

The Historical Process and Research on Construction Experience of the Communist Party of China's the Inner-party Rules and Regulations System

Jinrui Zhao¹

¹ School of Media and Design & School of Law, Hangzhou Dianzi University
Correspondence: Jinrui Zhao, School of Media and Design & School of Law, Hangzhou Dianzi University.

doi:10.56397/JRSSH.2023.04.09

Abstract

The activities of establishing rules and regulations of the CPC have always been closely related to the development of the party, and the inner-party rules and regulations system has been steadily advancing around politics. To improve the inner-party rules and regulations system, the CPC has made great efforts: the initial establishment of the new democratic revolution period, the tortuous development of the socialist revolution period, the restoration and development in the reform and opening up and the socialist modernization construction in the new period, and the overall reinforcement in the new era of socialism with Chinese characteristics. With democratic centralism at the core and party constitution as the basis, the inner-party rules and regulations system is an organic unity composed of the self-construction regulations, the inner-party leading rules and regulations, and other inner-party rules and regulations at various fields and levels. At this point, it has generally formed an 'one-unitary, two-dimensional, multi-level and multi-branch' inner-party rules and regulations system structure mode. The construction of the inner-party rules and regulations system needs to implement the party's guiding ideology, adhere to the party's overall leadership, serve for the general situation of the party and the state; maintain the flesh-and-blood ties between the party and the people, and promote the overall strict governance of the party to deepen development; adhere to and improve the construction of socialist rule of law with Chinese characteristics, and promote the modernization of the national governance system and governance capacity. The construction of the inner-party rules and regulations system is always on the way, and it needs to resonate and develop steadily with the party construction and the party's cause in the future.

Keywords: the inner-party rules and regulations system, history, current situation, experience

1. Introduction

Governing the party is the prerequisite for governing the country. Strictly govern the party, and govern the party according to the rules. The "rules" are manifested in the inner-party system

with the inner-party rules and regulations as the main component. The inner-party rules and regulations are highly condensed with the party's theoretical innovation and practical experience, with strong political attributes and

value orientation. It has a rigorous internal logic and unified scientific standardization. The inner-party rules and regulations are formulated by the main body making regulations within the party and are guaranteed to be implemented by the discipline within the party. They embody the centralized will of the party and regulate the rules and regulations of the activities within the party. In July 2021, General Secretary Xi announced at the 100th anniversary of the founding of the CPC that the party had “formed a comparatively perfect system of party regulations” (Liu Changqiu, 2021), which is an effective result of the party’s continuous efforts to promote the establishment of rules and regulations and deepen the reform of party construction. The existence of the party rules system is unparalleled in the world, demonstrating the party’s wisdom in governance, and is a unique calling card of “Chinese governance”, contributing Chinese solutions to the world’s political party governance.

2. The Origin and Evolution of the Inner-party Rules and Regulations System of the CPC

2.1 Start Brewing Period: 1921-1949 Inner-Party Rules and Regulations System Construction

It is the special new democratic revolution period that from the date of the founding of the CPC to the establishment of New China in about 28 years, it belongs to the initial gestation stage of the Inner-party rules and regulations system. According to the needs of leading the people in the revolutionary struggle in this period, our party has made an ice-breaking breakthrough in the formulation of inner-party rules and regulations. The National Congress of the CPC established the first party statute with the nature of a constitution in the history of the Party, i.e., the first guiding principle of the Communist Party of China. The Second National Congress of the CPC passed the mother law of the Inner-party rules and regulations system, that is, the constitution of the Communist Party of China. But it was not until the Sixth Party Congress that the meaning of “the Inner-party rules and regulations system” was clarified for the first time. The Seventh Party Congress included Mao Zedong Thought in the Party Constitution as the Party’s guiding ideology and the theoretical basis of inner-party rules and regulations initially matured. During this period, our party worked out a certain number of inner-party norms in the revolutionary practice.

Such as the central inspection regulations, the central committee of the communist party of China organization law, etc. Preliminary establishment of the important position of the principle of democratic centralism in intra-Party activities began to explore the Party’s leadership system, the working system, and the system of democratic intra-Party life from the Party’s organizational system.

