

# A Study on the Path of Rule of Law in Rural Governance

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**Abstract:** *With the acceleration of China's urbanization process and the continuous increase of rural population outflow, rural governance has become an important component of the current social governance system. Rural governance not only affects rural social stability, economic development, and the quality of life of farmers, but also directly involves the improvement and modernization process of the national governance system. In this context, the legalization of rural governance has become one of the important paths to solve the current problems faced by rural governance. Therefore, the article first elaborates on the value of the rule of law in rural governance, then analyzes the problems in the construction of the rule of law in rural governance, and proposes targeted paths for the rule of law based on actual problems, providing reference and guidance for the construction of the rule of law in rural governance.*

**Keywords:** *Rural governance; Legalization; Path*

## 1. Introduction

In the report of the 20th National Congress of the Communist Party of China, it was clearly stated that rural areas are an important foundation and cornerstone of China's modernization construction, and the effectiveness of their work is directly related to the comprehensive process of national modernization. After the completion of the goals and tasks of poverty alleviation, rural revitalization has become a new driving force and new mission for China's development. Rural revitalization can be achieved through a multifaceted approach that includes promoting rural modernization, fostering coordinated economic and social development in both urban and rural regions, increasing farmers' incomes, developing modern agriculture, and creating attractive rural environments. This process should naturally lead to integrated urban-rural development as part of the broader strategy for rural revitalization, through the construction of rule of law, a more standardized, transparent, and effective rural governance system can be established, making rural governance more characterized by rule of law and institutionalization. Not only does it help to solve the adaptability of traditional rural governance models in the face of emerging governance challenges, but it can also improve the level of rural governance and achieve modern transformation and upgrading of rural governance.

## 2. The Value of Rule of Law in Rural Governance

### (1) Providing grassroots impetus for the modernization of national governance capacity

In the development of a country, rural areas, as the most basic unit of governance, have a direct impact on the modernization of the governance system and capacity. Since the 18th National Congress of the Communist Party of China, the Central Committee of the Communist Party of China has attached great importance to and actively promoted the modernization of the national governance system and governance capacity. In the document "Opinions on Strengthening the Construction of Rule of Law in Rural Areas" released in 2020, it was proposed to basically achieve the modernization of the rural governance system and governance capacity by 2035, and to basically build rule of law rural areas. Therefore, the legalization of rural governance is a necessary path to promote the modernization of rural governance, which can continuously improve the governance system and enhance the level of governance capacity.<sup>[1]</sup>

### (2) An important guarantee for promoting effective rural revitalization

Under the continuous development of society, the strategy of rural revitalization has entered a new stage. Starting from the 19th National Congress, the rural revitalization strategy was proposed, and then

important deployments were made again at the 20th National Congress. Subsequently, in the 2023 document "Opinions on Doing a Good Job in the Key Work of Comprehensive Promotion of Rural Revitalization in 2023", it was emphasized again to focus on solving the "three rural issues" and comprehensively promote rural revitalization. The rule of law, as a form of institutional arrangement and governance, is the foundation for ensuring social order and fairness and justice. In the process of rural revitalization, it is necessary to establish a sound legal system, so that all affairs and policy measures of rural society can be carried out within the framework of the rule of law, and effectively promote rural revitalization.

### **(3) A practical need for the harmonious development of rural society**

The rule of law is related to the quality of people's lives and social fairness and justice. Integrating it into rural governance can adhere to the basic principle of putting the people at the center, protect the legitimate rights and interests of villagers through legal means, maintain the stability and order of rural society, regulate economic development, improve governance efficiency, and promote the comprehensive development and revitalization of rural areas. At the same time, grassroots affairs in the governance process are characterized by diversification and complexity. Through the legalization of governance, grassroots cadres can act in accordance with the law and exercise their powers in accordance with the law. This not only improves the standardization and legality of governance, but also enhances the public's awareness of the rule of law, improves the living standards of rural residents, and promotes the comprehensive development of rural areas.<sup>[2]</sup>

### **(4) Establishing a solid foundation for implementing comprehensive rule of law in the country**

At the Fourth Plenary Session of the 18th Central Committee of the Communist Party of China, it was clearly proposed to comprehensively promote the rule of law. Against this background, rural governance has gradually undergone a transformation, forming a governance model that integrates autonomy, rule of law, and moral governance. As the last link in national governance, rural areas have the characteristics of wide distribution and diverse cultural customs. Although compared to the construction of a rule of law country and a rule of law city, the construction of the rule of law lacks a clear system and a complete framework, its construction plays an important role in promoting the comprehensive rule of law. Therefore, the legalization of rural governance is a solid foundation for implementing comprehensive rule of law.

