

Combining the Content and Spirit of Western Legal Thought, this Paper Discusses the Ideological, Theoretical, and Practical Logic Behind the "People-centered" Rule of Law Ideology

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Abstract

Western legal thought, after thousands of years of evolution, has formed a rule-of-law system centered on rights, the supremacy of law, and social contracts. However, it suffers from inherent limitations such as the alienation of individualism and the obscuring of substantive fairness by formal justice. The "people-centered" rule-of-law thought of the new era is not a simple borrowing of Western legal concepts, but rather a product of dialogue, critique, and critical analysis of Western legal thought, possessing a complete ideological, theoretical, and practical logic. From an ideological perspective, this thought fundamentally transcends the Western concepts of natural rights, social contracts, and the supremacy of law, completing a value reshaping from abstract individualism to concrete people-centeredness. From a theoretical perspective, it is rooted in the Marxist humanistic view of law, representing the theoretical crystallization of the Sinicization and modernization of Marxist rule-of-law thought, and a dialectical integration and innovative sublimation of Chinese and Western rule-of-law thought. From a practical perspective, this thought permeates all aspects of scientific legislation, strict law enforcement, impartial justice, and universal compliance with the law, constructing a comprehensive rule-of-law practice system guided by the people's standpoint. This article, taking the content and spiritual shortcomings of Western legal thought as a reference, systematically explains the three-fold generative logic of the "people-centered" rule of law thought, clarifies the essential differences between Chinese and Western rule of law, highlights the people-oriented core and institutional advantages of the rule of law with Chinese characteristics, and provides theoretical reference for the construction of the rule of law in the new era.

Keywords

People-centered; Western Legal Thought; People-Oriented; Ideological Logic; Theoretical Logic; Practical Logic.

1. Introduction

The rule of law is a core component of human political civilization. Western legal thought has undergone more than two thousand years of iterative evolution. From the emergence of natural law in ancient Greece, the shackles of medieval theological rule of law, to the legal reform of the modern enlightenment, it has always explored the core question of "why the law is established and why power is used to govern", and built a mature legal theory system and operating paradigm. As an important achievement of human legal civilization, the legal concept, institutional framework and rights thinking contained in Western legal thought have provided important reference for the construction of the rule of law in the world. As Liu Wei pointed out in "A Comparison of Chinese and Western Legal Thought", although Chinese and Western legal thought have different paths to the ultimate pursuit of social order and fairness and justice, their value foundation, subject position and governance logic are fundamentally different[3].

The "people-centered" rule of law thought in the new era, as the core of Xi Jinping's rule of law thought, is based on the practice of the rule of law with Chinese characteristics, deeply rooted in the excellent traditional Chinese legal culture, and simultaneously achieves a dialectical absorption, critical rejection, and fundamental transcendence of Western legal thought. This thought is not a simple replication of Western rule of law concepts, but rather it has gradually emerged and improved through dialogue and collision between Chinese and Western legal civilizations, in the process of the Sinicization and modernization of Marxist rule of law theory, and in the vivid practice of comprehensively governing the country according to law. It possesses a clear, rigorous, and progressive ideological, theoretical, and practical logic. Based on the content and core spirit of Western legal thought, a systematic analysis of the generation logic of the "people-centered" rule of law thought can profoundly clarify the essential differences between Chinese and Western rule of law, highlight the people-oriented nature and institutional advantages of the rule of law with Chinese characteristics, and provide theoretical support and practical guidance for the construction of the rule of law in the new era.

2. The Content Context and Core Spirit of Western Legal Thought

The evolution of Western legal thought is a history of breaking through constraints and reconstructing the value of the rule of law. It presents the stage characteristics of "foundation of natural law - solidification of theological rule of law - innovation of the rule of law under enlightenment", and gradually forms a complete and logically rigorous legal theory system. Liu Meihan systematically sorted out this classic evolution in "Comparative Study of Ancient Chinese and Western Legal Thought", and accurately defined the core connotation and era characteristics of Western legal thought in different stages[1].

