

# Exploration of the Theoretical Basis and Practical Significance of Administration According to Law

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**Abstract:** As the cornerstone of modern government governance, administration according to law is rooted in the principles of the rule of law, the concept of power checks and balances, and the pursuit of public interest values. These theories together constitute the theoretical framework of administration according to law, providing clear guidance and norms for government administrative actions. An in-depth exploration of the theoretical basis and practical significance of administration according to law helps to deepen the understanding of it and provides scientific guidance for improving government governance efficiency and protecting citizens' rights and interests.

**Keywords:** Administration according to law; Theoretical basis; Practical significance; Rule of law; Power

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## 1. Introduction

Administration according to law refers to the establishment of administrative organs based on laws and regulations and the acquisition and exercise of their administrative powers in accordance with the law, bearing corresponding responsibilities for the consequences of their administrative actions. Exploring the theoretical basis and practical significance of administration according to law has important theoretical and practical value. From a theoretical perspective, this research helps to deepen the understanding of the core theories of administration according to law, such as the principle of the rule of law, the concept of power checks and balances, and the pursuit of public interest values, providing support for building a more complete theoretical system of administration according to law. From a practical perspective, this research can provide clear guidance and norms for government administrative actions, promote government decision-making, implementation, and supervision according to law, enhance the legalization, standardization, and scientific level of government governance, provide strong protection for the protection of citizens' rights and interests and social order stability, and promote harmonious and stable social development.

## **2. The theoretical basis of administration according to law**

### **2.1. Core guidance of the principle of the rule of law**

The principle of the rule of law emphasizes that law has supreme authority, and all administrative actions must be carried out within the legal framework. As a concentrated expression of social order and fairness and justice, law sets clear and defined boundaries and standardized procedures for administrative activities. Administration according to law requires administrative subjects to strictly exercise their powers according to legal authority and procedures and to eliminate arbitrary actions beyond legal boundaries. From the perspective of power sources, administrative power originates from the grant of law, and its legitimacy and legality are entirely based on legal provisions. Under this concept, law is like a precise track for administrative activities. Whether it is formulating policies, making decisions, or implementing specific administrative actions, administrative organs must base their actions on law, ensuring the continuity, stability, and predictability of administrative activities <sup>[1]</sup>. In administrative licensing matters, relevant departments must operate according to statutory licensing conditions, procedures, and deadlines, and cannot arbitrarily add or delete conditions, to ensure that citizens, legal persons, and other organizations enjoy equal application rights according to law, so that administrative licensing activities are orderly conducted under the sunshine of the rule of law. This fully demonstrates the core leading role of the principle of the rule of law in the process of administration according to law, moving administrative actions from subjective arbitrariness to objective norms and laying a solid ideological foundation for building a government under the rule of law.

### **2.2. Reliance on the concept of power checks and balances**

Administrative power has a natural tendency to expand and be easily corrupted. If there is no effective check and balance, it can easily lead to abuse of power and harm public interests and citizens' rights. The concept of power checks and balances requires the establishment of a mechanism of mutual restraint and mutual supervision within the administrative system and between administrative and other power departments. Through functional division of labor within the administrative organs and the relative separation of decision-making, execution, and supervision departments, various departments can exercise restraint when exercising power, avoiding excessive concentration of power in a certain link or individual <sup>[2]</sup>. From the perspective of the relationship between administration, legislation, and judicature, the legislature delineates the scope of administrative power and oversees its operation through the enactment of laws, while the judiciary plays an important role in reviewing the legality of administrative actions and correcting illegal administrative actions. When an administrative counterparty disagrees with an administrative penalty, they can file an administrative litigation with the court according to the law. The court reviews the legality of the administrative penalty according to the law, including whether the penalty basis is sufficient and whether the procedure is legal. If it is found that the administrative action is illegal, the court can verdict to revoke or change the action. This multi-dimensional power check and balance system, like a tight network, tightly binds administrative power within the scope of legality and compliance, prompting administrative organs to use power cautiously and providing a solid institutional guarantee for administration according to law.

