

Study on Promoting Modernization of City-Regional Governance on the Rule-of-Law-Based Track

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How to cite this paper: Han, Y.C. (2025) Study on Promoting Modernization of City-Regional Governance on the Rule-of-Law-Based Track. *Open Journal of Applied Sciences*, 15, 761-772.

<https://doi.org/10.4236/ojapps.2025.153050>

Received: February 17, 2025

Accepted: March 23, 2025

Published: March 26, 2025

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Abstract

Rule of law serves as the cornerstone of modernized national governance, with city-regional governance playing a pivotal role in societal governance. By analyzing the relationship between the modernization of city-regional governance and the rule-of-law track, this paper underscores that the advancement of city-regional governance towards modernization necessitates the safeguarding and driving force of the “rule-of-law track.” These two processes must be pursued in tandem, achieving synchronized development. The paper explores various dimensions, including the legal track, law enforcement capabilities, root causes of illegal activities, and conflict resolution mechanisms. It seeks to identify universal and practical measures from multiple perspectives, such as strategic planning, interdepartmental coordination, talent development, public education, and dispute resolution, to ensure the steady progression of city-regional governance toward modernization¹.

Keywords

City-Regional Governance, Rule-of-Law Track, Modernization

1. Introduction

This paper explores the critical role of a rule-of-law track in promoting the modernization of urban governance. As cities increasingly face complex governance challenges, a robust legal infrastructure becomes essential to ensure sustainable and equitable development. The study identifies key gaps in the current urban governance system and proposes actionable strategies to strengthen the “rule-of-

¹This translation maintains the original meaning while adhering to academic conventions in English-speaking contexts, utilizing appropriate terminology and ensuring clarity and coherence throughout.

law track” for effective governance modernization.

2. Rule-of-Law-Based Track Is the Inevitable Requirement of Urban Governance towards Modernization

2.1. A Rule-of-Law-Based Track: The Cornerstone of Urban Governance Modernization

At its core, the rule of law establishes the legal track as the foundation for national governance, prioritizing statutory authority and the equal application of justice. This principle stands as both a fundamental pillar of modern statecraft and a universal benchmark for societal advancement. Historically recognized as a hallmark of civilized society, the rule of law represents both a historic achievement in human development and a contemporary commitment to institutionalized governance.

For China, upholding the rule of law remains a vital component of its modernization drive, reflecting the collective aspirations of its citizens and the governing priorities of the nation’s leadership. The systematic implementation of legal governance continues to serve as an essential foundation for sustainable development and orderly social progress.

As General Secretary Xi Jinping has emphasized, the rule of law serves as both a foundation and a safeguard for governance. As noted in the literature, “the word ‘track’ follows the legal system” [1], underscoring the enduring importance of the rule of law throughout human history. The essence of governance lies in the establishment of rules; adherence to these rules, and the law, represents the most central and critical cornerstone of all governance frameworks.

Since the 18th National Congress of the Communist Party of China, General Secretary Xi Jinping has used a variety of expressions to emphasize the “rule-of-law track,” such as “on the track of the rule of law,” “entering the track of the rule of law,” and “walking on the rule-of-law track” [2]. While the phrasing varies, the underlying theme remains constant: the fundamental safeguarding role of the “rule-of-law track.” For instance, at the 2020 Central Conference on Comprehensively Governing the Country by Law, General Secretary Xi Jinping emphasized the importance of advancing the national governance system and governance capacity modernization “on the track of the rule of law” [3], while also underscoring the rule of law’s role in providing a robust safeguard for societal development.

The significance of the rule of law in governance is further affirmed in the “Decision of the Central Committee of the Communist Party of China on Further Comprehensively Deepening Reform and Promoting Chinese-Style Modernization” adopted at the Third Plenary Session of the 20th Central Committee (hereinafter referred to as “the Decision”). This document reiterates the rule of law’s critical role in Chinese-style modernization, stating that “the rule of law is the foundation of modernizing national governance.” The Decision underscores that only by fully leveraging the regulatory and coordinating role of the rule of law can social consensus be consolidated and social stability and order be effectively main-

tained.