The ancient Greek and Roman periods marked the nascent stage of Western legal thought. With Aristotle and Cicero as core figures, they established the core criteria for judging the rule of law, proposing the two core elements of "good law + universal obedience." This rejected the autocratic governance model of rule by man, emphasizing the just nature and universal binding force of law, thus laying the value foundation for Western legal civilization. During the Middle Ages, Scholastic jurisprudence, represented by Aquinas, dominated, deeply binding legal authority with theological faith and endowing the law with sanctity and authority. While this perpetuated the concept of legal order to some extent, it also reduced the rule of law to a tool of theological domination, shackled its humanistic values. The modern Enlightenment movement is the pinnacle of Western legal thought. Enlightenment thinkers such as Locke, Rousseau, and Montesquieu broke through the shackles of theology and reconstructed the source of legal legitimacy and the logic of power operation with natural rights theory, social contract theory, and separation of powers and checks and balances theory as the core. They established the modern legal core of "natural human rights, popular sovereignty, and limited power" and completely reshaped the legal cognition and institutional framework of Western society[1].

From the perspective of comparing the rule of law in China and the West, the core characteristics of Western legal thought are clearly highlighted. Shi Lingli pointed out in her research that the core difference between ancient Chinese and Western legal thought is reflected in the fundamental difference in value orientation: Western rule of law has always adhered to the "rights orientation", with the independent individual as the core, focusing on protecting personal freedom and the inviolability of private property, and taking the realization of personal rights as the ultimate goal of the rule of law construction; while traditional Chinese legal thought takes the "obligation orientation" as the core, focusing on the construction of ethical order and collective harmony and stability, emphasizing the individual's obedience and adherence to family, country, etiquette and law[2]. This difference in orientation runs through

the entire development of the rule of law in China and the West, creating two completely different legal logics and value orientations.

Over millennia of evolution, Western legal thought has distilled into four core principles: the supremacy of law, good law, protection of rights, and procedural justice, forming the four pillars of the modern Western rule of law system. The supremacy of law emphasizes that law is the highest principle of social governance, and all power and entities must be subject to it. Good law requires that laws align with values of justice and meet societal needs, rejecting governance through unjust laws. Protection of rights centers on individual natural rights, making rights protection a core function of the rule of law. Procedural justice emphasizes the standardization and transparency of the exercise of power, ensuring substantive justice through procedural justice. However, Western legal thought has inherent flaws and is not a flawless paradigm of the rule of law. In his article "Seeking Advantages and Avoiding Disadvantages, Strengthening the Study of Modern Western Legal Thought and Culture", Lü Shilun clearly warned that the value base of Western rule of law, which is based on individualism, is very likely to lead to formal equality covering up substantive inequality, and the excessive promotion of individual rights is likely to cause social interest imbalance. At the same time, the concept of "bad law is still law" advocated by legal positivism has provided a theoretical excuse for fascist autocracy and tyranny, exposing the fatal shortcomings of the lack of values and deviation of position of Western rule of law [5]. The inherent tension and inherent limitations of Western rule of law have provided an important historical opportunity and theoretical space for the generation, innovation and transcendence of the "people-centered" rule of law thought in my country.

3. Logical Thinking: Critical Inheritance and Fundamental Transcendence

The core logic of the "people-centered" rule of law is essentially a dialectical rejection of the core propositions of Western legal thought. That is, on the basis of absorbing the rational core of Western rule of law, it takes the people's position as the starting point to complete the fundamental value innovation and paradigm transcendence, and realizes the triple reshaping of the subject of the rule of law, the logic of power, and the value hierarchy, thus completely breaking the inherent dilemma of Western rule of law.