### **2.3. Pursuit of public interest values**

The fundamental purpose of administrative activities lies in maintaining and promoting public interests, which is the value destination of administration according to law. Public interests encompass various aspects such as the stability of social order, effective provision of public services, reasonable allocation of resources, and protection

of the ecological environment. When making decisions and actions, administrative organs must prioritize public interests. In urban planning, administrative departments must comprehensively consider various public interest needs, such as traffic congestion mitigation, improvement of residents' living environment, and reasonable layout of commercial and cultural facilities when developing planning schemes, rather than unilaterally pursuing economic benefits or the interests of individual groups. In resource management, administrative organs strictly control the licensing of natural resource development and utilization to ensure sustainable resource use and avoid damage to the interests of future generations caused by overexploitation. By placing public interests at the core, administration according to law enables administrative actions to gain a broad social legitimacy foundation and win the trust and support of the public <sup>[3]</sup>. When administrative activities always revolve around public interests, the public will actively cooperate with administrative work, jointly promoting social development toward fairness, harmony, and sustainability. This makes administration according to law full of vitality and dynamism under the bright light of public interests, highlighting its core value and mission in modern social governance.

### **3. The practical significance of administration according to law**

#### **3.1. Building social order**

Administrative organs manage and regulate based on laws and regulations, providing a clear and consistent regulatory framework for social activities. In a market economy environment, the behaviors of various economic entities are complex and diverse. Strict implementation of measures such as market access rules and fair competition regulations in accordance with the law can effectively regulate the business activities of enterprises, avoid the wanton spread of unfair competition and monopolistic behaviors, and ensure the orderly market order. In the field of social security administration, administrative departments precisely combat and prevent illegal and criminal activities in accordance with relevant laws on public security administration. From daily public security patrols to the handling of various illegal incidents, there are laws to follow, and actions are taken according to the law, enabling social members to live and work in a safe and stable environment <sup>[4]</sup>. When dealing with social conflicts and disputes, administration according to law follows statutory procedures and principles. Whether it is the arbitration and mediation of labor disputes or the administrative coordination of neighborhood disputes, they are authoritative and credible due to compliance with laws and regulations, enabling fair and reasonable resolution of conflicts and preventing escalation of conflicts. Overall, it maintains the harmonious stability of social order and creates a favorable environment for sustainable social development.

#### **3.2. Improving administrative efficiency**

Clear legal provisions provide administrative decision-making and execution with clear processes and standards, reducing ambiguity and uncertainty in the administrative process. In administrative approval matters, statutory approval procedures and time limit requirements prompt administrative personnel to follow the regulations strictly, avoiding delays and buck-passing and improving approval efficiency. Based on legal provisions, administrative organs can accurately determine their functional scope and work priorities, concentrating resources on key areas and core issues to avoid resource fragmentation and waste <sup>[5]</sup>. When handling comprehensive matters, various departments clarify their responsibilities and authorities based on relevant legal provisions, cooperate with each other, and form an efficient workforce. Taking large-scale infrastructure construction projects as an example, multiple departments, such as planning, environmental protection, and construction, perform their respective duties

in accordance with laws and regulations while working together, ensuring smooth project progress and enhancing the ability and efficiency of administrative organs to respond to complex issues and serve the public. This makes administrative work more scientific, orderly, and efficient.

### **3.3. Highlighting citizens' rights and interests**

The law confers numerous rights on citizens, and administration according to law ensures that these rights are implemented and protected in reality. In the areas of basic rights such as personal freedom and property rights, administrative organs must strictly follow legal provisions during law enforcement, strictly prohibiting illegal detention, illegal searches of citizens' bodies, and arbitrary violations of citizens' property, and effectively protecting citizens' personal dignity and material wealth security. In terms of social welfare and public services, administration according to law requires administrative departments to allocate public resources in a fair and equitable manner according to law, ensuring that citizens have equal access to basic public services such as education, healthcare, and social security. Taking the allocation of educational resources as an example, administrative departments must ensure that school-age children in various regions and classes have access to education opportunities according to law, without interference or restrictions from unreasonable factors, based on relevant education regulations <sup>[6]</sup>. When citizens' rights and interests are infringed, the administrative remedy mechanism under administration according to law provides citizens with legitimate channels for complaint and rights protection. Citizens can request administrative organs to correct and compensate for their improper actions through legal procedures such as administrative reconsideration and administrative litigation, making citizens no longer helpless when facing powerful administrative powers and truly feeling that their rights and interests are respected and maintained. This enhances citizens' trust in the government and confidence in a society ruled by law.