2.2 The Tortuous Recovery Period: 1949-2012 The Construction of the Inner-party Rules and Regulations System

In the 30 years after the founding of the People’s Republic of China, the development of the inner-party rules and regulations system was torturous. Under the background of socialist revolution and construction, our party explores a new way to construct the inner-party rules and regulations on the premise of national governance. The Eighth National Congress of the CPC made corresponding amendments to the Party Constitution and added many new provisions to the concrete implementation of the principle of democratic centralism. Affected by the ‘Cultural Revolution’, the party’s ninth and tenth Party Congress regressed the development of the party’s internal laws and regulations system, and the formulation of norms stagnated. However, in this historical period, our party has also actively formulated some systems related to party building and party leadership. At the same time, it has accumulated experience in both positive and negative aspects of the active promotion of the inner-party rules and regulations system. More than 40 years after the Third Plenary Session of the Eleventh Central Committee, China is in a new period of reform and opening up and socialist modernization, and the development of the inner-party rules and regulations system is also recovering. During this period, the party’s activities of establishing rules and regulations were highlighted. The 12th National Congress of the CPC adopted the party constitution with outstanding characteristics of supporting the right in the new period. The 15th National Congress of the CPC regards Deng Xiaoping’s Theory as the guiding ideology of the inner-Party rules and regulations system. The 16th National Congress of the CPC listed the important thought of “Three Represents” as the guiding ideology of the Party. The 18th National Congress of the CPC regards the scientific concept of development as the action guide of

the whole party. The underlying logic of the inner-party legal system is gradually becoming full and the formulation of inner-party laws and regulations has gradually entered a standardized track.

2.3 Comprehensive Development Period: The Construction of Inner-party Rules and Regulations System Since the New Era

The short period of 10 years from the 18th National Congress of the CPC to the 20th National Congress of the CPC is in the new era of socialism with Chinese characteristics and is the golden acceleration period of the inner-party rules and regulations system. The Party Central Committee, with General Secretary Xi Jinping at its core, is committed to promoting the socialist rule of law construction with Chinese characteristics. The modernization of the national governance system and governance capacity put forward the formation of a relatively complete system of inner-party laws and regulations on the 100th anniversary of the founding of the party. It has made a series of major decisions and arrangements for the construction of the inner-party rules and regulations, which is a positive response to the logical and integrated structural requirements of the inner-party laws and regulations system. During this period, the Party continuously improved the theoretical basis of the Party's internal regulations system, taking Xi Jinping Thought on Socialism with Chinese Characteristics for a New Era as the guiding ideology and the important discourse on strengthening the Party's regulations system as the standard basis. The overall layout of the inner-party laws and regulations system should be well done from the overall strategic height. The first five-year plan outline includes the main areas of the party's work. At the Fourth Plenary Session of the 18th Central Committee of the Communist Party of China, 'forming a perfect inner-party rules and regulations system' was included in the overall goal of comprehensively promoting the rule of law. In 2016, our party clarified the basic framework of the inner-party rules and regulations system at the First National Party Regulations Work Conference. The 19th National Congress of the CPC emphasized the core position of the party's political construction and adhered to the organic unity of governing the country by law and governing the party by rules. The second five-year plan outline further clarifies the

timetable and overall map of the inner-party rules and regulations system. The Fourth Plenary Session of the 19th Central Committee of the Communist Party of China made the latest deployment arrangements for accelerating the formation of sound inner-party rules and regulations systems. In addition, to implement the arrangement of the inner-party rules and regulations system under the new situation, the main body of it is divided into different levels (effectiveness) and types (areas) to promote the formulation of inner-party rules and regulations. It focuses on adjusting the important relationship between the leadership of the party and the construction of the party, coordinating the interconnection and internal unity of the various sections within the system. Establishing a filing review and cleaning mechanism to effectively solve the problem of normative conflicts in the system of inner-party rules and regulations. Improving and perfecting the procedural mechanism of the formulation process of the inner-party laws and regulations system. Focusing on clarifying the review procedure of inner-party laws and regulations.