First, the subject of rights is being reformed: from "abstract natural rights" to "concrete people's rights". The Western natural law tradition takes the abstract, atomistic independent individual as the core subject of rights. The theory of natural human rights presupposes that everyone has natural rights that are inherent and absolutely equal. In modern times, it broke the feudal hierarchical privileges and promoted the liberation of individual freedom, which has important historical progressive significance. However, Shi Lingli's comparative study shows that this individualistic view of rights, which is divorced from social reality and historical context, has natural limitations. It overemphasizes individual independence and personal interests, ignores the social and historical nature of people, and cannot take into account the overall interests of society and the rights and interests of vulnerable groups. Ultimately, it leads to a disconnect between formal equality and substantive justice, causing many governance problems such as the differentiation between rich and poor, the imbalance of rights, and social division[2]. In contrast, the "people-centered" rule of law ideology abandons the abstract paradigm of individual rights and restores the subjects of rights to concrete, real, and social groups of people. It not only protects the legitimate rights and interests of individuals, but also bases itself on the fundamental interests of the broadest masses of people, and coordinates individual rights with collective interests, local interests with overall interests, and immediate interests with long-term interests. It has achieved a fundamental transformation from "abstract individualism" to "concrete peopleism," and made up for the core shortcoming of the substantive injustice of Western rule of law.

Second, the reshaping of the origin of power: from "individual social contract" to "the whole people as the subject". The Western social contract theory is the core source of the legitimacy of the rule of law in modern Western countries. Its core logic is that independent individuals authorize the rulers to exercise public power by transferring some natural rights and entering into social contracts. In essence, it is a bottom-up individual authorization model. The core purpose of the operation of power is to protect individual contract rights and maintain individual freedom. This theory breaks the autocratic logic of the divine right of kings, but it always takes individual interests as the starting point and lacks consideration of the overall public interests of society, which easily leads to the fragmentation and utilitarianism of the operation of power. In his "Study on the Spread of Modern Western Legal Thought in China", Liu Jiabo sorted out the history of the spread of modern rule of law and found that in the process of introducing Western contract theory and civil rights thought, modern Chinese intellectuals had already seen the limitations of its individualism and tried to connect and integrate the Western concept of "civil rights" with the traditional Chinese "people-oriented" thought to explore a theory of the rule of law subject that fits China's national conditions. This modern ideological exploration laid an important ideological foundation for the formation of the theory of "people as the subject" in the new era[4]. The rule of law ideology centered on the people clearly establishes the historical subject status of the people, advocating that the people are the sole source of state power, and that all state power is granted by the people, belongs to the people, and is used by the people. The operation of power is no longer limited to the fulfillment of individual contracts, but takes safeguarding the overall interests of the people, realizing the common well-being of the people, and maintaining social fairness and justice as its fundamental goals, thus achieving a fundamental transcendence of the Western logic of contractual power.

Third, the elevation of value hierarchy: from "mechanical law supremacy" to "value-based people supremacy." Western rule of law adheres to the principle of law supremacy, establishing law as the highest authority in social governance, effectively restraining autocratic power and regulating social order. However, the mechanical application of law supremacy has led Western rule of law into the dilemma of "instrumental rule of law." Once law is divorced from the values of justice and humanistic stance, it may become a tool of authoritarian rule. The historical lesson of positivism's "bad law is still law" best illustrates this, highlighting the fatal flaws of Western rule of law: a lack of core values and a wavering stance. The "people-centered" rule of law ideology reconstructs the value hierarchy of the rule of law, establishing the core logic of "people supremacy" encompassing "law supremacy," clarifying that the authority of law originates from the will of the people, and the vitality of law lies in protecting the rights and interests of the people. Law is no longer a purely governance tool detached from values, but rather an institutionalized and standardized manifestation of the will of the people. The core standard of good law is to conform to the interests of the people, respond to their demands, and protect their well-being, thus completely resolving the core contradiction of the "separation of law and values" in Western rule of law.

4. Theoretical Logic: The Inevitability of the Sinicization of Marxist Legal Thought

The theoretical logic of the "people-centered" rule of law ideology is rooted in the profound theoretical soil of Marxist humanistic legal view. It is a major theoretical achievement of the Sinicization and modernization of Marxist rule of law thought, a theoretical sublimation of a century of Chinese legal exploration, and a scientific correction and innovative development of the limitations of Western rule of law theory. Marxist rule of law theory breaks through the theoretical shackles of Western rule of law idealism and individualism. Based on the standpoint of historical materialism, it clarifies that the essence of law is the embodiment of the will of the

ruling class, that socialist law must reflect the will of the people and protect the rights and interests of the people, and that the ultimate goal of the rule of law is to realize the free and all-round development of people. This core position provides the fundamental theoretical guidance for the "people-centered" rule of law ideology.

