



Development Right of the Peasant Collective: Foundation of Peasants' Right to Development under Rural Revitalization in China

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ABSTRACT

As a big agricultural country, China has always attached great importance to the work relating to agriculture, peasants and rural area. However, the victory in poverty alleviation does not indicate the settle of the issues related to the development of agriculture, peasants and rural area in China. Since collective and cooperative development can effectively make up for the personal development deficiency of the peasant, it is inevitable to construct the peasant collective development right under the background of rural revitalization. To this end, Chinese government shall, follow the object contents of development right of the peasant collective, strengthen the rural collective economy, promote the organic integration of “three-governance” (self-governance, rule of law and rule of virtue) in rural areas and optimize social security in rural areas in “post-poverty” era as the orientation for detailed implementation of development right of the peasant collective.

Keywords: Rural revitalization; Post-poverty; Agriculture; Development

INTRODUCTION

Agriculture, the oldest industry of human society so far, emerged after a long time when man depended entirely on gathering and hunting for his daily necessities and survived to this day. Over ten thousand years, peasants, accompanied by agriculture, had always been playing a decisive role in the world. Along with the birth of agriculture and peasants, rural area began to take shape, so they are always discussed together. As a large agricultural country, China has always attached importance to the work relating to agriculture, peasants and rural area, and achieved breakthroughs in 2021. On February 25th, 2021, China solemnly declared its complete victory in poverty alleviation to the world. Besides, it is clearly presented in the Report on the Work of the Government in 2021 that, it is necessary to ensure effective cohesion between consolidating the achievements in poverty alleviation and rural revitalization, and take solid steps in rural reform and construction. It can thus be seen that China's peasants have their overall living standard significantly improved under the high attention of the Chinese government.

However, the victory in poverty alleviation does not indicate the settle of the issues related to the development of agriculture, peasants and rural area in China. In the context of social and economic transformation and upgrading, the development of agriculture and rural area in China will be undoubtedly trapped in the dilemma of serious insufficient proportion of rural population. With the transformation of peasants' life-style and aggregation of young and middle-aged laborers in city [1,2], it is obviously that the development of agriculture and rural area lacks the basic vitality, which creates a vicious circle, that is, peasants cannot achieve self-development relying on agriculture in rural area, while the further loss of young and middle-aged laborers makes the development of agriculture and rural area much harder. But peasants have traditionally been considered “the people on the land.” Though tens of thousands of people moved to the city, their living conditions are to be assessed, and hundreds of millions of people in rural area are still engaged in agricultural production kind of works [3]. Some critics defined such analysis as a kind of political populism, the term “peasant” is created by people with very distinct economic and political positions [4]. It is an indisputable fact that peasant migrating to cities is always discriminated by urban residents [5], and actually

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it is hard for peasants to gain access to social services as equal as urban residents [6].

So, it is not impossible to have young and middle-aged laborers and hundreds of millions of people engaged in agricultural production in rural area, and the “peasant” mentioned here should of course be a concept of compact social group [7]. Meanwhile, with the gradual saturation of urban employment in China, having the young and middle-aged laborers to stay in rural area is not merely for the development of rural area, but also a practical solution to the decreasing new recruitment in cities. But it is undeniable that there will be definitely more and more surplus labor in rural area along with the scientific progress in agricultural field in China, and more young and middle-aged laborers will be left in rural area, which will make the development of peasants under rural revitalization a key focus of the Government of China.

LITERATURE REVIEW

Despite of the attempt of some called peasant study scholars to understand the awkward position of peasants from 1960s to 1980s [8] and triggered a true debate in this aspect later [9], issues relating to peasants were not duly handled after all [10]. Obviously, the reason was that most peasants were unable to resist the great impact of market economy by themselves [11-13] and consequently unable to meet the needs of a better life. As a result, scholars proposed the concept of “peasant” again. And considering that peasants have been living together since the beginning and making up for their deficiencies by relying on collective strength, production in the form of collective cooperation is obviously beneficial for their pursuit of a wonderful life [14]. Therefore, as far as China who owns rich experiences in cooperative development of the peasant collective is concerned, endowing the peasant collective with the development right is undoubtedly of great significance to peasants’ development or even full promotion of rural revitalization.

