

# The Study of the Civilizing Function of Rural Regulations and Agreements and Its Realization Path from the Perspective of “Three Governance Integration”—A Case Study of Guanzhong Region of Shaanxi Province

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**Abstract:** *As a means of rural grassroots governance, the civilizing function of rural regulations and agreements has played a positive effect on promoting the “Three Governance Integration” of rural areas in the new era. The rural regulations and agreements has important value and role in regulating the words and actions of rural residents. However, in the process of self-development and modernization, it still faces practical difficulties such as weakened autonomy functions, deviation from the concept of the rule of law, weakened effectiveness of rule of virtue, and vacant authoritative positions. To solve these problem, we must be committed to the leadership of the Communist Party of China (CPC), set the overall direction of the development of rural regulations and agreements; we should continuously improving the content and form of the regulations based on the modern law; we should not only make good use of the favourable talent resources of the new village elites to continuously inject vitality into the construction of the rural regulations and agreements, but also utilize the digital means to popularize and implement the spirit of it for a renewed positive role in the new era.*

**Keywords:** *Rural Regulations and Agreements; Civilizing; Three Governance Integration; Rural Governance*

## 1. Introduction

The most important part of social governance lies in rural governance, and meanwhile, the fruits of rural governance manifest the effectiveness of modernizing national governance system and the governance capability. The rural regulations and agreements, which contains the contract spirit and the rural morals and legal principles, has played a positive role in advancing villager's self-management and autonomy in rural areas, stabilizing rural social order, coordinating the healthy development of agriculture and rural areas, and leading the construction of spiritual civilization and new custom in rural areas. The rural regulations and agreements can be specifically regarded as two aspects of rural regulations and civil agreements. The rural regulations involve much on the governance of politics, economics, society and culture, which are formal in content and form, but have mandatory character of “the law of ancestors” in implementation. Civil agreements have the features of democracy, which are similar to the “contract” dealing with the relationship between people<sup>[1]</sup>.

Shaanxi Province, as the cradle of rural agreement culture and the birthplace of the first rural regulations and agreements of Lv's Rural Agreements, is nourished deeply by the rural agreement culture. With the advantage of rooting in the local cultural resources and the powerful advance by nation's policies in recent years, the construction of rural regulations and agreements moves forward comprehensively in vast rural areas of Shaanxi. This study selects part representative rural regulations and agreements in Guanzhong region (the central area of Shaanxi) as cases, focus on the solutions to achieve an effective governance of rural society through the civilizing function of rural regulations and agreements under the background of “Three Governance Integration” (autonomy, rule of law and rule of virtue).

## **2. The Times Value of Rural Regulations and Agreements**

Under the current requirements of comprehensive rural revitalization strategy in China, the construction of rural regulations and agreements has positive contemporary value. The rural regulations and agreements is a common law. The full play of its important civilizing function can well assist the implementation of the rural comprehensive revitalization strategy which is the one of the most and onerous task in the new era, and can be helpful to make an overall planning in many aspects of rural politics, economics, culture and society. In 2015, the Xi'an Commission for Discipline Inspection issues the decision of "give play to the role of rural regulations and agreements in rural governance". Lantian County of Shaanxi Province, the birthplace of rural agreement culture, has vigorously promoted the protection and archaeological excavation of the site of Lv Family Tomb. After that, Lantian County holds a series of cultural activities such as "Boutique Exhibition of Unearthed Cultural Relics of Lantian Lv Family Tomb" and "Four Lv" (four brothers in Lv's family) cultural seminar. Since then, the rural agreement culture learning has arisen in Shaanxi. Each village actively establishes its rural regulations and agreements and tries to incorporate it into rural management system. Until now, the civilizing function of rural regulations and agreements has been integrated into the daily life in rural areas, achieving brilliant fruits in the establishment of rural spiritual civilization, rural order and environmental governance.

