

Original Paper

Construction of Legal Order in Traditional Villages under the Background of Rural Revitalization Strategy --Taking Qianmei Village of Shantou City as an Example

Meiling Ke

Guangdong Ocean University, Zhanjiang, 524000, China

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Abstract

Since the new era, the construction of rural rule of law has gradually received more attention and attention. The construction of rural rule of law order is an important link to promote the construction of rural rule of law, and it is an inherent requirement to promote the implementation of rural revitalization strategy from the track of rule of law. Under the background of rural revitalization strategy, traditional villages take cultural tourism development as a means of revitalization and development and introduce more subjects such as tourists into the field of rural development. The experience and deficiencies of rural governance and the construction of legal order are of more reference value. Taking Qianmei Village, Shantou City, Guangdong Province as an example, this study uses the research methods of questionnaire survey, interview survey, field observation and literature survey to explore the practical experience of traditional villages in promoting rural governance by industrial development and forming villagers' norms by village rules and people's conventions, and concludes that there are four problems in the construction of the rule of law in the process of unclear legislation, lack of confidence, lack of law popularization and insufficient guarantee mechanism. In the face of these problems, the author tries to improve the basic legal system and build the foundation of the legal order in rural areas. Improve the ability to practice the rule of law and establish the authority of the rule of law in rural areas; Improve grassroots legal services, based on the actual needs of rural areas; The overall idea of strengthening the publicity and education of the rule of law and innovating the publicity methods of the rule of law seeks to make the rule of law truly rooted in the rural land of Chinese society.

Keywords

Rural legal order, Legal order, Rural revitalization, Traditional villages, Qianmei Village

1. Introduction

The rural revitalization strategy implemented by China elevates the rural construction movement to the level of national strategy, which has historical stage significance for rural construction. Since the proposal of the rural revitalization strategy, all parties have made unremitting efforts to deepen poverty alleviation, food security, ecological governance and other fields, and the rule of law is also an important part of it. Relatively speaking, the promotion of the rule of law in rural areas is faced with more difficulties, more obstacles, and slower results. To make the construction of the rule of law in rural areas feedback the rural revitalization strategy, keep up with the pace of the construction of a modern socialist power, and further promote the good practice of rural governance, the construction of the rule of law in rural society needs more attention.

In 2012, the No. 1 Central Document proposed to "intensify efforts to protect traditional villages and dwellings with historical and cultural value and ethnic and regional elements." Since 2013, the No. 1 Central Document has put forward the protection requirements for traditional villages every year and provided financial support, which shows that the state attaches great importance to the protection of traditional villages. Qianmei Village, Longdu Town, Changhai District, Shantou City, is not only a "traditional Chinese village", but also an "ancient village in Guangdong Province", and enjoys the title of "National historical and cultural village". With the blessing of multiple identities, the protection and management of Qianmei Village deserves comprehensive attention. Under the background of the rural revitalization strategy, Qianmei Village focuses on the development and construction of cultural tourism, takes the red overseas Chinese hometown culture as the background, makes full use of the famous traditional Chaoshan residence of Chen Cihong as a tourist attraction, protects and repairs the ancient buildings, develops and builds the overseas Chinese cultural tourism area of Qianmei Ancient Village, and promotes the revitalization and development of Qianmei Village's multi-industry through tourism. Under the practice of promoting rural revitalization through cultural tourism development, the rural governance and legal order construction of traditional villages are more special and typical. Based on the above background, this study selects Qianmei Village, Longdu Town, Changhai District, Shantou City, Guangdong Province, as the research object, and uses the investigation and research methods of questionnaire survey, interview survey, field observation and literature survey to deeply explore the construction of the legal order in traditional villages and villages, so as to provide research experience for promoting the process of rural revitalization and rule of law construction according to local conditions.

2. Research Background and Research Methods

2.1 Research Background

Once the rural revitalization strategy has been implemented, the vast rural areas have undergone earth-shaking changes. In 2021, the "Opinions of The State Council on Comprehensively Promoting Rural Revitalization and Accelerating the Modernization of Agriculture and Rural Areas" clearly stated:

"To carry out the pilot demonstration of rural governance. We will create model villages for democracy and the rule of law, and foster model households for studying and using the law in rural areas." From the "Opinions" we can know that the problems of "no view" and "no understanding of law" in rural governance of traditional rural areas block the further development of rural areas, and vigorously cultivate new farmers who learn law and know law and law are effective measures to solve the problem.

The law embodies the rationality of most people, and the high-level development of rural governance cannot be separated from the construction of the rule of law, and the construction of the rule of law order can bring rural revitalization into a new stage. Effectively exert the supporting role of the rule of law in agricultural transformation and upgrading, guiding role in rural reform, guaranteeing role in rural governance, cultivating role in new farmers, and promoting role in the transformation of government functions. The construction of the rule of law order will make agriculture, rural areas, farmers and the government and other relevant people, things and things related to rural revitalization and development form a perfect closed loop and provide a strong legal guarantee for comprehensively promoting rural revitalization and accelerating agricultural and rural modernization.