The contemporary Chinese interpretation of the peasant collective

With the ending of imperial power and autocracy and the construction of modern China after entering the 20th century, the country political power turned to the rural area and showed a complicated state. Moreover, with the gradual shaping of dualistic urban-rural structure in modernization, China will also make specific systems for its own development, so the institutional dualistic urban-rural structure comes into existence and the subsequent collectivization movement takes the replacement of small-scale peasant economy as the major policy objective [15]. After the reform and opening-up, China, relying on a series of systems, enabled the market to be an important means for resource allocation, canceled the collective production system and the system of controlled procurement and distribution of grain, dissolved people’s commune, established the household contract responsibility system [16], and endowed peasants with the contracting right of collectively-owned land [17]. Therewith, contracted agriculture grew vigorously in China [18]. Though contracted agriculture may

increase peasants’ income [19], most peasants often need to get engaged in industry or project to meet their life demands [20] which is particularly common in China in the 21st century, where census register no longer matters.

Moreover, it is obviously that in the selection of agricultural system under the household contract responsibility system, the concrete division of labor among family members depends on age and gender, and the young and middle-aged laborers aggregate in cities due to the urban-rural gap [21], which makes some disadvantaged peasants rent out their land using right due to the contractual relationship related to productivity investment [22,23], thus resulting in the concentration of landholding again [24]. Moreover, due to the significant relationship between agriculture and industry [25], the wave of capital intensifies the contradiction between city and rural area [26], and the development of peasants is undoubtedly restricted. As a result, during the 40-year economic reforming period, China had always been adjusting the economic policies based on the new situation [27] and constantly making minor adjustments for the strategies related to the development of peasants [28], with the attempt to make peasants truly become the claimant of rights [29]. Especially in the rural revitalization continuously promoted recently, the Government of China vigorously advocates the development of rural collective economy.

Objectively, China has implemented a series of cooperative movement in rural areas in recent years mainly for making up for the personal development deficiencies of peasants. Strengthening the rural collective economy is also a practice-oriented method for China to promote the development of peasants. While it makes the peasant collective thrive virtually in modern China. That is, the peasant collective is endowed with new connotations in modern China “The subject of right of the peasant collective is expressed as a group subject” [30].

In China, “the legal concept the peasant collective is explicitly and firstly proposed in the Land Administration Law of the People’s Republic of China (revised in 1998)” [31], and its ownership status over collectively-owned land and property is clarified gradually in the Law of the People’s Republic of China on the Contracting of Rural Land (2000) and the Property Law of the People’s Republic of China (2007); it is increasingly the subject of rights, which, obviously, has the same connotation and denotation with the collectivity in Article 10 of The Constitution of the People’s Republic of China. Therefore, the peasant collective in modern China means “the peasant member collective formed by peasants within a certain territorial scope” [32]. It comprises three inseparable functional levels: rural community, rural collective economic organization and autonomous community. The development right of the peasant collective requires initiative of the peasant collective. The peasant collective must take the initiative to practically participate in development decision-making, strive for development opportunities and implement development plans, so as to vigorously safeguard their own interests.

Analysis on the essence of development right of the peasant collective based on development rights

As everyone knows, development rights are the third generation of human rights; it is the product of the first and the second generation of human rights. Since 1960s, lots of nations under colonial rule have struggled against colonialism. A group of newly independent countries put increased emphasis on collective human rights focusing on development rights for improving their features after independence, and thus, the third generation of human rights began to take shape. The development rights have transformed gradually into practical rights since 1980s. By criticizing the realistic social relations, development rights embody "the regulation on realistic social relations of human beings formed during production and reflect necessarily that the realistic social relations have developed to a specific historical stage" [33]. So, in the context that urban population exceeds the rural population [34], while peasants are generally still vulnerable groups presently, more rights for peasants to rely on collective development should be granted and guaranteed, it is an irreversible trend, and there is accordingly clear target for development right of the peasant collective

Whereas development right is collective human rights oriented since its proposal, it would be obviously prejudicial to people's correct understanding of development rights by simply combining peasants with the development rights, so the peasant collective should be combined with the development rights to better reveal its essence. Accordingly, the development right of the peasant collective should be a fundamental human right of the peasant collective for claiming coordinated, balanced and sustainable development when participating in, promoting and enjoying economic, political, cultural, social and ecological development on the premise of accurately understanding the meaning and connotation of development rights. The development right of the peasant collective takes the economic development of the peasant collective as the core, it based on the political and cultural development of the peasant collective; the social development of the peasant collective is an important standard to evaluate the degree of implementation of development right of the peasant collective. The economic, political and cultural development of the peasant collective will be superficial without the social development of the peasant collective. In a word, the essence of development right of the peasant collective should include all legitimate development benefits which can be claimed and shared, and any development decisions, opportunities and plans should be subject to the development benefits. Endowing the peasant collective with development rights means enabling them to develop in the process of participating in, promoting and enjoying development.

