

Research on the practice of the system of 'who enforces the law and who popularizes the law' in Liaoning Province

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Abstract: In 2017, the General Office of the Central Committee of the Communist Party of China and The General Office of the State Council issued the Opinions on the implementation of the responsibility system of the State organs "Who law enforcement who law popularization". Liaoning provincial government departments carried out the responsibility system practice of "who law enforcement who law popularization" in accordance with the requirements of the opinions. At present, the pattern of "general Law popularization" in Liaoning Province has basically taken shape, and the cities have implemented the responsibility system of law enforcement and law popularization around social hot legal issues, and made certain achievements in innovating the working methods and methods of law popularization. However, there are still two major problems, namely, the lack of integration between law popularization and law enforcement, and the insufficient evaluation of implementation effects. Combining with the background of the introduction of the system, deepening the understanding of the system of "law enforcement who promulgates the law" and improving the relevant supporting systems of the responsibility system of "law enforcement who promulgates the law" are the key for Liaoning Province to solve the existing problems in the implementation process of the responsibility system of law enforcement who promulgates the law".

1. Introduction

The Fourth Plenary Session of the 18th CPC Central Committee made it clear for the first time that "whoever enforces the Law" should be implemented nationwide. This is of great significance to the implementation of the "Seventh Five-Year Plan" for law popularization. It is conducive to giving full play to the leading role of judicial organs, promoting the organic combination of law enforcement and law popularization, optimizing the effectiveness of law popularization by state organs, and improving judicial credibility and promoting the spirit of rule of law. Since the promulgation responsibility system, not only scholars have conducted in-depth research on the relevant aspects of the "who law enforcement and who law popularization" responsibility system, but also various provinces and cities have issued opinions on the implementation of the "who law enforcement and who law popularization" responsibility system. At the end of 2017, Liaoning Province issued the notice of Implementation Opinions on Implementing the responsibility system of Law Enforcement and Law

Popularization by State Organs. The issuance of the implementation opinions has important significance for promoting the construction of rule of law in Liaoning. In accordance with the requirements of the opinions, the government departments of Liaoning Province carried out the practice of the responsibility system of "Law enforcement and law popularization", and achieved remarkable results in the practice of the responsibility system of "law enforcement and law popularization". This study takes the implementation of the responsibility system of "Law enforcement who promulgates the Law" in Liaoning and the problems it faces as the research object. Through scientific analysis of the current implementation situation, existing problems and countermeasures of the responsibility system of "Law enforcement who promulgates the law", it provides administrative and administrative suggestions for Liaoning to better implement the responsibility system of "Law enforcement who promulgates the law" during the period of the Five-Year Plan.^[1]

2. The connotation of the responsibility system of "Who promulgates the law and who promulgates the Law"

2.1. The responsibility system of "who promulgates the law will promulgate the law" is a fundamental transformation of the way of promulgating the law

The responsibility system for popularizing the law is an institutionalized achievement that fully recognizes the inherent value of the rule of law, and a fundamental transformation of the way of popularizing the law. The transformation is mainly reflected in three aspects: clear subject of responsibility, precise object of popularizing the law, and specific content of popularizing the law.^[2]

First, the main body of responsibility for law popularization is clear. "Those who enforce the law will popularize the law" refers to the law popularization in the process of law enforcement, that is, the law popularization activities into the daily law enforcement activities. In the daily law enforcement activities, law popularization education is carried out to law enforcement objects, such as "interpreting the law by case", and legal common sense is popularized to the people through some specific excellent cases or legal common sense is popularized in the process of administrative law enforcement. Compared with the general law popularization, because the subject of law enforcement is clear, the subject of law popularization is also clear in the responsibility system of "whoever law enforcement promulgates the law".^[3]

