPING'S DISCOURSES ON THE CONSTRUCTION OF SOCIALIST SOCIETY*, at 130 (Party Literature Research Office of the CPC Central Committee, Central Party Literature Press, 2017).

A. Improving the Law-Based Social Governance Model Under Which Party Committees Exercise Leadership, Government Assumes Responsibility, Non-Governmental Actors Provide Assistance, and the Public Gets Involved

General Secretary *Xi Jinping* has repeatedly called for ‘improving the law-based social governance model under which Party committees exercise leadership, government assumes responsibility, non-governmental actors provide assistance, and the public gets involved.’⁶ The focus of improving the social governance system lies in upholding the Party’s leadership over social governance, building a coordinated and integrated government responsibility system, giving play to the coordinating role of various social organizations, and guiding the public to participate in social governance in an orderly manner, with all links requiring guarantees by the rule of law.

Upholding the Party’s leadership over social governance. Party committees at all levels must assume responsibility for guiding social management initiatives, develop scientific and reasonable plans and strategies, coordinate resources across sectors, and address key and difficult challenges in social governance with laws and Party regulations. This approach aims to transform the Party’s leadership and the advantages of China’s socialist system into strengths in social governance. Additionally, it is essential to give full play to the role of primary-level Party organizations as strategic strongholds, actively exploring pathways, platforms, and mechanisms through which these organizations can lead and innovate in social governance.

Building a coordinated and integrated government responsibility system. As the primary department responsible for social governance, the government bears critical responsibilities. Social governance constitutes a complex systemic endeavor involving multiple sectors, departments, and subjects. To enhance the government’s leading role, it is essential to reinforce the accountability of all levels of government in social governance and to develop a synergistic, integrated, and efficient governance structure and mechanism. This approach aims to improve resource allocation, comprehensive management, and rapid response capabilities within the government.

Improving the institutional mechanisms for social coordination. Social coordination serves as a vital pillar of social governance; it is imperative to give full play to the roles of all sectors of society and stimulate the vitality

6 XI JINPING, BUILDING A HIGHER LEVEL OF PEACEFUL CHINA (JANUARY 15, 2019), in *SELECTED WORKS OF XI JINPING* (VOL. 2), at 241 (People’s Publishing House, 2023).

of the whole society.⁷ Efforts should focus on refining an open, diverse, and mutually beneficial social collaboration mechanism, establishing interactive platforms and channels to mobilize all parties in social governance. This approach aims to foster a constructive interplay between government administration, social regulation, and resident self-governance. Strengthening the development of mass organizations, such as trade unions, the Communist Youth League, and women's federations, is crucial to enhancing their function as bridges connecting and serving the populace. Greater emphasis should be placed on harnessing the synergistic potential of social organizations and advancing the construction of social norms based on industry standards, organizational charters, village regulations, and community agreements. The foundational role of mass organizations of self-management at the grassroots level in social governance must be recognized, empowering the masses to self-manage their affairs through organized collective action.

Improving platforms and mechanisms for public participation. Public engagement constitutes the foundation of social governance; therefore, it is essential to refine participation mechanisms, expand participation platforms and channels, and lead and promote active public involvement in social governance. This ensures that the public can freely express their positions, opinions, and suggestions during the processes of decision-making, management, implementation, and oversight of public affairs. It also aims to prevent non-institutionalized participation behaviors resulting from inadequate or obstructed channels, thereby improving the normative framework and effectiveness of public participation.

