

The Logical Framework, Practical Challenges, and Response Strategies for Integrating Legal Culture into Rural Integrity Construction

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Abstract: In the context of the nation's comprehensive advancement of the rural revitalization strategy and the increasing investment of resources, rural integrity construction is gaining more attention. However, the rural domain has its unique governance systems, cultural structures, and operational methods. Relying solely on "hard laws" is insufficient to build an integrity system that is suitable for the rural context. Therefore, integrating legal culture, which functions as "soft law," emerges as a viable solution to enhance the integrity construction system in this field. Legal culture, with its unique logical framework, can support rural integrity construction. This process involves addressing structural and rule-based governance issues that arise when integrating legal culture into rural integrity construction. It requires employing a dual combination construction method, adopting a governance philosophy of "three-pronged governance," and leveraging the actual conditions and local resources of rural areas through multi-dimensional and multi-level approaches to resolve these issues.

1. Introduction

For a long time, under the strong leadership of the Central Committee of the Communist Party of China, there has been a high-level and comprehensive deployment to steadfastly advance the rule of law, continuously promote integrity construction, and fight against corruption. With a high-pressure stance of "no forbidden zones, full coverage, and zero tolerance," supervision over key areas, fields, and personnel in power operation has been established, effectively curbing the spread of corruption and achieving remarkable results. However, it must be acknowledged that in recent years, in certain areas of power operation, such as rural areas, corruption has occurred sporadically following the implementation of policies benefiting farmers and the advancement of rural revitalization projects. The Central No. 1 Document, released on February 3, 2024, explicitly pointed out the need to "promote the improvement of the grassroots supervision system and continue to deepen the special rectification of unhealthy practices and corruption issues in the field of rural revitalization," reflecting

the ongoing need to strengthen integrity construction in rural areas.

Rural integrity construction, based on the different institutional positioning, cultural structures, and operational methods of rural governance, has its particularities. Relying solely on "hard laws" is insufficient to achieve both symptomatic and root cause treatment. Judicial practice repeatedly demonstrates that while external coercion of "hard laws" is necessary, the internal constraint of "soft laws" is also indispensable. To achieve the goal of "three non-corruptions" and address corruption from its root, the role of "soft law" must be emphasized. Here, "soft law" refers to legal culture, which is a collective cognitive, evaluative, attitudinal, and behavioral mode regarding the rule of law, accumulated and continuously innovated throughout history.^[1]It specifically includes concepts of the rule of law, legal thinking, legal values, legal theories, and legal habits.^[2]Therefore, in the process of rural integrity construction, integrating the connotations of legal culture can prevent corruption through the rule of law, forming a high-level integrity construction model with local, cultural, and contemporary characteristics.

2. The Logical Approach to Integrating Legal Culture into Rural Integrity Construction

As previously mentioned, the mere reliance on "hard law" regulations is insufficient to establish an effective rural integrity system. Considering the unique aspects of rural governance, incorporating legal culture to prevent corruption can shape a more advanced form of rural integrity construction. Therefore, it is essential to understand the functional mechanisms of legal culture and recognize its necessity through historical experiences, traditional legal culture, and the cultural concepts of classical Marxist thinkers.

2.1 Normative and Controlling Functions: The Mechanisms of Legal Culture

Legal culture is an element of social ideology, formed through the synthesis of value experiences in specific social groups based on practical interactions. This spiritual cultural achievement is universally acknowledged and practiced. From the perspective of the generation logic of legal culture, it is a respected and practiced spiritual cultural achievement by the general public, inherently possessing normative and controlling functions.

Once legal cultural achievements emerge, some of them gradually ascend from customary law to statutory law through legislative procedures, thus obtaining the endorsement of state authority. Through the coercive power of the state apparatus, actions consistent with the values of legal culture are permitted, while contrary actions are penalized, thereby clarifying the boundaries between legal and illegal behavior. Consequently, individuals can guide their behavior, evaluate the behavior of others, and predict the legal consequences of future actions, thus fulfilling the directive, evaluative, and predictive normative functions of legal culture.

The directive function of legal culture guides individuals toward legality before engaging in specific actions, promoting self-discipline under the values advocated by legal culture, thus maintaining order based on widely accepted legal principles. The evaluative function enables individuals to make value judgments on the legal consequences of others' actions based on current legal cultural norms. By evaluating others' behaviors, individuals indirectly affirm the normative content of legal culture and guide their own actions. The predictive function allows individuals to foresee the legal outcomes of their actions in conjunction with legal cultural norms, educating the public in the process.