From the perspective of historical evolution, this idea is the inevitable theoretical crystallization of China's century-long exploration of the rule of law. Liu Jiabo's research confirms that after the introduction of modern Western legal thought into China, it went through a tortuous process of localization exploration. From the passive borrowing of "learning from the barbarians to control the barbarians" at the end of the Qing Dynasty, to the theoretical copying of "learning from Russia" in the Republic of China, and then to the independent exploration of "taking our own path" after the founding of New China, the rule of law in modern China has always been iteratively developing in the process of absorbing the achievements of Western rule of law, avoiding the drawbacks of Western rule of law, and adapting to China's national conditions[4]. In this historical process, the Chinese Communists have always adhered to the people's position and continuously promoted the deep integration of Marxist rule of law theory with China's specific rule of law practice and the excellent traditional Chinese legal culture, forming a consistent and progressive system of rule of law theory inheritance. From Comrade Mao Zedong's fundamental position that "the people, and only the people, are the driving force for the creation of world history" and the establishment of the people's main position in national governance, to the formation of the core idea of the rule of law with "people as the center" in the new era, a logically complete, rich in connotation and complete system of rule of law theory has been constructed, realizing the historical leap of the Sinicization of Marxist rule of law thought.

From the perspective of theoretical innovation, this idea is a dialectical rejection and integration of Chinese and Western legal thought. The research principle of "seeking benefits and avoiding harms and dialectical learning" proposed by Lü Shilun in dealing with Western legal thought[5] has been fully practiced in the legal thought of "people-centered". This idea always adheres to dialectical thinking. On the one hand, it actively absorbs the rational core of Western rule of law and learns from its scientific concepts and institutional experience such as rights protection, procedural justice, power restraint, and good governance to make up for the shortcomings of traditional governance. On the other hand, it resolutely rejects the inherent drawbacks of Western rule of law such as individualism, formal justice, capital priority, and value absence. It takes the Marxist people-centered position as the fundamental guide, takes the overall interests of the people, common prosperity, and substantive justice as the core benchmark of rule of law construction, completely gets rid of the theoretical shackles of Western rule of law, and builds a socialist rule of law theory with Chinese characteristics that is scientific, people-centered, and practical, demonstrating the original contribution of the rule of law theory in the new era.

5. Practical Logic: Implementing the People-Centered Stance of Comprehensively Governing the Country According to Law

The "people-centered" rule of law ideology is not only a systematic theoretical framework, but also a practical guideline for comprehensively governing the country according to law. Its practical logic runs through the entire chain of rule of law construction, including scientific legislation, strict law enforcement, impartial justice, and universal compliance with the law. It transforms the people's stance, interests, and well-being into concrete legal systems and governance achievements, achieving a deep unity between theoretical value and practical implementation. This is completely different from the practical dilemma of Western rule of law, which emphasizes form over effectiveness and the individual over the whole.

Scientific legislation is the logical starting point for upholding the people's stance. Legislation is the foundational project for the rule of law, and the core of good laws and governance is establishing laws for the people and protecting their interests. Western legal legislation, guided by individual rights and capital interests, struggles to balance the public interest with the rights of vulnerable groups. my country's legislation in the new era consistently adheres to a people-oriented approach, focusing on the urgent needs and concerns of the people and accurately responding to their demands. The Civil Code, by establishing a separate section on personality rights, creating a right of residence system, and improving rules for marriage, family, and rights protection, comprehensively covers the people's personal rights, property rights, and personality rights, achieving a legal response to the people's needs for a better life. Simultaneously, through systems such as legislative hearings, public opinion surveys, and grassroots legislative liaison points, it facilitates public participation in legislation, ensuring that the law fully reflects the people's will and gathers their wisdom, preventing "bad laws" and "biased laws" from the source, and realizing the legislative intention of good laws for the people.