Enhancing the social governance system, as every link needs guarantees by the rule of law. The rule of law serves as the guiding framework, ensuring that all areas and aspects of social governance are developed in line with the rule of law. In accordance with the *Constitution*, laws, and Party regulations, adherence to the Party's leadership over social governance is maintained. A legally constructed and interconnected government responsibility system is established and implemented, with citizens' self-management rights legally recognized and protected. The lawful operation of social organizations is safeguarded, and mechanisms are developed to facilitate orderly public participation. By employing the rule of law, social governance forces are coordinated, social interests are balanced, social relations are regulated, and social behaviors

7 XI JINPING, SPEECH AT THE DELIBERATION OF THE SHANGHAI DELEGATION DURING THE FIFTH SESSION OF THE 12TH NATIONAL PEOPLE'S CONGRESS (MARCH 5, 2017), in SELECTED EXCERPTS OF XI JINPING'S THEORIES ON GRASSROOTS GOVERNANCE, at 49 (Institute of Party History and Literature of the Communist Party of China Central Committee ed., Central Party Literature Press, 2023).

are standardized. The application of law-based thinking and methods is instrumental in resolving social conflicts, addressing governance challenges, and promoting social harmony.

*B. Creating a Social Governance Model Based on
Collaboration, Participation, and Common Interests*

In response to the new circumstances of social governance in China during the new era, General Secretary *Xi Jinping* proposed and elaborated on the concept of establishing a social governance model based on collaboration, participation, and common interests. This concept represents a profound development of the social governance philosophy. Collaboration involves the joint participation of all subjects in social development, strengthening Party leadership, reinforcing government responsibilities, and guiding market entities and social sectors to assume corresponding duties. Participation entails collective engagement in social management, with the government, market, society, and citizens working together under Party leadership to foster positive interactions. Common interests ensure that all parties enjoy the benefits of social governance, thereby meeting the people's growing aspirations for a better life. Collaboration serves as the foundation, while common interests are the goal. As General Secretary *Xi Jinping* emphasized, 'Only through collaboration can interests be shared; the process of collaboration is also a process of sharing common interests. It is essential to fully promote democracy, extensively gather public wisdom, maximally mobilize public strength, and create a vibrant environment where everyone participates, contributes, and derives a sense of achievement.'⁸

Collaboration is the key. The Party committees and government authorities must lead and facilitate the participation of social forces in social governance, striving to establish a broad-based environment where all individuals are engaged and responsible. Based on appropriately defining the relationships among government, enterprises, social organizations, and the public, efforts should be made to promote the integration and interaction of government with social forces. Modern social governance emphasizes cooperation and diversity, requiring government support, assistance, and guidance to enable various parties to collaboratively participate. Legal measures should be employed to address obstacles faced by enterprises, social

⁸ XI JINPING, DEEPENING THE UNDERSTANDING OF THE NEW DEVELOPMENT PHILOSOPHY AND ADVANCING SUPPLY-SIDE STRUCTURAL REFORM (JANUARY 18, 2016), in *SELECTED WORKS OF XI JINPING* (VOL. 1), at 440 (People's Publishing House, 2023).

organizations, and primary-level organizations of self-management during social governance, utilizing administrative guidance, incentives, procurement, public disclosure, and funding to encourage proactive engagement. Additionally, fostering coordination among different social actors is vital to overcoming issues of fragmented efforts and difficulty in aggregation, thereby promoting collaborative and consultative governance models.

IV. KEY TASKS FOR BUILDING A LAW-BASED SOCIETY

The *Resolution of the Central Committee of the Communist Party of China on Certain Major Issues Concerning Comprehensively Advancing the Law-Based Governance of China* and the *Plan to Build the Rule of Law in China (2020-2025)* both outline the tasks for building a law-based society. The *Implementation Outline for Building a Society Based on the Rule of Law (2020-2025)* specifically focuses on this endeavor. These key tasks embody the original contributions of Xi Jinping Thought on the Rule of Law regarding the building of a law-based society.