## **3. The problems in the construction of rule of law in rural governance**

### **(1) The rural legal service system not sound**

China continuously adjusts and improves its legal system in response to changes in the times, especially in the fields of agriculture and rural areas. By increasing legislative efforts and expanding the scope of legislation, it ensures the economic and social development of rural areas. However, in actual rural governance, there is a certain lag in the legal system and regulations in responding to new situations and problems, which cannot fully adapt to and solve emerging problems, and it is difficult to carry out specific refinement operations based on local economic characteristics, weakening the implementation of rule of law in rural governance. In addition, compared to economically developed areas, many remote rural areas face a series of problems in public legal services, such as late start, unclear service scope, narrow coverage, insufficient lawyer resources, and insufficient public financial support. As a result, grassroots workers often only stay on the surface when dealing with rural affairs, unable to deeply understand and solve problems, and unable to truly and effectively provide help and support to the countryside.<sup>[3]</sup>

### **(2) A relatively weak concept of the rule of law of villagers**

In rural governance, villagers, as the main body and practitioners, have a direct impact on promoting the construction of the rule of law. However, due to some reasons, the subjective consciousness of villagers is not strong enough, resulting in a lack of active participation by villagers in some affairs, and even a utilitarian tendency, which in turn affects the process of legalizing rural governance. At present, some villagers are influenced by traditional ideological concepts and are not willing or accustomed to using laws to regulate their behavior in daily life. Most young laborers tend to go out to work, and the rural population is mainly composed of the elderly and children. There are certain restrictions on their access to education and level, and the abstract nature of legal knowledge is relatively strong, involving a wide range of knowledge. For some villagers with low cultural levels, it is difficult to understand and apply legal knowledge to protect their legitimate rights and interests. In

addition, the channels for promoting the rule of law in rural areas are relatively single, and the targeted education is insufficient, resulting in a lack of a strong rule of law atmosphere in the entire countryside, which in turn leads to a weak sense of rule of law among villagers and low enthusiasm, limiting the speed of promoting the construction of rule of law in rural governance.

### **(3) Lack of grassroots legal talents**

Firstly, with the differences between urban and rural areas, more and more rural labor and high-quality talents are moving towards urban development, leading to a decrease in population, scarcity of social resources, and decline in social vitality in rural areas, forming a certain scale of hollow state. And in rural areas, the talent incentive mechanism is not perfect enough, with problems such as low salary levels, limited career development opportunities, and poor social welfare benefits. This makes excellent legal professionals more willing to stay in the city and engage in related work, rather than returning to rural areas, resulting in a lack of support and services from legal professionals in rural areas, which affects the level and effectiveness of the rule of law. Secondly, most grassroots workers lack professional and systematic legal theory learning, which leads to the inability to flexibly and effectively apply legal thinking and legal knowledge and skills to solve problems in the process of handling rural disputes, unable to meet the needs of villagers for legal issues, and affecting their trust and satisfaction with government work. Moreover, grassroots law enforcement agencies involve multiple departments and units, so in actual law enforcement work, it is easy to encounter phenomena such as unclear division of responsibilities among departments, prioritization of human sentiment over the rule of law, and insufficient supervision capacity of supervisory agencies, which increases the difficulty of villagers in the process of safeguarding their rights. At the same time, many problems and contradictions in rural governance tend to be resolved through administrative means under traditional inherent ideas and models, neglecting the application and norms of the law, leading to the gradual marginalization of legal thinking and affecting the effective promotion and governance level of the rule of law construction in rural governance.<sup>[4]</sup>

### **(4) A lag in village regulations and agreements**

In the construction of rule of law in rural governance, in addition to government departments formulating legal provisions, different formulation entities will combine their own interests and cognitive levels to formulate governance norms, leading to differences and conflicts between norms. And influenced by traditional concepts and ideas, some rural regulations and agreements have not kept up with the current needs of rural social development, lagging behind the development of the times, and thus conflicting with existing national legal provisions, leading to problems and difficulties in implementation. Usually, village rules and regulations are formulated through consultation between village branches and members of village committees, and then distributed to villagers in paper form. Due to the lack of timely updates, the normative content has become outdated, losing effectiveness and operability. Moreover, most villagers do not participate in the decision-making of major events at the village level, and some villagers are not even aware of it, resulting in a lack of openness and fairness in the process of formulating village rules and regulations, a lack of credibility and credibility in the normative content, and difficulty in gaining widespread recognition and compliance. However, under the current changes in rural social structure, resource and environmental issues, and imbalanced economic development, traditional village regulations and agreements are unable to effectively address these complex contradictions and resolve diverse disputes in rural governance, which in turn affects the development of promoting the modernization and rule of law construction of the rural governance system.

