

Advancing the Development of New Quality Productive Forces Through the Modernization of the Rule of Law

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ABSTRACT

The new quality productive forces, with technological innovation at its core and characterized by digitalization, intelligence and green development, is an important driving force for Chinese modernization. The rule of law serves as the institutional foundation and guarantee for its development, and the two are in a mutually reinforcing and progressive relationship. On the one hand, the development of new quality productivity brings about new challenges in technological and industrial transformation, promoting the continuous deepening of the modernization of the rule of law. On the other hand, the rule of law builds bridges and paves the way for new quality productivity by setting strategic goals, optimizing market order and improving institutional rules.

KEYWORDS

Modernization of the rule of law; New quality productive forces; Chinese modernization; Institutional guarantee

1 Introduction

New quality productive forces are the innovative development and practical exploration achievements of Marxist theory of productive forces under the background of China's economy and society entering a new stage of development. They not only carry new theoretical implications but also demonstrate profound practical significance, and are the key driving force for promoting the process of Chinese-style modernization. In the process of comprehensively advancing law-based governance, the rule of law is not only the fundamental prerequisite and fundamental guideline for cultivating and developing new quality productive forces, but also injects continuous impetus and provides a solid guarantee for it. Therefore, in the process of promoting the development of new quality productive forces, full attention should be paid to the leading, regulatory and supporting role played by the rule of law. Against this backdrop, it is necessary to further delve into the intrinsic connection between new quality productive forces and the rule of law, clarify the logical mechanism of their coordinated development, and explain their deep-seated value alignment, so as to better strengthen the guiding and safeguarding function of the rule of law in the development of new quality productive forces and facilitate the steady advancement of Chinese-style modernization.

2 The Dual Shaping of Modernization of the Rule of Law and New Quality Productive Forces

2.1 New Quality Productive Forces Promote the Modernization of the Rule Of Law

Firstly, Marx's materialist conception of history points out that the economic base determines the superstructure. This view emphasizes that the continuous development of productive forces will inevitably promote the evolution and innovation of the legal system. This theory has laid a solid theoretical foundation for the improvement of the content richness and form completeness of the modernization of the rule of law with Chinese characteristics promoted by new quality productive forces. From the perspective of historical materialism, the transformation from feudal society to capitalist society clearly demonstrates the interaction between productive forces and law. The advancement of agricultural technology and the advent of the Industrial Revolution broke the feudal economy centered on land dependence, and there was an urgent need for freely flowing labor force and legal guarantees for private property rights and freedom of contract. The law was also adjusted accordingly: The Poor Act of the United Kingdom promoted the separation of farmers from land, and the Napoleonic Code of 1804 established the principles of ownership, freedom of contract and liability for fault, laying the institutional foundation for the market economy and vividly demonstrating the promoting effect of productive forces on the law. Although the new quality of productive forces is different from the traditional sense of productive forces, in the final analysis, the new quality of productive forces still belongs to productive forces and is still influenced by the Marxist emphasis that the economic base determines the superstructure. The new quality of productive forces have a positive promoting effect on the construction of the rule of law and help accelerate the process of modernizing the rule of law.

2.2 Modernization of the Rule of Law Guarantees New Quality of Productive Forces

Chinese government states that we must better play the guaranteeing role of the rule of law in consolidating the foundation, stabilizing expectations and benefiting the long term. The rule of law is not only an important guarantee for Chinese-style modernization, but also an important guarantee for developing new quality productive forces. It is mainly reflected in the following two aspects.

Firstly, the rule of law provides a solid institutional foundation for the development of new quality productive forces. By improving intellectual property protection, data governance, green and low-carbon regulations, as well as financial and market supervision systems, the law clearly defines the rights ownership and usage norms of key elements such as innovation achievements, data resources, and green technologies, providing stable institutional expectations for innovation entities. Meanwhile, the forward-looking and flexible nature of the law enables the system to adapt to the development of new technologies and new business forms in a timely manner, avoiding the constraints on the release of productive forces caused by the lag of the system. In this process, the rule of law not only promotes innovation activities by clarifying rules and improving systems, but also provides institutional guarantees for the sound operation of the innovation ecosystem, thus enabling new quality productive forces to continuously develop and grow in a stable and orderly environment. Secondly, the rule of law has created a favorable external environment for the development of new quality productive forces. By regulating market order, maintaining fair competition and ensuring social stability, the law has to some extent reduced the uncertainty of innovation and encouraged enterprises and research institutions to continuously invest in research and development activities. Meanwhile, the law has enhanced public and market trust in innovation activities through risk prevention and control, technical ethics norms, and social responsibility systems, ensuring that technological progress is in line with social values. In addition, the improvement of the legal system related to green development has also provided important institutional support for the sustainable development of new productive forces, enabling innovation activities to be advanced in a safe, standardized and sustainable environment.

