

Research on the Protection of Economic Law for Vulnerable Groups

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Abstract. economic law is a legal department to adjust economic relations and resource allocation, which mainly includes laws and regulations such as Labor Law, Anti-unfair Competition Law, Urban Real Estate Management Law and so on. This paper will first introduce the emergence and characteristics of vulnerable groups, and then analyze the jurisprudential basis of protecting vulnerable groups. At the same time, according to the current situation of the vulnerable groups in our country and the functions and attributes of the economic law, we will put forward the specific strategies to protect the vulnerable groups by relying on the economic law.

Keywords: economic Law; vulnerable groups; legal basis; Survival status; Protection Strategy.

1. Introduction

vulnerable groups are bound to exist in a large society, which is affected by congenital endowment, collective stock, and other factors, so it is difficult to obtain sufficient factors of production or salary close to the social average in labor. At the same time, the group is also unable to change its fate, and its family will be in the vulnerable group class for a long time. Economic law has the function of regulating the social distribution, relying on economic law to protect vulnerable groups, not only conducive to the promotion of the class of this group but also to make our society more harmonious and stable. [1]

2. The Emergence and Characteristics of Vulnerable Groups

Obtaining factors of production and corresponding income are the main demand of human beings in economic life. Residents with higher income can enjoy a better life, on the contrary, their material supply will be more embarrassed, and even threaten their survival. However, in an open market environment, workers are often unable to evenly obtain factors of production and income, in which endowment, collective stock, and external influence are the main factors restricting the income of resources. The endowment can be summarized as congenital conditions such as intelligence and physical strength, and it is also the main factor restricting career planning. If the endowment is not enough, it will be difficult for workers to get sufficient income. For example, people with disabilities often find it difficult to engage in high-paying jobs and, therefore, can be regarded as vulnerable groups. Collective stock refers to the family accumulation of social residents or the economic resources of the living area. Human beings live in a collective and can inherit the collective's existing resources. The shortage of stock resources will have an impact on their lives, for example, poor areas lack factors of production, residents are still difficult to obtain sufficient income while paying high-intensity labor, and the value of assets can not be improved. Therefore, it can be regarded as a vulnerable group. External influence is also the main factor that restricts the income of workers, including policy impact, disease impact, natural disaster impact and so on. [2,3]

3. The Jurisprudential Basis of Protecting Vulnerable Groups

3.1 To Achieve Social Equity

The law comes from the social convention and has a universal binding force on the members of the whole society. However, in the real environment, the fairness of the law will be challenged in the formulation, implementation, maintenance, and other links. Among them, groups with more

resources tend to seek more benefits in the judicial system. Based on this practical problem, in the process of enacting laws, support is usually provided to vulnerable groups to reflect fairness in the process of implementation. However, fairness is not an abstract concept and needs to be reflected at the level of benefit distribution. The limiting factors of production and material supply in society are fairly distributed to social individuals. However, fairness is not an absolute concept, and there is a lack of quantifiable evaluation criteria. Therefore, fairness will take on different forms with the limitation of time and geographical conditions. Law in contemporary society has become an important tool to guide residents' behavior and standardize ideological cognition. Therefore, the law can be regarded as one of the standards of fairness. At the same time, the law comes from the social consensus, and in the process of making the law, we should also seek the maximum common divisor in the society. On this basis, the formulation of an economic law that can protect vulnerable groups will make society fairer.

3.2 Maintenance of Social Order

Maintaining social order is an important attribute of law. There are many differences in the human cognitive perspective, so it is difficult to cooperate effectively with other individuals through nature. However, the scale of contemporary society is constantly expanding, and the industrial division of labor is more complex. Laborers need to divide their work and cooperate in a unified standard system. Based on this demand, more attention has been paid to the importance of law. However, the social division of labor should include all citizens and should not be exclusive. When the groups with high endowments or rich resources formulate an exclusive mechanism to safeguard their interests, it is bound to hinder the flow of factors of production and material supply. This problem will also widen the gap between the rich and the poor and lead to social rift. Because of this phenomenon, Confucius once put forward the view that "do not suffer from scarcity but suffer from inequality, do not suffer from poverty and suffer from unease". And this view has also been proved in countless historical events. Given this, the law should be used as the standard of conduct of the whole society, so that vulnerable groups can be integrated into the production and education system. Through this design, vulnerable groups will get the path to integrate into the mainstream society, and the direction of life will be more clear. The efforts of vulnerable groups to integrate into the middle class will make the middle class more centripetal, and social stability and order will be guaranteed. [4]