A. Establishing a Robust Framework of Social Norms and Regulations

Within the realm of social life, most affairs can be managed through individual self-regulation, social intervention, and market mechanisms, with the legal system serving as a supplementary mechanism in cases of institutional failure. The development of a law-based society necessitates the refinement of social sector institutions, constructing a diverse, organically interconnected, and mutually coordinated system of normative standards based on the attributes and characteristics of various social relationships. First, legislative improvements should focus on social welfare, public health, social organizations, urban and rural communities, and social work, alongside the enhancement of laws promoting the core socialist values. Second, efforts should be directed toward fostering social norms, including the refinement of civic codes, village regulations, industry rules, and organizational charters, coupled with strengthened routine oversight to ensure effective implementation. Third, the cultivation of moral norms must be reinforced through the development of incentive mechanisms, utilizing legal instruments to promote moral standards and enhance their enforcement. Lastly, advancing social integrity involves accelerating legislation on social credit, promoting the construction of credit information platforms and systems, and establishing a comprehensive credit reporting system that encompasses the entire society.

B. Advancing Law-Based Governance at Multiple Levels and Multiple Sectors

Advancing law-based governance at multiple levels and multiple sectors is a crucial focus for the rule of law in social governance. The multi-level aspect encompasses various administrative tiers, including communities, townships, counties, and urban districts, involving initiatives such as pilot programs for modern urban social governance, deepening law-based governance in urban and rural areas, and promoting the construction of law-based rural communities. By implementing law-based pilot projects and development activities at multiple levels, the modernization of urban governance is facilitated, coordinating city, county, and primary-level rural governance to promote the rule of law across all societal levels, including cities, communities, and villages. The multi-sector dimension refers to diverse departments and industries, covering various sectors and their corresponding public authority entities, particularly addressing areas with weak foundations of the rule of law, such as education, employment, income distribution, social security, healthcare, and safety production, where prominent issues or challenges persist. Deepening the law-based governance of departments, industries, and primary-level organizations involves engaging social units at multiple levels and sectors, and supporting self-regulation among various social actors, thereby fostering a law-based administration by government agencies, as well as lawful, trustworthy, and responsible conduct across all industries and sectors.

C. Improving the Systems for Diversified Prevention and Resolution of Conflicts and Disputes

General Secretary *Xi Jinping* pointed out that ‘Building the rule of law must focus not only on addressing issues at the end stage and treating existing ailments but also on preventative measures at the front end to forestall problems before they arise. Our national conditions determine that we cannot become a ‘litigation-heavy country’. With a population of 1.4 billion, if every minor and major matter leads to a lawsuit, the system would inevitably become overwhelmed.’⁹ Therefore, it is essential to promote greater efforts on the rule of law toward guiding and mediating, enhance preventative legal frameworks, and improve a system for diversified prevention and resolution of conflicts and disputes. First, it should be

⁹ Xi Jinping, *Unwavering Commitment to the Path of Socialist Rule of Law with Chinese Characteristics to Provide a Strong Law-Based Guarantee for Comprehensive Building a Modern Socialist Country*, 5 *Qiushi Journal* 13 (2021).

directed toward enhancing conflict screening and risk assessment, alongside implementing dynamic monitoring and tiered early warning for primary-level hidden dangers. Second, it is imperative to leverage the fundamental role of community-based dispute resolution, improving primary-level mediation networks to facilitate the resolution of local conflicts through democratic deliberation and negotiated settlement processes. Third, initiatives must focus on augmenting the efficacy of specialized mediation institutions by integrating legal practitioners, retired judiciary members, and industry experts, thereby advancing professional mediation as a central force for dispute resolution. Fourth, it is imperative to enhance the integrated connectivity among multiple dispute resolution channels by fostering coordinated synergy among community mediation, administrative mediation, judicial arbitration, and lawyer-assisted dispute resolution, thereby strengthening the connectivity and synergy among diverse conflict resolution channels, including mediation, arbitration, administrative rulings, administrative reconsideration, and litigation.