At the municipal level, as an intermediate administrative tier between provinces and counties, urban areas play a pivotal role in the social governance system. To effectively manage social conflicts, resolve community-level disputes, safeguard social justice, and protect the rights of citizens, urban governance must rely on a comprehensive legal framework. This requires the coordinated use of various governance mechanisms, including party building, legislation, morality, psychological counseling, scientific and technological innovations, and community-regulated norms [4]. As a cornerstone of modern civilization, the rule of law is indispensable to urban governance. Without a solid rule-of-law framework, efforts to advance urban governance modernization are inevitably impeded.

2.2. The Rule of Law as the Directive Force in Urban Governance Modernization

General Secretary Xi Jinping's elaborations on "the rule of law" have enriched its theoretical underpinnings, particularly through his use of directional qualifiers such as "along the...", "to put the rule of law in the hands of the people," and "without deviating from...". These formulations underscore the metaphorical "rule of law track" as a directional guarantee for governance. The construction of this conceptual framework allows the rule of law to function as a guiding, directing, regulating, and safeguarding mechanism, establishing the legal coordinates necessary for deepening reforms and advancing modernization. This ensures that China's modernization efforts maintain strategic foresight, mitigate reform-related uncertainties, and remain steadfastly on the correct trajectory and primary pathway of societal development, thereby minimizing detours and enhancing stability.

As a localized instantiation of the broader national framework for governance modernization, urban social governance modernization represents the "city-level" application of the national strategy. Both the 19th CPC Central Committee's Fourth Plenary Session and Fifth Plenary Session emphasized "expediting the modernization of urban governance" and "bolstering and innovating urban governance," with the 20th Central Committee further advancing these objectives by setting new benchmarks for municipal governance capabilities. Municipalities are now central to the national strategy for governance modernization, requiring a governance approach that both adheres to the national blueprint and extends its benefits to urban, suburban, and rural communities alike. Like a tree whose growth depends on nurturing its roots, effective governance demands a robust legal foundation at the municipal level to ensure that national governance principles are effectively realized locally.

2.3. Rule-of-Law-Based Track as the Driving Force in Urban Governance Modernization

The 20th Party Congress has underscored the construction of a "rule-of-law

China” as an integral component of Chinese-style modernization, proposing that “on the rule-of-law track...promoting multi-level and interdisciplinary governance under the legal framework.” This emphasis was further elaborated during the Third Plenary Session of the 20th CPC Central Committee, where the Decision adopted during the deliberation deepened the spirit of the 20th National Congress and clarified the relationship between comprehensive reform and the rule of law. Specifically, the Congress institutionalized the construction of a “rule-of-law China” as a cornerstone for achieving governance presumed upon the establishment of a rule-of-law-based order [5]. It advocated for building a governance system that operates on a rule-of-law-based trajectory, capable of integrating multi-level and multi-dimensional governance frameworks.

The plenary session further underscored the symbiotic relationship between comprehensive reform and the rule of law, positioning the latter as the pivotal mechanism for fostering reform. The Decision explicitly designated the rule of law as the “primary driving force” for deepening institutional innovation. This interdependence was metaphorically described as “the two wings of a bird or the two wheels of a car” [6], emphasizing the necessity of harmonious integration between the two to sustain the momentum of modernization. Within this framework, the concept of municipal governance has emerged as a critical component of the national governance system. Functioning as a key nexus between provincial and county-level governance, the municipal level serves as a pivotal interface for aligning national policy directives with grassroots governance mechanisms. This dual role enables municipalities to channel national governance objectives to lower administrative tiers and harmonize rural-urban governance disparities. As highlighted in the Fourth Plenary Session of the 19th CPC Central Committee, urban governance modernization has become a defining feature of a social governance framework characterized by collaboration and inclusivity. This represents a significant evolution in governance theory by formally integrating municipal governance into the broader social governance system.

The confluence of social governance and the rule of law has created a mutually reinforcing dynamic, with the role of rule of law becoming integral to enhancing governance effectiveness. President Xi Jinping has underscored the importance of enhancing the cohesion and synergy of social governance, emphasizing the need for a holistic approach that integrates legal principles into governance practices. Utilizing the municipal level as a vanguard for regional governance synchronization thus emerges as a strategic imperative for advancing the broader governance agenda of China.