3.3 Promote Social Development

Promoting social development is one of the main functions of law. In the absence of constraints, societies with large scale and complex division of labor usually tend to disintegrate. On the other hand, the law can exclude the factors that induce social disintegration from the code of conduct of the residents, to obtain a stable environment for social development. At the same time, the law will play a leading role in social development, and the formulation of economic strategies in strict accordance with legal norms will enable the society to achieve medium-and long-term development. The main law of social development is to allocate social resources to emerging industries so that the level of science and technology can be improved, and the production efficiency of society will be improved accordingly. With the improvement of production efficiency, residents can use limited resources to obtain more output, to achieve social development. However, social development will also lead to a high concentration of resources, and groups who master resources are more inclined to maintain the inherent system. At the same time, after the concentration of enough remaining resources, there will be strong groups in society and will tend to use these resources for personal enjoyment rather than scientific and technological innovation. Vulnerable groups have a high utilization rate of resources, and the use of legal means to provide necessary resources for vulnerable groups will enable social development to obtain the necessary vitality.

4. The Living Situation of Vulnerable Groups in China

4.1 The Definition of Vulnerable Groups is not Clear

In our country, the definition of vulnerable groups is not clear. Generally speaking, it can be regarded as a social resident who lacks productive labor capacity and material supply. However, in the Internet environment, the definition of labor capacity is controversial, and relying on the definition of disability level has been unable to adapt to the contemporary production system. At the same time, the traditional disability definition model pays more attention to the physical soundness and intelligence level of workers, but the mental diseases that plague contemporary residents have not been included in the definition mechanism. Given this, how vulnerable groups are defined by the level of disability should be seen as a complementary means. Also, when evaluating the material supply of residents, our country will make a judgment according to the annual income, but there are great differences in the cost of living in different areas, so this way can not accurately cover all vulnerable groups. Finally, the unscientific regulatory mechanism is also the main factor affecting the definition of vulnerable groups. The scale of our country is so large that it is difficult to get accurate statistics of economic activities. This problem will harm the evaluation mechanism of vulnerable groups. In the real environment, to enjoy the preferential policies of vulnerable groups, some people will aim at regulatory loopholes and hide their real income to obtain illegal benefits. For example, some families will get credit for the first suite through "fake divorce". Such behavior will seriously affect the fair development of society, and the mechanism of resource allocation will also be destroyed. [5]

5. The Design of Economic Law based on the Accurate Definition of Vulnerable Groups

At present, the definition of vulnerable groups in China is still relatively vague, and it is difficult to carry out legislative work. Given this, our country should first define the vulnerable groups from the legal level, to obtain an accurate basis for the design of economic law. Regarding the cognition of vulnerable groups in our society, the legislative department of our country should define vulnerable groups from three levels.

5.1 Health Level to Measure the Working Ability of Residents

Measure the labor ability of residents through the level of health, and formulate the evaluation criteria of vulnerable groups according to the production environment of contemporary society. An endowment is the main factor that determines the social residents to obtain the factors of production and income. In the traditional cognition, the state of institutional health is regarded as the main factor that determines the ability to work. However, with the development of information technology, great changes have taken place in the current production environment. The influence of intelligence on labor ability is slightly higher than that of physical health. Given this, our country should set up a scientific intelligence testing system, and take this as a basis to formulate the definition standard of vulnerable groups. At the same time, physical disability will also be an important criterion for the evaluation of vulnerable groups and will exist for a long time.

5.2 Include Unemployed Residents in Vulnerable Groups

Include unemployed residents into vulnerable groups. In the traditional concept, the cycle of Chinese workers to achieve re-employment is usually short, so this group is regarded as an individual with the ability to survive and has not been included in the vulnerable groups. However, great changes have taken place in the current social environment and employment environment. First of all, with the wide application of information technology, jobs have gradually shrunk, and the re-employment cycle will be gradually lengthened. At the same time, the quality of life in contemporary society has been greatly improved, flexible employment and other forms of re-employment are difficult to provide adequate living expenses for the unemployed. Therefore,

although these people have access to employment opportunities, they should still be regarded as vulnerable groups. [6]

6. Conclusion

To protect vulnerable groups, first of all, it is necessary to accurately define vulnerable groups from a legal perspective and adjust the allocation of social resources through fiscal and tax leverage, to enable vulnerable groups to obtain the necessary factors of production. Further improving the social security system will also benefit vulnerable groups. Finally, we should rely on economic law to provide a level playing field for vulnerable groups.

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