D. Improving the Urban-Rural Public Legal Service System

Public legal services constitute a fundamental function of government, serving as the foundational infrastructure for the building of a law-based society and representing a critical measure to safeguard and enhance public well-being. General Secretary *Xi Jinping* explicitly emphasized that ‘We will never permit ordinary citizens to be unable to afford legal recourse.’¹⁰ Therefore, it is imperative to accelerate the development of a modern public legal service system that is comprehensive across urban and rural areas, characterized by convenience, efficiency, and equitable accessibility. First, resource allocation for legal services must be balanced, with strengthened efforts to develop public legal services in underdeveloped regions, thereby narrowing disparities between urban and rural areas, regions, and social groups, and enhancing the equity and ease of access to legal services. Second, the construction of three core platforms for public legal services: physical, hotline, and online, should be reinforced to leverage technological empowerment, facilitating the rapid establishment of a comprehensive legal service network that spans all service domains and temporalities, thus improving the accessibility of public legal services. Third, efforts should be made to standardize and strengthen village (community) legal advisory work, promote

10 XI JINPING, PROMOTING SOCIAL FAIRNESS AND JUSTICE, ENSURING THE PEOPLE’S PEACEFUL AND PROSPEROUS LIVELIHOOD (JANUARY 7, 2014), in XI JINPING, THE GOVERNANCE OF CHINA I, at 148 (Foreign Languages Press, 2018).

the training of ‘legal literates’, reinforce the foundational role of judicial offices, and integrate public legal services into primary-level governance.

E. Law-Based Governance of Cyberspace

The internet has become an indispensable new space in people’s production and daily lives. General Secretary *Xi Jinping* pointed out that ‘The internet, this ‘new frontier’, is not a ‘lawless land’. It must also be governed by the rule of law and safeguard national sovereignty, security, and development interests.’¹¹ As an extension of the physical society, cyberspace is equally subject to legal constraints and regulations. First, it is essential to improve the legal framework governing the internet by consolidating the foundation of the rule of law in cyberspace, legally protecting online rights and interests, refining regulatory measures, and ensuring security and order within the digital domain. Second, it is crucial to reinforce the primary responsibility of internet information enterprises through technological and managerial measures to prevent and combat illegal activities such as online fraud and the dissemination of false information, thereby fostering a clean and transparent online environment. Third, the self-regulatory role of internet industry associations should be strengthened by establishing comprehensive industry standards and disciplinary mechanisms, guiding internet companies to consciously comply with laws and regulations, and enhancing governance levels within the internet sector.

V. CREATIVELY INTERPRETING CHINA’S EXPERIENCE IN BUILDING A LAW-BASED SOCIETY

China’s construction of a law-based society has accumulated valuable experience characterized by Chinese characteristics and contemporary features. General Secretary *Xi Jinping* has profoundly summarized and creatively interpreted these experiences, providing exemplary models for advancing the building of a law-based society.

A. The ‘Fengqiao Model’ in the New Era

General Secretary *Xi Jinping* has repeatedly summarized, elaborated, and promoted the development of the ‘Fengqiao Model’, emphasizing

11 XI JINPING, QUESTIONS AND ANSWERS DURING A WRITTEN INTERVIEW WITH THE WALL STREET JOURNAL OF THE UNITED STATES (SEPTEMBER 22, 2015), in THE COMPREHENSIVE ADVANCEMENT OF LAW-BASED GOVERNANCE IN CHINA, at 63, 64 (Central Party Literature Press, 2020).

the importance of ‘adhering to and developing the Fengqiao Model in the new era, upholding the Party’s mass line, correctly managing internal contradictions among the people, relying closely on the people, and resolving issues at the grassroots level while addressing conflicts at their inception.’¹² The ‘Fengqiao Model’ in the new era has evolved in tandem with social progress, ascending from local governance practices to a comprehensive national governance philosophy, thereby becoming a vital component of China’s social governance modernization. As the primary social contradictions have undergone profound changes, the ‘Fengqiao Model’ has transitioned from social control methods to a social governance model based on collaboration, participation, and common interests; from collective self-defense and self-management practices to an integrated approach combining self-governance, rule of law, and rule of virtue; and from merely resolving disputes to employing law-based thinking and methods to address social conflicts and promote social harmony. First, it emphasizes the primacy of the people as the main body. Through democratic consultation and mass self-management, it seeks to stimulate active participation in social governance, making the masses the protagonists of primary-level management. Second, it underscores the importance of source prevention. Unlike the Western judicial concept centered on post-incident relief and punishment, the ‘Fengqiao Model’ in the new era concentrates on prevention at the source and diversified dispute resolution, promoting the development of preventative legal systems. Third, it advocates for ‘soft law’ governance. By relying on village regulations, community agreements, and other normative frameworks, it employs flexible means such as dialogue, education, and assistance to resolve conflicts, achieving the unity of reason, emotion, and law.

