

# Promote the Construction of Society with the Rule of Law by Improving the Legal Quality of Citizens

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**Abstract**—In current China's construction of society with the rule of law practice, taking enhancing the quality of citizens as a focal point is determined by the legal quality of citizens, it is the inherent requirements of construction of society with the rule of law and the objective requirements of social characteristics of governance model under current stage. It can promote better achievement of other elements of social construction and in line with the Marxist view of the masses. By changing the rule of law concept of citizens, cultivating modern legal consciousness, smoothing the channels of citizens' participation in state management, building a complete legal service system, cultivating the rule of law culture and so on to enhance citizens' legal quality.

**Keywords**—society with rule of law; citizen; legal quality

## I. INTRODUCTION

With the gradual improvement of the construction of our legal system, the focus of the construction of the rule of law has been transferred from legislation to the implementation of the law. To ensure the effective implementation of the law, on one hand, we need to strengthen law enforcement and the construction of the judiciary to enforce the law strictly as well as fair justice. On the other hand, we need to vigorously enhance the legal quality of ordinary citizens. As the rule of law construction wings, both of the two factors are essential. While in the practice of constructing society with the rule of law, there is a problem that highlighting nomocracy construction while weakening even ignoring improving the quality of citizens, which has a serious side effect on the building of legal government. In this paper, the author considers that with regard to the present situation, our government should start from improving the legal quality of citizens to promote the construction of society with rule of law.

## II. REASONS ANALYSIS OF PROMOTING THE CONSTRUCTION OF SOCIETY WITH THE RULE OF LAW BY IMPROVING THE LEGAL QUALITY OF CITIZENS

### A. It Is Determined by Citizens' Legal Quality

The legal quality of citizens in China has been improved greatly in recent years, but it still doesn't in line with the whole process of social legalization. It has impeded the pace of the construction of society with rule of law. The demonstrations are as follows: first, citizens are lack of legal

knowledge. After years of law popularization, citizens have a certain legal knowledge and a basic understanding of the law, but on the whole these are still far from enough. The enthusiasm and initiative of citizens' learning of law are not strong, which leads to many citizens are lack of cognition to laws and regulations which are closely related to their daily life. Their actions are guided by their kindness, their judgment is based on moral instead of the law and they take moral as the code of conduct. Second, citizens' consciousness of law is weak. The feudal patriarchal ethics thought has a strong life in china because of thousands of years spread and inheritance, which has been casted deeply into people's blood, so it doesn't disappear in modern society, and greatly influences Chinese thought and behavior imperceptibly, so the ideology of Chinese people still has the characteristic of rule of man. For example, Patriarchal ethics strengthens the social role of "humanity", so people think humanity is more popular than law; people worship power due to sense of hierarchy, so people regard power more importantly than law; which hinders the formation of individual subject consciousness and modern rule of law consciousness; people highlight obligation while lighten rights due to the value of obligation, so people lack right consciousness; people are wearied of litigation because of ethical concept of harmony, so the consciousness of rights safeguarding is weak. Patriarchal ethics is unfavorable to the formation of modern democratic consciousness. All in all, the ethical spirit of the patriarchal ethic, the rule of man characteristic, the group concept, the duty orientation, and the concept of harmony as well as the value of Non-lawsuit greatly eliminate the modern citizens' spirit of the rule of law[1]. In addition, the market economy started late, the market develops imperfectly, and the corresponding freedom, equality, the rule of law concept is not formed affect the formation the spirit of contract, which is conducive to the formation of the rule of law. Besides, there are many other phenomena demonstrating citizens' faint legal consciousness: their consciousness of right is just awakening and utilitarian. They fight only for their own rights even by illegal means, which has nothing to do with fair or overall situation, so it is far from the consciousness that conforms to the construction of society with rule of law. Third, their ability to use the law is not strong. Because of the lack of legal consciousness and the influence of deep-rooted concept of rule of man, slack law enforcement and miscarriage of justice, some citizens don't believe law, they believe power, money, petition even affray rather law. They used to solving problems by giving

dinners or sending gifts, appealing to the higher authorities for help or making troubles. It becomes common practice for the Chinese to hire public-relations and pull the string when they meet some problems, while their ability of solving problems according to the law, regulations or process and safeguarding their legitimate rights and interests are not strong.