3. Analysis of the Current Situation of the Communist Party of China's Inner-Party Rules and Regulations System

With democratic centralism at the core and party constitution as a basis, the inner-party rules and regulations system is an organic unity composed of the self-construction regulations, the inner-party leading rules and regulations, and other inner-party rules and regulations at various fields and levels. (Ou Aimin & He Li, 2021) There are 3615 effective inner-party¹ laws and regulations of the CPC, which are divided into three levels according to the effectiveness levels. There are seven categories of proper names, namely, party constitution, norms, regulations, stipulation, Methods, rules, and detailed regulations. The party constitution is the mother's law and the basic law, which is in the dominant position of the party regulations system. Any normative document within the party that conflicts with the party constitution is invalid, forming the Monadic structure of the Inner-party Rules and Regulations System. Meanwhile, taking the adjustment object as the main division standard, the Inner-party Rules and Regulations System can be divided into 'two poles'. 'One pole' is the related system of self-construction, and 'the other pole' is the Party that leads everything's related system.

Each pole can be subdivided into many branches. Different inner-party laws and regulations have different effectiveness levels and finally form an anyone-unitary, two-dimensional, multi-level, and multi-branch inner-party rules and regulations system structure mode.

3.1 Party Constitution

The main body of the formulation and revision of the party constitution is different from the general normative documents within the party, and its adoption and revision procedures are also different from the general Inner-party Rules and Regulations. The party constitution represents the highest will of the party and has the highest normative effect. No Inner-party Rules and Regulations shall conflict with it.

As the general constitution of our party's establishment, governance, and management, the party constitution is fundamental and principled in its content, including the purpose and nature of the Party, its line and program, its guiding ideology and goals, the principles and structure of its organizational activities, the rights and duties of its members, and its internal discipline. The party constitution clearly shows the party's political policy, political line, and political goal, which is a major innovation of our party in theory, practice, and system. The party constitution is the source of the Inner-party Rules and Regulations System, the root of enriching its own content, and the principle model of all the party's normative documents. It stipulates the basic behavior paradigm of the party's activities and is the fundamental compliance of our party's governance and self-management.

3.2 The System of Inner-Party Rules and Regulations of Party Building

The party's self-construction legal system is based on the party's political construction, organizational construction, discipline construction, and style construction as the main adjustment objects. It provides institutional support for the high-quality development of our party and ensures the purity and advancement of the party. Up to now, there are 2842 inner-party rules and regulations that are effectively related to self-construction, including 166 inner-party rules and regulations, 134 inner-party rules and regulations of ministries and commissions, and 2542 local inner-party rules and regulations.

The rules and regulations of the party's political construction are mainly related to strengthening the political life within the party and resolutely implementing the 'two maintenance'. This is to further promote democratic centralism, and strive to create a political situation that emphasizes discipline and freedom, that is, a unified will and a comfortable personal mood. At the same time, it emphasizes that Comrades of the Political Bureau of the Central Committee take the lead in complying with the Inner-party Rules and Regulations and earnestly perform their duties under the centralized and unified leadership of the Party Central Committee; improve the reporting system for major matters to ensure that the decree is smooth and the line is prohibited.

The regulations on the party's organizational construction are roughly divided into macro and micro levels. At the macro level, it involves the norms of the party's organizational system, the procedural norms of inner-party elections, and the norms of the party's organizational work and symbolic symbols. The micro level involves the whole chain system of specific party members and cadres' professional training. It includes not only the characteristic civil service system but also the construction of cadres in state-owned enterprises and institutions. The rules and regulations of the party-leading ideological construction are mainly related to strengthening the basic theoretical research of Marxism and the party's ideological theory construction. And it further deepens the theoretical research foundation and forms a normalized mechanism for the ideological construction of the leadership team. Give full play to the important role of party schools at all levels in business training, theoretical communication, policy consultation, and ideological guidance. The rules and regulations of the party leading discipline and style construction are mainly related to clean discipline requirements in key areas and joint links. Implement our party's ideals and beliefs, adhering to our party's fine traditional style, and highlighting the noble moral pursuit of communists. Party members and cadres need to carry forward the fine style of hard work, diligence, and thrift in both party activities and daily work. Also, they need to firmly resist formalism, bureaucracy, hedonism, and extravagance, and focus on correcting the unhealthy tendencies reflected by the people. At

the same time, it effectively supervises the performance activities of party groups and party members and cadres and implements the guarantee reward and punishment system for party activities.