Additionally, the controlling function of legal culture, endowed with inherent coercive power, facilitates the evolution from forced compliance due to legal constraints to proactive self-management and self-restraint, aligning with the goal of achieving "three non-corruptions" in China's integrity construction. Compared to purely external normative constraints, the controlling function of legal

culture provides more lasting restraints on relevant administrative subjects and fosters a sense of identity and mission regarding integrity culture and personal responsibility. Therefore, in the context of increasingly severe rural anti-corruption efforts, integrating legal culture into rural integrity construction alongside improving institutional norms can enhance the effectiveness of such initiatives.

2.2 Ritual and People-Oriented: Legal Concepts in Traditional Culture

Culture, as the spiritual bond of a nation or ethnic group, possesses unique genetic inheritance, and China's legal culture is no exception. From a historical perspective, the concepts of ritual and people-oriented governance in traditional culture have significantly contributed to the development of Chinese historical culture and the global history of legal thought and development.

"Ritual" governance has always played a vital role in traditional Chinese social governance. As stated in the **Zuo Zhuan**: "Rituals regulate the state, stabilize the society, organize the people, and benefit future generations." During the Zhou Dynasty, rituals served as rules of conduct, binding both the daily lives of the people and the deliberations of government officials. The rise of Confucianism in the Spring and Autumn and Warring States periods, advocated by thinkers such as Confucius, Mencius, and Xunzi, further elaborated on the concepts of "governing the country with rituals" and "without rituals, a person cannot survive, things cannot succeed, and the country cannot be peaceful." These ideas were officially established during the Han Dynasty's exclusive endorsement of Confucianism, embedding the principle of "governing the country with rituals" into the rulers' governance strategies. Over time, some established "rituals" were incorporated into law, leading to the combination of ritual and law, as seen in the Spring and Autumn judgments during the Han Dynasty and later systems such as the "eight deliberations" and "five degrees of mourning." Rulers continually attempted to use the combination of ritual and law for social governance, achieving varying degrees of success. Hence, the role of "ritual" governance in traditional Chinese society cannot be overlooked.

In addition, the "people-oriented" concept in historical legal culture should not be neglected. This concept can be traced back to early Chinese philosophers like Mencius and Xunzi, who stated, "The people are the most important, the state is secondary, and the ruler is the least important." Further, Zhu Xi in the **Annotations on the Four Books** elaborated, "The country is based on the people, and the state is established for the people." Even though the "people-oriented" concept at the time aimed to maintain the interests of the feudal ruling class, it led to the introduction of regulations reflecting this ideology, such as restrictions on land annexation by powerful families and partial exemptions from labor and taxes, thereby protecting the weak to some extent. To this day, the positive figures and exemplary cases arising from the "people-oriented" concept continue to be celebrated, showcasing its profound historical foundation in traditional culture.

Entering a new era, the principles of "ritual" and "people-oriented" governance remain influential in social governance for both the governing and the governed. These principles have valuable insights for contemporary rural integrity construction. While the "people-oriented" approach naturally aligns with the goal of serving the people, the role of "ritual" in modern rural integrity construction can be further explored and interpreted. "Ritual," as an unwritten but commonly accepted rule of conduct, parallels the content and expression of village regulations and agreements, both serving a combined role of autonomy and legal governance. Thus, in modern rural integrity construction, the role of "ritual" can be modernized and integrated into the construction of a rural ritual-legal system, contributing to the advancement of rural integrity construction through a legal cultural approach.

3. Practical Challenges in Integrating Rule of Law Culture into Rural Integrity Construction

The contemporary Chinese rule of law culture, characterized by its core features such as regularity,

procedural nature, and democracy, is highly beneficial for rural integrity construction. However, integrating it into the specific context of rural areas may face resistance from both objective and subjective factors, leading to ineffectiveness. These challenges primarily stem from the operational rules of traditional rural social structures, the quality and cognitive biases of rural cadres, and local rural culture.

3.1 Conflict between Rule of Law Culture and Traditional Rural Social Structure

From an objective perspective, traditional rural acquaintance societies have their unique operational rules. These rules, influenced by the historical period and formed through a combination of differential patterns, kinship, and geographical relations, are built upon traditional human relations and the order of propriety. Such rules may inherently conflict with the requirements of the rule of law culture.