2.2 Research Methods

Questionnaire survey method: In this study, different subjects such as village cadres, villagers, tourists and skill inheritors designed and made questionnaires about the legal protection of traditional buildings in Qianmei Village and the construction of rural governance under the rule of law. A total of 500 questionnaires were created, 440 were recovered, and 290 were valid questionnaires. On this basis, comprehensive statistical analysis was conducted.

Case analysis: In the study of the existing problems in the construction of the rule of law in Qianmei Village, this paper combines theory and practice by analyzing the existing litigation cases and publicity measures of Qianmei Village to prove the importance of the construction of the rule of law in the revitalization and development of rural areas, to make the problem more specific and put forward relevant solutions.

Interview survey: Through face-to-face interviews with tourists and villagers, it is learned that most people are unfamiliar with the rural legal system, and there are problems such as lack of publicity of rural rule of law and villagers' weak belief in rule of law.

Field observation method: Based on the team's in-depth field investigation in Qianmei Village, this paper obtained the implementation of village rules and conventions and the application of laws in villagers' daily life through actual experience, to obtain the construction of the legal order in Qianmei Village and conducted in-depth analysis and summary.

Literature research method: Through CNKI, this paper consulted a large number of literature materials, such as the Construction of Rural legal Order in Guangxi Ethnic Minority Areas from the perspective of "Rural Revitalization" and the Cultivation of farmers' belief in the rule of Law under the Strategy of Rural Revitalization, to understand the latest research trends, refer to the existing research results, and

choose the valuable topic of the construction of legal order on this basis. This paper analyzes the significance of the construction of legal order to rural revitalization and development and sets up the basic theoretical framework of this study.

3. The Meaning of the Study of Rural Legal Order

3.1 Overview of the Theory of Legal Order

In contemporary China, after decades of rule of law practice, legislation, judicature, administration and other aspects have become increasingly perfect, and relatively stable social relations based on legal provisions have gradually formed, widely existing among citizens, between citizens and the government and between government agencies, and legal order has become a new manifestation of social order. With the development of the modernization of the construction of the rule of law, the social order based on law is no longer only manifested as cold laws and procedures but has reasonable humanistic care and value adjustment under different practice scenarios, providing certain value guidance for social operation, and gradually introducing social relations under the operation of law into a higher form, that is, the legal order.

If the legal order is a social order realized through the operation of law, then the legal order is a social order that fully represents the realization process and value evaluation of the rule of law. Since the standard operation of laws, the rule of law order adds the value judgment of the rule of law practice, pays more attention to the good and evil and reason presented in the process of law operation, and puts forward the value level requirements for the operation of law. Speeding up the construction of the legal order can form a more stable consensus on the rule of law among citizens, cultivate citizens' trust and reverence for the rule of law, and add rational impetus to the stable operation of social order.

3.2 Research Significance

The General Secretary further proposed "upholding the rule of law in an all-round way and promoting the construction of China under the rule of law", pointing out the direction of the rule of law for comprehensively building a modern socialist country. In rural society, traditional factors such as human relations and family ethics occupy an important position in social operation, making it more difficult to promote the construction of the rule of law. The backward economic development, the imperfect political system and the modern rule of law culture in rural areas have all caused the construction of the rule of law in rural areas to be too formal and movement, and its effect has been greatly reduced. The practice of rule of law over the years shows that building a good rural rule of law order is an important link to promote the construction of rural rule of law, and the only way to improve the rural governance system, which is of great significance for promoting the implementation of rural revitalization strategy from the track of rule of law.

Since the reform and opening, the development of urbanization and industrialization has led to the continuous growth of urban demand for labor, and the introduction of convenient policies such as the household registration reform system has further accelerated the outward flow of rural population. The

development of rural areas is relatively slow, and both farming and business in rural areas are faced with the problem of low returns, which leads to the obvious lack of attractiveness of rural young and strong labor force. Therefore, many rural areas have become "empty nest villages" and "hollow villages", the problem of rural population aging is serious, and rural construction and rural governance are facing difficulties such as talent shortage, backward methods, and futility. Especially in the field of rule of law construction, the local society, which has long relied on traditional laws such as clan and morality as the main binding force, has not adapted to the rule of law construction, and there are often phenomena that are contrary to the original intention of rule of law construction, such as "replacing law with emotion" and "replacing law with power", which need more attention and consideration. In particular, the traditional villages that the state focuses on, take cultural tourism development as the industrial support for rural revitalization, and the social order construction problems highlighted in rural governance have high value reference significance for the construction of modern countries. Through investigation and research, explore how to solve the problem of the incompatibility between the construction of the rule of law and the local society, and try to clear the obstacles to the construction of the rural legal order, which can provide direction and guidance for better promoting the construction of the rule of law in rural areas, and provide theoretical practice for comprehensively promoting the rule of law.