3.3 The Inner-Party Leading Rules and Regulations System

The inner-party leading rules and regulations system regulates and guarantees party leadership in politics, economy, culture, society, ecology, army, national defense, and other aspects. And it clarifies the Leading and Led relationship between the party and multi-subjects. It provides basic compliance to take the overall situation into consideration and coordinate all parties. So far, 772 (Zhou Yezhong, 2020) department documents of the inner-party rules and regulations system (Wang Bingbing, 2021) include 44 effective central parties laws and regulations, 29 effective party laws and regulations of ministries and commissions, and 699 effective local party laws and regulations.

The rules and regulations of the party leading economic construction mainly related to the promotion of the Party Central Committee's centralized and unified leadership on economic work. And it ensures that the Party Central Committee's economic decision-making deployment takes effect as soon as it is implemented. At the same time, it comprehensively promotes the rural revitalization strategy and strengthens the party's all-around leadership over the work of "agriculture, rural areas, and farmers".

The rules and regulations of the party leading political construction mainly related to strengthening the party's centralized leadership of the united front work. It implements the latest patriotic united front requirements stipulated in the 'Constitution' and improves the process mechanism of the party leading legislation, ensuring law enforcement, supporting justice, and leading the law-abiding. Carrying out the party's leadership to the whole process of the rule of law.

The rules and regulations of the party leading cultural construction are mainly related to maintaining ideology and cultural security. It strictly implements the responsibility system of ideological work and strengthens the Party's centralized and unified leadership over propaganda work. It provides strong ideological energy and a strong spiritual prop for the

development of the party and the country.

The rules and regulations of the party leading social construction are mainly related to further promoting the modernization of social governance transforming the special advantages of the party's leadership into the effectiveness of social governance and strengthening the centralized and unified leadership of national security work within the party. And implement the overall national security concept.

The rules and regulations of the party leading ecological construction mainly related to vigorously promoting the cons construction of beautiful China and sticking to ecological environment protection political red line.

The rules and regulations of the party leading national defense and army construction mainly related to further promoting the party's goal of strengthening the army in the new era, deepening the responsibility system of the chairman of the military commission, and adhering to the party's absolute leadership over the army.

4. The CPC Experience Summary of the Inner-Party Rules and Regulations System Construction

4.1 Carry out the Party's Guiding Ideology, Adhere to the Party's overall Leadership, and Services for the overall Situation of the Party and the State

The Party's guiding ideology is the scientific guidance and ideological weapon to constantly improve the inner-Party rules and regulations system, whose perfect development is also its institutional implementation. The two need to be closely combined and work together to truly achieve the dialectical unity of ideological Party building and institutional Party governance.² The CPC has always insisted on confirming the latest achievements of Marxism in China in the party constitution in time, transforming the party's guiding ideology into the normative and cultural guidance followed by the whole party, ensuring and realizing the banner role of the party's guiding ideology through the effective operation of the inner-Party rules and regulations system. In the context of ruling the Party according to rules and regulations, it is necessary to translate Xi Jinping's thoughts on Socialism with Chinese Characteristics for a new era into various specific institutional regulations within the Party to guarantee the development route of the Party and country along the correct political direction.

Adhering to the party's overall leadership is the 'inevitable logic' of constantly improving the inner-Party rules and regulations system, whose continuous improvement is an 'important guarantee' and 'effective consolidation' for upholding the party's overall leadership. The CPC has always been playing a vital role in China's affairs. Following the objective law of the party's overall leadership is not only a necessity of history and reality but also a reflection of practice³. Additionally, The CPC has always emphasized the core position of consolidating the party's leadership with the inner-Party rules and regulations system as the starting point. By improving the inner-party legal system, The CPC will continuously enhance the party's existing ruling ability and level, ensuring the pace of our party's actions in unison.