3. Urban Governance within the Rule-of-Law Track Remains in an Embryonic Stage of Institutional Development

While efforts to modernize urban governance through legal reforms have established foundational rule-of-law frameworks, significant implementation challenges persist. Specifically, empirical studies across various municipalities demon-

strate that while basic legal architectures have been put in place, systemic implementation obstacles remain, particularly in enforcement mechanisms and regulatory consistency. These limitations manifest in three key areas: uneven application of legal authority, performance variability in governance outcomes, and a disconnect between codified standards and practical implementation. This observed gap underscores the critical need for both procedural standardization and adaptive capacity-building within governance structures to bridge the theory-practice divide and achieve effective legal norm internalization across society.

3.1. A Comprehensive Legislative Framework Has Yet to Be Established in China's Urban Governance Landscape

The 2015 Legislation Law of the People's Republic of China codified the authority for municipalities to formulate local regulations, thereby decentralizing legislative power from the central and provincial levels to the city level. While this shift provides a foundation for addressing municipal governance challenges through legal means, significant obstacles remain. Historically, urban governance in China has been predominantly administered by governments, resulting in an overly administrative flavor in policy implementation. In some regions, governmental decrees have been conflated with formal legislation, further complicating the legal landscape. Currently, municipal legislation is still in its nascent stages, exhibiting several critical shortcomings. Jurisprudential provisions often lack the necessary specificity to serve as effective norms, and the legal framework has yet to achieve scientific coherence. Additionally, gaps in regulatory coverage, ambiguous accountability mechanisms, and insufficient enforcement capabilities persist, undermining the potential for coordinated governance efforts.

The fragmented governance mechanisms among various stakeholders directly impede the realization of synergistic effects essential for effective governance. In the legislative process, there are notable issues such as overbroad administrative enforcement powers, mismatches between responsibilities and authority, inter-departmental power struggles, and ambiguous delineation of competencies. These deficiencies significantly undermine the practical utility of legislation, preventing it from achieving the governance value it was intended to promote.

From a legislative technology perspective, the current legal framework suffers from insufficient precision. Issues such as overly broad applicability and inadequate targeting persist, reflecting a mismatch between legal mechanisms and governance objectives. As noted by some scholars, there exists an overreach in attempting to "extend legal measures to achieve comprehensive governance" (as cited in reference [7]), which further complicates the situation.

3.2. The Contradiction Is Concentrated; Law Enforcement Capacity Is Low

According to data from the National Bureau of Statistics, as of the end of 2023, China is home to 293 prefecture-level cities, 397 county-level cities, and an urban

resident population of 932.67 million, accounting for 66.16% of the national population (urbanization rate) [8]. This signifies that China has firmly entered the era of urbanization. The mass influx of heterogeneous urban populations into cities, coupled with their high-density concentrations, has not only fostered a “stranger society” but has also inevitably concentrated various societal contradictions within urban areas, transforming them into “risk societies”.

Historically, the diversification of municipal governance stakeholders has led to fragmented governance structures and overlapping jurisdictional authority. This has resulted in numerous issues during the enforcement of laws, including duplication of efforts, irregular practices, and a lack of rigor. The absence of a robust rule-of-law ethos and clear guidance on the purpose of law enforcement has compounded these challenges. Faced with a wide array of problems and competing interests, law enforcement personnel often resort to simplistic, mechanistic applications of the law, neglecting the inherent diversity of contradictions. This approach not only leads to both ineffective enforcement outcomes and superficial problem resolution, but also fails to address the root causes of issues.

Furthermore, during the law enforcement process, discrepancies in the individual qualities of law enforcement personnel frequently give rise to irregular enforcement practices and coarse enforcement methods. Moreover, instances of overreach and abuse of power among some law enforcement officials cannot be overlooked, as these issues severely undermine the efficacy of legal measures.

3.3. Widespread Violations of Urban Governance Norms

Throughout the modernization process of urban governance structures, the established regulatory frameworks have failed to achieve effective implementation and enforcement. The current governance architecture, characterized by multiple overlapping stakeholders, has created a system marked by duplicative governance structures and inefficiencies. Within specific urban areas, the absence of targeted enforcement operations has rendered regulatory efforts ineffective. Furthermore, a mismatch exists between the number of enforcement personnel and the scope of daily supervision responsibilities, resulting in what can be described as a state of regulatory “idleness”. Consequently, the urban governance system faces dual challenges: a lack of sufficient incentives to promote compliance and inadequate enforcement mechanisms to deter violations. Compounding this are issues such as insufficient legal education initiatives and a general lack of legal awareness among the populace.

