

# **Study on the Combination Paths of Rule of Law and Rule of Morality in the Construction of Socialist Country ruled by Law with Chinese Characteristics**

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**Keywords:** Rule of Law; Rule of Morality; Socialist Country Ruled by Law; Chinese Characteristics; Combination

**Abstract:** Law and morality are both important components of social superstructure and important means of standardizing people's behavior. Law and morality play an equally important role in safeguarding and safeguarding social stability. They are interlinked and complementary. Therefore, in the governance of the country, the rule of law and the rule of morality should be effectively combined with each other, to achieve the state governance. This paper mainly studies the paths of combining the rule of law and the rule of morality in the construction of a socialist country ruled by law with Chinese characteristics.

## **1. Introduction**

Great importance has been attached to the use of legal means to regulate people's behavior and established the rule of law for the country's basic strategy since the reform and opening up, in order to meet the requirements of the development of the socialist market economy and to ensure the smooth development of the socialist market economy. The implementation of morality does not depend on compulsory means, but through the means of moral education, with its persuasive and persuasive power to influence and improve the moral consciousness of social members, so that people consciously abide by these norms of conduct. Morality appeals to people's "conscience" and to people's inner moral beliefs. This paper first expounds the construction of the socialist country ruled by law with Chinese characteristics, then expounds the connotation of the rule of law and the rule of morality, and analyzes the dialectical relationship between the rule of law and the rule of morality. Finally, the paper tries to explore the paths of combining the rule of law and the rule of morality in the construction of the socialist country ruled by law with Chinese characteristics

## **2. The construction of socialist country ruled by law with Chinese characteristics**

General Secretary Xi Jinping has put forward a series of new ideas, new ideas and new strategies since the 18th National Congress of the Party. It is clear that the overall goal of ruling the country by law is to build a socialist legal system with Chinese characteristics and to build a socialist country ruled by law.

## **3. The connotation of rule by law and rule of morality**

### **3.1 The connotation of rule by law**

The rule of law is a principle and method of governing the country by carrying out the law first and handling affairs strictly according to law. It requires that the law, which reflects the common will and fundamental interests of the social subject, has supreme authority, and is effectively implemented, universally observed and carried out in the whole society. The rule of law, as an advanced way of governing the country, requires the whole country and social life to be governed by law, that is, to manage the country and to govern the society by relying on the public authority of the law, which is a universal, stable and clear social norm. The rule of law is not by any personal authority, not by the authority or even privilege of those in powers, but not by personal will.

### **3.2 The connotation of rule of morality**

The rule of morality is the ancient Chinese theory of governing the country and a moral standard advocated by Confucianism, which was regarded as orthodox by feudal rulers for a long time. The Confucian rule of morality is the idea of using morality to influence and educate people. Confucian thought, regardless of human nature good and evil can use the morals to influence and educate the person. This form of enlightenment is a psychological transformation that makes people good and knows shame without evil. Rule by morality played a certain role in maintaining the stability of feudal society. Rule of morality has an obvious personal will.

### **4. The dialectical relationship between rule of law and rule of morality**

Law and morality have always been two ways to maintain social order. The making of law is bound to be restricted by moral factors to achieve the goal of rule of law and to realize the social ideal of good governance of law. Law should aim at perfecting morality and must base on the most basic moral standard in order not to lose the social foundation of its existence. At the same time, law, with its unique characteristics of stability, compulsion and procedure, plays an irreplaceable role in the process of social control and promotes the progress of morality. The dialectical unity of law and morality is mainly manifested in two aspects:

On the one hand, the rule of law needs to be based on morality. The establishment of the law and the construction of the whole legal system must regard certain morality as the basic value orientation and conform to the moral requirements. This effect of morality on law is mainly manifested in the following aspects:

Firstly, morality is the basis of legislation. Important and basic moral norms are one of the main sources of legal norms. The emergence of law originates from moral norms, and mainly absorbs the most important and basic moral norms to adjust social relations. It can be said that the law is the minimum moral requirement.

Secondly, morality is the value orientation of rule of law. The goal of good morality is to punish the evil and promote the good, and the law is to achieve the above goal with the force of the country, and to make the people's behavior conform to the social moral requirement, which is consistent with the value goal of the legal norm and the moral standard. Therefore, moral norms are the whole reference coefficient of legal norms.

Thirdly, morality is the basis of law enforcement. It is impossible to avoid the fuzziness of the legal norms. Whether we can grasp the legislative aim fairly and accurately depends on the quality of the law-enforcers. Law enforcers inevitably have the power of collecting evidence, whether they can use this power properly depends on the quality of the law enforcers.

Fourthly, morality is the basis for abiding by the law. Most people's recognition and belief in the law is the basis of the existence of law. Right is the core of modern rule of law. How to realize the legal right into reality depends on citizens' consciousness of consciousness and willingness, and the sense of obligation corresponding to the consciousness of right, which is also related to the consciousness of consciousness and willingness of citizens. This conscious and voluntary consciousness belongs to the realm of morality.

Fifthly, rule by morality is a useful complement to the rule of law, and morality can solve many problems that cannot be solved by law. Generally speaking, the law is only a minimum standard for the justification of a person's conduct. But many acts of human beings cannot be regulated by law. Therefore, only through morality is to regulate the behavior of people.