#### *B. It Is the Intrinsic Requirement of the Construction of Society with Rule of Law*

To build a country under the rule of law, we need not only to form a complete legal system, a perfect inner-party system and regulations and an efficient implementation of the rule of law system, but also need to build a strict system of supervision of the rule of law, a strong rule of law security system. We both need to construct a country under the rule of law, a government under the rule of law and society with the rule of law. In terms of the country, we must achieve legislate scientifically, enforce the law strictly and act justice impartially. In terms of citizens, all of people should abide by the law to generally improve the citizens' level and ability of law-abiding and usage. However, to achieve effective supervision of the rule of law and the whole people abide by the law, we must generally enhance the quality of citizenship and the ability of citizens to act according to law. Citizens lack the necessary legal awareness and ability to act according to law, so it is difficult for them to abide by the law. The fundamental power of the rule of law lies in the support of the people. The realization of the rule of law lies in the active practice of the masses. The law is not engraved on the marble, nor engraved on the bronze medal, but in the heart of people. "With perfect laws and systems, if it does not work because people's legal awareness and legal concepts are weak, no matter how good the law and the system is, it will not be able to comply, even in vain." [2]. Whether the law can be achieved depends on the degree of people's concept of rule of law and the level of consciousness of the rule of law behaviors, that is, the level of citizens' legal quality. Citizens lack the necessary legal awareness and ability to act according to law, let alone self-management and effective supervision of state organs. Therefore, the level of citizens' legal quality directly affects the realization of the law, determines the construction of society with rule of law.

#### *C. It Is the Objective Demand of Social Governance Model New Characteristics under Present Stage in Our Country*

The academic circles generally divide the rule of law development mode and path choice into the endogenous spontaneous evolution model of developed countries and the exodus government development mode in developing countries. [3] The mode of our country belongs to the latter. Because of the weak tradition of democracy, without the subjective and objective conditions to form democracy and the rule of law, China's development of rule of law is the result of government's choice and active promotion, which is emphasizing national level planning, design and top-down promotion. Accompanied by the development of China's

political system reform and the construction of the rule of law, the local social governance model has undergone three stages: "government administrative control - government control and coordination - social common governance". [4] . The main characteristic of first stage is achieving the control of local society through the government's strong administrative management. In the second stage, in addition to establishing strong social control, the government adds the social coordination function in the social management and gives the public a certain space to participate. In the third stage, local governments and grassroots organizations, social organizations and citizens all become the main body of social governance. The public has achieved social governance through political participation, constantly activating the existing system design and realizing the orderly governance of local society. [5]. Through the continuous development, social governance model has changed into a multi-agent participation model from controlling by a single government. It is experiencing a process that public authority gradually abdicated, assigned to home and re-positioned rationally while social forces gradually grow and cover position. The self-management of the people is an important part of our country's social management at this stage. The role of citizens, social organizations and grassroots self-government organizations in social management is increasing, which requires citizens to change their passive role in social management and evolve into active participants in social affairs, active defenders and builders of good order. But the problem is that the public authority is abdicating even has been abdicated, while the autonomous organizations cannot be complement timely and effectively. The fundamental reason is that the ability of citizens has not yet reached the level of self-management, so that social organizations are difficult to play a qualified role of public goods or public service providers. Therefore, the current social construction of the rule of law should focus on improving the legal quality of citizen. Only citizens with strong modern legal quality will show a high degree of social responsibility and self-management ability in social law management.

#### *D. Improving the Legal Quality of Citizens Is An Effective Means to Promote the Better Realization of Other Elements in the Construction of Society with Rule of Law*

To establish a society with rule of law, on the basis of developing a sound legal system the law, we should govern our people in accordance with the law, rule according to the law, ensure fair justice and the whole people abide by the law. This requires all the subjects including the legislature, the executive authorities, the judiciary and social organizations and all citizens and other legal society must act according to law. In China's rule of law and social construction practice, we have always attached importance to the construction of government with the rule of law, expect that leading cadres and public officials take the leading role in law-abiding for people. But in fact, this kind of top-down leading and demonstration path for the construction is limited. In the context of the present situation that the human being is greater than the law, the right is greater than the law, the supervisory mechanism is imperfect, the rule of law

culture does not really form, trying to hope that the powerful public servants are not motivated by the huge interests and enforce the law firmly is unrealistic, so their exemplary driving effect is out of the question, moreover they even play a negative role sometimes. Therefore, the government should change their thinking on the current construction of the rule of law society, while building a government under the rule of law, they must vigorously enhance the legal quality of citizens, focus on cultivating citizens with a certain legal knowledge and strong legal awareness. Giving full play to citizens' initiative and enthusiasm, making them extensively participate in the rule of law construction activities to better achieve the effective supervision and control of legislation, law enforcement and judicial work. Exercising rights fully to restrict the transboundary and abuse of power and force the staff of state organs not dare to favoritism, and thus continue to promote the party holds power in accordance with the law, the government administrate according to the law, The judiciary enforce justice impartially to promote the realization of the elements of social construction, and finally establish the society with rule of law.

