Implement Path Analysis of Rule by Law “Comprehensively Strengthen Party Discipline”

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Keywords: Leadership of the Party, Strengthen Party Discipline, Governing According to Law, Rule of Law Means.

Abstract. Through the path of “rule of law” strictly, it’s not only proposed “comprehensively strengthen Party discipline” with the scientific connotation of the CPC Central Committee, but also molded the ruling spirit of the times with the overall rule of law. When the “Four Comprehensives” was promoted to the strategic layout under the background of the rule of law thinking to improve the consciousness of Party members and cadres, the way for the rule of law as the main ruling party to constitutional law means, Party regulations as boundary to Party members and cadres of discipline is to achieve “comprehensively strengthen Party discipline”.

Introduction

We must first govern the rule of the party, strictly administering the party. Strictly, I have always maintained the advanced party, valuable experience and a powerful weapon of purity. Comprehensively strengthen the party’s discipline, is an important strategic measure to cope with the challenges of the times for our party in face of the current situation that the party situation changes during the period of social transformation, to consolidate the ruling position. The party’s the fourth Plenary Session of the 18th CPC Central Committee clearly pointed out: that “the ruling party is required according to the constitution law governing the country, also require the party according to regulations of the Party Managing party” \cite{1}. On January 12, 2016, general secretary Xi Jinping delivered an important speech at the eighteenth session of the CPC Central Commission for Discipline Inspection of the sixth plenary meeting also stressed that to adhere to the comprehensive strictly in accordance with regulations of the party \cite{2}. This is the use of “rule of law” strictly specified in the road. When the “rule of law” and “comprehensive strictly” was promoted to the strategic layout under the background of “rule of law” should be an important way for the construction of the party, the Party Central Committee has become an important means of strict control of the party.

1. Scientific Connotation of “Comprehensively Strengthen Party Discipline”

Since eighteen Party’s general secretary, the core theme of Xi Jinping’s thought of Party construction is to adhere to the party to manage the party strictly. Adhere to the “comprehensively strengthen Party discipline”, “based on the comprehensive, the key point in the treatment in strict” \cite{2}. This is a significant strategic thought which is a prominent contribution to the General Secretary Xi in the party’s theory, fully reflects the new situation to make accurate judgments in the case, according to the work of Party building have made new thinking, putting forward new requirements.

First, “all-out effort to enforce strict Party discipline” is based on comprehensive. The construction of the party is covering all fields of construction of the ideological construction, organization construction, style building, anti-corruption construction and system construction, the construction of the system and integrity of the decision “strictly” “comprehensive” needs. Any one area of the building into a short board will pull the overall level of the party building. Based on the
“comprehensive” only a strictly, padded short board, by analogy, in order to ensure the concrete measures to strictly implement in place better.

Second, the key to “comprehensively strengthen Party discipline” is strictness. The Communist Party of China in the current period of social transformation of the self construction encountered many difficulties and problems, “strictly” is the General Secretary Xi on these problems and the solutions. If the party’s self construction put forward higher requirements and strict enforcement of discipline, there will be a party of national subjugation and death may be. “Strictly” is undoubtedly the inevitable way of our party’s self-examination, self-guarding, self-encouraging.

Third, the linchpin of comprehensively strengthen Party discipline is government. The constant change of the external environment of power determines the need of our party to adjust its own adaptability. The leadership of the Communist Party of Chinese China people achieved a great victory in the revolution, construction and reform, the reason is that the party has been constantly adjusted, and the important means of adjustment is “strictly”. Therefore, the new period is necessary to “fully strict” as the breakthrough point, to strengthen the party’s self purification, self perfection, and improve the ability of self innovation, improve the party’s leadership and the ruling ability, maintain and develop the party’s advanced nature and purity.

2. The Rule of Law Is the Inevitable Choice to Realize “Comprehensively Strengthen Party Discipline”

So far, the best way of managing a state of affairs is the rule of law. Similarly, the rule of law can also be used as the best mode of governance of political parties. General Secretary Xi in the deployment of “four comprehensives” strategy that the strategy of “to the rule of law in the overall” four comprehensive “to grasp the comprehensive, profound understanding of the rule of law with the other three” comprehensive “relationship” [3]. This fact made the origin of the party regulations clear, including the constitutional law and other “hard law”, including party disciplines such as “soft law”. The Party Central Committee has been deeply aware of the “comprehensive strictly” and “strict”, when strict in Party discipline within the “governance” it should be governed by the party discipline. Basic characteristics of “rule of law” fully meet the comprehensive and strict objective requirements. It can be said that the essence of “comprehensive strictly” is in accordance with the Constitution and laws party disciplines strictly, to achieve a “comprehensive strictly” must rely on the “rule of law” path.

First of all, the comprehensive strictly to achieve normalization, not differs from man to man. As General Secretary Xi comprehensive strictly always on the road [2], we must persevere, according to legend session. This “rule by law” and the stability of positive fit, laws and regulations of the party constitution was enacted and promulgated, it has the universality and independence is different from any leaders, it will not change because of changes in leadership and not because of the leaders and the attention to the change, thus stable and durable.

Secondly, “comprehensively strengthen Party discipline” needs equality. All personnel within the party and organizations at all levels must be strictly educated, strictly managed, strictly supervised, no one can be special. And “rule of law” also has the characteristic of equality. Rule of law should be the implementation of equality before the law and the constitution principle. Rule of law should also be the implementation of equality before the party’s principles. The party’s rules and regulations are the authority of the party through the development and promulgation of legal procedures, which is the common will and common interests of the laws and regulations. Thus it has the authority and legitimacy of the great, all Party members and party leaders must comply with the code of conduct, any organization or individual cannot transcend, can’t break and can’t arbitrarily change.