Second, the object of law popularization is more precise. Different from the general law popularization activities, the responsibility system of "who shall enforce the law shall popularize the law" can make the object of law popularization more accurate. General law popularization activities are basically to popularize the general legal common sense through traditional means such as legal propaganda, lawyer lectures or new media means such as law popularization website, law popularization program drama and video number. Such objects of law popularization are general, vague and not specific, which will lead to a certain impact on the effect of law popularization. However, the integration of law popularization and rule of law practice will achieve a breakthrough in the precision of the object of law popularization. The most prominent feature of law popularization in law enforcement is that law enforcement personnel can combine specific law enforcement activities and specific law enforcement objects to carry out more accurate law popularization activities. General law popularization education is limited by law popularization activities and can only popularize some legal knowledge. Therefore, the content of general law popularization is often general and not detailed enough. However, in the process of law enforcement, general law popularization has the advantages that general law popularization activities do not have in detailing the content of law popularization. In the process of law enforcement, the relevant content of law popularization is in a specific field, and law enforcement

popularization makes up the shortcomings and deficiencies of law popularization and general law popularization on the surface. First of all, from the main body of law enforcement popularization, law enforcement personnel are often more clear about the legal common sense involved in their work departments. Through law enforcement personnel's law popularization, they can combine their own law enforcement experience to determine the specific legal content to be popularized; Secondly, from the process of law enforcement popularization, law enforcement itself will face specific legal problems, and law popularization in the process of law enforcement is more conducive to combining specific legal issues to carry out specific content of law popularization, and avoid the behavior of law popularization for law popularization. The responsibility system of "who promulgates the law who promulgates the law" is the upgrade of law enforcement behavior.^[4]

2.2. The responsibility system of "who enforces who promulgates the law" is a powerful measure.

The responsibility system of "law enforcement and law popularization" not only realizes the transformation of law popularization methods, but also the upgrading of law enforcement behaviors.

First, the responsibility system of "who will enforce the law and promote the law" has given administrative law enforcement a richer connotation. Traditional administrative law enforcement regards law enforcement behavior as a tool and means to punish citizens' illegal behaviors and maintain social stability. This understanding of the connotation of law enforcement has led to the inflexible and single work of law enforcement personnel and the phenomenon of violent law enforcement has occurred from time to time. However, the responsibility system of "law enforcement who promotes law" has endowed law enforcement activities with more abundant connotations. Law enforcement itself is to ensure the correct implementation of the law, not only need to maintain the stability of social order, more importantly, law enforcement behavior and law enforcement basis is an important intermediary connection between the government and society. The responsibility system of law popularization gives the law enforcement process the connotation of law popularization, and strengthens the people's understanding of the rule of law by propagating the rule of law in the process of law enforcement.^[5]

Second, the responsibility system of "law enforcement and law popularization" has improved the ability of law enforcement personnel to administer according to law. The key to rule the country according to law is to rule the country according to law and administration according to law. From a narrow point of view, law enforcement mainly refers to administrative law enforcement. Therefore, the main body of "who law enforcement who promulgates the law" is mainly administrative organs and administrative law enforcement organs. Law enforcement agencies, including the social law and the system of the law of the double meaning of social law generally refers to the law enforcement agencies in the process of law enforcement to citizens and legal organizations to carry out publicity and education activities.^[6]

Third, the responsibility system of "law enforcement who promotes law" makes law enforcement methods flexible. Scholars believe that "emphasizing strict law enforcement makes lawbreakers respect and Revere the law, but this is not violent law enforcement or excessive law enforcement." We should make law enforcement both vigorous and enthusiastic." "Whoever enforces the law" can educate and guide the public to understand and abide by the law through law popularization in the process of law enforcement, and further prevent and resolve differences in social interests through the interaction between law enforcement and law popularization. In short, the way of law enforcement can make the law enforcement methods of law enforcement personnel more gentle to a certain extent, can change the problem of violent law enforcement in the past, and upgrade the traditional law enforcement methods to be restricted and supported by the system.^[7]

3. The implementation status of the responsibility system of "who will enforce the law and popularize the law" in Liaoning Province

At present, there is no academic literature research on the responsibility system of "who promulgates the law" in Liaoning. In order to grasp the current situation of the responsibility system of "Who promulgates the law and who promulgates the law" in Liaoning, we use the responsibility system of "who promulgates the law and who promulgates the law" as the core keyword to search through the Internet. Taking the obtained data as an important basis for evaluating the implementation status quo of the "Law enforcement and law popularizing" responsibility system in Liaoning Province, the implementation status of Liaoning Province can be summarized as follows according to the searched data.^[8]

