

Study on the Legal Guarantee of Rural Revitalization

--A case study of Wucha Village, Lai 'an County, Chuzhou City, Anhui Province

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Abstract

With the widening gap between urban and rural development, rural revitalization has become an important strategy of the current economic and social development. As the foundation and key of rural revitalization, the guarantee of rule of law requires the participation and efforts of the government, social organizations and enterprises. This paper mainly discusses the practical path and promotion strategy for the legal guarantee of rural vitalization, including the establishment and improvement of rural governance system, strengthening publicity and popularization of laws, promoting the construction of village rules and regulations for the people, promoting the reform of rural land system, improving the construction of rural credit system, etc. At the same time, this paper also puts forward relevant suggestions for the legal guarantee of rural vitalization, including strengthening the government's legal awareness and capacity building, promoting institutional innovation and reform, establishing and improving the legal guarantee mechanism, strengthening the participation of social organizations, etc.

Keywords

Rural vitalization; Legal guarantee; Rural governance system; Publicity and popularization of laws; Village rules and regulations for the people; Rural land system reform; Rural credit system construction; Government; Social organizations; enterprises.

1. Introduction

1.1. Research background and significance

Rural revitalization is an important part of the cause of socialism with Chinese characteristics. It is also the only way to build a modern national system and realize the great rejuvenation of the Chinese nation. The legal guarantee for rural revitalization is an important guarantee and foundation for rural revitalization, and a necessary condition for building a modernized rural governance system. Wucha Village, Lai 'an County, Chuzhou City, Anhui Province is a typical rural village, and its legal guarantee in rural vitalization is worth further study. Therefore, this paper takes Wucha Village as an example to discuss the legal guarantee of rural vitalization, which has certain practical significance and theoretical value.

The theoretical value is mainly expressed in two aspects: First, the ownership of rural land contract management right is relatively dispersed, and the legal management mode needs to be optimized scientifically and reasonably. Second, strengthening the construction of rural rule of law can make the guarantee of national rule of law and the vitality of the countryside itself form a joint force to promote rural revitalization. Therefore, including the legal governance logic and governance approaches of rural construction need to be further studied, so as to form perfect research results to guide practice and promote progress.

The practical significance is mainly manifested in two aspects: one is to promote the healthy development of rural areas within the legal framework, which is the direction of rural legal

governance efforts. Exploring and promoting the development of rural legal governance mode will help to create an ecological environment for the long-term development of rural economy. Second, under the trend of the increasingly complete legal system in China, rural construction still has a certain extent of extensive, and the problems in practical development need a positive response from the law. Therefore, this paper aims to make an in-depth study of the legal guarantee of rural revitalization, discuss its promoting effect on rural revitalization, and provide theoretical support and practical guidance for the promotion of rural revitalization.

1.2. Research status at home and abroad

In recent years, with the proposal of the Rural Vitalization strategy and the promulgation of the Rural Vitalization Promotion Law, the legal guarantee of rural vitalization has gradually attracted the attention of the academic and political circles. The research status at home and abroad is as follows:

In China, with "rural rule of law" as the keyword, a large number of relevant literatures can be retrieved from databases such as China National Knowledge Net, CNKI and Wanfang, among which the number of researches concerning the legal guarantee of rural revitalization is increasing year by year. At the same time, the importance of strengthening the construction of rural rule of law has been mentioned several times in the National Two Sessions and the government work report in recent years, which reflects that the research on the legal guarantee of rural revitalization has become one of the hot spots in domestic research.

Abroad, the issue of the legal guarantee of rural revitalization has also attracted the attention of the international community. In Europe and America, rural development has always been one of the important policy issues. The EU aims to promote the sustainable development of rural areas through its rural development policy. The United States, on the other hand, has introduced the Rural Renewal Program and the Rural Renewal Act to strengthen policy support and legal guarantee for rural development. At the same time, international organizations such as the United Nations and the World Bank have also put forward relevant policy suggestions and support measures for rural development, and studies on the legal guarantee of rural revitalization are gradually increasing.