Finally, carry out the comprehensively strengthen Party discipline, which includes the party’s ideological construction, organizational construction, style building, anti-corruption and other aspects of the construction. While the rule of law also stressed the comprehensive rule of law rather than one-sided, “Rule of law” is not a single but a whole, not a specific field but a comprehensive one. At the same time, as a “party” and the origin of party disciplines, it is a system of norms of
Party organizations at all levels and all Party members must act, also involved in the party’s ideological construction, organization construction, style building, anti-corruption and other aspects, and is the embodiment and carrier of the construction of the party in all aspects.

Adhere to the “comprehensively strengthen Party discipline” and the “Comprehensive Strategy of Ruling the Country by Law”, and make full use of “rule of law” to strictly implement the basic ideas. It is not only the starting point at this stage strictly, but also reflects the construction of socialist system China socialist legal system and China characteristics.

3. The Basic Path of Rule by Law “Comprehensive Governing Party”

Using the rule of law thinking and way of the rule of law to govern party is the only way for our party to realize own management modernization. A modern country is a country under the rule of law and a modern political party is a party being good at using the rule of law. Promote “the overall governing party” must use the rule of law strength, using the way of rule of law. Therefore, we should emphatically pay special attention to the following several aspects of work:

3.1 To enhance the consciousness of Party members and cadres by the rule of law

Legal thinking is the leading cadres at all levels when they encounter problems and try to make decisions in the process, using the rule of law, legal procedures and legal logic and a series of rational thinking analysis, comprehensive judgment, eventually forming the conclusion or decision [4]. It is different from the rule of man thinking and thinking power in essence. The leading cadres’ level of thinking of the rule of law in China needs to be improved, in the process of dealing with various social contradictions, it is not a good use of the rule of law thinking, the rule of man thinking still occupies a large proportion in the leading cadres, in addition, in a large part of leading cadres in the nihilism of law ideology, power based thinking, do not pay attention to the law the procedure of thought still has great market. Therefore, the leading cadres of the rule of law should have the rule of law to restrict the exercise of any binding force.

3.2 The rule of law as the main governing means of the party

The rule of law as a rule did not start by the ruling by the ancient rulers to implement the rule of man. With the birth of the party and the emergence of the political party system, the transformation from the ancient monarchy to the modern ruling party politics and from rule of political change ancient monarch to personal rule for life in modern political democracy, the practice of law strategy by the main changes of the past Zhang jurists for the ruling party. Governing the country according to law, so that the position of the ruling party from the consent of the people, only through the ruling party ruling for the people to get the public to establish the legitimacy of the rule of law; the ruling party right from the constitution, party in power must act within the scope of constitution and law; the rule of the ruling party in accordance with the constitution, political parties or Party regulations the exercise of power, so as to effectively prevent the abuse of power; the rule of law to define the relationship between the ruling party and the functions of state organs, to the provisions of the ruling power of the ruling party and state organs function right, so as to ensure the correct exercise of power. All of these make the rule of law as the ruling party’s best governance model.

3.3 Constitutional law as a party cadres moving boundary

Master China Communist Party clearly pointed out that “the activities of the party must be in the range of constitution and laws”. This is a party to all levels of Party organizations and Party members of the requirements and commitment to the people, but also for all the activities of the party to delineate the boundaries.

On the one hand, China is a socialist country that the people in power. The people’s exercise of state power, mainly through the people elected representatives of the state organs of power, in accordance with the statutory procedures, the people will rise to the state’s constitution and law. The Constitution and the law are formulated by the representative of the people exercise the powers of the highest organ of state power, in fact it is the development of human itself, it is an important way
and means that the people exercise state power, which determines the party’s activities must be carried out within the scope of constitution and law.

On the other hand, China’s constitution and laws have been come up with by the party’s leadership of the National People, embodying the broad masses of the people and the Chinese people’s will and interests. Therefore, we must take the lead in compliance with the law to take the lead in the maintenance of the authority of the law. Our party in order to ensure the accuracy and stability of the Constitution and the law is often the first to the will of the people for the party’s line, principles and policies, after some practice in the party, and then puts forward some legislative suggestions to the organs of state power, the highest organ of state power to increase the party’s line, principles and policies for the state constitution and the law. Therefore, in a certain sense, the Constitution and the law of our country are the unification and integration of the party’s ideas and the people’s willing. It is the way of the party’s line, principles and policies.

For our party, Party organizations and members at all levels should strictly abide by the Constitution and the law, all activities are carried out in the scope of the Constitution and laws, which in itself is to comply with the party constitution to achieve the fundamental purpose of the party to complete the task of the party.

3.4 The rule of the party law as the self discipline of Party members and cadres

Xi Jinping in *On the Decision of the CPC Central Committee on Comprehensively Promote a Number of Major Issues of Rule of Law* stressed that, to comprehensively promote the rule of law, we must strive to form a pattern of national laws and regulations and the system of the party law to complement each other, promote and protect each other [5]. As a general law, the party law is a binding tool for the behavior of all Party members. It focuses on the regulation of the party’s political discipline and organization, and it ensures the unity of the party’s thought and action. As a result, the inner-party laws and regulations are stricter than the state laws.

The majority of Party members and cadres should strictly abide by the rules and regulations of the party. It is the code of conduct of Party members and Party organizations representing the will of the whole party, reflecting the party’s ruling experience, and it is a procedure to achieve the highest purpose of the party. For the party, abiding by the party constitution and other regulations is not only a political obligation, but also the spirit of the rule of law in the party’s life. The leading cadres of the party should abide by the party constitution and laws and consciously safeguard the authority of the party constitution and regulations and resolutely resist the violation of the party constitution and laws of the wrong words and deeds.

References