### ***2.1 The spiritual guidance for building rural custom civilization***

The rural revitalization strategy clearly notes that to revitalize the rural areas, the rural custom civilization is the guarantee. Rural custom civilization essentially belongs to the construction of spiritual civilization. One of the primary tasks of the rural regulations and agreements in the new era is to achieve the function of establishing spiritual civilization in purifying village custom, developing hometown and civilizing people. The rural agreements should fully gather the excellent ideological concepts, humanistic spirit, and moral norms of traditional culture, and carry on creative transformation and innovative development, providing strong spiritual support and solid cultural guarantee for rural revitalization.

Through investigation and literature research, the author discovered the positive role of some rural regulations and agreements in Shaanxi Province in terms of cohesion, purity of rural custom, construction of hometown, and education and civilizing people. For example, in the "Rural Regulations and Agreements in Luchen Village -- Rural Custom Civilization", the requirements of rural custom and civilization are reinterpreted in catchy poetic form: "Old-fashioned custom should be removed, new custom promotes harmony. Integrity is the principle, and custom should be adhered to. Neighborhood get along in harmony, people are pleasant in positive custom. Replace foolish and ignorance with knowledge and wisdom. Believe in science and abandon superstition". Although the content of the poem is simple, it fully promotes the humanistic connotations and moral ideals hidden in agricultural culture, preserves and promotes rural civilization, shows rural virtues, and enhances cultural literacy, ensuring the future trajectory and direction of spiritual civilization construction. Nowadays, with the promotion of the village's "two Committees" and village supervision committee cadres, Luchen Village has established and improved a long-term operating mechanism for rural regulations and agreements, continuously standardizing environmental governance, neighborhood relations, social security, public morality, and other aspects, resulting in a more harmonious social order.

### ***2.2 Institutional guidance for building effective rural governance***

Rural regulations and agreements plays an increasingly important role in grassroots governance, and the value of it is of great significance for building a harmonious countryside and promoting national development and social stability. The rural agreements is born and rooted in the rural areas, which has clear regional characteristics. Moreover, the regulations and implementation rules are formulated with the personal participation of villagers, which therefore has been widely recognized, making its implementation smoother.

There has been a typical case of effective governance of rural regulations and agreements in Huangbao Village in Guanzhong region. Two households of villagers had conflicts due to unclear farmland boundaries. The police and officials relied on the dispute resolution mechanism of "peace is precious", and combined with the civil agreements to persuade and guide them, and cited the historical allusion of "Liuchi Lane" (convey the spirit of comity) to reach a consensus on the land boundary, quickly and properly resolving the conflicts between the two sides. Villagers in Yushan Town actively

regulate themselves according to the regulations and agreements, and through concerted efforts from all levels, the village affairs management has achieved the idea of “people being the master”. Not only has rural social order been ensured, but the awareness of villagers being the masters has also increased. The communication between villagers and village cadres has become smoother.

There is a large amount of content in rural regulations and agreements regarding socialist core values, improvement of living environment, eradication of crime, weddings and funerals, filial piety and love for the elderly. These contents are widely promoted through rural “loudspeakers”, publicity billboards, and other methods, which have played a practical role in solving prominent social problems such as exorbitant dowries, extravagance and waste, blind comparison, and refusal to support the elderly in rural areas. The effectiveness of rural social governance in Guanzhong has been effectively improved under the promotion of rural regulations and agreements.

### ***2.3 Executive essentials for building ecological and livable countryside***

Strengthening rural construction is an important aspect of implementing the rural revitalization strategy. The Party Central Committee emphasizes that the construction of new rural areas should firmly establish a new ecological concept and coordinate the harmonious development of human and nature. The rural revitalization strategy emphasizes “ecological livability”. Some new lifestyles and green concepts have been incorporated into the rural regulations and agreements, effectively promoting the construction of ecological livability in rural areas. According to the civil agreements of “Environmental Sanitation” of Doujiabao Village, it is mentioned that people should open windows frequently and wash their hands frequently, and abide by hygiene conventions. Plant flowers in front of and behind the house, creating the most beautiful courtyard environment. The new concept of green and low-carbon would be passed down by the descendants.

The implementation of the rural revitalization strategy in the new era constantly puts forward new requirements for the construction and improvement of rural regulations and agreements. Its advancement with the times can effectively assist national policies in promoting the construction of rural resource systems, and plays an important role in helping villagers build correct ecological awareness.

