

Cultivating citizens' awareness of the rule of law from the perspective of building a law-based society

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Abstract: The society ruled by law is an important part of the integrated construction of the rule of law in China. It has a close relationship with the construction of a country and a government under the rule of law, but its scope is different from that of a country and a government under the rule of law. Especially after the construction of a socialist country under the rule of law was established as the basic national strategy, the level of Chinese citizens' awareness of the rule of law is also in urgent need to be improved. Because citizens are the foundation of the country, but also the smallest unit of building a society ruled by law. However, even if the party attaches great importance to it with the work of popularizing the law for more than 30 years, there are still some citizens who do not believe in the law, take advantage of the loopholes of the law or even commit crimes. However, citizens are the foundation of the construction of a society ruled by law. Strengthening citizens' awareness of the rule of law, so that citizens can study, follow, use and abide by the law, is more conducive to the construction of a society ruled by law.

1. Introduction

The society ruled by law is an important part of the integrated construction of the rule of law in China. It has a close relationship with the construction of a country and a government under the rule of law, but its scope is different from that of a country and a government under the rule of law. Especially after the construction of a socialist country under the rule of law was established as the basic national strategy, the level of Chinese citizens' awareness of the rule of law is also in urgent need to be improved. Because citizens are the foundation of the country, but also the smallest unit of building a society ruled by law. However, even if the party attaches great importance to it with the work of popularizing the law for more than 30 years, there are still some citizens who do not believe in the law, take advantage of the loopholes of the law or even commit crimes. However, citizens are the foundation of the construction of a society ruled by law. Strengthening citizens' awareness of the rule of law, so that citizens can study, follow, use and abide by the law, is more conducive to the construction of a society ruled by law.

2. Definition of citizens' awareness of the rule of law

Rule of law awareness refers to the highest form of legal consciousness, which is the sum of legal thinking, concepts, knowledge, and ideological framework formed by citizens in practice^[1]. Citizens' consciousness of the rule of law refers to the legal literacy and legal values that citizens should have in order to adapt to the democratic politics and civilized form of modern society^[2]. Under the background of socialism, citizens' consciousness of the rule of law is the public's understanding, ideal, psychology, evaluation and concept of the socialist rule of law and its phenomenon^[3].

2.1. The Subjective Nature of Civil Litigation

At first glance, Civil Procedure Law of the People's Republic of China Article 2: The task of the Civil Procedure Law of the People's Republic of China is to protect the parties' exercise of litigation rights, ensure that the people's courts establish facts, distinguish right from wrong, correctly apply the law, and try civil cases in a timely manner. Recognize the relationship between citizens' rights and obligations, punish civil illegal acts, protect the legitimate rights and interests of parties, educate citizens to voluntarily abide by the law, maintain social and economic order, and ensure the smooth progress of socialist construction. Article of the Civil Procedure Law of the People's Republic of China (hereinafter referred to as the "Civil Procedure Law"). It can be found that it contains multiple dimensions of litigation tasks such as settling disputes, sanctioning violations, protecting rights and interests, legal education and maintaining order, but combined with the principle of disposition in civil litigation, it is not difficult to find the core task of civil litigation. Article 13, paragraph 2, of the Civil Procedure Law stipulates that the parties have the right to dispose of their civil rights and litigation rights within the scope prescribed by law, which indicates that the parties' right to participate in civil proceedings has a strong control over the trial power of the court, and it is not difficult to conclude that there is a strong value tendency of autonomy in rights. ^[4]In other words, through civil litigation, the parties' private law rights are protected, specific interests are realized, private law order is maintained, and disputes are resolved, which is essentially the legal effect that social relations with specific interests are reformed or restored through civil litigation. Therefore, civil litigation focuses on the protection of the legitimate rights and interests of the parties and has the nature of subjective litigation^[5].

Similarly, Article 1 of the Administrative Procedure Law of the People's Republic of China (hereinafter referred to as the "Administrative Procedure Law") also establishes diversified litigation tasks such as settling disputes, protecting rights and interests, and supervising power. However, considering the provisions of Article 6, the scope of examination of administrative litigation is the legality of administrative acts, it can be seen that the focus of administrative litigation falls on power supervision. Therefore, the scope of examination is not limited to the litigation claims of the parties. Therefore, although the scope of accepting cases in the Administrative Procedure Law reflects the appearance of subjective litigation, it does not hinder the objective litigation nature of administrative litigation.