## **4. The Path of Rule of Law in Rural Governance**

### **(1) Establishing a sound rural legal service system**

#### **1) Deeply understanding rural development issues and improving legislation in the agricultural field**

The implementation of the Rural Revitalization Promotion Law provides legal basis and institutional guarantee for China's rural revitalization work, and promotes the comprehensive development of rural economy, society, and ecology. However, as a tortuous and lengthy process, the construction of rule of law in rural governance requires continuous refinement and improvement of legislative work, especially in the field of agriculture. In the process of improving legislation, the basic basis for relevant government departments is the Constitution of the People's Republic of China. Then,

they fully consider the interests and needs of the general public, and deeply understand the actual problems and challenges faced by rural development. In response to specific needs and difficulties, they strengthen legislative work in areas such as agricultural development, protection of farmers' rights and interests, and rural social construction, improve relevant laws and regulations, provide strong legal support and guarantees for agricultural and rural work, and promote the implementation of the rural revitalization strategy. In addition, it is necessary to integrate local legislation into the overall framework of national rule of law, and timely clarify regulations to avoid unreasonable, contradictory, and conflicting local regulations, thereby ensuring the authority and credibility of the government in the legislative process. At the same time, local legislation also needs to consider the local economic characteristics and development needs, ensuring that legal provisions are in line with the actual situation and conducive to the development and prosperity of the local economy. In the formulation and operation, it is not only necessary to comply with the framework and principles of national laws, but also to promptly identify and correct existing problems, improve legal systems, and ensure the completeness and effectiveness of regulations. To ensure the healthy development of the local economy and uphold the authority and unity of the rule of law, we must be vigilant against legislative overreach in local regulations, ensuring they do not exceed their prescribed scope of authority.

## **2) Strengthening information construction and building a rural public legal service platform**

With the continuous development of digital technology, information technology is widely applied in various fields. In the administrative management work of government departments, information construction can not only improve administrative efficiency and service level, but also achieve the integration and sharing of rural information resources, improve the information acquisition ability and quality of life of rural residents, and promote the digital transformation and intelligent development of society. Therefore, for the problem of high legal aid threshold and insufficient lawyer resources in the construction of rural governance rule of law, it can be solved by establishing a digital legal service platform. By providing online Q&A, online education, online processing and other functions, more convenient and efficient legal services can be provided to rural residents, meeting their needs for legal knowledge and services. The digital legal service platform combines modern information technology with the construction of the rule of law to achieve more efficient and intelligent governance methods. This platform can provide residents with a wider range and higher quality of legal service content without being limited by time and geography, achieving the universality and convenience of legal services. At the same time, service content can be customized according to the different needs of residents, improving the pertinence and effectiveness of services.<sup>[5]</sup> In addition, in platform construction, it is necessary to fully consider the acceptance and digital literacy of villagers towards digital services, and use a combination of online and offline governance methods to meet the needs of different groups, improving the coverage and quality of legal services. Furthermore, it is crucial to focus on vulnerable groups within the community, actively listen to their needs, and offer tailored legal assistance and support. By doing so, we can ensure that all villagers experience the compassion of the rule of law and receive their rightful rights and protections. This approach will not only enhance the level of rural governance under the rule of law but also contribute to achieving social equity and justice.

## **(2) Paying attention to improving the legal awareness of villagers**

### **1) Increasing efforts in promoting legal education in rural areas and developing targeted content**

In order to better enhance the legal awareness of villagers, efforts should be made to promote legal education in rural areas. Based on the progress of local rural governance and the current situation of villagers' legal awareness, targeted promotional content and methods should be formulated. By integrating local characteristic elements, the promotion of the rule of law can be more closely related to the actual life and emotional needs of villagers, and enhance their sense of identification and acceptance of the rule of law. Only by truly understanding the importance and role of the law can farmers enhance their awareness of the rule of law and promote the construction and development of rule of law rural areas. In addition, legal education should keep up with the pace of the times, adjust the focus of publicity in a timely manner, and meet the new needs of villagers. By paying attention to and serving the actual needs and desires of villagers, we help them understand laws and regulations, and protect their own rights and interests. At the same time, with the development of society, the diverse legal needs of villagers are becoming increasingly diverse. Therefore, it is necessary to integrate the diverse legal needs of villagers into the content of legal education, solve the legal problems encountered by villagers in production, life, and other aspects, provide more comprehensive and effective legal services, and promote the in-depth development of rural rule of law construction.

