

Analysis of the dilemma and path of the construction of rule of law villages in the context of rural revitalization

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Abstract: The construction of rule of law villages is the basic link to promote the strategic development of rural revitalization, and it is also the only way to comprehensively govern the country according to law. By promoting the construction of rule of law villages, good results have been achieved, but there are still many practical bottlenecks in the current promotion of the construction of rule of law villages in China. For example, there is a lack of systems, the publicity of legal awareness at the grassroots level is not in place, there are problems at the judicial level, there are problems such as the imbalance between the supply and demand of legal resources, and the lack of supervision of law enforcement. In order to build a comprehensive law-based governance system in our country, under the guidance of President Xi Thought on the Rule of Law, through the improvement of legislation, law enforcement, justice, law-abiding and other aspects, we will steadily advance the rural revitalization strategy, explore the construction path of rule of law villages suitable for the conditions, and use the power of the rule of law to escort rural revitalization.

1. Introduction

1.1 The construction of rural rule of law is an important part of rural revitalization

The construction of rule of law villages is an important cornerstone of building a rule of law society, and it is the only way to promote the implementation of the rural revitalization strategy. On March 7, the work reports of the Supreme People's Court and the Supreme People's Procuratorate were submitted to the first session of the 14th National People's Congress for deliberation. The reports of the Supreme People's Court and the Supreme People's Procuratorate mentioned rural revitalization many times, from serving rural revitalization and regional coordinated development in accordance with the law, promoting urban and rural grassroots governance and the construction of safe and law-based villages, to optimizing the rural business environment[1]. This shows that the construction of rule of law villages is an important part of the rural revitalization strategy and an important driving force to promote the construction of socialist rule of law with Chinese characteristics. General Secretary President Xi also proposed in the grassroots inspection that the construction of rural rule of law is part of the comprehensive development of rural revitalization. Rural revitalization should not only focus on economic prosperity and development, but also the comprehensive construction of systems, ideologies, culture, and the rule of law, and the

construction of rural rule of law is of great significance to the construction of rule of law in China[2]. As an important part of the development of rural revitalization, rule of law villages should improve the construction of the rule of law and let the rule of law help rural revitalization. It is conducive to maintaining the good order of rural construction.

1.2 The construction of rural rule of law ensures the order of rural development

With the rapid development of the economy, the inevitable conflicts of interest among villagers have increased, resulting in an increasing number of civil and criminal disputes between villagers, which has a negative impact on the stable development of rural life [3]. Therefore, the construction of rural rule of law is an inevitable requirement for resolving social contradictions in rural areas. It is an important means to maintain social order and stability to protect the legitimate rights and interests of villagers, resolve the contradictions of villagers in rural development, and effectively crack down on illegal acts to ensure the normal living order of villagers. This makes the construction of the rule of law particularly important in the process of rural revitalization.

1.3 The construction of the rule of law in rural areas strengthens the people's awareness of the rule of law

In the context of comprehensively building law-based governance, building a socialist governance system with Chinese characteristics and modernizing governance capacity, and improving the construction of rural rule of law are to consolidate the social foundation for law-based governance. At present, a major problem in the construction of rural rule of law in China lies in the low level of education of villagers, which makes the awareness of the rule of law at the grassroots level indifferent, and increasing the popularization of the law among the whole people is an important means for the construction of rural rule of law and the enhancement of the concept of rule of law for the whole people. Strengthening the grassroots people's concept of the rule of law and enhancing the cultivation of rule of law talents is conducive to the learning of the rule of law content by grassroots villagers in the construction of rural rule of law[4]. Through the construction of the rule of law in villages, the concept of the rule of law can infiltrate into the hearts of villagers, so that villagers can take the initiative to learn the law in the context of the construction of the rule of law, and guide villagers to protect their legitimate rights and interests in accordance with the law, enhance villagers' awareness of the rule of law, and enhance villagers' participation in rural construction by increasing the intensity of rule of law publicity, and make important contributions to maintaining rural stability and promoting rural revitalization. Through the construction of the rule of law in villages, the villagers can fully participate in it through the study of the content of the rule of law, which not only carries forward the spirit of the socialist rule of law, but also protects the legitimate rights and interests of the villagers, and makes the social life brought about by the construction of the rule of law comfortable.