4. Experience Accumulated in Qianmei Village's Rural Governance

Since the country attaches great importance to rural construction, Qianmei Village has actively responded to national policies and accelerated the promotion of rural governance and has been included in the lists of "Chinese Historical and Cultural Villages", "Chinese Traditional Villages" and "China Beautiful Leisure Villages", and has many practical experiences in rural governance, laying a good foundation for the construction of rural legal order.

4.1 Promoting Rural Governance through Industrial Development

On the one hand, as a traditional village with a history of more than 600 years, and located in Shantou, a famous hometown of overseas Chinese, the traditional residential buildings of Qianmei Village have great ornamental value and cultural and historical research value. In particular, the former residence of Chen Cihong, the largest and best preserved overseas Chinese residence in Lingnan area, can not only show visitors the unique architectural characteristics of Chaoshan, but also let visitors appreciate the charm of Chaoshan overseas Chinese culture. On the other hand, in addition to the red line of cultivated land protection drawn by the state, the rural cultivated land is gradually disappearing, and villagers choose to go out to work or do business and return to the village after having a certain savings to build buildings on the homestead. Under the empowerment of rural revitalization, the traditional agricultural development mode has been unable to meet the villagers' yearning for a better life, and it also restricts the transformation and upgrading of Qianmei Village. In this context, Qianmei Village fully sees its own characteristics and takes the protection and development of cultural tourism resources as the focus

of its work.

According to the In-depth analysis of the status quo and development trend of China's Rural Tourism Industry Research Report, from January to October 2021, China's rural tourism received 1.85 billion tourists, an increase of 43.4% year on year, and in 2019, before the outbreak of the novel coronavirus epidemic, the scale of rural tourists reached 3.094 billion, showing the broad prospects of rural tourism. Qianmei Village chooses the former residence of Chen Cihong as the center, radiates the protection, renovation and development work to the surrounding areas, rationally uses the financial support of the government and enterprises, establishes the Qianmei Ancient Village Overseas Chinese cultural tourism area, and brings the revenue growth of tourism for Qianmei Village. Based on fully promoting the development of tourism, Qianmei Village further integrates the green agricultural resources in the village, strives to build a modern agricultural demonstration area, and promotes the revitalization and development of various industries in the village with the development of cultural tourism, so that all villagers can share the fruits of revitalization and development. This series of measures is conducive to stimulating the enthusiasm of villagers to participate in rural construction, improving the satisfaction and sense of identity of villagers' rural life, and laying a good industrial foundation for further improving the rural governance system and establishing the rural legal order.

4.2 Form Villagers' Norms with Village Rules and People's Covenants

Under the advanced guidance of national strategies and laws and regulations, the village Committee of Qianmei Village, in accordance with the "Village (resident) autonomous Organization Law" and the principle of "one matter, one discussion", formulated village rules and conventions in environmental protection, folk customs, and building repair. Through easy-to-understand village rules and conventions, the core of laws and regulations is spiritualized into the daily life of villagers, forming a consensus among villagers on norms of behavior, and showing the characteristics of policy implementation in accordance with local conditions. This measure is conducive to improving villagers' understanding of national laws and regulations and developing villagers' respect for the spirit of law. According to the former Meicun Village Committee cadres in the interview, when the villagers appear to violate the rules, the village committee mainly adopts persuasion, mediation and other means, through the emotional and rational way to convince people to understand and abide by the village rules and covenants.

In the process of promoting rural revitalization in Qianmei Village, the village rules and conventions play a particularly important role in driving and regulating the people. For example, the Village Committee specially formulated the "Longdu Qianmei Village Committee Love Road Road Protection Village Regulations", aiming to strengthen the maintenance and management of rural roads, maintain the smooth and safe roads, and better facilitate the production and life of villagers. The "Village Regulations of Love Road and Protection Road" mentions seven norms in total, making provisions for highway management in simple and popular language, listing prohibited acts and punishments for violations of regulations, and playing a role of education and warning to villagers. The third item: It is not allowed to dry grain on the township and village roads, set up stalls, pile up debris, set up obstacles,

open ditches and other operations unrelated to road maintenance. It can remove obstacles for road maintenance, maintain the order and cleanliness of roads, cooperate with the blue sky and clear water protection action carried out by the village committee, and promote the revitalization of rural ecology. In the action, the village committee purchased automatic sweeping trucks and allocated 20 cleaning staff to achieve the normal management of highway environmental health, and fully implemented the garbage bagging and regular door-based collection mechanism, so that the garbage is daily clear, and promoted the maintenance and development of rural ecology. Under the constraints of the village rules and regulations, Qianmei Village maintains a clean and tidy road environment, which not only facilitates the production and life of the villagers, but also leaves a good impression on the visiting tourists.