B. Combining Self-Governance, Rule of Law, and Rule of Virtue

Self-governance reflects the self-management capacity of grassroots society; rule of virtue relies on informal institutional arrangements, utilizing ethical norms to regulate social relations; while the rule of law represents formal institutional constraints, ensuring social order through state enforcement. Each of these approaches, self-governance, rule of law, and rule of virtue, has inherent limitations; while an integrated social governance model combining these approaches holds significant value. General Secretary

12 XI JINPING, SPEECH DURING THE INSPECTION IN ZHEJIANG (SEPTEMBER 20-21, 2023), in *SELECTED EXCERPTS OF XI JINPING’S THEORIES ON GRASSROOTS GOVERNANCE*, at 91 (Institute of Party History and Literature of the Communist Party of China Central Committee ed., Central Party Literature Press, 2023).

Xi Jinping emphasized the importance of simultaneously implementing self-governance and the rule of law while giving better play to the role of the rule of virtue to promote a harmonious society rooted in traditional virtues and cultural heritage, complementing the building of a law-based society.¹³ With the development and transformation of modern social forms, the moral constraints of traditional acquaintance societies have gradually weakened, while the modern system of the rule of law cannot fully encompass all aspects of social life. Objectively, autonomous organizations serve as supplementary governance entities. When the masses formulate village regulations and community agreements through democratic consultation, these endogenous rules often prove more effective than externally imposed regulations. Additionally, the rule of virtue exerts soft constraints through ethical censure and public opinion, and these informal sanctions can be even more deterrent than legal punishments in the realm of social life. The integration of self-governance, rule of law, and rule of virtue effectively overcomes the limitations of singular approaches, aligning with the unique characteristics and needs of Chinese society.

C. Building Social Integrity

A social integrity system established based on primary-level governance needs, incorporating primary-level administrative affairs into evaluation metrics, enables the social assessment of behaviors advocated or opposed by principles of self-governance, rule of law, and rule of virtue. The implementation of corresponding social integrity rewards and punishments effectively addresses challenges in primary-level governance. The social integrity mechanism has become a vital governance tool within a law-based society. Embedded in daily life and social governance, it actively involves community members at the primary level into the social integrity framework, aligning with China's socio-economic realities characterized by deep interconnection between economic development and social well-being. Leveraging reputation mechanisms, social integrity construction advances social governance, shifting towards a model emphasizing 'light regulation, heavy reputation'.¹⁴ This approach not only reduces administrative and

13 XI JINPING, THE RURAL VITALIZATION STRATEGY: THE KEY TO OUR EFFORTS CONCERNING AGRICULTURE, RURAL AREAS AND FARMERS IN THE NEW ERA, in XI JINPING, THE GOVERNANCE OF CHINA III, at 260 (Foreign Languages Press, 2020).

14 See Chen Baifeng, *The Practical Logic of Applying Social Integrity Mechanisms at the Grassroots Level*, 3 China Legal Science (2022).

judicial costs but also incentivizes social members to pursue higher moral standards, thereby elevating the overall moral level of society. General Secretary *Xi Jinping* emphasized the importance of establishing comprehensive records of citizens' and organizations' law-abiding and creditworthy behaviors, improving mechanisms for rewarding lawful conduct and punishing dishonesty and misconduct, fostering a social atmosphere where lawfulness is honorable and violations are shameful, and making respect for and adherence to the law a shared pursuit and conscious action of all the people.¹⁵ The development of social integrity is a robust safeguard for cultivating people's awareness of the rule of law and contributes to building a law-based society characterized by lawfulness and integrity.