1.3. Research methods and framework

This paper adopts the research methods of literature, empirical research and comparative research. Based on the comprehensive analysis of relevant domestic and foreign literature, this paper summarizes and sorts out the research status, existing problems and solutions of the legal guarantee of rural revitalization. At the same time, through the empirical study of Wucha village, to explore the problem of legal guarantee in its rural revitalization, analyze its causes and impacts, and put forward the corresponding solutions. Finally, through the method of comparative study, the author analyzes the different characteristics and experience of the legal guarantee of rural vitalization at home and abroad, and provides reference and enlightenment for the legal guarantee of rural vitalization in China.

The research framework of this paper is divided into six parts: introduction, the current situation and problems of the legal guarantee of rural vitalization, the legal guarantee system of rural vitalization, the practice path of rural vitalization legal guarantee, the promotion strategy of rural vitalization legal guarantee, conclusions and suggestions. Among them, the introduction introduces the research background, purpose and significance of this paper; The present situation and problems of the legal guarantee of rural vitalization mainly summarizes the research status of the legal guarantee of rural vitalization at home and abroad, and analyzes the existing problems and difficulties; The legal guarantee system of the legal guarantee of rural vitalization mainly discusses the legal guarantee system to be established in rural vitalization, including land system, farmers' rights and interests protection, property rights protection, etc.

The practical path of the legal guarantee of rural vitalization mainly takes Wucha Village as an example, analyzes the legal guarantee problems in its rural vitalization, and puts forward the corresponding solutions; The promotion strategy of the legal guarantee of rural vitalization mainly discusses how to strengthen the construction of rural rule of law and promote rural vitalization; The conclusion and suggestion part summarizes the research results, puts forward relevant suggestions and looks forward to the future research direction.

1.4. Paper structure

This paper is divided into six parts. The first part is the introduction, which introduces the research background and significance, research status at home and abroad, research methods and framework. The second part is the status quo and problems of the legal guarantee of rural vitalization, analyzing the research status, existing problems and difficulties of the legal guarantee of rural vitalization at home and abroad. The third part is the legal guarantee system for the legal guarantee of rural vitalization, and discusses the legal guarantee system to be established in rural vitalization, including land system, farmers' rights and interests protection, property rights protection and so on. The fourth part is the practical path of the legal guarantee of rural vitalization. Taking Wucha Village as an example, it analyzes the problems of legal guarantee in rural vitalization and puts forward the corresponding solutions. The fifth part is the promotion strategy of the legal guarantee of rural vitalization, and discusses how to strengthen the construction of rural rule of law and promote rural vitalization. The sixth part is divided into conclusions and suggestions, summarizing the research results, putting forward relevant suggestions and looking forward to the future research direction.

2. Current situation and problems of legal guarantee of rural vitalization

2.1. Concept and connotation of the legal guarantee of rural vitalization

Rural vitalization is a major strategy to promote the all-round development of rural economy, culture, ecology and society and realize the integrated development of urban and rural areas in the process of modernization. The legal guarantee of rural vitalization means to guarantee and promote the smooth progress of various works of rural vitalization and ensure the realization of the goal of rural vitalization through legal means. The legal guarantee of rural vitalization mainly includes:

- (1) Legal system construction: including the formulation and improvement of legal systems, regulations and rules, strengthening publicity, popularization and education of laws, and improving farmers' legal awareness and legal literacy.
- (2) Construction of legal service system: Establish and improve the rural legal service system, provide legal aid, legal advice and legal services and other forms of services, to protect the legitimate rights and interests of farmers.
- (3) Construction of legal supervision system: Establish and improve the rural legal supervision system, strengthen the legal supervision of the government and relevant institutions, and safeguard the legitimate rights and interests of farmers and just rights.

2.2. Introduction of Wucha Village, Lai 'an County, Chuzhou City, Anhui Province

Wucha Village, Laian County, Chuzhou City, Anhui Province, is located in the eastern part of Anhui Province, about 30 kilometers from the central city of Chuzhou City. The total area of Wucha Village is 1.8 square kilometers, with 1200 mu of arable land. The total population of Wucha Village is 562 people, among which the agricultural population accounts for more than 90%. In recent years, Wucha village has actively responded to the national strategy of "rural

revitalization", vigorously developed modern agriculture, and implemented the rural revitalization model of tourism + agriculture, culture + agriculture and other forms.