These systemic weaknesses have contributed to widespread non-compliance with urban regulations, manifesting in recurrent violations such as jaywalking, littering behaviors, overloaded vehicles, and reckless speeding. The accelerating pace of urbanization, coupled with increased population mobility, has further complicated efforts to cultivate a culture of compliance. Residents exhibit varying levels of legal knowledge and acceptance, and their understanding of municipal regulations lags behind their grasp of more familiar areas such as criminal and

civil law. Consequently, legal frameworks have failed to exert a transformative impact on the cognitive and behavioral patterns of urban residents. This Dynamic has created an environment where lawful behavior is easily undermined, leading to the emergence of a “broken windows” phenomenon that legitimizes further non-compliance.

3.4. The Mechanism for Conflict Resolution Lacks Robustness and Clarity

The high population density in urban areas inevitably generates frequent social disputes, which are often addressed by urban governance bodies through single-dimensional approaches that employ simplistic and forceful measures. Such methods fail to adequately safeguard public interests and result in arbitrary reinterpretation of established regulations, thereby expanding the scope of administrative power in social governance. This counterproductive approach often provides new conflicts during the resolution process, as evidenced in cases of urban management enforcement against street vendors and land expropriation for demolition and relocation.

Traditional societal practices continue to influence conflict resolution strategies, with some individuals still favoring relational-based approaches rooted in personal connections and favor-seeking behavior. Misguided beliefs such as “the law does not punish the masses” and “the injured party is always in the right” have enabled certain groups to employ pressure tactics against governmental entities through collective gatherings, public opinion campaigns, and self-harm methods like petitioning and complaint-letter.

Public awareness remains challenging, as many citizens lack adequate understanding of legal frameworks, their enforceable rights, and available remedial channels. Consequently, they often default to traditional problem-solving methods or emulate others’ approaches rather than pursue formal dispute resolution mechanisms.

The systemic deficiency is further exacerbated by the lack of an effective mediation-litigation interface and information asymmetry among social governance stakeholders. This gap has enabled the widespread practice of out-of-court settlements and significantly undermined judicial authority, creating a vicious cycle that perpetuates reliance on informal resolution processes.

4. Strengthen the “Rule of Law Track” Construction to Promote the Modernization of Urban Governance

4.1. Comparative Research and Local Implementation

From an international perspective, although the legal pathways in metropolitan governance vary among different countries and regions, they offer valuable reference insights. Notably, the United Kingdom has provided a relatively early successful model, emphasizing the balance between the spirit of the rule of law and societal needs. This has been achieved through comprehensive legal regulations,

stronger collaboration between judicial and enforcement bodies, and enhanced governmental legal awareness, resulting in effective urban governance and services [9].

In contrast, Spain's approach prioritizes community autonomy and resident participation by actively engaging citizens in decision-making processes. Meanwhile, Germany's governance model highlights the importance of transparent and standardized rules, emphasizing effective communication with citizens and the interaction between local legislative authority and civil society, which ensures policy transparency and rational public decision-making.

In terms of domestic practices in China, experiences from different regions provide valuable lessons for national-level governance. For instance, the Tibet Autonomous Region has successfully maintained stability in ethnic areas by integrating comprehensive regulations with ethnic autonomy [10]. Additionally, Harbin City has improved governance efficiency through "smart city" initiatives that enhance precision and operational effectiveness [11]. These accumulated practices not only offer abundant research cases for scholars in this field but also provide replicable experiences for governance efforts in other regions.

Drawing from comparative analyses of both international experiences and domestic practices, several key insights emerge. Regarding legislation, there is a need to transition from rigid management-oriented approaches to more inclusive governance models that incorporate public participation and legal oversight. In terms of law enforcement, strengthening legal training, improving transparency, and establishing robust oversight mechanisms are essential. Additionally, fostering public legal awareness requires intensified legal education and promotion to cultivate a societal belief in the rule of law.