3.1. The pattern of "General Law Popularization" under concerted management has basically taken shape

In December 2017, the General Office of the Liaoning Provincial People's Government issued the Notice on the Implementation Opinions of the Responsibility System of "Who shall Enforce the Law and Who shall Propagate the Law" by State Organs, requiring that it be earnestly implemented in light of the actual conditions of each city. According to incomplete statistics, since 2020, some cities have formulated the responsibility list of law popularization according to the opinions of the Liaoning Provincial government, and then Shenyang and Fushun have also released the responsibility list of law popularization in 2021 and 2022. From the current list of responsibility for law popularization, each city divides the list of responsibility into two parts: joint responsibility and individual responsibility. As well as the key points, objects and tasks of the law popularizing units, including the party committees and governments of various districts and counties. The issuance of the statement of Responsibility for popularizing the Law indicates that the "Great Popularization of the Law" in Liaoning Province has begun to take shape, and all departments at all levels have participated in it and promoted it in an all-round way.^[9]

3.2. Implementing the responsibility system of law enforcement popularization based on hot social legal issues

Liaoning judicial departments take the "Seventh Five- Year Plan" law popularization as an opportunity to publicize social characteristics and legal issues, which is an important way to implement the "Seventh Five-Year Plan" law popularization responsibility system. For example, when the epidemic broke out, the judicial authorities of Liaoning Province focused on studying and publicizing the laws related to epidemic prevention in accordance with the law, and carried out the rule of law publicity and education of "Stay with the epidemic and walk with you" throughout the country. Through online promotion and offline participation, the publicity and education work on the rule of law is carried out through multiple channels, multiple aspects and multiple levels. In addition, it has also carried out legal publicity on preventing financial risks such as campus loans, online loans and illegal fundraising, and vigorously held knowledge popularization activities on environmental protection laws and regulations such as ecological environmental protection, natural resources management, energy conservation and emission reduction . Popularizing the law in the law enforcement work on issues closely related to the people's own interests is more conducive to promoting the popularization of the law by the whole people and promoting the building of a law-based government and a law-based society.^[10]

3.3. We have made certain achievements in innovating ways and means of promoting the Law

In the process of implementing the responsibility system of "who shall enforce the law shall popularize the law", the cities of Liaoning Province have continuously innovated the working methods of law popularization and improved the pertinacity and effectiveness of law popularization, which are mainly reflected in the following two aspects: First, popularize the law with product thinking. "Legal supermarket" is an important product of law popularization in Dalian this year. Dalian launched its first community "legal supermarket" on June 16, 2022. So far, there have been 1,690 such supermarkets, providing five and 10 kinds of basic legal services such as legal advice and legal aid to the masses. In addition, the city has also set up a "legal savvy" project for rural people. Second, different ways of popularizing the law should be adopted according to different targets and groups of people. For example, on August 31, 2020, the Business Environment Construction Bureau of Liaoning Province designed and produced animated answer mini programs on wechat to publicize the law around the Regulations on Optimizing the Business Environment and Regulations of Liaoning Province. The Bureau of Justice of Dalian launched a situational drama about workers on the "May Day" Labor Day; On June 1 Children's Day, the organization of "minors protection column"; In Qixi to the masses in the civil code of marriage and family compilation. On May 19, 2021, Dawa District of Panjin City will take the Fengqiao experience as an opportunity and combine the actual situation to carry out a publicity campaign on homicide prevention. The Judicial Bureau of Dawa District fully analyzed the blind spot of legal knowledge of the parties involved in murder cases, further innovated the publicity carrier of law popularization, organized typical murder cases into short legal videos, publicity videos and other legal works popular with the masses according to laws and regulations, and conducted legal popularization education of "explaining the law by case" typical cases through media such as Douyin and wechat public accounts, so that the people could learn the law at anytime.^[11]

4. Problems in implementing the responsibility system of "whoever enforces the law and promulgates the law" in Liaoning Province