## **3. Modern Transformation of the Civilizing Function of Rural Regulations and Agreements**

The Outline of the 14th Five-Year Plan points out that we should accelerate the construction of a rural governance system led by party organizations that combines autonomy, rule of law, and rule of virtue, building a vibrant, harmonious, and orderly rural governance. Rural regulations and agreements is the governance carrier for the effective integration of the three governance. The civilizing function provides strong support for the realization of rural governance<sup>[2]</sup>.

The modernization transformation of rural society is unstoppable, but the various problems and contradictions that cannot be avoided are becoming increasingly complex. Rural governance has put forward new requirements for the development of rural regulations and agreements. In the modern transformation process of rural regulations and agreements, it is necessary to not only preserve and develop its advantages, but also to keep improved and enhanced.

### ***3.1 Value integration: the concept of “common interests first” and rural rule of virtue***

The rural regulations and agreements has the moral rationality centered on “Common Interests First”, which effectively maintains the fairness and justice of rural society, and thus better achieve the goal of rural governance. For example, in the Ming and Qing dynasties, in order to protect the tombs, water outlets, as well as limited resources such as mountains, forests, and fish ponds, the Huizhou clans established regulations to protect common interests and clarified punishment measures for violations, maintaining the harmonious development of rural areas. Some traditional rural regulations and agreements embody the moral rationality centered on “Common Interests First”, reflecting the precious spirit of collectivism. The villagers follow common interests as the fundamental principle, which has brought good effects in dealing with various contradictions and disputes in rural society, maintaining the overall order of rural society.

With the gradual disintegration of the urban-rural dual structure and the impact of industrial civilization, some ideological currents such as mammonism, hedonism, and individualism have spread

in rural areas, challenging the rural folk authority that has been ruling and managing the countryside<sup>[3]</sup>. The civilizing function of rural regulations and agreements and the rural rule of virtue have been weakened or even face the dilemma of vacancy or ineffectiveness. In response to these practical difficulties, leveraging the civilizing function can help awaken the local logic of “Common Interests First”. Lantian County issues a rural agreement of “Assistance in Need” in 2021, encouraging citizens and organizations to take part in it. Through this agreement, some disadvantaged groups receive assistance from social forces.

Nowadays, reshaping the authority and influence of rural regulations and agreements has become an important content of rural revitalization. The rural regulations and agreements should not only be formulated well, but also promoted and implemented well.

### ***3.2 Institutional embedding: “public consultation and deliberation” procedure and rural autonomy***

“Public Consultation and Deliberation” refers to everyone in the public discussion. In ancient China’s rural society, when making decisions on public affairs or solving some public interests issues, the means of Public Consultation and Deliberation became the channel for obtaining widespread recognition and support from villagers, which is beneficial for the implementation of decision-making and problem-solving. The scenes of “public discussion” and “deliberative discussion” have also appeared multiple times in traditional rural regulations and folk agreements in the form of inscriptions or paper texts excavated in Shaanxi and other regions of China. The rural regulations and agreements is negotiated and formulated by all villagers. It can reflect the common will and values of all villagers, effectively safeguarding their personal rights and resolving neighborhood disputes. Moreover, the consultative participation in public affairs also enhances the enthusiasm of villagers to participate in public affairs, which is conducive to the smooth implementation of village autonomy, avoiding unnecessary conflicts and contradictions.

After the reform and opening up, in response to the fragmented and dispersed situation of rural society, rural regulations and agreements has played an important role in “institutional integration”. The agreements unites and integrates dispersed individual farmers to share responsibilities and discuss issues together. Since 2020, Lantian County has been exploring and practicing the governance model of “Fengqiao Experience + Rural Agreement” (Fengqiao Experience refers to the social governance experience in Fengqiao Township of Zhejiang Province), resolving public issues through public consultation and deliberation. With the appeal of rural regulations and agreements, the credibility of public security organs, and the mediation of a team of mediators, interests entanglements and conflicts between generations have been successfully resolved, avoiding fierce confrontation among villagers. Due to its good results, the local government has systematized and patterned this method, exploring the establishment of a “Four-step Method for Solving Contradiction and Dispute”, which resolves conflicts at the grassroots level through reasoning, settling disputes, mediating in accordance with the law, and defusing contradiction, forming a more orderly rural governance.