In addition to the content of road environment, in the protection work of traditional villages, village rules and regulations are mainly reflected in the provision that villagers must follow the principle of "repairing the old as the old" when they repair their houses independently, and it is forbidden to overturn traditional buildings and build modern buildings. In terms of supervision, Qianmei Village gives full play to the role of grass-roots organizations as a fighting fortress, develops a pioneer model package and household grid management service mechanism, and divides the village into 14 districts and 5 grids. Grid members are responsible for going to the household, strengthening the service and supervision of villagers, and playing the role of the vanguard connecting with the masses and driving the masses. It can effectively supervise and promote villagers to abide by village rules and conventions, and drive villagers to join the ranks of rural governance, forming a grassroots governance pattern of top-down and efficient linkage, and laying a solid mass foundation for the construction of rural legal order.

5. Problems Existing in Qianmei Village Rule of Law Construction

Through the methods of data collection, field investigation, questionnaire survey and interview survey, the current situation of rural governance in Qianmei Village is mastered, and the deficiencies in the construction of the rule of law in Qianmei Village are summarized in combination with the requirements of the country's rule of law construction, so as to explore the problems existing in the construction of the legal order in the rural society today, so as to better find ways and paths to solve the problems.

5.1 Unclear Legislation Impedes the Practice of the Rule of Law

In 2002, the Law on the Protection of Cultural Relics first clarified the concept of historical villages and towns. To implement the law on the protection of cultural relics, The State Council officially promulgated the Regulations on the Protection of Famous Historical and Cultural Cities, Towns and Villages in 2008, which formulated detailed rules for the protection of historic and cultural villages. In this regulation, China's recognition of historical and cultural villages has a certain authority and compulsion, requiring the protection subject to undertake the compulsory maintenance and repair obligations of historical buildings. In administrative management, government departments mainly

adopt supervision and management, financial support and other ways to protect historical buildings. As a national-level traditional village, Qianmei Village is committed to the protection of traditional villages in accordance with national regulations, but in the actual protection and development process, collective and individual conflicts are prone to occur. A typical example is that the administrative duties of the government overlap with the rights and obligations of building owners. In the process of protecting traditional villages, the rural land is owned by the collective, which leads to the conflict of rights between the owners of traditional buildings and the government. For the buildings judged as state-owned immovable cultural relics, the government can protect them through expropriation or investment of funds, but in addition, the ownership of many traditional buildings in traditional villages belongs to the village collective or farmers, and the private buildings on the homestead are owned by the villagers themselves. The former Meicun Village Committee, in accordance with the provisions of the state, formulated the village rules and covenants of "repairing the old as the old", supervising and exhorting the villagers who enjoy the ownership of private buildings not to demolish or relocate traditional buildings without authorization, to protect the integrity and uniqueness of traditional buildings. At the same time, villagers enjoy the ownership of traditional buildings, which includes the right to occupy, use and dispose of their own buildings. However, the village rules and regulations restrict the villagers' right of free disposal, requiring villagers to follow certain standards in the process of maintenance and new construction, and use original materials and repair according to the original construction technology, resulting in the cost of new traditional buildings is often higher than that of ordinary buildings. In line with the original intention of protecting the interests of traditional villages and villagers, the village regulations on the contrary limited the villagers' right of free disposal, which did not benefit the villagers in the short term and brought heavy burdens to the villagers who were willing to maintain the ancient houses. There is a great conflict of interest between the government's binding protection measures for traditional buildings and the villagers' private rights.

In this case, the bottom line is that unclear legislation is hampering law enforcement, justice and even the protection and development of traditional villages. It reflects the lack of pertinence of the current legal provisions on the protection of traditional villages and ignores the subject status of villagers in the protection of traditional villages, which is a typical proof that the system construction is not based on local practice. In addition to the protection and renovation of traditional buildings, there are more rural governance issues that are not supported and discerned at the legislative level, which fundamentally hinders the process of rule of law construction, and the rule of law order cannot be built.

5.2 The Dilemma of Villagers' Belief in the Rule of Law

The development of modern law into rural areas has produced fierce conflicts. In traditional and conservative ancient villages with clan ancestral hall culture, it is more difficult for villagers to establish their belief in the rule of law. Through data collection, the disputes and the causes of disputes occurred in the process of protecting traditional villages are sorted out, from which the true face of Qianmei Village's legal consciousness and legal belief can be understood.