## **2) Expanding the education channels for villagers and strengthening their ability to apply legal thinking**

With the development of the Internet, the rural information infrastructure is also constantly improving. The application of new media technology in the construction of the rural rule of law can spread legal knowledge more widely and efficiently, and improve the legal awareness and literacy of rural residents. So in addition to traditional legal education methods such as door-to-door lectures and posting notices, short video platforms can also be combined to vividly and intuitively display legal knowledge and cases, including environmental pollution disputes, marriage disputes, collective economic rights disputes, etc. This can not only improve the efficiency of information transmission, but also enable villagers to understand more legal knowledge and enhance legal awareness. In addition, cooperation can also be established with law schools in universities to jointly carry out public welfare and legal education activities. In the activity, students explain legal knowledge to villagers in a humorous and witty way, using simple and clear language to solve legal problems in daily life and production. Teachers record and supplement important knowledge points that students have missed, ensuring the accuracy and comprehensiveness of the lecture content. Interactive legal education can not only better attract the attention of villagers and improve the effectiveness of legal publicity, but also promote rural residents' understanding and compliance with the law, enabling them to timely use legal thinking to protect their rights and interests when encountering problems.

## **(3) Strengthening the construction of grassroots legal teams**

### **1) Improving local talent attraction strategies and enhancing the service capacity of grassroots rule of law**

In the construction of rule of law in rural governance, excellent legal talents can provide strong support and guidance through their professional legal knowledge and law enforcement experience. So, according to national and local policies, we will improve talent attraction strategies, provide favorable treatment and funding conditions, attract more law graduates to return to their hometowns, and strengthen the rural legal talent team. To foster a sense of belonging among talents and encourage their active participation in rural development, it is essential to provide well-equipped infrastructure and a high-quality living environment. Additionally, offering policy preferences in healthcare, elderly care, and education can further promote their integration into rural communities. These measures will not only enhance the quality of life in rural areas but also contribute significantly to the construction of a robust rural rule of law framework. In addition, regular and systematic training should be conducted for grassroots legal teams to help them better respond to various legal issues and play a more effective role.<sup>[6]</sup> The training content should not only include basic legal knowledge and practical legal skills training, but also combine with the actual situation and social needs of local rural areas, pay attention to current hot issues and prominent disputes, provide targeted training content to better improve problem-solving abilities and levels. At the same time, by combining online explanations with offline education, legal talents can not only acquire theoretical knowledge, but also engage in on-site practice and case analysis, better meeting the learning needs and actual situations of different legal talents, forming a high-quality and highly skilled grassroots legal team, and providing strong support for the process of rural governance under the rule of law.

### **2) Optimizing the operational mechanism of law enforcement agencies and transforming governance concepts**

In the construction of rule of law in rural governance, grassroots law enforcement agencies establish cross departmental and cross unit cooperation mechanisms, clarify the responsibilities and cooperation methods of each department, strengthen information sharing and collaborative operations, and improve law enforcement efficiency and consistency.<sup>[7]</sup> Strengthening the supervision and evaluation of law enforcement agencies, law enforcement actions can comply with legal provisions and procedural requirements, effectively preventing abuse of power and corruption, and improving the fairness and transparency of law enforcement. To enhance the efficiency and quality of rural governance, it is crucial to clarify legal norms and procedures and ensure that governance behaviors are well regulated. Rural governance must adhere to the rule of law, addressing issues and resolving disputes through legal means that reflect the spirit of the rule of law. By reinforcing the application of rule of law thinking, we can ensure the effective implementation of rural governance work.

## **(4) Revising and updating existing village regulations and agreements**

In the legalization of rural governance, village rules and regulations serve as effective tools for governance, providing a basis for solving various problems and contradictions. Therefore, it is

necessary to timely revise and update existing village regulations and agreements, absorb the opinions and suggestions of villagers through forms such as village meetings, symposiums, and questionnaire surveys, and allow villagers to participate in the formulation and modification process of village regulations and agreements. This can better meet practical needs and public demands, and improve the operability and effectiveness of regulations. "At the same time, by taking into account the actual development needs and traditional culture of the local area, village rules and regulations are tailored to better reflect the realities of rural life and align with local cultural traditions and social customs. This approach improves their acceptability and enforceability." In addition, village rules and regulations should be organically connected with national laws and regulations, establishing a complete legal system. By eliminating any content that conflicts with the law, the legality and effectiveness of village rules and regulations should be ensured. The updated normative content should be made public, and all villagers should be notified. At the same time, feedback channels should be established to receive feedback and suggestions from villagers on the updated content, timely identify problems and resolve conflicts, which is conducive to promoting the rule of law construction in rural society and promoting the modernization and standardized development of rural governance system.

## 5. Conclusion

In summary, the construction of rule of law in rural governance plays a very important role. In the process of construction, a sound rural legal service system should be established, focusing on improving the legal awareness of villagers, strengthening the construction of grassroots legal teams, revising and updating existing village rules and regulations. This not only helps to protect the legitimate rights and interests of villagers, improve the rule of law in rural society, but also enhances the efficiency of grassroots governance and ensures the effective implementation of the rural revitalization strategy.

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