To promote rural revitalization and the construction of safe countryside in the new era, it is necessary to continue to adhere to and develop the “Fengqiao Experience”, combine it with rural regulations and agreements and leverage the power of the masses, achieving rural social prevention and governance, and jointly building a harmonious and beautiful countryside.

### ***3.3 Integration of laws and regulations: “family law”, “clan rules” and rural rule of law***

Currently, the two governance methods of rule of law and rural autonomy have different effects in rural areas, but the national rule of law has not been fully integrated in rural society. Compared to the “hard” national laws, the rural regulations and agreements, developed from “family laws” (a kind of norms of family autonomy) and “clan rules”, serves as “soft laws” and plays a legal role, which is consistent with the role of the laws in the implementation process, especially in regulating the behavior of villagers in social activities. It is an important supplement to national laws. In many villages, the vast majority of rural regulations and agreements follow national laws in terms of content. For example, behaviors that disrupt social security and order, damage social morals, and spread bad customs are explicitly prohibited, and even punitive measures are taken. At the same time, the rural regulations and agreements is closer to the actual rural conditions in Guanzhong, which makes them more deeply rooted in people’s hearts, becoming an effective means of legal publicity and judicial education. Moreover, using them to cultivate grassroots people’s concept of the rule of law requires lower costs and has better effects.

Rural regulations and agreements plays an important auxiliary role in rural rule of law, and has become an indispensable part of the rural rule of law construction in Guanzhong. However, in the process of its development, some issues have also constrained its functionality. Firstly, in terms of its content, there are few provisions for protecting the rights of villagers, and the provisions for resolving civil disputes are relatively vague, which cannot function effectively in resolving conflicts. There are even some outdated regulations. Secondly, in terms of its actual formulation and implementation, both the formulation subject and procedures lack standardized operations. The content of the system cannot be widely recognized by the villagers, and some villagers may not even know about it. It is precisely due to the undefined formulation subject that implementation of the rural regulations and agreements is difficult. Finally, from the perspective of the compatibility between the rural agreements and national laws, due to the deep-rooted local customs and local knowledge, its formulation and implementation can easily fall into an awkward situation of “illegal” or “unreasonable” compliance<sup>[4]</sup>. Maintain the flexibility and autonomy of rural regulations and agreements and better enhance its legal governance attributes while maintaining consistency with the national legal system has become a challenge in the current development of rural regulations and agreements.

#### **4. The Pathway of Achieving the Civilizing Function of Rural Regulations and Agreements**

In the new era, resolving the difficulties faced by rural regulations and agreements and fully utilizing its important civilizing function in rural governance is not only the inheritance of China's excellent rural agreements culture and the traditional grassroots governance experience, but also the necessary requirements of reconstructing innovative rural governance models.

In the process of applying and improving rural regulations and agreements, it is necessary to adhere to the viewpoints and methods of materialist dialectics. The construction of rural regulations and agreements and the effective implementation of its civilizing function require the participation of multiple parties, with grassroots party organizations as the leadership and village committees as the foundation. Moreover, it is necessary to unwaveringly adhere to the leadership of the party, gathering the wisdom and talents of new village elites, using digital propaganda methods to skillfully encourage villagers to participate in village affairs management and rural construction, and integrating the civilizing function into the normalization and daily life of rural governance.

##### ***4.1 Adhere to the party's leadership to correct development direction of rural regulations and agreements***

Rural regulations and agreements should play its civilizing function in rural grassroots governance in a reasonable and legal manner, that is, the Party and the country should clarify the methods and principles in the formulation and implementation of rural regulations and agreements from a political perspective, with the Constitution and laws as the criteria, and comprehensively and systematically control its formulation and improvement at the macro level.