3 Building Bridges and Paving Roads for New Quality Productive Forces through Modernization of the Rule of Law

3.1 Establish the Strategic Coordinates for the Development of New Quality Productive Forces

In the development process of new quality productive forces, the most fundamental role of the rule of law lies in establishing its strategic position and elevating it to the core goal and institutional norm of national development. Article 14 of the Constitution stipulates that the state shall, by enhancing the enthusiasm and technical proficiency of workers, promoting advanced science and technology, improving the economic management system and enterprise operation and management system, implementing various forms of socialist responsibility system, and improving labor organization, continuously increase labor productivity and economic benefits, and develop social productive forces. The Constitution's provision of constantly improving labor productivity and economic benefits and developing social productive forces provides the most fundamental goal guidance and legal basis for developing new quality productive forces. The development of new quality productive forces is itself a concentrated manifestation of fulfilling the fundamental tasks of the country and liberating and developing social productive forces in the new era.

Although we did not directly put forward the concept of new quality productivity, its discussion has already outlined the overall framework and strategic direction of new quality productivity. The report emphasizes that science and technology, talent and innovation are the three strategic pillars, which is completely consistent with the inherent requirement of developing new quality productive forces with scientific and technological innovation as the core element. Chinese government report provides fundamental guidance and strategic direction for the formation and development of new quality productive forces and is an important policy and theoretical source for it. Article 1 of the Law on Promoting Scientific and Technological Progress clearly states that give full play to the role of science and technology as the primary productive force, innovation as the primary driving force, and talent as the primary resource, confirming the core role of scientific and technological innovation in economic and social development at the legal level. Meanwhile, Article 4 of the Environmental Protection Law emphasizes that economic and social development should be in harmony with environmental protection, which provides a fundamental guideline for the green development of new quality productive forces. It can be seen from this that the law, by establishing the development orientation of technological innovation and green low-carbon, guides the basic direction of new quality productive forces.

3.2 Build Fair and Transparent Market Environment

New quality productive forces are an advanced form of productive forces with innovation-driven development at their core. Their development relies on the efficient allocation of factors such as science and technology, capital, and talent. These elements flow and are allocated in accordance with market rules through price signals and supply and demand relationships, thereby achieving value creation, wealth accumulation and resource optimization. For new quality productive forces, the realization of their potential value cannot be separated from an effective market mechanism. A well-developed market environment under the rule of law can help related industries better integrate into the market operation system, achieve profits and value creation through market mechanisms, and thereby promote high-quality economic and social development. It can be seen from this that a sound legal market environment plays a crucial supporting role in the development of new quality productive forces. The rule of law is the best business environment. A favorable business environment based on the rule of law is an important guarantee for promoting high-quality economic development under the new development pattern. At present, the country is continuously promoting the modernization of the rule of law with Chinese characteristics, relying on the legal system to effectively maintain market order, clarify

operational rules, ensure that all types of market entities conduct business activities in accordance with the law, and guarantee the fairness and credibility of transactions. This not only lays a solid foundation for creating a law-based business environment, but also effectively promotes the healthy growth of strategic emerging industries, future industries and high value-added industries in the market. Meanwhile, a sound legal support system is constantly promoting the optimization of industrial structure, the improvement of market mechanisms, green and low-carbon transformation, and high-level opening up in the modern economic system, injecting sustained impetus into high-quality economic development. Secondly, the rule of law also provides a stable, transparent and predictable institutional environment for market entities. Clear and unified legal rules and policy guidance enable enterprises to effectively predict risks and reduce institutional transaction costs in the processes of decision-making, investment and innovation. At the same time, the openness and uniformity of the law help prevent local protectionism and arbitrary interference, enhance the confidence of enterprises and investors, create conditions for the efficient flow of capital, technology and talent, and promote the healthy growth of emerging industries and new business forms. At present, the E-commerce Law issued by our country provides legal support for the healthy development of the platform economy and injects institutional guarantees for the growth of various new business forms. Meanwhile, the Anti-Monopoly Law has greater institutional tension and can solve related problems one by one in accordance with the regulatory logic of the Anti-Monopoly Law. At the same time, the Regulations on Optimizing the Business Environment and the Regulations on Government Investment issued by The State Council emphasize equal protection of the legitimate rights and interests of all types of market entities and promotion of economic and social development, which provides a guarantee for the stable development of new quality production enterprises in a benign market environment.

4 Modernization of the Rule of Law Safeguards New Quality Productive Forces

4.1 Build a Sound Intellectual Property Rights System

Strengthening intellectual property protection is inherently consistent with developing new quality productive forces. As an advanced form of productive force driven by scientific and technological innovation at its core, new quality productive forces are naturally compatible and closely related to the intellectual property rights system.

At present, scientific and technological innovation is becoming increasingly active, with new industries, business forms and models constantly emerging. This not only continuously expands the scope of application of the law, but also leads to an increasing number of new intellectual property issues in the cutting-edge fields of science and technology. However, the current legal system still has deficiencies in terms of protection intensity and coverage. To effectively address the challenges brought about by the new round of technological revolution and industrial transformation, we should enhance legislative coordination, promptly introduce supporting regulations, and make corresponding revisions and improvements to the current laws. Improving intellectual property protection requires a simultaneous focus on the improvement of rules in traditional fields and institutional innovation in emerging fields.