To serve the overall situation of the Party and the State is the guiding principle of perfecting the inner-Party rules and regulations system, which needs to promptly make accurate and sensitive adjustments to the demand of social and economic development, to play a correct leading role and positive guarantee function⁴. Under the great theme of the times of realizing the Chinese dream, advancing the construction of the inner-Party rules and regulations system is proposed to take the characteristics of the times of the party and the country as the starting point, effectively determine the normative tasks of the inner-Party rules and regulations system, and provide strong institutional support for achieving the party's goal.

Implementing the Party's guiding ideology, adhering to the Party's overall leadership, and serving the politics is the primary experience in promoting the improvement of the inner-Party rules and regulations system. At the new historical starting point, it's highly essential to closely focus on that main line, adhere to Xi Jinping's thoughts on Socialism with Chinese Characteristics for a new era as scientific guidance, improve the Party's overall leadership system, fully implement the basic theory, basic line and basic strategy of the Party in the new era, deepen the systemic construction of the inner-party rules and regulations system in response to the objective development needs, and timely transform it into specific institutional norms to establish effective norms to comply.

4.2 Maintain the Flesh-and-Blood Ties Between the Party and the People, Promote the Comprehensive

and Strict Administration of the Party to Develop in Depth

People's nature is the inherent gene of the The CPC survival and development⁵. All for the people, all rely on the people, the practice of people-centered development thought is The CPC's future destiny and the cause of the rise and fall of the proper background and the root of course. As a key link in the development of the party's cause, promoting the perfect development of the inner-party rules and regulations system engineering needs to unswervingly stand firm with the people's position, unswervingly respect the people's dominant position and pioneering spirit⁶, and unswervingly adhere to the mass line and serve the people wholeheartedly. Our party has always actively responded to the risk of "separating from the masses" by promoting the party's system construction, always maintaining the flesh-and-blood ties between the party and the people, and always ensuring that the party is tightly linked to the people and throughout works for the fundamental interests of the broad masses of the people.⁷

Governing the country must first govern the party. Governing the party must be strict, and strictness must be measured according to the law.⁸ As a 'bolt' for managing and governing the party, strengthening the systematic construction of the inner-party rules and regulations system is an inevitable requirement for comprehensively and strictly governing the party. It has always been an important experience in the process of self-revolution of our party. It is a long-term and fundamental policy to further promote the comprehensive and strict administration of the party. Standing at the starting point of the new journey, it is necessary to concentrate on the comprehensive and strict administration of the party to develop in-depth, continuously promote the construction of the inner-party rules and regulations system to the modernization of the Chinese-style rule of law, manage the party, use power and govern officials with systematic, standardized and scientific institutional content, and always maintain the party's advanced nature and purity to ensure that it will never deteriorate, change color and taste.

Maintaining the flesh-and-blood ties between the party and the people and promoting the comprehensive and strict administration of the party to develop in-depth is the rational

experience of the modernization of the Chinese-style rule of law in the inner-party rules and regulations. Guided by the spirit of the 20th National Congress of The CPC, it's of significance to firmly adhere to this experience, unswervingly stand firm in the position of the people, always implement the mass line, serve the people wholeheartedly, adhere to the comprehensive and strict administration of the party without adjustment and relaxation, provide systematic institutional support for our party's great self-revolution, and always maintain the party's advanced nature and purity.

4.3 Adhere to and Improve the Construction of Socialist Rule of Law with Chinese Characteristics, Promote the Modernization of the National Governance System and Governance Capacity

As a significant part of the socialist rule of law system with Chinese characteristics, the inner-Party rules and regulations system and the national legal system together constitute the static norms of the socialist rule of law with Chinese characteristics. The systematic construction of the inner-party legal system is an inevitable requirement for the improvement and development of the socialist rule of law with Chinese characteristics, providing an important political guarantee for the socialist system with Chinese characteristics.⁹ 'The law is the most righteous of all.' The CPC has always actively been using the experience of socialist rule of law construction and constantly pursued the rule of law civilization of mankind. The 20th Party Congress of The CPC pointed out that adhering to and improving the construction of socialist rule of law with Chinese characteristics needs to be guided by Xi Jinping's thoughts on socialism with Chinese characteristics for a new era, continuing to promote the basic strategy of the state according to the rule of law and the basic way of discipline according to the law, correctly grasp the relationship between the system of party regulations and the national legal system, scientifically coordinate the substance of party regulations and legal norms, effectively articulate the excesses of the form of party law and national law, and always adhere to The organic unity of the rule of law and the rule of the party according to rules.