The good effect of rural regulations and agreements first stems from the correct leadership and strong support of grassroots organizations and governments. The leadership teams of townships and villages should comprehensively lead and coordinate its formulation. The will and determination of rural cadres will directly affect the improvement of the authority and execution of the rural agreements. Taking the Guanzhong region as an example, the urgent task is to improve the system of village (representative) meetings under the leadership of grassroots party organizations and the mechanism of village democratic consultation and decision-making, in order to standardize the mechanism and promote the achievement of rural democratic consultation goals. Grassroots party members and cadres should guide the masses to actively participate in the construction of rural regulations and agreements and rural social governance through their own practices.

Secondly, the contracting basis and original intention of the rural regulations and agreements should be based on “people”, and the value concept of “putting people first” should be obeyed throughout the agreements. The rural regulations and agreements must adhere to the working method and principle of “coming from the masses and going to the masses”. For example, in terms of content, it is necessary to avoid “too macro and over-theoretical”, and should formulate provisions that meet the needs of villagers based on regional characteristics and local village conditions.

#### ***4.2 Take modern law as the blueprint to improve rural regulations and agreements***

The construction of rule of law in China in the new era has achieved good results and is developing in depth. As the “soft law” of rural governance, the rural regulations and agreements has undergone thousands of years of evolution, becoming a powerful supplement to the governance efficiency of modern law in rural areas. At present, promoting the deep integration of rural regulations and national laws, and leading the good trend of respecting, abiding by, and using the law, have become the focus of improving and developing the system of rural regulations and agreements.

In the process of formulating rural regulations and agreements, the rule of law should be taken as a guarantee. In the content of the rural agreements, the utilization and development of collective assets of villagers are generally mentioned<sup>[5]</sup>. In the process of formulating the content, it is necessary to consider the actual situation of rural areas, mobilize rural resources in a legal and scientific manner within the scope allowed by law, expand the channels for villagers to increase income and wealth, and thus promote the reduction of social floating population and the improvement of villagers’ material living standards. For public affairs in rural areas, the management, protection and regulation of family planning, education, infrastructure and other affairs in the village can be carried out through rural regulations and agreements. In accordance with legal provisions and national policies, continuous improvement and adjustment can be made to keep up with the times. In terms of family planning, almost all rural regulations and agreements have made agreements on this, for example, the change from the “one child” policy to the “two children” and “three children” policies. National policies are changing, and the rural agreements should also formulate its own rules timely in the light of national conditions, so as to help the effective implementation of family planning policies in rural areas.

In short, in the process of improving rural regulations and agreements, the role of national law in the overall social order should be taken as the basis, with a greater emphasis on regional conflict resolution and comprehensive rural governance, to form a regional harmonious environment.

#### ***4.3 Promote talent revitalization and provide intellectual support for the construction of rural regulations and agreements***

The report of the 20th National Congress of CPC emphasizes that we should fully leverage the talents as the primary resource, and promote the revitalization of rural industries, culture, ecology, and organizations under the guidance of talent revitalization strategy. In rural society, the main source of talent strength is the new village elites.

New village elites are different from traditional village sages. They not only refer to local elites who grow and seek employment in rural areas, but also include those who leave their hometown to develop and come back afterwards to contribute to their hometowns, and those who are not local but seek employment and livelihood here. Most of them are outstanding individuals from all walks of life, with professional skills and broad perspectives. Their life experiences are more diverse than those of other villagers. In the process of formulating the content of rural regulations and agreements, the advice and suggestions of new village elites have made it more perfect and scientific. In addition, the new village elites are generally familiar with the major events, ethics, and common demands of villagers in rural areas. They can help promote the better integration of the rural agreements into the daily life through their participation and publicity<sup>[6]</sup>. The party and government can also promote the active implementation of the party’s policies and guidelines in rural society through the power of the new village elites, so that the content of rural regulations and agreements can better serve the people.