Table 1. Former United States Village Lawsuit Case Custom Table

		Case type			
		Criminal cases		Civil cases	
		Quantity	Ratio N %	Quantity	Ratio N %
Whether the prosecution was initiated	Yes	7	87.5%	1	25.0%
by the public prosecutor's Office	No	1	12.5%	3	75.0%

As shown in Table 1, from 2014 to 2023, there were 12 litigation cases related to Qianmeicun villagers, of which 66.7% were criminal cases and 33.3% were civil cases. In criminal cases, up to 87.5% of cases were prosecuted by the procuratorate, and many cases were automatically dropped due to non-payment of legal fees. The villagers of Qianmei Village have a weak sense of law, which is also a common problem in most rural areas of the country. Villagers do not have a strong sense of law, and when their legitimate rights and interests are infringed upon, they lack the awareness and ability to protect their rights by law. Seeking legal help does not occupy a dominant position in the minds of rural villagers, which means that compared with urban areas, the construction of the rule of law in rural areas is more difficult to promote.

In life and communication, Qianmei Village, as a new form of traditional village, is different from other ordinary villages, and its traditional force is particularly strong compared with other villages, which stems from economic and historical factors. Historically, the village often uses emotion to replace the law and power to replace the law, which is one of the reasons why Qianmei Village appeals cases are few and the results are not resolved, which is also a common problem in many rural areas across the country. Through conversations with villagers, it is known that when most villagers have conflicts and disputes, they tend to deal with them through negotiation or by seeking elders with high reputation, relying on interpersonal network to clear obstacles or provide convenience, and rarely seek legal means to solve problems. In the long run, the way of solving problems with money, power and human favors has left a deep-rooted imprint in the hearts of the people. In the rural society where, legal provisions have not been popularized and the process of rule of law construction is slow, there has been a great degree of lack of law in the lives of villagers, which also leads to the law becoming "less useful" and "better than mastering money and power" in the minds of villagers. The logic of legal dispute mediation is completely different from that of villagers. Under such a background, the use of power to intervene in the implementation of laws and judicial processes has taken the opportunity to breed, and there has been a phenomenon of irregularities in the implementation of laws in rural areas. This not only infringes the legitimate rights and interests of the villagers and endangers the fairness of legal practice, but also misleads the villagers' cognition of the law, making them doubt the existence and application of the legal system, leading to difficulties in the establishment of villagers' belief in the rule of law, and is not conducive to the establishment of the authority of the rule of law in rural society.

In judicial practice, the court and the law should be easy to be close to, especially in the context of trying to build a legal order, the significance of the court for citizens is more prominent. Through the government-led publicity and education on the rule of law, the system setting and institutional arrangement of grassroots justice, farmers' concept of rule of law has been improved, and these changes have an important impact on the emergence and development of rural rule of law order. However, in the further practice, Qianmei Village still presents many deficiencies, so that the court and the law always have a sense of distance from the villagers. According to the survey, Qianmei Village is easy to ignore the cultivation of villagers' legal thinking in the specific work deployment, and the channels for villagers' interest appeals also need to be smooth, resulting in inappropriate expression of reasonable demands by villagers when fighting for interests. In addition, Qianmei village did not effectively play the role of the popularization of public goods under the rule of law, there were few judges stationed in the village, and its legal service mode was relatively passive. The legal services in villages are not closely connected with the local villagers, failing to build a public legal service system truly embedded in the rural field, and failing to provide good objective conditions for the villagers to establish legal belief, resulting in difficulties in the construction of the rule of law.

5.3 Lack of Publicity and Education in Many Aspects

The lack of villagers' belief in the rule of law hinders the development of the rule of law construction process. To change this situation, accelerate the construction of the rule of law in rural areas and enhance the villagers' awareness of the rule of law, it is indispensable to daily publicity and education of the rule of law. Guiding villagers to establish trust in the rule of law from the perspective of ideas can help establish the value identification in the process of law implementation and lay a good foundation for the road from legal order to the construction of legal order in rural society. The publicity and education of rule of law is the long-term basic work to realize the comprehensive rule of law, and the grassroots publicity and education of rule of law is the "last mile" of law popularization.

Through the interview survey and field observation, it is found that there is still a certain gap between the grassroots law popularization for the villagers in Qianmei Village and the realistic requirements of comprehensively governing the country according to law, and the following problems exist.

First, the work of popularizing the law is not sustained or in-depth. According to the investigation of Qianmei Village, Qianmei Village has carried out few publicity activities for the popularization of the law for rural villagers, and its work in popularizing the concept of rule of law is weak. The village committee has not regarded the popularization of the law education as a basic and long-term task in its work deployment. The publicity and education of law popularization in villages mostly rely on the public welfare publicity activities carried out by foreign judicial institutions from time to time, which is not stable and long-term, and cannot really bring legal knowledge to the daily life of villagers.