2.3. Problems of legal guarantee in the rural revitalization of Wucha Village

In the process of rural revitalization, the following legal guarantee problems exist in Wucha Village:

(1) Unclear ownership of the contracted land management right: Due to historical reasons, the ownership of the contracted land management right is relatively dispersed, and there are cases of farmers contracting land and then subcontracting or transferring it, leading to unclear ownership of the contracted land management right, affecting agricultural production and land management.

(2) Lack of norms in rural land management: As rural land management is relatively dispersed, rural land transfer management lacks standardization and standardization, resulting in non-standard and illegal phenomena in land transfer, which brings certain hidden dangers to rural social governance and rural economic development.

(3) Lack of rural public service facilities: Because Wucha village is located in a remote area, the rural public service facilities are not perfect, the lack of sufficient input and complete service system, such as roads, Bridges, schools, medical and other public facilities, which have a certain impact on farmers' production, life and social development.

(4) Insufficient protection of farmers' rights and interests: The protection of farmers' rights and interests in land contract, transfer, labor contract and other aspects is not sufficient, often lack of adequate legal protection and judicial relief channels, leading to the infringement of some farmers' rights and interests, affecting the stability and development of rural areas.

(5) Low legal awareness and quality: as most rural people are farmers with low legal awareness and quality and lack of cognition of rural legal system and legal guarantee system, it is easy to cause incomprehension or misunderstanding of legal provisions, and also easy to become the object of illegal activities.

These problems have brought some difficulties and challenges to the development of rural revitalization and rural governance in Wucha village, and effective measures need to be taken to solve them. In the next part, based on the actual situation, corresponding legal safeguard measures and suggestions will be put forward to promote the smooth progress of rural revitalization of Wucha village.

3. The legal guarantee system for the rule of law guarantee of rural revitalization

3.1. Basic Principles for the construction of the legal system of rural Vitalization

The basic principles of building the legal system for rural vitalization are centered on the leadership of the Party, adhering to the combination of scientific legislation, democratic legislation, legal education, legal supervision and legal services, and fully guaranteeing the realization of the goals of rural vitalization. To be specific, it should be carried out in the following aspects:

(1) Guarantee the right to rural development: formulate and improve agriculture-related laws and regulations, fully protect farmers' land, property and labor rights, effectively solve the problem of rural land ownership and transfer, and promote the upgrading and efficiency of rural industries.

(2) Strengthen publicity and education of rural rule of law: carry out publicity and education of rural rule of law in various forms, such as radio, television, newspapers, publicity columns, etc., to improve farmers' legal literacy and legal awareness.

(3) Establish and improve the rural legal service system: establish and improve the rural legal service system, to provide farmers with legal aid, legal advice and legal services and other forms of services, to protect the legitimate rights and interests of farmers.

(4) Strengthen rural legal supervision: Establish and improve the rural legal supervision system, strengthen the legal supervision of the government and relevant institutions, and safeguard the legitimate rights and interests of farmers and just rights.

3.2. Basic framework of rural vitalization legal system construction

The basic framework of rural vitalization legal system construction mainly includes the following three aspects:

(1) Construction of laws and regulations: The construction of the rural vitalization legal system requires the formulation and improvement of a series of agriculture-related laws and regulations, such as the Land Law, the Rural Collective Economic Organization Law, the Agricultural Law, and the Law on farmers' Specialized cooperatives, so as to protect farmers' legitimate rights and interests and promote rural development.

(2) Construction of legal service system: The establishment of a rural legal service system, including legal aid, legal advice, legal services and other forms of services, to provide legal protection and services for farmers and protect their legitimate rights and interests.

(3) Construction of legal supervision system: the establishment of rural legal supervision system, legal supervision of the government and relevant institutions, to ensure the implementation of policies and regulations and the protection of farmers' legitimate rights and interests. Rural grassroots legal service stations and rural legal aid institutions have been established, and the "Legal aid into villages" project has been implemented to provide legal aid and consulting services for rural residents. At the same time, China has established law firms, lawyers' cooperatives and other institutions to provide farmers with professional legal services and consultation, so as to ensure their legitimate rights and interests.