## **4. Effective ways of administration according to law**

### **4.1. Improving the institutional system**

At the legislative level, it is necessary to strengthen the scientific and systematic nature of administrative legislation. Legislators should conduct in-depth research on various needs and issues in administrative practice, widely incorporate opinions from all sectors of society, and ensure that laws and regulations reflect the complexity of administrative affairs while aligning with dynamic trends in social development. When formulating regulations on environmental supervision, comprehensive consideration should be given to the pollution characteristics and governance difficulties of different regions and industries to ensure that the regulations are targeted and operable <sup>[7]</sup>. The administrative legal system should be connected with the constitution and other sectoral laws to avoid legal conflicts and gaps. The rules and regulations of various administrative departments should also be coordinated to prevent inconsistencies and contradictions. In the field of traffic management, relevant regulations from public security and transportation departments should form an organic whole to jointly promote the standardization and safety of traffic order. With technological progress and social change, new administrative affairs, such as cyberspace governance and artificial intelligence regulation, are constantly emerging. The system should be able to predict and update in a timely manner, providing a legal basis for administrative organs to handle emerging issues and enabling administrative activities to proceed steadily on a solid institutional track, adapting to the pace of development in the era.



## 4.2. Strengthening oversight mechanisms

In terms of internal supervision, administrative organs should establish and improve a hierarchical supervision system where higher-level departments conduct regular inspections and occasional spot checks on the administrative actions of lower-level departments. The focus should be on reviewing the legitimacy of administrative decisions, the standardization of administrative execution, and the achievement of administrative effects. Audit supervision by higher-level audit departments on the use of financial funds by lower-level departments can effectively prevent fund misuse and corruption<sup>[8]</sup>. Improving the administrative reconsideration system provides convenient and efficient internal remedy channels for administrative counterparts. When administrative counterparts disagree with administrative actions, the administrative reconsideration organ can review and make decisions in accordance with the law, promptly resolving administrative disputes. At the external supervision level, it is necessary to fully leverage the supervisory role of the National People's Congress (NPC). The NPC conducts comprehensive supervision of the overall work and specific law enforcement activities of administrative organs through reviewing government work reports, conducting law enforcement inspections, and other means, urging administrative organs to fulfill their duties in accordance with the law. The court strictly reviews the legitimacy of administrative actions through administrative litigation, revokes or orders corrections for illegal administrative actions, and maintains administrative rule of law with judicial authority.

## 4.3. Standardizing procedure implementation

In terms of administrative decision-making procedures, the principles of science and democracy should be followed, and a research and demonstration system before decision-making should be established and improved. Information should be widely collected, and expert scholars and the public should be consulted to ensure the rationality and feasibility of decisions. Before making decisions on major city projects, multiple rounds of expert demonstration meetings and public hearings should be organized to comprehensively evaluate the environmental impact, social benefits, and economic benefits of the projects. In terms of administrative licensing procedures, strict adherence to the sequence of acceptance, review, decision, and delivery should be ensured, with clear time limits and work standards for each link to eliminate arbitrary simplification or delay of procedures. Administrative enforcement procedures should focus on protecting the legitimate rights and interests of administrative counterparts. Obligations such as urging and informing must be fulfilled according to law before implementing enforcement actions to ensure the legality and necessity of administrative enforcement<sup>[9]</sup>. Strengthening the recording and archive management of administrative procedure implementation, with detailed records for each administrative link, facilitates subsequent oversight and responsibility tracing. By standardizing the implementation of administrative procedures, administrative actions can be carried out in an orderly and rule-based manner from start to finish, reducing interference and arbitrariness from human factors, enhancing the credibility and authority of administrative actions, and truly achieving the goal of administration according to law.

## 5. Conclusion

Based on the above analysis, it can be seen that the theoretical framework of law-based administration is jointly constituted by the principles of the rule of law, the concept of checks and balances of power, and the pursuit of public interest values. This provides clear guidance and norms for government administrative actions. These theories not only have a profound theoretical foundation but have also been widely applied and validated in practice. Law-based administration can provide a clear and consistent regulatory framework for social activities,

effectively regulating the behavior of various entities, maintaining market order and social security. Additionally, it can improve the efficiency and standardization of administrative decision-making and execution, ensuring that citizens' rights and interests are effectively protected. At the legislative level, it is necessary to strengthen the scientific and systematic nature of administrative legislation, ensuring the pertinence and operability of laws and regulations. At the supervision level, internal and external supervisory mechanisms should be established and improved, strengthening the entire process of administrative supervision to ensure the smooth implementation of law-based administration.

## Disclosure statement

The author declares no conflict of interest.

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