Second, the effectiveness of the work needs to be strengthened. The way of legal publicity in Qianmei village is relatively simple, and the more common way is to hang banners and distribute publicity materials. Such publicity methods lack interaction, and the villagers' participation and enthusiasm are

not high. At the same time, it is necessary to recognize the audience of law popularization work. At present, most of the villagers living in Qianmei Village are elderly people, who have a low level of education, do not know many Chinese characters, and are weak in accepting new governance models and concepts, which is likely to cause misunderstandings and quarrels in the actual process of law popularization. At present, the work of law popularization lacks flexibility and pertinence, and does not carry out publicity and education according to local conditions and characteristics of the village, resulting in the work of law popularization is difficult to be effective even if it is implemented.

From a practical point of view, most traditional villages, including Qianmei Village, mainly protect their villages through tourism development. The villages expect to promote rural revitalization and development through tourism development, get more attention from the state and even the whole society, and obtain more protection funds. In the process of the development of traditional village tourism, it is inevitable to face the conflict between the tourist demand and the protection of traditional village.

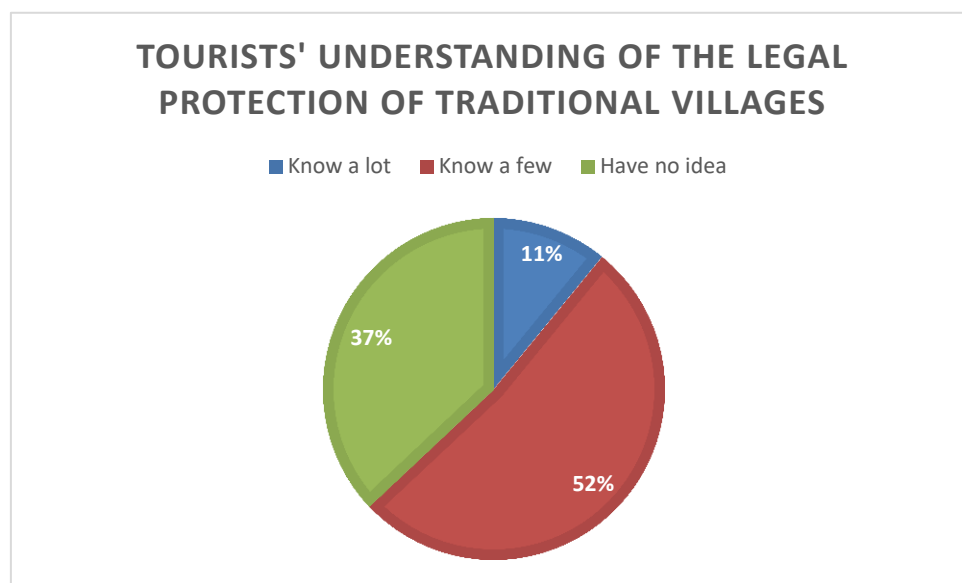


Figure 1. The Understanding Degree of Qianmei Village Tourists on the Legal Protection Knowledge of Traditional Villages

As shown in Figure 1, questionnaire survey and data analysis show that 89.2% of the surveyed tourists in Qianmei Village have little or no knowledge of legal protection of traditional villages, which indicates that most people have weak knowledge of rural legal protection, which may bring additional obstacles to village development, protection and rule of law construction. Therefore, under the background of the era of rural revitalization, and living in the special field of traditional villages, not only villagers but also tourists participating in rural tourism need to accept relevant law popularization, and the issue of legal protection of traditional villages should become a common concern of the whole society.

5.4 Insufficient Village Development Guarantee Mechanism

First, the funding security system is insufficient. On the one hand, the government provides financial support for the protection and development of villages, and the investment funds for rural development increase year by year. However, due to the large rural base and backward economic development, fixed financial investment cannot fundamentally change the reality of weak funds for rural construction. Through data investigation and in-depth interview, it is found that despite receiving financial support from the government, Qianmei Village still has problems of insufficient protection funds and slow maintenance and development progress. In addition, the implementation of this protection and development fund needs to be clarified, and the purpose provisions cannot be unified, resulting in its effectiveness for the protection of traditional buildings is greatly weakened. On the other hand, it is understood that Qianmei Village strives for funding support at all levels every year, but in actual operation, the division of benefits obtained by the government, social capital, and village collective economic organizations in the process of protecting and developing traditional villages has yet to be clarified, making it difficult for village construction to carry out work in terms of funding security.

Second, the use of funds is dispersed. Qianmei Village is a traditional village for protection, development and utilization. Due to the limited amount of funds, many areas of expenditure and many subjects involved, it is difficult to achieve the key breakthrough of funds, so it is difficult to achieve scale effect, and the village development process is slow.