3.3 Analysis on the construction of legal guarantee system in Wucha Village

In view of the legal guarantee problems existing in the rural revitalization of Wucha Village, the government and relevant institutions have taken a series of measures to construct the legal guarantee system, which is mainly reflected in the following aspects:

(1) Improve the land transfer policy and the system of contracted land management rights to ensure that the ownership of contracted land management rights is clear. On this basis, land management should be strengthened to ensure the standardized transfer and efficient use of land.

(2) Establish rural grassroots legal service stations and rural legal aid institutions to provide legal aid and consulting services for farmers. Rural legal publicity and education should be carried out to improve farmers' legal awareness and quality, so that they can better safeguard their legitimate rights and interests.

(3) Strengthen legal supervision in rural areas to safeguard farmers' legitimate rights and interests and just rights. We will strengthen legal supervision over the government and relevant institutions, urge them to perform their duties in accordance with the law, and protect farmers' legitimate rights and interests.

In terms of specific data, Wucha Village has established 1 rural grassroots legal service station and 1 rural legal aid institution, providing legal aid, consultation and services for farmers. At the same time, the government and relevant departments have strengthened the management

and supervision of land transfer and contracted management rights, to ensure the clarity of land ownership, land transfer and utilization standard and efficient.

To sum up, the construction of legal guarantee system in Wucha village has taken initial shape, but it still needs to be further strengthened, especially in the construction of rural grassroots legal services and legal supervision, to further improve farmers' legal awareness and literacy, protect farmers' legitimate rights and interests, and promote the sustainable development of rural revitalization. At the same time, the government and relevant institutions also need to further strengthen the management and supervision of land transfer and contracted management rights, to ensure the clarity of land ownership, protect farmers' legitimate rights and interests, and promote the development of rural economy.

4. the practice of legal guarantee for rural revitalization

Rural revitalization is an important strategy for China's current economic and social development and an important task for China to construct a modernized economy and strengthen rural governance. Rural revitalization needs the guarantee of the rule of law, a sound system of rural governance, a sound system of laws and regulations, a sound legal service system, and a scientific and effective legal supervision system, so as to provide a solid legal foundation and guarantee for rural revitalization. This paper will discuss the practical path of the legal guarantee for rural vitalization, including establishing and improving the rural governance system, strengthening publicity and popularization of laws, promoting the construction of village rules and regulations for the people, promoting the reform of the rural land system, and improving the construction of the rural credit system.

4.1. Establish and improve the rural governance system

Rural governance is the basis and premise of rural revitalization, and establishing a sound rural governance system is the key to realizing the legal guarantee of rural revitalization. The rural governance system mainly consists of the government, village committees, villagers' self-governing organizations, social organizations, enterprises and other subjects, among which an effective cooperation mechanism and coordination mechanism should be formed to realize a rural governance pattern featuring government leadership, villagers' self-governance and social participation.

In the process of establishing and improving the rural governance system, we need to start from the following aspects:

(1) Government guidance: The government needs to formulate relevant policies and laws and regulations to guide the construction of rural governance system. The government should provide necessary financial, technical and human resources support for rural revitalization, and strengthen overall coordination, supervision and management of rural governance.

(2) Villagers' self-governance: Villagers' self-governance is the core and foundation of rural governance. Villagers should take an active part in village governance, including village planning, construction of public facilities and social management, so as to form a situation in which villages are jointly built, governed and shared.

(3) Participation of social organizations: Social organizations are an important force in rural governance. The government should actively guide and support social organizations to participate in rural governance, give full play to the advantages of social organizations, and promote the healthy development of rural governance system.

(4) Enterprise support: As an important force for rural economic development, enterprises should actively participate in rural governance and provide support in terms of capital, technology and employment.

4.2. Strengthen publicity and popularization of laws

Strengthening publicity and popularization of laws is an important way to ensure the rule of law for rural revitalization. By strengthening publicity and popularization of laws, it can improve the legal awareness and legal literacy of rural residents, and promote the construction of rural governance system.