3.1.1 Influence of Historical Traditional Culture on Rural Areas

Historically, rural areas have preserved a rich and distinct traditional culture, shaped by the stability of the rural population structure and ethical relationships. This traditional culture has been effectively passed down, impacting the current culture positively or negatively, including the culture of human relations, which is a product of Confucian "favor ethics." Confucian favor ethics, exemplified by Confucius' thoughts on "benevolence" and "propriety," reflects a worldview where "overcoming oneself and returning to propriety is benevolence." The relationship and ways of dealing with "benevolence" and "propriety" collectively embody Confucius' advocated way of treating others.

This culture of human relations, as manifested in areas with close kinship and geographical ties, is particularly prominent in rural governance. The existence of this culture cannot be ignored. In fact, human relations culture is not inherently negative. For example, in analyzing complex cases, some may argue from the perspective of "natural law, national law, and human relations," indicating that human relations culture, as a code of conduct, has considerable public support. This culture, based on recognized local social morals and codes of conduct, necessitates a dialectical analysis of its role in rural integrity construction.

3.1.2 Conflict Between Human Relations Culture and Rule of Law Culture Requirements

As a code of conduct in rural areas, human relations culture can be beneficial for rural governors in conducting governance activities. For example, in a case recalled by Su Li, where a judge went to the countryside to handle a civil loan dispute, the village head, without consulting the court director or the plaintiff credit union, independently decided to exempt the defendant from litigation and travel fees, promising to "take responsibility for this favor." The defendant then borrowed money to repay the loan principal and interest. ^[3]This example shows how rural governors effectively used the rules of human relations culture to mediate disputes, maintaining rural harmony and stability.

On the other hand, using human relations culture in rural governance may sometimes conflict with the intrinsic requirements of rule of law culture and breed corruption. Rural governors, besides managing daily rural affairs, also act as facilitators of state power and promoters of public interests. Generally, state power radiates outward from the center, with its strength diminishing towards the periphery, where rural areas lie. State power needs the support of rural governors to implement governance activities, thus granting them a certain authority. As Fei Xiaotong noted, "In the rural society's power structure, although it can nominally be called 'autocratic' or 'dictatorial,' in the practical lives of people, it is relaxed, weak, nominal, and passive." ^[4]Therefore, under such circumstances, the public often has to rely on rural governors to obtain certain benefits or rights conferred by state power. Under the implied rules of human relations culture, relevant individuals

may offer "favours" to governors in exchange for reciprocation, or rural governors may extend special treatment based on kinship, leading to corruption.

3.2 Influence of Rural Cadres' Quality and Cognitive Biases on Integration Effect

The ultimate effectiveness of integrating rule of law culture into rural integrity construction is closely related to the rural cadres, determined by their role within the national governance system. As assistants to the operation of state power at the grassroots level and promoters of public interests, rural cadres hold a dual identity. They play a pivotal role in both state power execution and public interest realization. Given the intrinsic characteristic of "autonomy as the main, government guidance" in grassroots mass self-governing organizations, the quality and cognition of rural cadres greatly affect the implementation of rule of law culture in rural integrity construction.

3.2.1 Influence of Rural Cadres' Quality on Integration Effect

Over the years, due to accelerated urbanization, rural areas have generally faced issues of population hollowing and resource scarcity. Consequently, the selected rural cadres generally have lower education levels, older ages, weaker learning abilities, and slower acceptance of new policies and ideas. Hence, in rural governance, they tend to emphasize self-governance, using methods based on human relations, experience, and authority, while neglecting the importance of learning and applying rule of law culture, rule of law thinking, and methods integrating moral and legal governance.

In the context of vigorous rural revitalization and continuous state investment in various welfare policies, rural areas have become arenas of interest competition, requiring urgent reforms in rural governance mechanisms. Rural integrity construction has become a critical aspect. Sole emphasis on self-governance by rural cadres has directly led to frequent corruption incidents. Therefore, enhancing the quality of rural cadres is crucial. This improvement would allow them to not only emphasize self-governance but also adopt improved work methods, value the role of rule of law culture, thinking, and methods, integrating these into rural integrity construction to establish a complementary and mutually reinforcing governance system combining autonomy, rule of law, and moral governance.