Third, the supervision mechanism is not perfect. At present, Qianmei Village has not made detailed provisions on the fund guarantee supervision, and the relevant legislation does not involve the supervision procedures and mechanisms for the use of government funds. In addition, Qianmei Village introduces commercial capital through tourism development, but due to the lack of unified management and norms, no stable source of funds has been formed, which makes it difficult to obtain effective support for village construction in terms of fund guarantee.

6. Suggestions for the Construction of Rural Legal Order

6.1 Improving the Community-level Legal System and Strengthening the Foundation of Rule of Law and Order

"In any form of government, the people are the real law makers." Edmund Burke's "the people are the makers of the law" means that the legal system should be as people oriented as possible and highlight the subject status of the people. In view of this, the agriculture-related system should take the peasants' main status and rights protection as the value orientation, and gradually improve the system construction under the clear value guidance. In the current Chinese society, the legal, political, educational and social security systems need to be improved, otherwise it will not be able to provide institutional guarantee for the construction of rural legal order.

First, we should constantly improve the rural land system, agricultural policies and regulations and other laws and regulations closely related to rural governance, to promote the institutionalized legal and

standardized development of rural governance and lay a solid foundation for the construction of rural development order. Second, the political system is a strong pillar of rural governance. It is necessary to continuously strengthen the construction of rural grass-roots organizations, improve the legal awareness and the concept of rule of law of cadres, and ensure the effective play of the CPC leadership in rural governance. In addition, education is the country's major plan, is an important fulcrum of rural governance. Constantly strengthen rural education, improve farmers' legal awareness and concept of rule of law, cultivate farmers' legal literacy and ability to participate in rural governance, to improve the comprehensive quality of villagers and create new farmers in the era. The basic-level organization's role as a fighting fortress is combined with the autonomy of the grass-roots masses to guide all the people to consciously abide by the township rules and conventions, realize the coordination and interaction between the state and the people, and jointly help the rural revitalization. Finally, the social security system is a guarantee for the masses, especially for farmers. Establishing and improving the rural social security system, improving the level of farmers' social security, and reducing social problems caused by natural disasters and poverty can greatly reduce the burden of farmers and enable them to increase their participation in rural governance when they are well-off.

If rural governance is to be effective and the rule of law and order is to be constructed, the supporting system must be improved, the obstruction between the village and the system should be cleared up, and the supporting system should be compatible with the local reality, to promote the construction of a beautiful countryside with well-governed, coordinated and vibrant.

6.2 Improve the Ability to Practice the Rule of Law and Establish the Authority of the Rule of Law in Rural Areas

Chinese society is rural. This local nature is directly reflected in the "acquaintance society", which directly exposes the disadvantages that the villagers solve the problem not by taking up legal weapons to defend their legitimate rights and interests, but by orally mediating conflicts based on friendship. This solution leads to the dilemma of farmers' belief in the rule of law, resulting in ideas such as "hate litigation", "privilege", "paternalism" and "seeking relationships", which are incompatible with the value concept and behavior pattern of socialist rule of law, and bring great challenges to the construction of modern rural governance system.

As mentioned above, the villagers of Qianmei Village also have the dilemma of lack and collapse of belief in the rule of law. To solve the dilemma of farmers' belief in the rule of law, we should analyze from the perspective of the understanding of the rule of law and the practice of the rule of law and seek ways to rebuild the belief in the rule of law.

Based on the reality of villagers' low cultural literacy and insufficient understanding of legal knowledge, the understanding of rule of law should focus on popularizing legal knowledge in a way that is popular with the public, strengthening farmers' grasp and understanding of law, and making the concept of rule of law deeply rooted in people's hearts. The value belonging of the construction of the rule of law is to let the law be practiced and applied in people's actual life, and eventually become a kind of behavior,

attitude and life concept of people, rather than only staying in the legal cognition and recognition. In the practice of rule of law, the importance of the subject of practice is particularly prominent.

First of all, grass-roots cadres should strengthen their own concept of the rule of law, consciously respect the law, study the law, know the law, understand the law, the use of the law, play its exemplary role; Second, grass-roots governments must adhere to the statutory duties must be done, not authorized by the law, firmly oppose corruption, bribery, dereliction of duty and other illegal acts, think and do things within the scope of the law, and safeguard the absolute authority of the law. Finally, grassroots judicial organs should be impartial in the face of villagers' disputes, abandon the idea of privilege, abide by legal procedures, resolutely oppose "relationship cases", "personal cases" and "money cases", and strive to let the people feel fairness and justice in every judicial case, and establish the authority of the rule of law. With the support of strong rural law enforcement ability and judicial ability, it is possible to build a complete legal order in the grass-roots villages.