3. The problems and causes of Chinese citizens' awareness of the rule of law

3.1. Problems existing in the citizens' awareness of the rule of law

Due to our vast territory and large population, it is impossible to accurately define the problems existing in the awareness of the rule of law, because of the different population flow and habits in China, it is difficult to find a method and standard to evaluate the level of the awareness of the rule

of law in a specific region. However, we can still briefly summarize the problems of our citizens' awareness of the rule of law from three aspects: participating in law and respecting law.

3.1.1. Cognitive law

At the present stage, the Chinese public (other than law related practitioners) has low enthusiasm for learning law, most of them are passively learning, while citizens to obtain legal knowledge mainly include school education, law publicity and participation in litigation. From the perspective of education, there are different stages of school education in China. In the primary school, middle school, junior college, undergraduate and postgraduate education stage, China actively advocates the inclusion of legal education into the compulsory education stage. But because the law is not normal professional and willing to engage in the related industry law few students, so most areas have no professional law teacher, most of the school is by the education courses teacher, education teacher short-term training, but the training is difficult to reach the degree of rule of law education for students, makes the compulsory stage of the rule of law education too politicization, formal. And China's legal education is mainly concentrated in the college or above stage from a certain perspective of legal education is also elite education. Although the number of legal students is large, in the proportion of the national population, the popularization of legal knowledge and the promotion of the awareness of the rule of law is quite limited.

3.1.2. Participate in the law

Participation in the law can not only enable citizens to correctly understand the functions, values, principles, rules and procedures of the law, but also enhance their goodwill to the law in the interaction with the law, and fully feel the superiority of the rule of law. The ability of citizens to actively participate in the process of law implementation is sufficient evidence of the high level of civic awareness and the rule of law in the country or region. However, due to regional differences and other reasons, Chinese citizens did not actively participate in the implementation of the law. Most residents participate in the law is related to litigation, and most of the participating legal personnel are "elite people" with professional knowledge, so it is difficult for the broad masses to participate in the legal work.

3.1.3. Respect for the law and trust for the law

The degree of trust in the law can be measured by the psychological and external behavior of the citizens. Citizens' trust in the law is mainly manifested in both psychological and behavioral levels. Psychology mainly refers to the recognition of the authority and effectiveness of the law in the heart of the citizens, including the trust in the law enforcement of the state organs, the identification of the legal provisions, the conviction of judicial judgments and so on. External behavior is mainly reflected in consciously abide by the provisions of the law to enjoy the rights, actively assume obligations, encountered disputes using the legal way to solve. Citizens' participation in and compliance with the law partly reflects their trust in the authority of the country, the legal system and the law itself. After years of law popularization, although there are still some public members questioning the decision of law enforcement agencies, most of the improper disposal of the case extends to whether the relevant laws and regulations of juvenile delinquency in China are reasonable. Although the victims sometimes feel that the punishment for the perpetrator is too light, but they still choose to use legal means to appeal to defend their rights and interests. The perpetrator cannot maintain his mask of respect for the law when he learns that the result "benefits" his side. It can be seen that in recent years, the rule of law publicity and education in China has made great progress, and citizens 'trust in the law has been greatly improved, but there is still room for progress

in citizens' trust and respect for the law.

3.2. Analysis of the problems existing in the citizens' awareness of the rule of law

As a country in the initial stage of the construction of a society ruled by law, because of the relatively weak tradition of the rule of law and the relatively few practice of the rule of law, it is an inevitable fact that we still lack of citizens' awareness of the rule of law. This situation directly affects the realization of the national strategic goal of comprehensively governing the country by law. Therefore, strengthening the cultivation of citizens' awareness of the rule of law has become an urgent and important work content at present and even for quite a long time in the future. Citizens' awareness of the rule of law is not created in a thin air. It is necessary to create a series of conditions to promote the formation of the awareness of the rule of law. Whether the state and society can meet these conditions determines whether the success of citizens' awareness of the rule of law can be produced. Among the many factors that affect the formation and development of citizens' awareness of rule of law, there are both external and internal factors, which play a role in the formation process of citizens' awareness of rule of law. But there is no doubt that none of these factors is a panacea. Therefore, exploring the obstacles to the formation of citizens' rule of law awareness, from another perspective, is to investigate why a society lacks the corresponding conditions to promote the formation and development of citizens' rule of law awareness. Therefore, the following aspects should be analyzed from the perspective of citizens' rule of law awareness:

3.2.1. Legal and cultural factors

The traditional culture of the rule of the supremacy of the imperial power has largely hindered the formation of the consciousness of the supremacy of law and human rights. In China's long tradition of etiquette and rule of virtue, the family system has become the core strict hierarchy and the identity concept of superiority and inferiority. The social governance of the country is the absolute autocracy of the monarchy, all the supreme, the orders of officials above the law, people fear the public power more than the law, the law is only the tool for the king to maintain his imperial power, is the instrument to control the people. Therefore, in ancient China, the traditional thought seriously hindered the awakening of citizens' consciousness of individual rights. The characteristics of ancient China include: firstly, the supremacy of monarchial rule, emphasizing divine right and strengthening despotism; two thousand years of despotic rule have formed the concept that leadership equals authority. The second is to emphasize the concept of patriarchal clan, emphasizing clan over law. The clan system connects individuals, families and the country with blood, and the whole society is full of "human touch". The people always feel that it is more prudent to bring some "human" touch "in social communication. It has become a common consensus to find a "relationship" first. Moreover, based on the instrumental concept of "human interest" and law, the public pursues the realm of non-litigation, is afraid of litigation, and will not use the law against officials. Third, the sense of rights is weak. Law is a tool to safeguard the national rule and control the civilians, this phenomenon still exists in the consciousness of contemporary Chinese people. They cannot consciously use legal means to safeguard their legitimate rights and interests, nor can they effectively exercise their rights. Up until now, China has undergone decades of legal system construction. Although the concept of law has been introduced to China since the late period and explorations of the rule of law have begun, there is still a significant influence of traditional concepts of law in China. The phenomenon of "only officials knowing the law" still exists, which has become a major obstacle to citizens' awareness of the rule of law.

3.2.2. Economic factors

With the rapid development of China's economy, the modern concept of rule of law is also developing continuously and becoming more and more important in our society. The emergence of these concepts of rule of law in Chinese society has had a huge impact on China's self-sufficient small-scale peasant economy and planned economy for thousands of years. Market economy requires the establishment of a unified market system, and socialist market economy requires a sound and complete legal system; a society ruled by law must have the high awareness of the rule of law; the rule of law must rely on the strength of the whole society. The market economy is based on the rule of law. For the socialist market economy to make profits, it must have a good market environment and must be guided and regulated by the rule of law. Market economy must be built on the basis of rights, which is the inexhaustible driving force for the development and expansion of market economy. If the public cannot enjoy the rights protected and guaranteed alone, it cannot be regarded as a market economy in the real sense. The basic premise of market economy is that the subject status of all parties is equal. Only when there is equality can free trade take place in the market.. Equality requires that the personality of all parties in the market is independent and there is no subordination, that is, everyone is equal before the law, and at the same time, it is not subject to any restrictions outside the law, equal in opportunities, rules and other aspects. Because of this, the main body of the market economy must use the law to create an economic living environment to prevent unfair competition, which requires people to establish the concept of the rule of law that everyone is equal in the economic life. The pursuit of profit maximization is the internal power and source of market operation . The pursuit of profit maximization can only guarantee the market order within the legal norms. And a big problem is that the government excessively intervenes in the operation of the market economy. The main reason is that the economic development mechanism of China's social order is not perfect, and the relationship between the order and freedom of the market economy is not clear. The government should reduce regulation in terms of market freedom, but the intervention. Because the market economy mechanism is not perfect, the market autonomy is not strong, and the law cannot guarantee the rights of citizens in the market economy, resulting in citizens' lack of trust in the law, and citizens' lack of trust in the law will further lead to chaos in the market order, so that the government has to intervene too much in the market economy, and this vicious circle has made citizens' awareness of the rule of law and development an obstacle .^[6]

3.2.3. Publicity factors

The fourth Plenary Session of the 18th CPC Central Committee put forward for the first time the responsibility system of "who implements the law who popularize the law", which creatively transformed the subject of law enforcement into the subject of the popularization of the law, added new ideas for the work of the law in China, constructed a new pattern of the popularization of the law, and became one of the important ways to achieve the goal of the popularization of the law. The General Offices of the CPC Central Committee and the General Office of the State Council later issued and implemented the Opinions on the Implementation of the Responsibility System of popularizing the Law. However, there are still problems in the "responsibility system" in the actual operation process. First of all, the way of publicity is single. At present, the law enforcement of law enforcement agencies is mainly carried out by distributing leaflets, hanging banners, setting up publicity points and other ways, and the number of people can be limited. At the same time, the legal books are too boring to attract people's attention. Although many institutions also established the Internet + the franco-prussian, such as opening the franco-prussian website, open weibo, WeChat public, push the rule of law related content, but because the content is empty, the lack of professional information talent lead to promotion effect is not very good, is not high attention, focus