Strict law enforcement is a logical development of upholding the people's stance. Administrative law enforcement is at the forefront of serving the people and directly impacts their sense of legal gain. Addressing issues such as selective enforcement, arbitrary enforcement, abuse of discretionary power, and unfair enforcement at the grassroots level, the rule of law in the new era clearly defines "law enforcement for the people" as the core principle, standardizing enforcement procedures, constraining enforcement power, and optimizing enforcement methods. By promoting standardized, fair, and civilized law enforcement, implementing administrative law enforcement publicity, recording the entire enforcement process, and conducting legal review of major enforcement decisions, the system eliminates lax and biased enforcement; it adheres to inclusive and prudent supervision, implements exemptions from punishment for minor offenses and flexible enforcement, balancing enforcement strength with public concern, maintaining social order while protecting the legitimate rights and interests of market entities and the people, thus completely reversing the traditional shortcomings of law enforcement that emphasized control over service.

Impartial justice is the logical core of upholding the people's stance. The judiciary is the last line of defense for maintaining social fairness and justice. Western rule of law, due to its individualistic and capital-driven nature, struggles to completely resolve issues such as judicial injustice and class-based disparities in the judicial process. my country's judicial work in the new era consistently adheres to the core goal of "striving to ensure that the people feel fairness and justice in every judicial case," focusing on serving the people and ensuring impartial justice. Through deepening judicial system reform, breaking down local protectionism and vested interests, promoting judicial openness and transparency, and improving judicial assistance and legal aid systems, the last mile of judicial fairness is being bridged. Addressing disputes in areas of people's livelihood and difficulties in protecting the rights of vulnerable groups, litigation services are being optimized, case-handling procedures simplified, and the cost of rights protection reduced, effectively solving the problems of difficulty in accessing justice and protecting rights for the masses. Substantive justice replaces formal justice, demonstrating the people-centered nature of socialist justice.

The rule of law is the logical endpoint of practicing the people's position. The foundation of the rule of law lies in the people's inner recognition and belief. Western rule of law relies on the system to force the people to abide by the law, and lacks the people's innate legal recognition. The construction of the rule of law in the new era adheres to "relying on the people and benefiting the people". Through normalized legal publicity and education, grassroots legal governance and legal culture construction, we cultivate the people's legal thinking and guide the people to consciously respect, learn, abide by and use the law. At the same time, we fully respect the people's principal status, unblock the channels for the masses to supervise the

operation of the rule of law and participate in grassroots governance, and make the people the participants, guardians and beneficiaries of the construction of the rule of law, and build a legal pattern of joint construction, joint governance and sharing by all people. Liu Wei pointed out that the comparison between Chinese and Western legal thought should ultimately be based on their respective practical results [3]. The "people-centered" rule of law thought has proven through the whole chain and all-round rule of law practice that it is not an empty value slogan, but a scientific rule of law paradigm that fits China's national conditions, responds to the needs of the people and demonstrates fairness and justice.

6. Conclusion

The emergence and refinement of the "people-centered" rule of law ideology represents a concentrated achievement of theoretical and practical innovation in China's rule of law construction in the new era, and a critical absorption and fundamental transcendence of Western legal thought. In its ideological dimension, it breaks through the value shackles of the abstract individualism inherent in Western rule of law, reshaping the rights subjects, the origin of power, and the value hierarchy of the rule of law. In its theoretical dimension, it deeply cultivates the core of Marxist humanistic rule of law, based on China's century-long exploration of the rule of law, and constructs a localized and contemporary socialist rule of law theoretical system. In its practical dimension, it integrates the people-centered approach throughout the entire chain of rule of law construction, achieving an organic unity of formal and substantive justice, individual rights and overall well-being, and institutional norms and the warmth of people's livelihood. This ideology precisely addresses the core questions that Western rule of law has failed to fully resolve: "For whom is the law established, for whom is power used, and for whom does justice exist?" It transcends the inherent paradigm of Western rule of law, grounded in China's national conditions and rooted in the people's standpoint, contributing unique Chinese solutions and wisdom to the development of global rule of law civilization. It has profound theoretical significance and practical value for advancing the rule of law in the new era and realizing the modernization of the national governance system and governance capacity.

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