Since Liaoning Province issued the Implementation Opinions on Implementing the responsibility System of "Who shall Enforce the Law and Who shall Popularize the Law" by State Organs, various cities have made some achievements in promoting this work, but relative to the duality and basic requirements of this work, Liaoning Province's judicial department still has some problems in this work that need to be solved as soon as possible.^[12]

4.1. The integration of the law popularization process and the law enforcement process is not obvious

Judging from the current implementation of the responsibility system of "law enforcement who promulgates the law" in various cities in Liaoning, there are still some path dependence. Emphasizing "law popularization" and only taking law enforcement departments as the main body of law popularization, there is still a certain gap with the requirement of combining legal publicity and rule of law practice in the responsibility system of "law enforcement who promulgates the law". The main reasons leading to the disconnection between law enforcement and law popularization are as follows: first, the connotation of the concept of "who promulgates law and who promulgates law" is not fully understood and explored. The responsibility system of "Law enforcement who promulgates the law" is a new system established under the guidance of the idea of governing the country according to law. It not only brings about fundamental changes in the way people popularize the law, but also improves the traditional law enforcement methods. However, when

Liaoning Province implemented the responsibility system of "law enforcement who promulgates the law", it did not fully explore the significance of this system for the construction of the government under the rule of law. Nor did it fully explore the essential value of this system in the rule of law; Second, it has not attracted enough attention from the system. In the implementation of the "who shall enforce the law, who shall propagate the law", there is often a problem of coordination between the two publicity methods within the system and the society. In the official websites of Liaoning Province, there are reports about the judicial institutions in the social law popularization, they use the anniversary, memorial week, major festivals and other opportunities to carry out a variety of colorful law popularization activities, but they ignore the legal education of their own system staff.^[13]

4.2. There is a lack of evaluation of the implementation effect of the responsibility system of "who shall enforce the law and promulgates the law"

Evaluation feedback and implementation of supervision are the most effective way to implement the system. Although as early as 2017, Liaoning issued a notice on the implementation of the "law enforcement and law popularization" responsibility system, all municipalities and departments have focused on the development of relevant work programs and responsibility lists, but they have ignored the assessment of the actual practical effects of law enforcement and law popularization. As a result, the pertinence and effectiveness of law enforcement and law popularization activities cannot be tested, nor can they provide an effective reference for the next step of law popularization work. The main reasons for the lack of implementation effect evaluation of the responsibility system of "who law enforcement and who law popularization" are as follows: First, the implementation time of the responsibility system of "who law enforcement and who law popularization" is relatively short. In 2017, the General Office of the CPC Central Committee and The General Office of the State Council issued the Opinions on Implementing the responsibility system of "Law Enforcement and Law Popularization by State Organs", and then Liaoning Province issued the implementation opinions, but since 2020, each city has successively released the list of responsibilities for law popularization. In fact, the implementation time of the responsibility system of "Law enforcement and Law Popularization" is relatively short. It is still in the process of understanding and exploring the implementation of the system, and the implementation effect of the system can not be highlighted in a short time; Second, the supporting system of the responsibility system of "who shall enforce the law and who shall propagate the law" has not yet been perfected. The evaluation of the implementation effect of the responsibility system of "law enforcement and law popularization" needs to be based on the establishment of a corresponding evaluation index system, and there are no relevant research results.^[14]

5. Liaoning implementation of the "law enforcement who promulgates the law" responsibility system to improve the countermeasures

As a new system, it is inevitable that there are problems in the process of implementation of the responsibility system of "Law enforcement and law popularization".

5.1. Combined with the background of the introduction of the system to deepen the understanding of the system of "who law enforcement and who popularizes the law"