still focus on the law related practitioners, law students and a small number of the rule of law. The way of popularizing the law is single and uniform, and the content is boring, obscure, and disconnected, and it is difficult to mobilize the enthusiasm of the masses. Even if the public is occasionally exposed to the content of the law, they have no patience to read, let alone learn. Therefore, we should further innovate the way and carrier of publicity and education, and take measures according to local conditions, in order to achieve a definite target. At the same time, the lack of professional law popularization personnel, especially the grass-roots departments few full-time law popularization personnel, publicity tasks are responsible for other personnel temporary part-time, most of them are to complete the task. With the development of modern science and technology, the Internet has entered, but the rule of law propaganda did not keep up with the pace of The Times, the rule of law publicity and education is still concentrated in newspapers, periodicals, television, and other traditional media, even through the Internet the franco-prussian education, but because of the Internet content, insufficient propaganda, not attractive, the franco-prussian propaganda still failed to get its due effect. Secondly, the publicity content is outdated. The content of law enforcement education focuses on teaching people to abide by the law. And the public can be safe and not break the law is the success of the law. However, the development of the rule of law construction now requires the public to actively participate in it, and the propaganda content of "law-abiding" can no longer meet the development of the construction of the rule of law society in China. Only when the social subjects have clear their rights and clear rights can be realized can they actively devote themselves to the socialist modernization construction. In the past, the content of law publicity focused on the behavior prohibited by law, making people ignore the rights stipulated by law. Of course, this is inseparable from the reality in the early stage of China's reform and opening up. Only more emphasis on obligations can maintain social stability. However, with the development of society, the content of legal education and publicity has not been innovated. Based on the nature of law enforcement agencies, legal education still focuses on obligations, which greatly affects the psychology of the public and leads to the phenomenon of social obligations, where rights are relatively light and there is more room for civic rights awareness. After December 4th, legal education and publicity pay more attention to a series of legal education activities, which results in the failure to continuously integrate legal education and law enforcement activities into daily life, further affecting the effectiveness of legal education.

4. Cultivation of citizens' awareness of the rule of law

4.1. Continue to cultivate citizens' belief in the rule of law

The general secretary emphatically pointed out that in order for the law to really play its role, it must first win the universal faith of the whole society.[7] Faith is a powerful spiritual force, and the belief of the rule of law is the spiritual pillar of the spirit and consciousness of the rule of law. Cultivating citizens' belief in the rule of law is the core priority of enhancing citizens' awareness of the rule of law. To cultivate citizens' belief in the rule of law depends not only on learning and education, but also on the practice of the rule of law. Citizens' belief in the rule of law should be cultivated in the practice of building the rule of law. The rule of law needs to internalize the rational spirit and lofty pursuit of the rule of law into every link of the legislation, law enforcement and justice of the comprehensive rule of law. Scientific legislation. The quality of legislation not only reflects the level of the national rule of law, but also affects the establishment of legal authority. We need to meet the people's needs for a better life, focus on China's national conditions and people's conditions, actively respond to the concerns of The Times, and formulate laws that promote social progress and build consensus among the people to convince citizens. And the democratization of the legislative process also helps citizens to abide by and use the law. With the development and

progress of society, China pays more and more attention to improving the quality and level of legislation, and pays attention to infiltrating democracy into every link of the legislative process. Secondly, the law should be enforced strictly. Only when the law enforcers strictly enforce the law and take the lead in abiding by the law, so that the speculators have no opportunity, can the citizens believe in the law from the bottom of their hearts. Finally, do justice. In the judicial process, we should resolutely eliminate any interference from non-legal factors, and do not give any space and opportunities to relationship cases and human relations cases. So that citizens develop the good habit of consciously, finding law when problems arise, and relying on law to solve problems.

4.2. Innovate the publicity methods of law popularization and improve the efficiency of studying law

4.2.1. Give full play to the group characteristics to popularize the law

In the process of publicity and education of the law, the whole people should carry forward the socialist spirit of the rule of law, and implement the responsibility system of "who implements the law and the law". Through the franco-prussian, every citizen can understand the constitutional law gives their rights and obligations, know the law in addition to work in protecting their legitimate rights and interests, and protect the legitimate rights and interests of other members of society against shield, equality before the law is a slogan, is also an important content of legal authority. Therefore, in the process of modern rule of law construction, we must pay attention to the legal knowledge education, so that citizens can master the necessary legal knowledge. China's law popularization planning mostly takes occupation as the classification standard, such as farmers, students, individual industrial and commercial households, enterprise management personnel, etc. Law enforcement units should focus on the object of the group, such as the education bureau to the students of the law, the agricultural bureau to farmers to popularize the law and the industrial and commercial bureau to the enterprise management personnel of the law. Due to the different business of the staff of different industries and departments and different characteristics. Therefore, it is necessary to formulate a legal education plan suitable for the development of these personnel according to the actual situation of their own, which plays an important role in improving the legal literacy of the whole people.