6.3 Improving Community-level Legal Services Based on the Actual Needs of Rural Areas

To penetrate the local scene and acquaintance society, modern rule of law must be based on the reality of rural farmers, change the way of legal service, and break the barriers of farmers' rights protection. In view of the good interaction between the pioneer organization of Qianmei Village and the grassroots self-governing organizations, the realization of full coverage of legal advisers in 1086 villages (communities) in Shantou and the implementation of the rural revitalization strategy, the following approaches are proposed to form a complete and efficient grass-roots legal service system.

First, underlying the grassroots legal service demands are the pain points and difficulties of grassroots governance. Relying on the grassroots governance system to build a public legal service system, the village committee builds a smart platform for farmers' interest appeals, accurately classifies the appeal categories, and efficiently expands the problem-solving channels.

Second, establish and improve the system and mechanism of expatriated courts and rural judges, so that judicial personnel can go deep into the grassroots self-governing organizations, promote the joint work of rural judges and villagers' committees, achieve efficient interaction between autonomy and the rule of law, promote the integration of the rule of law country, rule of law government and rule of law society, and promote the formation of an atmosphere of handling affairs according to the law, finding the law when it comes to problems, and relying on the law to solve problems. Consolidate the foundation for building the rule of law.

Third, improve and develop the public interest litigation system. Grassroots legal services should not only be people-oriented, but also ensure the integrity of people's living environment. Qianmei Village, as a historical and cultural ancient city, is rich in cultural resources, but the protection and renovation of traditional buildings are not in place, and the legal protection is not perfect. Therefore, the procuratorial organ should actively assume the responsibility related to social public interests such as protecting the rural ecological environment and resources, and file a civil public interest lawsuit with the people's court.

Fourth, continue to improve the coverage mechanism of village (community) legal advisers. The "one village, one legal adviser" will be extended to "one village, many legal advisers", and the contact between legal advisers and village cadres and the masses will be expanded, so that the legal advisers can think about the villagers and solve the concerns of the villagers.

Fifth, actively open and expand the channels for college students to serve the grassroots and encourage college students to use their knowledge to help rural grassroots legal services achieve new results.

6.4 Strengthening Publicity and Education on the Rule of Law and Innovating Ways to Publicize the Law

Through the publicity and education of the rule of law, villagers can improve their understanding of the real face of the legal system, help villagers shape their belief in the rule of law, and promote their support and participation in the construction of the rule of law order from the fundamental ideological concept. The publicity and education of the rule of law is close to the local land, and it is more necessary to adapt to local conditions and base on local practice. In terms of the content of law popularization, cases that are closest to the concerns of villagers in their daily lives should be selected, and how to deal with land disputes, property disputes, inheritance disputes and homestead disputes should be taken as the key content of law popularization, which can not only improve villagers' acceptance of legal knowledge, but also truly train villagers' ability to defend their rights with legal weapons. Let the socialist rule of law be truly landed and applied in the rural society.

As mentioned above, most of the elderly people living in rural areas have a weak acceptance of new knowledge and ideas, and there is a shortage of legal talents in rural areas. Traditional teaching and leaflet distribution are not suitable for rural law popularization. Therefore, in the form of law popularization, it is necessary to adopt a way that can attract the attention of villagers and trigger the resonance of villagers. It can be carried out in the form of case narration, legal art performance and so on, and it is necessary to give full play to the role of TV, radio, newspapers and magazines in spreading the law, to gradually create the atmosphere and environment of rule of law in rural society. Into the new media era, live broadcast, short video and other booming, more and more people focus on short video, even the elderly can easily learn to "brush video". This means that short videos can also become a stage for legal publicity and education. In this research, with the traditional village of Qianmei village as the background and the cases closest to the villagers' lives as the theme, the team recorded a series of videos of law popularization and posted them on major social platforms, integrating and creating a Mosaic mechanism of "Law popularization and cultural tourism", which not only promoted the publicity and education of law popularization in rural areas, but also extended the audience of law popularization and education to the whole society. Drive more people to learn the knowledge of rural rule of law and join the ranks of traditional village protection, help build Qianmei village cultural tourism brand and bring new thinking to the form of rural law education.

7. Conclusion

The General Secretary has visited traditional villages many times and made important instructions on the protection of traditional villages on many occasions. The general secretary pointed out: "Rural civilization is the main body of the history of Chinese civilization, the village is the carrier of this civilization, and the farming civilization is our soft power." At present, the construction of China's modern socialist country cannot be separated from the protection of traditional villages, and the further development of traditional villages cannot be separated from the blessing of modern means. The sparks from the collision between modern and traditional will become the inexhaustible fuel for the continuous development of Chinese civilization. In the modernization of traditional villages, the construction of legal order occupies an irreplaceable important position. Increasing attention to and investment in rural legal order is a manifestation of the integration of modern rule of law construction with China's most simple customs and customs, which can make the rule of law truly rooted in the rural land of Chinese society and promote Chinese society to a more harmonious and stable social state.

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