3.2.2 Influence of Rural Cadres' Cognitive Biases on Integration Effect

From a social psychology perspective, an individual's quality can influence their cognitive scope. This applies to rural cadres as well. Due to the generally lower quality of some rural cadres, cognitive biases may arise during rural governance. Such biases manifest in the gradual bureaucratization of rural governance, leading cadres to perceive themselves as state officials with absolute power, neglecting their fundamental service nature derived from being elected by villagers. They might consider their position as a conduit between higher authorities and the people, thereby gaining various potential benefits. They might also rationalize certain illegal behaviors as justifiable, such as "taking care" of relatives, misappropriating funds, or privately dividing leftover funds from previous fiscal years.

These cognitive biases result from a lack of legal awareness and rule of law culture. Over time, they can adversely affect the social environment needed for generating rule of law culture, creating a vicious cycle in rural social operations, ultimately harming the fundamental interests of the general public. Therefore, enhancing the quality of rural cadres and fostering correct role perceptions are crucial for integrating rule of law culture into rural integrity construction.

4. Pathways for Integrating Rule of Law Culture into Rural Integrity Construction

The integration of rule of law culture into rural integrity construction faces both subjective and

objective challenges. Addressing these challenges requires a multi-faceted approach, including solidifying construction methods, adhering to the principle of "Two Combinations" as ideological guidance, enhancing the supervision system and governance concepts, and innovating rule of law culture promotion methods by establishing "legal landscape integration" publicity platforms, and drawing nourishment from the local historical culture of villages.

4.1 Using "Two Combinations" as Ideological Guidance to Solidify Construction Methods

At the celebration of the 100th anniversary of the founding of the Chinese Communist Party, President first proposed the requirement of "integrating the basic principles of Marxism with China's specific realities and with China's fine traditional culture," known as the "Two Combinations." Subsequently, at the symposium on cultural inheritance and development, President Xi emphasized: "It is a necessary path to develop socialism with Chinese characteristics by integrating the basic principles of Marxism with China's specific realities and with China's fine traditional culture on the profound foundation of more than 5,000 years of Chinese civilization." This established the guiding position of the "Two Combinations," directing us to adopt these principles as construction methods in the new era of cultural development, ensuring that the development direction of socialist culture with Chinese characteristics consistently aligns with China's national conditions and the characteristics of the times, and achieves the creative transformation and innovative development of China's fine traditional culture.

Therefore, when integrating rule of law culture into rural integrity construction, we must adhere to the "Two Combinations" as guiding methods, combining the specific conditions of each village with the universal values of rule of law concepts derived from China's fine traditional culture. Specifically, traditional Chinese concepts of law and governance, such as ritual and public interest, have shown positive effects in historical social governance activities, providing guidance for the behavioral norms of grassroots villagers and setting requirements for rural society's governance. Thus, they retain contemporary value. In the current urgent need for improvement in rural integrity construction, it is necessary to draw strength from China's fine traditional culture and combine it with modern legal systems. This approach not only injects new vitality into traditional culture, achieving its creative transformation and innovative development, but also provides a contemporary rule of law cultural paradigm to address the historical challenge of integrity construction.

4.2 Enhancing Supervision Systems and Governance Concepts to Improve Cadre Quality

The personal qualities and cognitive biases of rural cadres directly affect the methods and ways of conducting rural work. Improving the quality of this group and rectifying their cognition requires efforts from various parties and proactive learning and refinement from the cadres themselves. This is a long-term endeavor, and thus, improving cadre quality through enhanced supervision systems and governance concepts becomes an essential path.

4.2.1 Improving Self-Governance Norms and Supervision Structures

Historical cases have shown that an overemphasis on self-governance to the exclusion of the rule of law has led to various integrity issues. Therefore, it is necessary to strengthen the importance of the rule of law in rural governance activities and integrate rule of law culture into rural integrity construction. For grassroots mass self-governance organizations, rural cadres should emphasize both self-governance and the rule of law. Village regulations and the village affairs supervision committee are embodiments of the integration of self-governance and the rule of law, and are key elements in integrity culture construction.

On one hand, as self-governance norms of grassroots mass organizations, village regulations play a role in self-management, self-education, and self-restraint. Thus, the behavior of rural cadres should also be regulated by village regulations, supervised by villagers. The key issue in practice lies in the implementation and enforcement of these regulations. According to Article 27 of the "Organization Law of Village Committees," once village regulations are formulated, they must be filed with the township government for review. In this process, township governments can fully exercise their ex-post roles, supervising, reviewing, and providing modification suggestions for relevant village regulations, clarifying the legal consequences of various accountable behaviors, and ensuring the rule of law, specificity, and accountability of village regulations. This guarantees smooth and convenient supervision pathways for villagers over rural cadres, forming an external synergy of supervision from both villagers and township governments.