4.2. Concrete Implementation Paths

The policy directive from the Third Plenary Session of the 20th CPC Central Committee emphasizes "the synergetic advancement of reform and legal governance, upholding constitutional authority, and fostering comprehensive reform across legislation, law enforcement, judicial processes, and compliance" [12]. In advancing city-regional governance, it is crucial, on the one hand, to adhere to the foundational principles outlined in the directive while clarifying the relationship between governance and the rule of law. On the other hand, innovative development can be achieved by learning from established practices, particularly through multifaceted explorations in legal framework development, law enforcement mechanisms, impartial judiciary, and public legal education.

4.2.1. Legislative Guidelines and Holistic Planning

The legal foundation for city-regional governance necessitates a comprehensive framework of legislation at various levels to ensure governance is conducted in accordance with the law. Establishing a robust legislative framework for city-regional governance entails three key considerations.

Firstly, the legislative agenda must prioritize formulate core elements that ad-

dress the pressing concerns and interests of the populace. This requires the establishment of a systematic legal framework and an emphasis on creating a high-quality body of laws. A structured and coordinated legislative process should be implemented to prevent fragmented and disorganized legislative efforts.

Furthermore, it is crucial to address the quality of legislation. Factors currently impeding the quality of city-regional legislation primarily consist of shortages in legislative expertise and inadequate legislative capabilities. To mitigate these challenges, it is essential to recruit legislative experts and enhance the legislative capacity through improvements in organizational structure, institutional mechanisms, resource allocation, and time allocation.

Finally, city-regional legislation must be harmonized with higher-level laws while maintaining its distinct role. This involves both avoiding legal contradictions and leveraging the unique function of city-regional legislation to provide detailed and supplementary provisions. The autonomy in developing localized legislation should be utilized to address sector-specific challenges while avoiding entrenched thinking, by tailoring legislative innovations to the unique characteristics of the region and fostering distinctive legislative solutions.

4.2.2. Multi-Dimensional Common Governance, Compliant Governance

“The rule of the sage is valuable, not expensive its independent rule, expensive its ability to govern with the public.” The report of the 20th Party Congress outlines a progressive social governance paradigm rooted in collaborative construction, administration, and resource allocation. Within the realm of urban governance, the report advocates for the development of multi-stakeholder governance mechanisms that emphasize dialogue, consultation, and cooperation. This approach seeks to establish a governance framework characterized by the leadership of the Party committee, complemented by government oversight and inclusive participation from all societal stakeholders. The ultimate aim is to enhance governance effectiveness by creating a novel urban governance architecture that balances risk-sharing, equitable benefit distribution, and synergistic progress.

A key principle underpinning this governance framework is the rule of law, which underscores the importance of establishing a robust legal framework to maintain social order. This principle necessitates steadfast law enforcement, regulatory compliance, social relation harmonization, and conflict resolution. As the adage underscores, “If laws are enforced, the country will be governed; if laws are relaxed, the country will be in chaos.” The goal is to create a comprehensive legal governance framework in urban management that promotes democratic principles, rule of law adherence, and the advancement of social equity and justice.

Additionally, the report calls for strengthened communication and positive interactions among government entities, social organizations, and individual citizens. Strategic coordination of public legal service resources is deemed essential to establish a unified operational model that facilitates inter-regional and inter-departmental collaboration. To continuously refine the public legal service system, the report recommends enhancing service efficiency through diverse mech-

anisms, such as judicial assistance, social welfare programs, administrative support, and individual self-reliance initiatives. This integrated approach aims to build a governance system that is both responsive and resilient, capable of addressing complex urban challenges effectively.

4.2.3. Taking the Lead in Abiding by the Law and Acting in Accordance with the Law

Entities that consistently adhere to legal frameworks emerge as robust and resilient, while those that deviate risk attenuation. To cultivate a culture of lawful governance, elected officials and municipal administrators must first internalize and embody these principles. The adherence to legal frameworks must be so ingrained that it becomes an instinct, particularly when exercising administrative authority and conducting oversight activities. Moreover, a robust system of checks and balances is essential to regulate the exercise of power. This necessitates formalizing decision-making processes and enforcement procedures, while simultaneously establishing stringent inspection and supervisory mechanisms. Additionally, enhancing the transparency and accountability of administrative law enforcement activities ensures the consistent and lawful operation of administrative systems.