Marx and Engels put forward that "the people are the creators of history." [6]. Mao Zedong inherited the Marxist view of the masses and put forward: "The people, only the people are the driving forces for the creation of world history." [7] And he combined the Marxist view of the masses with the concrete practice of the Party during the revolutionary period, formed the mass line that "All for masses, all rely on the masses, come from the masses and return to the masses ". What's more, he also creatively put forward: "Only make the people monitor the government, the government did not dare to slacken, only everyone is responsible for the society, it will not die." He believes that the effective supervision of the people is an essential guarantee for the state organs to operate orderly and it is the inheritance, persistence and development of the Marxist view of the masses. Building a socialist country under the rule of law is the inevitable choice of society towards modernization and civilization. In this great historical process, we must closely rely on the masses and give full play to the creativity of the people. Only by fully mobilizing the initiative and enthusiasm of all citizens, generally improving the legal quality of citizens, giving full play to its positive role in the construction of the rule of law society, ensuring everyone is involved, will the rule of law social construction show vitality, full of vitality.

### III. EFFECTIVE WAYS TO IMPROVE LEGAL QUALITY OF CITIZENS

#### A. Cultivating Citizens' Modern Legal Consciousness

Ideas are the forerunner of behavior. To enhance the legal quality of citizens, first of all, we should start from cultivating the new concept of rule of law. At present, the main tasks of changing citizen's legal concept are: abandoning the concept of the rule of man to establish the constitutional consciousness of the supremacy of the law; overcoming the consciousness of the subjects to break the consciousness of the power and the "official standard" and

cultivate citizens' consciousness of democratic equality and independence; changing the concept of obligation to develop a unified concept of rights and obligations and strengthen the sense of rights, and so on. Its core is to cultivate citizens to form the socialist way of thinking that worship legal supremacy, power constraints, human rights protection and procedural justice.

Cultivating mature civic consciousness is the key to form the consciousness of modern rule of law. Equality, self-discipline, independence, rights-based, adherence to the agreement, advocating the rules and other concepts constitute the basic content of civic awareness. Citizenship means that citizens have a new concept that they are social subjects with independent rights and that they have the right not to be infringed and interfered with by others, social organizations and state organs in the private sphere. In modern society, the public only formed a mature civic consciousness, can they own take themselves as a free, equal, independent, rational subject to pursue their own legitimate rights and interests, and actively participate in the country's democratic construction and social management. Therefore, the cultivation of civic legal awareness must be conducted by civic awareness education to promote changing their concept from the subjects to the citizens. The core of civic awareness is the people's sense of sovereignty, which means the country's all rights belong to the people. Cultivating the people's sense of people's sovereignty is to make people aware that state power is given by the people and should be constrained and supervised by the people. The state power is limited by the constitution and the law, and the state organs can only exercise power according to the constitution and the law. Only understanding state power clearly, can civil rights awareness and political participation consciousness be really awakened and enable citizens to participate in national construction and social management as a national builder with independent personality.

Cultivating the spirit of contract can promote the form citizens' modern legal consciousness. The spirit of contract comes from the commodity economic society, it is a kind of spirit pursuing freedom, equality, and honest. Because the spirit of freedom, equality, democracy and advocating rules pursued by the spirit of contract is in line with the concept of socialist rule of law, it is conducive to the formation of modern rule of law, such as equality of all people, legal supremacy, right-based and due process. It can be said that the spirit of cultivating the contract is the prerequisite and the necessary conditions to cultivate the rule of law and form the legal belief. By perfecting the socialist market economic system as well as the contractual democracy system and the contract legal system and building a perfect system of contractual morality, we can create a solid institutional basis for the civil contract spirit. Through popularization and education, the citizens will gradually remove the concept of patriarchal ideology in the depths of citizenship and form modern concept of rule of law which fits into the spirit of contract.

Making citizens understand the nature of the law can help the formation of the rule of law. The focus of legal propaganda and education in the past is to strengthen the

sense of law-abiding, which makes the people mistakenly believe that the law is used to regulate and restrain the ordinary people for the state, so they have a strong resistance to the law. To change this situation, we must change our thinking on the law propaganda and education in the future and make citizens realize that the socialist law is no longer a tool for monarchs to rule subjects in feudal society while it is essentially the embodiment of the will of the people, which plays an important role in ensuring the people enjoy and exercise rights. The law is not just a constraint or obligations to citizens, but also the weapon to protect their legitimate rights and interests. Only understanding the law correctly can we change the conflict and resentment of the citizens against the law and gradually awe the law and advocate the rule of law, can we promote the citizen to learn and practice the law actively and form the concept of modern rule of law.