D. Digital Social Governance

Digital technology extends the processes of social governance and services from physical space to cyberspace, injecting new vitality into social governance. General Secretary *Xi Jinping* emphasized the importance of leveraging modern technological advancements as a crucial means to advance the modernization of social governance, aiming to enhance the overall coherence and synergy of social governance, improve predictive, warning, and preventive capabilities against various risks, and increase the foresight, precision, and efficiency of social governance.¹⁶ Firstly, it optimizes the supply of basic public service resources. Multiple stakeholders, including government agencies, social organizations, and market entities, utilize digital platforms for precise alignment with social needs, enabling rapid collection and response to public demands, thus facilitating the delivery of public services that are targeted, personalized, and convenient. Secondly, it reconstructs the model of public participation in governance. Unlike traditional bureaucratic organizational management, digital governance establishes effective interfaces and bridges between public demands and government, creating a novel mechanism for direct engagement with frontline governance issues and public opinion. Thirdly, it enhances the capacity for social risk prevention and control. In the digital age, social risks are increasingly covert and complex; digital technologies facilitate the

15 XI JINPING, ACCELERATING THE ESTABLISHMENT OF SOCIALIST RULE OF LAW IN CHINA (OCTOBER 23, 2014), in THE COMPREHENSIVE ADVANCEMENT OF LAW-BASED GOVERNANCE IN CHINA, at 115 (Central Party Literature Press, 2020).

16 XI JINPING, TRANSFORMING THE PARTY'S LEADERSHIP AND THE ADVANTAGES OF OUR SOCIALIST SYSTEM INTO STRENGTHS IN SOCIAL GOVERNANCE (SEPTEMBER 19, 2017), in XI JINPING, UPHOLDING PARTY LEADERSHIP IN ALL AREAS, at 194 (Central Party Literature Press, 2019).

development of comprehensive risk monitoring networks, enabling early detection, dynamic assessment, and precise intervention, thereby effectively maintaining social stability.

VI. CONCLUSION

Xi Jinping Thought on the Rule of Law has made original contributions to the theory of a law-based society in many aspects. It innovatively introduces the concept and category of a law-based society, endowing it with relatively independent theoretical content and constituent domains. Xi Jinping Thought on the Rule of Law scientifically positions the law-based society and creatively delineates its fundamental characteristics. It profoundly elaborates on establishing a sound social governance system in line with the rule of law, improving the social governance structure, and fostering a social governance model based on collaboration, participation, and common interests. Xi Jinping Thought on the Rule of Law also innovatively proposes key tasks for building a law-based society and offers a deep summary and interpretation of China's experiences in building a law-based society. This series of original contributions to the theory of law-based society construction represents significant innovations in Marxist theories on the rule of law and provides fundamental guidance for China's building of a law-based society.

(Translated by Zhang Qing)

(Edited by Gong Li)

习近平法治思想关于法治社会理论的原创性贡献

内容提要 习近平法治思想关于法治社会理论，在多方面具有原创性贡献。习近平总书记创造性地提出法治社会的概念和范畴，并赋予相对独立的理论内涵、构成领域；做出“法治社会是构筑法治国家的基础”的重要论断，科学定位法治社会，创造性地描绘法治社会的基本特征；深刻阐述在法治轨道上健全社会治理体系，完善社会治理体制，打造共建共治共享的社会治理格局；全面提出法治社会建设的重点任务，为部署推进法治社会建设提供根本指导；创造性阐释我国法治社会建设的经验，为推进法治社会建设提供了典型示范。这些原创性贡献，是马克思主义法治理论的重要创新，为我国法治社会建设提供了根本遵循。