In terms of the nature of rights, development right of the peasant collective is a social solidarity right integrating equity, comprehensiveness and dynamics. Due to historical precipitation and institutional legacy, peasants are clearly disadvantaged in present development. This congenital disadvantage makes all people inevitably emphasize on the care and protection for peasants when discussing peasant-related

development problems, raising equity problem consequently. Moreover, development right of the peasant collective, as a diversified and multi-layered maternal fundamental right, will inevitably cover many aspects of development. It is absolutely not a simple and shallow common right, but a comprehensive right. Contemporary development has already extended from economic development into diversified, coordinated and sustainable development, presenting its comprehensiveness. Furthermore, development is a never-ending rising process, and the coordinated, balanced and sustainable development claimed by the peasant collective when participating in promoting and enjoying economic, political, social, cultural and ecological development is a dynamic practice. The peasant collective adjust their development strategies by considering various development characteristics in different development stages, which validates the dynamic nature of development right of the peasant collective on the other side.

Development right of the peasant collective is a social solidarity right integrating equity, comprehensiveness and dynamics though, in order to achieve a clear orientation for detailed implementation of the right, it is necessary to systemically de-structure the object of development right of the peasant collective to have a clear orientation for the right subjecting to the contents. Whether the development right of the peasant collective can be realized from the basis depends greatly on the completeness of the maintenance of the benefits gained by peasants relying on collective development under rural revitalization in modern China. In consideration that the core of development right of the peasant collective is economic development of the peasant collective, the foundation is political and cultural development of the peasant collective, and the social development of the peasant collective is an important standard to evaluate its implementation, so the economic development right of the peasant collective, the political and cultural development right of the peasant collective and the social development right of the peasant collective are certainly the object of development right of the peasant collective. Details of the three form the details of the object of development right of the peasants collective.

Orientation of development right of the peasant collective

The detailed orientation for implementing development right of the peasant collective is clarified by analyzing its object. For this reason, it is necessary to make practices following the object of development right of the peasant collective in the future. In general, development right of the peasant collective is established on the basis of development rights. In consideration that the philosophy of law of development rights is based on legal social standard, not the human rights value of liberalism and individualism, the implementation of development right of the peasant collective relies certainly on the active intervention and guarantee from the Chinese government, and government is not an evil force [35]. Therefore, Chinese government shall, following the object contents of development right of the peasant collective, strengthen the rural collective economy, promote the organic integration of "three-governance" (self-

governance, rule of law and rule of virtue) in rural areas and optimize social security in rural areas in “post-poverty” era as the orientation for detailed implementation of development right of the peasant collective.

First, China should strengthen the rural collective economy by cultivating new agricultural operators and formulating the Law on Rural Collective Economic Organization of the People's Republic of China. China has taken small-scale decentralized operation as the main pattern of agricultural production for a long time due to the implementation of the household contract responsibility system. This pattern cannot only help peasants to achieve their own development to meet the needs of a better life, but also make it difficult to meet the requirements for agricultural modernization and green transformation in contemporary China, resulting in the migration of a large number of young and middle-aged laborers from rural regions to cities. Therefore, considering that the general direction of China's land policy will not change in the short term, and there will be an increasing number of rural young and middle-aged laborer for a variety of reasons, obviously, China should strengthen the cultivation of new agricultural operators in the future, and establish an organic link between small households and modern agricultural development in the form of leading agricultural enterprises+peasants' cooperatives+family farms +small households, and establish a lasting production relations [36] based on agricultural cooperatives, thus providing platform for rural young and middle-aged laborers to play their roles. Since the Agriculture Law of the People's Republic of China stipulates that it is the statutory duty of rural collective economic organizations to strengthen rural collective economy, the formulation of the Law on Rural Collective Economic Organization of the People's Republic of China is of great significance for Chinese peasants to promote the rural collective economy under the leadership of rural collective economic organizations. Rural collective economic organizations can revitalize a large number of rural young and middle-aged laborer resources under the guidance of the law mentioned above, so as to develop a “ecological agriculture” that adapts flexibly to climate shocks [37] and to ensure the majority of peasants obtain more economic development benefits on the correct track of strengthening the green rural collective economy. Second, China should promote the organic combination of autonomy, rule of law and rule of virtue in rural areas. There is no doubt that the participation of the peasant collective should depend on the choice of each peasant to avoid any adverse consequences [38]. This requires that the China rural areas, which are the key areas to practice autonomy, should play the role of moral education, enhance the subjective consciousness and collective consciousness of peasants and provide guidance for changing their thinking logic [39]. Peasants should realize that they can achieve the goal of self-development only by relying on the collective, otherwise they will fail to live a better life due to lack of cooperation and development opportunities. After cultivating the the peasant collective consciousness based on cooperative development, we should ensure the standard exercise of public power and orderly exercise of citizens' rights, strengthen peasants' sense of rules, and incorporate all the realization ways of peasants' rights into the