On the other hand, further improvement of the village affairs supervision committee's organizational structure is necessary. The model of having village disciplinary committee members concurrently serve as the director of the village affairs supervision committee should be promoted, with strict checks on appointments. All village affairs managers, except for the village disciplinary committee members, should avoid serving as the director or members of the village affairs supervision committee. Matters involving collective funds must strictly undergo questioning by the village affairs supervision committee, with its members following up on the implementation, reporting their work to the village party organization and village committee, and making corresponding suggestions.

4.2.2 Promoting Moral Governance and Rewarding Virtue

Additionally, a key thought and proposition of rule of law culture for integrity construction is the promotion of moral governance^[5], building a foundation of integrity through moral and ethical fortification. To this end, efforts to promote moral governance should be further intensified, and participants' sense of gain should be continuously enhanced. Specifically, for rural villagers, methods such as "rewarding the virtuous," "evaluating and promoting virtue," and "virtue points" can be explored to encourage active participation in rural integrity construction, thereby integrating rule of law culture into integrity construction and forming supervision over governance. For rural cadres, regular education on party conduct and discipline, promotion of family tradition and education, and warnings through negative case studies can be conducted to prompt self-discipline and family management.

In conclusion, through the enhancement of supervision systems and the combination of external and internal drives, rural cadres' personal qualities can be continuously improved. By promoting the integration of self-governance, rule of law, and moral governance, rule of law culture can be effectively integrated into rural integrity construction.

4.3 Using "Legal Landscape Integration" as a Promotion Model to Lead Cultural Development

The concept of "legal landscape integration" refers to combining rule of law culture with landscapes, historical culture, and contemporary spirit, using scenic elements to cultivate integrity and promoting integrity culture through methods appealing to tourists. Thus, this promotional approach should, on one hand, combine with historical culture, deeply excavating the excellent traditional cultural history with local rural characteristics to closely align with rural cadre and group practices. For example, local historical anecdotes of integrity can be explored and publicized through legal-themed cultural performances, distribution of promotional materials, establishment of integrity culture history museums, and creation of local rule of law cultural brands, thereby promoting integrity culture education through the lens of historical rule of law culture.

On the other hand, it should also integrate with contemporary spirit, deeply exploring and elaborating on contemporary values such as prioritizing the people, upholding integrity, and advocating justice. These values should be incorporated into rule of law culture promotion, endowing excellent historical culture with new life and contemporary significance, achieving the creative transformation and innovative development of excellent traditional rule of law culture. This approach subtly embeds integrity culture into rural integrity construction, ensuring that rule of law culture takes root, blossoms, and bears fruit in rural areas.

Through the "legal landscape integration" promotion model, a unique and distinctive rural integrity culture promotion model can be established, realizing the normalization of rural integrity culture promotion, enhancing the rural governance ecosystem, and advancing rural integrity construction to new heights.

5. Conclusions

The integration of rule of law culture into rural integrity construction, while facing challenges from traditional governance methods, operational modes, and the quality of governance personnel, can be effectively achieved by improving supervision systems and governance concepts. By adhering to the construction method of the "Two Combinations," exploring rule of law ideas such as propriety and the public good from excellent historical traditional culture, and modernizing these ideas in ways that are appealing to the public, rule of law culture can be seamlessly integrated into rural integrity construction. This approach will provide "soft law" support for enhancing integrity in rural governance.

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References

- [1] Zhang Wenxian. "The Structure and Function of Legal Culture." *Legal Science (Journal of Northwest University of Political Science and Law)*, 1992, (05): 3-10.
- [2] Zhang Wenxian. "The Cultural Connotation of Rule of Law—The Cultural Construction of Rule of Law in China." *Journal of Social Sciences of Jilin University*, 2015, 55 (04): 5-24+248.
- [3] Su Li. *Sending Law to the Countryside—Research on China's Grassroots Judicial System*. Peking University Press, 2011.
- [4] Fei Xiaotong. *From the Soil: The Foundations of Chinese Society*. Beijing Times Chinese Press, 2018.
- [5] China Law Society Legal Literature Research Association. *Legal Culture and Integrity Construction—Reflections and Countermeasures against Corruption*. Mass Press, 2016.