Only by having a deep understanding of the background of the introduction of the responsibility system of "who law enforcement and who promulgates the law" can we effectively promote the effective implementation of this system. Since 1986, the legal aid work in our country has been a

process of gradually exploring the intrinsic value of legal aid. To make the whole people know the law, abide by the law, and use the law to safeguard their legitimate rights and interests is an important purpose of the "First Five-Year Plan", "Second Five-Year Plan" and "Third Five-Year Plan" work. From "First Five-Year Law Popularization" to "Sixth Five-year Law Popularization" is the process of law popularization in China from scratch, and it is also the period of rapid development of export-oriented law popularization, which has achieved irreplaceable effects. But the traditional way of law popularization ignores the inherent value of law popularization. Just as scholars believe that "traditional law popularization is a stage of transferring regulation to governance according to law. The relevant personnel of law popularization carry out law popularization education with the feelings of legal instrumentalism, they believe that law is only a tool to supplement political regulation and insufficiency, and they have insufficient understanding of the inherent value of law popularization itself to publicize legal governance." From this perspective, the responsibility system of "whoever enforces the law shall popularize the law" is an important law popularization system established on the basis of the lack of understanding of the inherent value of law popularization in the traditional law popularization, and created in order to fully explore the inherent value of law popularization. It is put forward under the background of the comprehensive rule of law strategy, as a major institutional innovation of law popularization concept. It is fundamentally different from the previous law popularizing system. Law enforcement is the key to connect the government and the society. Through law enforcement and law popularization, people can be educated and guided to advocate the law, establish their belief in the rule of law, know the law and abide by the law, and only from the height of promoting the construction of the rule of law government can we understand the intrinsic value of the responsibility system of "who shall enforce the law and who shall popularize the law" can we better implement the system during the Eighth Five-Year Plan period.^[15]

5.2. Improve the relevant supporting systems of the "who law enforcement and who law popularization" responsibility system

As a new law popularization system, the responsibility system must be supported by relevant supporting systems if it wants to really play its role. In addition to the current responsibility list system issued by each city, it is necessary to establish other relevant systems to promote the effective implementation of the "responsibility system of who enforces who promulgates the law."

First, we need to explore the establishment of a legal responsibility system for reporting and reviewing "who enforces the law". The report review system consists of two components. First, the responsible units for law popularization take the initiative to release the progress and effectiveness of law enforcement and law popularization to the society. Secondly, a consultative meeting will be held on the contents of the report, and deputies to the people's Congress, the Chinese People's Political Consultative Conference, the masses, social organizations, the media and work units will be invited to evaluate the implementation of the responsibility of relevant subjects to popularize the law. On the one hand, this system can promote the main body of law popularization to organically integrate the process of law popularization with the process of law enforcement, and on the other hand, expand the social impact of law popularization through the review council.

Second, based on the report and review of the responsibility system, the advanced units and individuals in the work of law enforcement and law popularization are propagated. In the implementation of the law popularizing responsibility system, different law enforcement organizations and individuals will combine their own work to sum up different implementation experience, which provides a certain reference for other organizations to better implement the system. Through experience, the system can maximize the overall efficiency of innovative practices.

Third, based on the list of responsibility for law popularization, a set of perfect and systematic evaluation and evaluation system is established for the implementation of the law popularization responsibility system of "who law enforcement, who law popularization". This kind of evaluation system, the best way is to let the third party to carry out, but also through the news, the Internet and other new media tracking, or through public opinion polls to carry out systematic evaluation. Fourthly, strengthen the application of evaluation results, In the "Eighth Five-Year Plan" law popularization work, the units or departments that have achieved the top three in the annual assessment will be recommended as advanced units^[16]

6. Conclusions

In the process of implementing the "law enforcement and law popularization", Liaoning has made some innovative achievements by implementing the responsibility system of law popularization, and promoted the process of governing the country according to law. However, due to the lack of understanding of the double meaning of "who law enforcement who law popularizing" law popularizing responsibility system, coupled with the lack of full exploration of the inherent value of law popularizing law, there are still some problems in the implementation process of the system, but these problems are unavoidable problems in the process of system implementation. I believe that with the deepening understanding of the "who law enforcement who law popularizing law" law popularizing responsibility system, coupled with the corresponding supporting system is not perfect, "who law enforcement who law popularizing" the system effectiveness of the legal responsibility system will be further improved. In the process of law enforcement, the accurate popularization of the law, so that the people in the rule of law work, can better understand the spirit of the rule of law, which not only improve the law enforcement work of strict, fair, high standards played a positive role, but also improve the effectiveness and pertinence of law popularization, in order to meet the current needs of law popularization, promote the construction of the general pattern of law popularization.

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