rationalized rule of law to uphold the bottom line of rule of law in Chinese rural area.

Third, China should optimize the social security supply from the perspective of education, health, elderly care and subsistence allowance in the post-poverty alleviation period. These four aspects are obviously in line with peasants' expectation to live a better life. Therefore, if the social security supply of these four aspects is not optimized, the discussion of the development of peasants would be pointless. And that the low quality of social security will significantly restrict the formation of the peasant collective and the efficiency of rural construction. Therefore, it is necessary to carry out specific optimization works from these four aspects. Firstly, the Chinese government should implement a rational plan on education and increase investments in education in Chinese rural area, so as to cultivate highly qualified new peasants. Secondly, the Chinese government should vigorously promote the healthy village construction, improve the rural medical security system and encourage grassroots cadres to focus on the rural environment [40]. Thirdly, the Chinese government should make efforts to expand the space for market and society to participate in the development of elderly care in rural areas, systematically improve the policy measures for family and community support for elderly care, actively explore suitable long-term development models such as mutual assistance type elderly care and build regional day care and service center in rural areas. Finally, the Chinese government should gradually reduce the quantity of subsistence allowances indicators and increase the amount of subsistence allowances according to objective needs, and separate subsistence allowances from other social security and assistance in the future.

DISCUSSION AND CONCLUSION

A country's industrialization process will be hindered because insufficient surplus labors are transferred from agriculture to industry. Therefore, the underdeveloped countries' modernization development is restricted by the profound and the lasting urban-rural gap. Therefore, as a model of developing countries, China has always attached importance to the development of peasants and vigorously promoted rural revitalization on the basis of poverty alleviation. However, due to the joint effect of the huge gap between urban and rural development, on the one hand, peasants can't tackle market economy problems by themselves alone, and on the other hand, they lose opportunities to meet their demands to live a better life through collective cooperative development due to lack of cooperative ability, which makes it difficult for them to live a dignified life. Therefore, the Chinese government vigorously advocates the cooperative development of the peasant collective in order to make up for the individual's inadequate development ability through the peasant collective.

It is clear that the Chinese government's way of guiding peasants to achieve development is in line with the changes of peasants themselves. With the development of human beings from hunting civilization to agriculture civilization, villages where people depend on agriculture for their livelihood appear correspondingly, and people live together undoubtedly for a

reason to meet the demands of production and life. Therefore, even if family becomes an independent production unit later with the development of productivity, promoting the peasants' personal development based on collective power has increasingly become an important part of the traditional farming civilization. In the rural China, the peasant collective also has existed for a long time and provided a necessary foundation for peasants' life.

However, the household contract responsibility system previously implemented to increase the vitality of peasants' development focuses on the management system of combination of centralization and decentralization which attaches importance to individuals and despises collectives, resulting in inadequate supply of public goods and services due to the shrinking of rural collective economy. The rural areas could not achieve effective governance under this premise, and even the basic social security could not be maintained in many places, and the goal of realizing the continuous increasing of peasants' income is merely a declaration. Therefore, in order to better serve the cooperative development of the peasant collective and help peasants to live a better life, it is necessary to grant the peasant collective the development right in the rural revitalization strategy to ensure that the individual development of peasants can be realized within the collective, which also directly manifests that the development right is a collective human right. In conclusion, if China can promote the development of peasants while ensuring the realization of their collective development right, this will be a significant and beneficial exploration for all developing countries.

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