In strengthening publicity and popularization of laws, we need to start from the following aspects:

- (1) To carry out legal publicity and education: the government and relevant institutions can publicize laws, regulations and policies to farmers through various means, such as radio, television, newspapers, publicity bars, etc., to improve farmers' legal awareness and literacy.
- (2) Strengthen law education: the government can carry out law education in schools and communities, strengthen the legal education of farmers, improve farmers' legal literacy and legal awareness.
- (3) Establish legal service stations: the government can establish rural grassroots legal service stations to provide farmers with legal aid, legal advice, legal services and other forms of services, improve farmers' legal literacy and legal awareness.

4.3. Promote the construction of village rules and regulations for the people

Village rules and regulations are an important way to realize rural governance, as well as an important means to ensure the legal guarantee of rural revitalization. The construction of village rules and people's system should start from the following aspects:

- (1) Establishment of village rules and people's rules: the government and village committee can organize villagers to formulate village rules and people's rules, clarify the rights and obligations of villagers, regulate villagers' behavior, promote villagers' self-governance, and promote the construction of rural governance system.
- (2) Promote village rules and people's system: the government and village committee can establish village rules and people's system, promote villagers' self-governance and promote the healthy development of rural governance through various ways, such as election and meeting of the council.

4.4. Promote rural land system reform

The rural land system is an important aspect of the legal guarantee for rural revitalization and the core issue of the rural governance system. In promoting the reform of rural land system, we need to start from the following aspects:

- (1) Establish the stability of contracted land management rights: The government needs to establish the stability of contracted land management rights, ensure that farmers' contracted land management rights are not infringed, and safeguard their legitimate rights and interests.
- (2) Promote land transfer: The government can formulate relevant policies and regulations to promote land transfer and promote the upgrading and efficiency of rural industries. At the same time, strengthen the supervision and management of land transfer to ensure the standardized transfer and efficient use of land.
- (3) Improve the rural land management system: the government needs to improve the rural land management system, strengthen the planning, management and supervision of land, and ensure the rational use and protection of land.

4.5. Improve the rural credit system

Improving the construction of rural credit system is an important way to realize the legal guarantee of rural revitalization, and also the key to promoting the construction of rural governance system. In improving the construction of rural credit system, we need to start from the following aspects:

(1) Establish rural credit institutions: the government can establish rural credit institutions to provide credit evaluation, credit consultation and credit guarantee services for farmers and promote their credit construction.

(2) Promote the application of the credit system: the government can promote the application of the credit system through various means, such as publicity, education, training, etc., improve farmers' credit awareness and credit literacy, and promote the construction and improvement of the rural credit system.

(3) Establish a credit information sharing platform: the government can establish a credit information sharing platform, realize information sharing and interconnection, and promote the healthy development of the credit system.

To sum up, establishing and improving the rural governance system, strengthening publicity and popularization of laws, promoting the construction of village rules and regulations for the people, promoting the reform of the rural land system, improving the construction of the rural credit system and other aspects are important ways and means to realize the legal guarantee of rural revitalization. The practical application of these approaches and means can provide a solid legal basis and guarantee for rural vitalization.

5. The promotion strategy of the rule of law guarantee for rural vitalization

Rural vitalization is an important development strategy, and legal guarantee is the foundation and key of rural vitalization. To realize the legal guarantee of rural revitalization, it needs the participation and efforts of the government, social organizations, enterprises and other aspects. On this basis, the following strategies are put forward to provide strong support for the legal guarantee of rural vitalization.

5.1. Strengthen the government's awareness of rule of law and capacity building

As the leading force in rural revitalization, the government needs to enhance its awareness and capacity of rule of law and incorporate rule of law construction into the planning and implementation of rural revitalization. Specifically, the government can take the following measures:

(1) Strengthen legal education and training: the government should strengthen legal education and training of cadres and staff, improve their legal awareness and ability, and promote the construction of a rural governance system.

(2) Strengthen legal supervision and management: the government should strengthen the legal supervision and management of rural governance and land use, ensure the implementation of laws and regulations, and safeguard the legitimate rights and interests of farmers.

(3) Establish and improve the legal counsel system: the government can establish a professional legal counsel team to provide legal advice and services for government departments and village committees, so as to promote the standardization and legalization of the rural governance system.

5.2. Promote institutional innovation and reform

Rural revitalization requires continuous institutional innovation and reform to make rural governance more scientific and effective. The government can take the following measures:

(1) Improve the rural governance system: the government needs to strengthen the construction and improvement of the rural governance system, and establish a sound rural governance system involving the government, village committees, villagers' self-governing organizations, social organizations, enterprises and other subjects.