New village elites is the main participant and helper of achieving the civilizing function of rural regulations and agreements in rural areas. It requires the new elites to first have a global perspective, be able to consider the interests and demands of villagers from the perspective of the overall interests of the countryside, and thus improve and enrich the content of rural regulations and agreements. Secondly, new village elites should set a good example. They have a demonstrative leadership role in public affairs. They are the model in the construction of socialist countryside and play a role in inspiring villagers to realize their individual values. Finally, the representatives of the Party members, especially those in the new village elites, should be able to guide and supervise the villagers with their own excellent ideological and moral values in rural education, rural governance, and rural construction. Through conducting moral education work, they should help them make continuous progress, guide their ideological and behavior to align with the mainstream ideas advocated by the state and society, deeply promote the socialist core values to various fields and levels of rural social governance, and shape the moral behavior and character of villagers under the influence of the essence of traditional

moral theory.

#### ***4.4 Reshape the authority and influence of rural regulations and agreements through digital propaganda***

In 2022, the No. 1 central document of the Central Committee mentioned that we should vigorously promote the construction of digital villages and enable rural public services with digital technology. The appeal of digital rural construction, combined with the binding force and influence of rural regulations and agreements in the new era, can effectively avoid the phenomenon of “good regulations are difficult to achieve good results”, and can effectively promote rural grassroots governance to move towards a more positive and effective direction.

The promotion methods of rural regulations and agreements in Guanzhong generally include traditional blackboard newspapers, cultural walls, and selection activities based on rural models, which are not ideal in publicity effect and its civilizing function is difficult to fully play. The Guanzhong region should learn successful examples from other regions and empower the construction of rural regulations and agreements through digital means. Caiyuan Town (in Zhejiang Province) has continuously optimized and utilized digital technology in a reasonable manner, and has embarked on a unique path of digitizing rural regulations and agreements. Based on the “Cai He Score” (a score for judging credit) credit code, Caiyuan Town created the “Cai He Model” for grassroots governance, setting a good example for the construction of rural regulations and agreements. Nowadays, “Harmony is precious, and trust leads to prosperity” has become a common practice in Caiyuan Town, and the rural regulations and agreements has fully played an important civilizing function in purifying the atmosphere.

The villages in Guanzhong can learn from the advantages of the “Cai He Model” when developing rural regulations and agreements. For example, they can establish an information archive in the early stage, assign a dedicated person to be responsible for recording, collecting, using, and security of credit score information, and dynamically maintain the information database. At the same time, on the basis of collecting the opinions of villagers, they can formulate village rules and agreements with local characteristics, and establish the reference and principle for credit scoring rules. Moreover, the village could establish a credit system with individual credit scores as the indicator and family members being bound together as the main feature, and set green, yellow, and red codes based on the different individual credit scores to implement a joint reward and punishment mechanism based on different codes. For example, households with yellow codes are given warning reminders and a deadline for rectification; households with red codes are given negative warnings and behavioral restrictions. In addition to achieving clear rewards and punishments, the rural regulations and agreements system should also establish a credit repair mechanism, increase bonus points of “special contribution”, so as to provide credit repair channels for those with yellow and red code restrictions, effectively stimulate the participation enthusiasm of villagers.

Nowadays, in the context the country actively promoting regional and rural autonomy, the influence of digital development of rural regulations and agreements will inevitably and increasingly grow, and its civilizing function will also be ensured in practice.

## **5. Conclusion**

In the new era, the civilizing function of rural regulations and agreements is combined with the grassroots governance model of rural autonomy, rule of law, and rule of virtue in the process of modern transformation. It plays a significant role in promoting the integration of rural “three governance” and improving the modernization level of rural governance system and governance capacity. At present, the rural regulations and agreements still faces many problems such as civilizing function being weakened, vacant authoritative positions, conflicting with the rule of law in rural areas, and being disconnected from the rural autonomous system. Therefore, in order to achieve the ideal effect of promoting rural governance, it is necessary to adhere to the strong leadership of the Party in the development process to ensure a correct development direction, and continuously improve the content of rural regulations and agreements in accordance with modern law. With the talent advantages, we can continue to contribute to the construction of rural regulations and agreements, and digital publicizing means can be used to promote and implement its spirit. By doing so, the civilizing function of rural regulations and agreements can be fully leveraged, and the rural governance will produce better effect.

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