On the other hand, the rule of morality needs to be guaranteed by the rule of law. Because of the pluralism and multilevel of moral phenomenon, social morality is always in the confusion of conflict and contradiction. In order to make the dominant morality in a certain society, which represents the direction of social development and reflects the common interests of the people, to be widely accepted and popularized in society, there must be a coercive force as a means of spreading and popularizing. The legal system is such an effective means. The implementation of the legal system always confirms or absorbs the corresponding main moral norms and principles directly in

the form of legal norms so that these moral norms and principles can be popularized and popularized in the society by means of law.

At the same time, the implementation of the legal system always uses the compulsory force of the state to prohibit and crack down on the evil behavior which is inconsistent with its moral spirit, so as to purify the social ethos and improve the moral level of the society. It is always able to distinguish between good and bad, and the standard of "good" and "bad" is clearly revealed to the broad masses of the people, and plays an obvious role in improving the people's moral understanding level; It can fully embody its social functions such as norm, coordination, guidance, education, discipline and so on through the wide publicity and implementation of legal provisions, thus promoting the cultivation of moral norms, the awakening of moral consciousness and the realization of moral ideal. Especially in the situation of improper moral evaluation, disorder of value orientation, distortion of moral education and unsatisfactory moral life, it is necessary to give play to the role of the legal system as a hard restraint mechanism to strengthen moral atmosphere and establish moral spirit. Therefore, the implementation of the legal system is not only an important pillar and a huge driving force in the moral construction, but also a main way to strengthen the moral construction and improve the social moral level.

## **5. Paths of combining rule of law and rule of morality in the construction of socialist country ruled by law with Chinese characteristics**

### **5.1 To study the thoughts of General Secretary Xi Jinping seriously**

General Secretary Xi Jinping has paid great attention to drawing on China's excellent traditional culture and the experience of governing the country, and has made an incisive exposition on the relationship between the rule of law and the rule of morality since the 18th National Congress of the Party. Law is written morality, morality is inner law, and law and morality have the function of regulating social behavior and maintaining social order. We should not only pay attention to the normative role of the law, but also pay attention to the role of moral education, so that law and morality can complement each other, and the rule of law and the rule of morality complement each other. The rule of law must embody moral ideas and strengthen the role of law in promoting moral construction. At the same time, we must nourish the spirit of rule by law with morality and strengthen the supporting function of morality to the culture of rule of law. We should conscientiously study General Secretary Xi Jinping's important exposition on the close integration of the rule of law and the rule of morality, and more consciously combine the rule of law with the rule of morality by holding high the great banner of socialism with Chinese characteristics, thus playing a greater role in governing the country and governing by morality.

### **5.2 To draw on reasonable and correct morality**

Although the socialist legal system with Chinese characteristics has been formed In our country, the consciousness of the rule of law and the thinking of the rule of law in the whole society have not been well established. Therefore, the process of ruling by law cannot be separated from the rule of morality in the process of ruling by law. It is necessary to conscientiously absorb the ideological and moral essence of Chinese excellent traditional culture, and vigorously carry forward the national spirit with patriotism as the core and the spirit of the times with reform and innovation as the core. In order to make the outstanding Chinese traditional culture become an important source of the core values of socialism, it deeply excavates and elucidates the value of Chinese excellent traditional culture, which stresses benevolence, attaches importance to the people, adheres to the good faith, adores justice, is still in harmony, and strives for the harmony between the great and the great. Under the rule of law, in the Chinese traditional morality and its reasonable, correct morality, and then more effectively adjust people's behavior.

### **5.3 To improve people's moral quality and strengthen moral self-discipline**

No matter the governance of central or local government, whether national governance or social

governance, no one can ignore the role of rule by morality. Morality is a kind of norm and restriction which is more effective and more applicable than any text law. Rule of morality is to improve people's moral quality, to strengthen moral self-discipline, to promote the norm of civilization construction, to rule by law, to promote the self-improvement of human beings, to promote the internal motive force of all-round development of human beings, and to bring into play the effect of rule by morality.

#### **5.4 To adhere to the combination of law and morality in legislation, law enforcement and judicial**

The legislative work should adhere to the guidance of the theoretical system of socialism with Chinese characteristics, follow the spirit of General Secretary Xi Jinping's series of important speeches, and better embody the important principle of the close integration of the socialist rule by law with the rule of morality. This is not only the need to make good laws and realize good governance, but also the need to promote the construction of socialist spiritual civilization and ensure social stability and harmony. Constantly improve the law enforcement, judicial and other social management workers' legal knowledge and professional ethics, to ensure that the law, Germany and the implementation of the rule. The act of acts is not enough for one's own. It is not enough to have a good law, but also to have a team of high-quality people who serve the people, be honest and impartial, and seek truth from facts, and do a good job in accordance with the principle of embodying law and combining morality with morality. Properly handle all kinds of contradictions and maintain social stability and harmony.

### **6. Conclusion**

In a word, the moral character is the premise of the rule of law, the emergence of law is based on morality, the emphasis of the rule of law is the external behavior of human beings, and the emphasis of the rule of morality is the inner world of human beings. Law is a dynamic and open system in practice, which needs to be continued, promoted and developed on the basis of the new situation and the summing up of the new experience. The self-conscious restriction of morality and the constraint of law restrict each other and can also transform each other. Some moral norms need to be promoted to legal norms at the right time. Therefore, it is necessary to adhere to the rule of law and rule by morality in the construction of a socialist country ruled by law with Chinese characteristics. We should stress the rule of law as well as the rule of morality, attach importance to the role of moral education, and bring the power of law and morality into full play. The function of rule by law and rule by morality is closely combined, and self-discipline and heteronomy are closely combined.

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