On the one hand, it is necessary to optimize the existing legal system, systematically revise and connect the systems for patent, trademark, copyright and trade secret protection, avoid fragmented and repetitive regulations, and improve the existing laws to meet the demands of technological development in the new era and the needs of the development of new quality productive forces. On the other hand, the rights ownership and usage rules of data and algorithms should be clearly defined, transparent and traceable mechanisms should be promoted to prevent abuse, and effective supervision and accountability systems should be established to ensure the fairness and security of technology application. At the same time, the legal system for green technologies and cutting-edge biotechnologies should be improved to encourage the protection and reasonable sharing of innovation achievements, and to promote the transformation and industrialization of technologies. In addition, it is necessary to enhance the connection with international intellectual property rules, establish cross-border rights protection and law enforcement cooperation mechanisms, and improve the global capacity for intellectual property protection. Through systematic design and institutional innovation, a solid legal guarantee can be provided for the technological development in emerging fields, and a positive interaction between technological progress and economic development can be promoted.

4.2 Optimize the Legal Environment for Talent Mobility and Labor Rights

Talents are the foundation of innovation, and innovation-driven development is essentially talent-driven. In the process of the development and transformation of productive forces, producers have always played an indispensable and crucial role. Even if science and technology keep advancing, it is difficult to achieve a significant improvement in the quality and efficiency of social productive forces without the support of corresponding new types of talents. The development of new types of productive forces has promoted the emergence of new forms of labor and working models. This also requires that laws and regulations must closely follow the actual changes in productive forces and make timely adjustments, so as to effectively respond to the reasonable demands of new types of workers. Especially in the context of digital production, while workers enjoy a certain degree of autonomy, they also face the dual constraints of algorithmic control and data monitoring. Under new forms of employment such as flexible employment and flexible subcontracting, the issue of safeguarding workers' rights and interests has become more prominent and urgent. In this regard, the law

should clearly regulate new labor models such as platform economy, flexible employment and crowdsourcing, and include new types of workers within the scope of protection of labor law. At the same time, the basic rights of workers in digital production should be clearly defined, including wage remuneration, working hours arrangement, rest and leave, as well as occupational safety, etc., to ensure that the legitimate rights and interests of workers can be effectively protected in a flexible and diverse working environment. Furthermore, as the working methods of new types of workers become increasingly diverse, the traditional labor relationship model between enterprises and workers, which is characterized by a subordinate relationship, will gradually fade away. In the future development of industries, it is necessary to clearly define the criteria for identifying non-standard labor relations and actively address the issues of protecting the rights and interests of workers arising therefrom. Through the above measures, stable and fair legal protection is provided for new types of workers, the enthusiasm and creativity of talents are stimulated, and a strong talent guarantee is provided for the development of new quality productive forces. This will not only help attract high-end talents, promote breakthroughs in key technologies and industrial upgrading, but also facilitate the in-depth integration of science and technology with the economy, and accelerate the transformation of innovation achievements into real productive forces. Meanwhile, by establishing a rights protection mechanism that ADAPTS to new forms of labor and further optimizing the talent development ecosystem, a solid talent foundation and institutional support can be provided for accelerating the formation of new quality productive forces, ultimately empowering high-quality economic development and an overall enhancement of national competitiveness.

4.3 Strengthen the Legal Guarantee for Green and Low-carbon Development

To strengthen the legal guarantee for green and low-carbon development, it is first necessary to establish and improve relevant legal systems such as environmental protection, energy conservation and emission reduction, carbon emissions trading and green finance, clarify the responsibilities and obligations of various entities in low-carbon development, form an operational and enforceable institutional framework, and provide a stable legal foundation for low-carbon development. Adhere to the basic principles of ecological priority, green development, multi-party governance and public participation, and uphold the overall protection of the ecological environment. Secondly, a mechanism combining incentives and constraints should be established through legal means to promote low-carbon development. On the one hand, the law should provide necessary incentives for green innovation and energy-saving behaviors. On the other hand, clear restrictive measures should be set for behaviors that do not meet low-carbon requirements, making low-carbon development an institutionalized obligation.

5 Conclusion

The modernization of the rule of law and the development of new quality productive forces are not a one-way dependence, but a dynamic process of mutual interaction and two-way shaping. On the one hand, the formation and development of new quality productive forces have put forward new demands on the legal system, promoting its continuous adjustment and improvement in areas such as data ownership, intellectual property rights, green and low-carbon development, and labor rights. On the other hand, a sound legal system provides a stable, transparent and predictable institutional environment for the operation of new quality productive forces, ensuring their orderly development and continuous potential release. It can be seen from this that the rule of law is not only the institutional support for the optimal allocation and sustainable development of new quality productive forces, but also the fundamental reliance for realizing the innovation-driven strategy and Chinese-style modernization. In the future, we should adhere to the guidance of the rule of law, further improve the relevant legal system and governance mechanism, enhance their adaptability, foresight and enforceability, so that the new quality of productive forces can grow steadily on the track of the rule of law, thereby injecting lasting impetus into the comprehensive construction of a modern socialist country.

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