2. The dilemma and analysis of the construction of rule of law villages

2.1 Institutional lag

At present, on the road of establishing and improving the legal system and the rule of law system in China, the development of rural rule of law construction is still lagging behind. In the process of rapid development of rural economy in the new era, there are still many legal gaps. In addition, the quality of China's legislation on rural management cannot meet the needs of current rural development[5]. This is mainly manifested in the following aspects: First, there are deficiencies in

the formulation of laws and policies on agriculture-related issues, such as the law is too abstract in the relevant provisions concerning villagers' committees and does not formulate concrete and concrete measures; there are problems such as unclear definition of the functions and powers of the "two committees"; and there is still a relatively backward phenomenon in the legislation on agriculture-related issues, which hinders the construction of villages under the rule of law. Secondly, there is a legislative gap in the protection of farmers' own rights and interests, because the problem of rural construction under the rule of law involves many departments, and there is a lack of necessary communication and definition of legal responsibilities between various departments, the relevant interpretation of agriculture-related provisions is too principled, and there is no clear division of the rights and responsibilities of all parties in practice, and there is also a gap in the accountability mechanism, resulting in a state of mutual prevarication between departments, and the legitimate rights and interests of farmers themselves are squeezed and will not correctly use the law to protect legitimate rights and interests. As a result, a series of illegal petitions, trouble-making and other incidents will be triggered, which will affect social order.

2.2 The law enforcement mechanism is not perfect

The construction of rule of law villages is inseparable from the support of legal resources, and there are still many difficult problems to be solved on the track of promoting the process of rule of law in rural areas, and the judicial process at the grassroots level is facing problems such as the deviation between the bureaucratization of governance organization and the democratization of governance management [6]. It is mainly reflected in the following aspects: First, the legal literacy of law enforcement personnel is low. For a long time, the legal literacy of grassroots law enforcement personnel has been uneven, and most of the temporary recruits are not professionals and do not have legal professional qualifications. Therefore, it is difficult to form a strict enforcement and operation mechanism, and the poor operation of the work has caused a backlog of basic demands, and some staff with low legal quality are slow to solve and transfer slowly, and they are slack in their work to complete their work, which greatly undermines the credibility of the judiciary. Second, there is a certain gap in law enforcement supervision. The legal service system is not perfect, there are too many facts in some areas, but there are too few judicial resources, there is a serious gap in the allocation of legal consultation personnel, and farmers can only rely on the rhetoric of the case-handling personnel, and even in remote areas, the demands of rural villagers can only be pinned on the village committee or some prestige patriarchs, and the village rules and civil agreements are used to deal with problems privately. There are serious procedural deficiencies in the case-handling process, which can easily lead to corruption of rights, damage the authority of the law, and affect the establishment of villagers' concept of the rule of law.

2.3 There is a gap in the idea of rule of law at the grassroots level

On June 16, 2021, China's Eighth Five-Year Plan for Legal Popularization was officially implemented[7] The starting point of this legal popularization plan is to promote the work of popularizing the law among the whole people through the guidance of President Xi Thought on the Rule of Law, and to carry out legal popularization education for the rural people through legal publicity, grassroots legal services, and legal popularization lectures, so as to lay a solid foundation for the rule of law for the comprehensive construction of socialist modernization. This has brought the nation's legal popularization activities to a standstill and hindered the construction of socialist rule of law villages. The so-called "freezing three feet is not a day's cold", for a long time, this kind of evil and bad wind has not been brought under control, and it is difficult for the law to win the trust of the villagers at the grassroots level, resulting in the difficulty of cultivating the peasants'

awareness of the rule of law, and it is difficult for the law to win the trust of the villagers at the grassroots level, resulting in the lack of belief in the law among the peasants, thus making it even more difficult to carry out the work of popularizing the law in the villages.

In some of China's relatively backward rural areas, there is still a phenomenon of backward education level, and the peasants have only a handful of means to come into contact with the law, most of which are through television, radio, mobile phones, and other channels, but through these channels, they cannot fully and correctly understand the law and apply the law; the reasons are as follows: First, the peasants understand and apply the law through these means. Therefore, it is very easy to have an erroneous understanding of personal subjective consciousness, and if there is a mistake in the cognition of the law, then there is a big problem in the application of the law. Due to the relatively backward conditions in some rural areas, there is no professional legal service worker to provide them with conceptual guidance, which can easily lead to misuse of the law. For example, as a legal safeguard for the weak, legal aid is not fully understood in rural areas, and there is insufficient publicity on legal aid[8]. Second, when farmers use mobile phones and other electronic communication tools for leisure and entertainment in their spare time, they are also very easy to be used by criminals. Some lawbreakers disregard social morality, deliberately promote false legal information and spread erroneous rumors in order to gain traffic, so they have misguided the villagers and make them constantly hover at the high-voltage line of the law. Generally speaking, in relatively backward rural areas, it is very difficult for the people to receive correct legal guidance.