#### *B. Creating A Practical Platform to Enhance the Quality of Citizens*

The transformation of consciousness lays bedding and preparation for the transformation of the way of behavior and the real improvement of quality is completed in practice. Therefore, to enhance the quality of civil law, we must build a platform to create conditions for people to fully involved in the rule of law.

We must smooth channels for citizens to participate in the construction of the country with rule of law. First, we should strengthen the citizen's participation and supervision. Developing policies and laws to protect the rights for citizens to participate in legislate broadly, for example, "the decision on the comprehensive promotion of a number of major issues in accordance with the law of the CPC Central Committee" puts forward that establishing a center downward-moving and power-sinking working mechanism to provide a strong system support for the local legislation. Broadening the channels of citizens to participate in legislation orderly and gradually improving and vigorously promoting the system of legislative hearing by collecting public opinions on the internet and establishing legislation at the grass-roots level to listen to public opinions to learn from the wisdom of the people and broadly reflect the broad masses of people's wishes and aspirations; Second, we should smooth channels for citizens to participate in government decision-making. Trying to establish major matters consultation system and making decision after widely hearing the Committee's decision on major people's livelihood matters are both conducive to the scientific decision-making and helpful to enhance the citizen's social management awareness and ability. Third, we should enable citizens to participate in justice and improve the people's jury system, ensure the effective participation of the public in judicial mediation, judicial hearings and other activities. Fourth, we should implement the NPC function and change the current situation that only a small number of citizens are involved in the NPC and its Standing Committee and achieve the real "broad participation." Fifth, we should improve the grassroots autonomy mechanism, improve the democratic decision-making rules, increase the grass-roots mediation organization, improve the democratic management system taking labor

union as the basic form and promote the industry according to law autonomy to promote citizens improving their legal quality in self-management.

Building a complete legal service system, which can effectively achieve the legitimate rights and interests of citizens and make citizens grow legal knowledge, enhance the rule of law, and legal quality in the perfect legal services subtly. Therefore, we need to constantly improve the public legal services network, and gradually expand the field of public legal services, enlarge the scope of legal aid coverage and assistance to optimize the regional distribution of legal services and promote the balanced development of legal services in rural and urban area; we need to smooth the legal channels to resolve disputes and safeguard the rights and interests and guarantee that protect the legitimate demands of citizens can be solved according to legal procedures. Citizens learn and use the law in a series of legal services and personal legal practice, enhancing their legal quality unknowingly.

#### *C. Strengthening the Construction of Legal Culture to Provide A Favorable Environment for the Legal Quality Improvement of Citizens*

No law can be separated from the social and cultural environment. For example, some scholars said: culture is an understanding, the law can be understood by people after corresponding culture explanation and become the guideline for people's behavior and play a role in the social life; culture is a normative force, it can form a "field effect", and can be internalized into the individual's personal consciousness, which regulates people's behavior. [8] There is a natural relationship between the rule of law and culture, and culture directly affects people's understanding, acceptance and application of the law. The rule of law culture is not only an important content of the construction of society with the rule of law, but also an important guarantee for the realization of other contents in the construction, and improve citizens' legal quality. By cultivating constitutional culture focused on legislative culture, constantly strengthening the law enforcement culture, judicial culture, law-abiding culture, we can create a good social and cultural environment in the whole society. We should take the publicity and education of legal system as an important measure to improve the citizens' legal literacy. First of all, we should innovate the rule of law culture product and create a number art works that close to cultural life of masses with edutainment and loved by masses to attract people, infected people and persuade people. Second, we should optimize the rule of law publicity and education. While fully play the role of traditional media-led publicity, we should set up the internet legal platform, make full use of new media advantages such as more convenience, interaction, acceptance and so on. By holding colorful and beloved rule of law and cultural activities, citizens can learn legal knowledge and form legal concept and improve their legal quality under the influence of the rule of law culture.

#### IV. CONCLUSION

The construction of society with rule of law is a complex and systemic project, it need the "top-down" lead and demonstration of the ruling party and state organs, it also needs a "bottom-up" promotion of citizens with a higher legal quality. The two sides form a concerted effort and under the joint efforts of all members of society, the rule of law society will be able to achieve.

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