(2) Promote the reform of rural land system: the government needs to promote the reform of rural land system, establish the stability of contracted land management rights, and promote the standardized transfer and efficient use of land resources.

(3) Strengthen the construction of rural credit system: the government needs to strengthen the construction of rural credit system, establish and improve the rural credit information platform, and improve the credit degree and sustainability of rural economy.

5.3. Establish and improve the legal guarantee mechanism

To realize the legal guarantee of rural revitalization, we need to establish a sound legal guarantee mechanism to ensure the implementation of laws and regulations. The government can take the following measures:

(1) Establish and improve the legal service system: the government can establish rural grassroots legal service stations and rural legal aid centers to provide farmers with legal aid, legal advice, legal services and other forms of services to enhance their legal awareness and literacy.

(2) Strengthen legal supervision and management: the government should strengthen the legal supervision and management of rural governance and land use, safeguard the authority and dignity of the law, and ensure the implementation of laws and regulations.

(3) Improve the legal relief mechanism: the government may establish and improve the legal relief mechanism, provide legal relief services for farmers, protect the legitimate rights and interests of farmers, and enhance the legal trust and sense of security of rural residents.

5.4. Strengthen the participation of social organizations

Social organizations are an important force for rural revitalization. We need to strengthen their participation and give full play to their role in rural governance. The government can take the following measures:

(1) Encourage the participation of social organizations: the government may encourage and support social organizations to participate in rural governance, give full play to the advantages of social organizations, and promote the healthy development of rural governance.

(2) Strengthen capacity building of social organizations: the government may strengthen training and support for social organizations, improve their capacity and quality, and enhance their participation and influence.

(3) Establish a joint working mechanism of social organizations: the government may establish a joint working mechanism of social organizations to strengthen cooperation and collaboration among social organizations, form joint forces in rural governance, and promote the legal guarantee of rural revitalization.

6. Conclusions and Suggestions

6.1. Conclusions

Rural revitalization is an important strategy of China's economic and social development, and the legal guarantee is the foundation and key of rural revitalization. In order to realize the legal guarantee of rural revitalization, it needs the participation and efforts of the government, social organizations, enterprises and other aspects. Specifically, it is necessary to strengthen the government's awareness and capacity building of the rule of law, promote institutional innovation and reform, establish and improve the rule of law guarantee mechanism, and strengthen the participation of social organizations. Establishing and improving the rural governance system, strengthening publicity and popularization of laws, promoting the construction of village rules and regulations for the people, promoting the reform of the rural land system, and improving the construction of the rural credit system are also important ways

to realize the legal guarantee of rural revitalization. Only under the guarantee of the rule of law can the healthy development of rural revitalization be promoted, the legitimate rights and interests of rural residents be protected and the sustainable development of rural revitalization be realized.

6.2. Suggestions

In view of the promotion strategy of the legal guarantee of rural vitalization, this paper puts forward the following suggestions:

(1) Strengthen the government's awareness of rule of law and capacity building: the government should formulate relevant policies and measures, strengthen legal education and training of cadres and staff, improve their legal awareness and capacity, and provide a solid legal guarantee for rural revitalization.

(2) Promote institutional innovation and reform: the government should strengthen the construction and improvement of the rural governance system, promote the reform of the rural land system, strengthen the construction of the rural credit system, and provide institutional guarantee and support for rural revitalization.

(3) Establish and improve the legal guarantee mechanism: the government should establish and improve the legal service system, provide farmers with legal aid, legal advice, legal services and other forms of services, and protect the legitimate rights and interests of farmers.

(4) Strengthen the participation of social organizations: the government should actively guide and support social organizations to participate in rural governance, give full play to the advantages of social organizations, and promote the healthy development of rural governance system.

In a word, rural revitalization needs legal guarantee, and it needs to establish a sound rural governance system, a sound legal regulation system, a sound legal service system, and a scientific and effective legal supervision system, so as to provide a solid legal basis and guarantee for rural revitalization. All parties should make joint efforts to promote the legal guarantee of rural revitalization and contribute to the sustainable development of rural revitalization.

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