To further enhance public confidence in the legal system, law enforcement must prioritize educating and guiding citizens to abide by the law over mere punitive measures. By implementing empathetic and humane law enforcement practices, the efficacy of law enforcement can be ameliorated, leading to greater public acceptance of legal norms. This objective can be achieved through three key measures: the professionalization of law enforcement personnel, the reinforcement of their commitment to the rule of law, and the refinement of the overall enforcement system.

A well-trained, standardized, and transparent law enforcement agency not only upholds the law with fairness and consistency but also fosters public trust and compliance. Through efficient and standardized administrative law enforcement, the rule of law becomes deeply rooted in societal consciousness, ultimately achieving the goal of constructing a legalistic society. This trifecta of enforcement professionalism, empathetic application of laws, and societal trust culminate in a governance system that is both effective and enduring.

4.2.4. Governance at the Source: Conflict Resolution and Prevention

As sociologist Samuel P. Huntington noted, “Modernity fosters stability, while the process of modernization often engenders instability” [13]. In the realm of urban governance, conflict and dispute resolution must transcend rigid legalistic approaches. Instead, a multifaceted, adaptive strategy is essential to effectively balance conflict resolution with legal principles, thereby identifying opportunities to address systemic dysfunctions.

To achieve this, three interconnected dimensions require prioritization. First, the dispute resolution architecture must be modernized through enhanced alternative conflict resolution mechanisms. This entails strengthening three pillars: people’s mediation, administrative mediation, and judicial mediation, to increase

both the utilization and efficacy of these systems. Second, the constructive engagement of societal stakeholders is imperative. This can be achieved by fostering non-governmental organizations to co-develop collaborative governance frameworks with state and judicial actors, thereby creating an integrative dispute resolution ecosystem. Drawing inspiration from the renowned “Fengqiao Experience,” a comprehensive mechanism integrating prevention, mediation, and resolution should be established to address issues at their embryonic stages, thereby mitigating conflict escalation.

Additionally, judicial resources must be strategically allocated to shift the entrenched “litigation preference” paradigm. The effective deployment of these resources is crucial for achieving three interrelated objectives: conflict containment, establishing factual clarity, and delivering justice. By differentiating the nature and magnitude of conflicts, a spectrum of resolution modalities can be employed, fully harnessing the complementary roles of various government agencies. This approach enables the creation of a layered prevention and mediation framework, ultimately fostering a more resilient urban governance structure.

4.2.5. Strengthening Legal Publicity and Accurate Legal Education

“The adage ‘law must be believed in to be effective’ underscores the importance of belief in the legal framework.” To enhance the rule of law and elevate legal literacy, fostering a profound belief in the legal system is indispensable. A foundational approach involves the systematic implementation of the principle that “those who enforce the law should also disseminate it,” thereby integrating legal education throughout the entire enforcement process. The demonstration of strict law enforcement and impartial judiciary represents the most compelling illustrations of legal education, effectively translating abstract legal concepts into tangible realities. This tangible realization fosters public respect and trust in the legal order.

Additionally, it is imperative to expand the scope of legal education through inter-agency collaboration. Moving beyond the limitations of single-sector efforts, the responsibilities of state organs in legal education must be clearly demarcated. By coordinating and pooling resources from diverse governmental departments, innovative educational modalities can be developed. This collaborative approach can amplify the impact of legal education through a synergistic framework, ensuring comprehensive and multifaceted outreach.

Finally, the promotion of social legal education must be deepened to strengthen public recognition of the rule of law. Engaging contemporary trends and adopting innovative educational methodologies, especially leveraging new media platforms, is crucial for advancing the modernization and intelligence of legal education. These enhancements not only improve the accessibility and efficacy of legal education but also broaden public participation in the practice of governance according to law, ultimately reinforcing societal recognition of the law spirit.

Funding

Daqing urban social Governance Special Topic “Promoting urban social Governance

Modernization Research on the Rule of Law Track,” Project No. DSGB2024152.

Conflicts of Interest

The author declares no conflicts of interest regarding the publication of this paper.

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