The national governance system is a scientific system explored by the party leading the people in the long-term historical practice.¹⁰ The party's leadership system is the most important fundamental institutional norm. The highest

political leadership of the The CPC determines the other scientific norms of the party's leadership system to guide the national governance system, which is manifested in the party's leadership of all work in the process of promoting the modernization of the national governance system and governance capacity. As 'one dimension' of the inner-Party rules and regulations system is the most righteous of all, not only is the party's leadership system the relevant normative system for the party to lead everything but also is the most important systematic support for the construction of a modern Chinese-style party law system. The inner-Party rules and regulations system and the system of national governance are dumbbell structures formed by the core link of the party's leadership standard system. Promoting the modernization of the national governance system and governance capacity inevitably requires the inner-Party rules and regulations system.

References

- Liu Changqiu. (2021). Adjusting Intra-Party Relations through Intra-Party Regulations. *Exploration*, (06), 115-125.
- Ou Aimin, He Li. (2021). The Reconstruction of the Concept of Socialist Rule of Law with Chinese Characteristics: The Perspective of the Legal Attribute of Intra-Party Regulations. *Journal of Xiangtan University: Philosophy and Social Sciences*, 45(06), 46-52.
- Wang Bingbing. (2021). The Regulatory System of Party Leadership: Concept, Features, and Functions. *Journal of Socialist Theory Guide*, (11), 31-39.
- Zhou Yezhong. (2020). On Ruling the Party According to Regulations. *Study and Practice*, (02), 35-45.

¹ Data source: Regulations Bureau of the General Office of the Central Committee of the Communist Party of China, July 2022.

² See also: Xiao Guangwen, Huo Chang. (2021). Combining the Building of Ideology and the Governance of the Party: A Hundred-Year Exploration of Historical Evolution, Basic Features, and Contemporary Values. *Studies in Ideological Education*, (09), 62-68.

³ See also: Wang Ping. (2022). The Development Process and

Basic Experience of Political Discipline Construction of the Party since the 18th National Congress of the CPC. *Journal of Beijing Jiaotong University (Social Sciences Edition)*, 21(03), 9-17.

- ⁴ See also: Zhuang Deshui. (2022). Normative Analysis and Improvement Ideas of Interpretation of Intra-Party Regulations. *Truth Seeking*, (01), 4-16.
- ⁵ See also: Huang Xijia, Han Jingjing. (2021). The Concept, Essence, and Basic Features of the Red Genes of the Communist Party of China. *Jiangxi Social Sciences*, 41(07), 186-194.
- ⁶ See also: Wang Haijun. (2009). Mechanism and Methods of Theoretical Innovation of the Communist Party of China since the Founding of New China: "Give Play to the People's Subjective Role, Respect the Pioneering Spirit of the People". *Academic Forum*, 32(10), 18-21.
- ⁷ See also: Li Yumin. (2013). On the Political Risk of the Ruling Party's Separation from the People. *Social Science Front*, (12), 16-20.
- ⁸ See also: Zhao Leji. (2022). Firmly Advancing Comprehensive and Strict Party Governance. *People's Daily*, 2022-10-31(002).
- ⁹ See also: Zhang Wenxian. (2023). Promoting the Further Improvement of the Socialist Rule of Law System with Chinese Characteristics in an All-Round Way. *Law and Social Development*, 29(01), 5-21.
- ¹⁰ See also: Ma Huaide. (2022). Rule of Law and State Governance. *Social Sciences*, (08), 5-11+20.