4.2.2. Innovate the Internet

The Internet has gradually replaced traditional media such as newspapers, radio and television with its wide dissemination range, long retention time, strong interaction, simple and convenient operation, and become a new media of law popularization and publicity. Innovation of Internet law popularization plays a significant role in improving the public's awareness of the rule of law. Therefore, by implementing media public welfare laws and regulations, we can attract a wide range of internet users using vivid and easy-to-understand methods, and make the concept of the rule of law deeply ingrained in people's hearts. Especially in recent years, the Internet on the frequent occurrence of traffic accidents, information network security management, network telecom fraud, pornography, gambling and drugs and other criminal cases were reported and publicized. These key publicity and education of the rule of law are closely related to the actual social life, are highly integrated with the reality, and are highly targeted. They are easy to be accepted by citizens and have emotional resonance with them, which greatly enhance the dissemination and educational effect of the awareness of the rule of law. However, citizens' cognition of the rule of law should not only stay at the level of tool and practicality, but also rise to the level of value and belief. The cultivation of citizens' awareness of the rule of law should start from the law of education and the

law of physical and mental development, and adopt various ways and methods to encourage citizens to gradually identify with the socialist rule of law road with Chinese characteristics from their hearts, and constantly improve the recognition of the socialist rule of law theory with Chinese characteristics. In the activities to cultivate people's awareness of the rule of law, we encourage individuals to update their thinking by providing resources on the rule of law and legal education, changing their attitudes towards laws, and making them view "illegal acts" within the framework of the rule of law. Through exposure to and attention to media works, we continuously enhance our awareness of the rule of law.

Utilizing the "Internet Plus" trend to integrate social resources and optimize legal education in schools is feasible. It cannot be denied that this is one of the important ways to cultivate citizens' legal awareness. However, in the context of the Internet era, citizens receive a wide range of complex information, and simply outputting it in the classroom is not enough. We should integrate legal education with practical experience, allowing students to enter legal practice departments such as courts, prosecutors' offices, and law firms, and experience the operation mechanism of the law through observing trials. In this way, we can guide students to establish a legal concept in a more vivid way..

4.3. Promote the spirit of the rule of law, build a culture of the rule of law, and raise the awareness of respecting the law

The consciousness of law-abiding and the spirit of the rule of law play an important role in building the rule of law in China. Raise the consciousness of rule of law through the rule of law culture and cultivate the correct values by promoting the spirit of rule of law. The construction of the rule of law culture can promote the process and the realization of the rule of law. The establishment and operation of the legal system need the support of a certain legal environment, and the rule of law culture is an indispensable factor in the rule of law environment, and the rule of law culture will also affect the practice of the rule of law. The significance of the rule of law is to make the law become a kind of consciousness in people's hearts, so that people abide by the law in production and life. In order to ultimately reflect the role of the rule of law, it is necessary to deeply root the law in the minds of citizens and guide their own social behavior. In the current social development of China, the lack of rule of law culture has seriously restricted the healthy and orderly development of the cause of socialism with Chinese characteristics. Among them, there are both economic, political and other reasons, but also ideological and moral and ethical factors. Therefore, to strengthen the construction of a culture of rule of law, it is necessary to vigorously carry forward the concept of socialist rule of law, disseminate and carry forward an excellent culture of rule of law, and establish the authority and belief of the rule of law in the hearts of the public, so as to raise the level of citizens' awareness of the rule of law.

5. Conclusions

Under the perspective of a society ruled by law, citizens' awareness of rule of law includes the consciousness of respecting law, law-abiding and usage. The consciousness of respecting the law, as the most basic and important part of the consciousness of the rule of law, represents the citizens' inner recognition of the rule of law. Only when citizens truly establish the belief in the rule of law in their hearts, can the law not only be the provisions in the book, but also really guide the public social behavior. China has thousands of years of feudal autocratic rule, the rule of law started late, whether the rule of law theory or the rule of law practice foundation is relatively weak, all need to explore from the beginning. It is very unrealistic for China's national conditions to spontaneously produce "rule of law consciousness" through the socialization process. In order to accelerate the

construction of a society and a socialist rule of law, the country needs to take a series of measures to promote the formation of "rule of law" and the generation of citizens' awareness of rule of law.

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