3. Analysis of the path of the construction of rule of law villages in China

3.1 Build rule of law villages and improve the legal system

Since the reform and opening up, with the implementation of the grassroots mass autonomy system, the development of rural interests has shown a trend of diversification, and the non-standard rural power structure has led to the failure of the countryside to form a perfect legal system, which has also hindered the construction of rule of law villages. Therefore, the construction of the rural legal system is indispensable in the construction of the road of rural revitalization. First of all, it is necessary to improve the formulation of laws and policies related to agriculture, and formulate practical and feasible implementation measures for the problems that have arisen in the course of rural development at the present stage. Second, the formulation of laws and regulations related to rural construction should fully reflect the will of the people, and democratic elections should not be made mere formalities; because the villagers' political and legal consciousness are uneven, and because their own subjective factors do not have a deep understanding of the election activities, the villagers will subconsciously be more inclined to elect their own cronies, clan chiefs, etc., rather than elect talents with leadership and management ability. In the course of establishing the rule of law, it is necessary to increase supervision of the election process, and put an end to such phenomena as bribery and black-box operations, so as not to affect the fairness of elections.

3.2 Improve law enforcement mechanisms

In view of the lack of judicial procedures, it is necessary to increase investment in legal resources in relatively backward areas, innovate the form of popular legal education, mobilize the vanguard and exemplary role of Party members, and actively establish legal publicity and education activities. First, implement the responsibility system for popularizing the law that "whoever enforces the law shall popularize the law". In the selection and recruitment of staff in the legal consultation and law enforcement teams, it is necessary to carry out high-standard screening, actively bring in highly educated talents with a legal professional background and good legal

literacy, and actively respond to the legal problems and legal needs of the people through scientific methods. Second, in the daily judicial implementation, it is necessary to pay attention to procedural justice, strictly prohibit the indiscriminate playing of the relationship and family cards, and publicize the case-handling process in the form of case interpretation, household publicity, or legal popularization publicity, so that the people can fully understand the case-handling process and let the peasants feel the temperature of the law. Third, intensify supervision over the enforcement of the law. Put power in the cage of the system, and establish a mechanism for law enforcement personnel to explain the reasoning in handling cases. By enhancing the authority of the law, it has become an effective means and a reliable guarantee to ensure the simplicity of the countryside[9]

4. Conclusions

The construction of rule of law villages in China needs to be guided by President Xi Thought on the Rule of Law, and carry out diversified legal popularization activities to enhance villagers' awareness of the rule of law. One of the major problems in the construction of rule of law villages in China lies in the fact that villagers have a low level of education, a relatively weak awareness of the rule of law, are easily influenced by subjective factors, and are prone to misunderstanding and resistance to legal popularization activities. Therefore, in the construction of villages under the rule of law, it is necessary not only to enhance the people's awareness of the law, but also to pay attention to the leadership consciousness of the leading cadres, a key minority, and to give play to the vanguard and exemplary role of party members and cadres, so as to lead the majority of the masses to raise their legal awareness together[10]. In this regard, on the one hand, it is necessary to adhere to President Xi Thought on the Rule of Law as the guiding ideology, comprehensively promote the rule of law, give play to the exemplary and leading role of Party members and grassroots cadres, and always adhere to the people-centered, insist on coming from the people and going to the people. To implement the theory of socialist rule of law with Chinese characteristics, correct villagers' misunderstandings of the rule of law, and actively promote the process of governance of rule of law villages, village cadres should take the lead in learning legal knowledge, persist in the rule of law for the people and benefit the people, correct the attitude of serving the people, actively carry out popular legal education and publicity for the people, actively carry forward the core socialist values, and guide the people to establish a correct concept of the rule of law. On the other hand, it is necessary to actively innovate activities to popularize the law, carry out various forms of activities to build socialist spiritual civilization, increase the intensity of popularization of the law, strengthen the concept of the rule of law among the whole people, reflect the will of the people through decision-making, and urge the villagers to actively participate in the construction of the rule of law villages, so that they will have a greater sense of participation and experience, and better exercise the people's power to be masters of the country, so that the concept of the rule of law can imperceptibly penetrate in daily life. At the same time, it is also necessary to strengthen the informatization of rural legal services, and establish a professional legal service information platform through network information technology to make up for the shortcomings of the rural legal service system.

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