

From Rural Governance to Grassroots Rule of Law: Historical Evolution and Legal Response of China's Social Governance Model

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Abstract

China's rural governance transformation from state-centric total administration to legally institutionalized grassroots rule of law represents one of the most profound institutional shifts in contemporary social development. This paper systematically sorts out the evolution of rural governance across three historical stages, identifies three core persistent predicaments, and puts forward a compound rule of law framework as a targeted institutional solution. Drawing on interdisciplinary research covering law, sociology, political science, this paper further elaborates supporting governance models, operational mechanisms and differentiated governance paths for ethnic minority regions and summarizes the internal paradoxes restricting grassroots rule of construction.

Keywords

Rural governance, Grassroots rule of law, Village self-governance, Compound rule of law, Rural revitalization, Social development

Introduction

As a microcosm of China's modernization transformation, rural governance embodies the core interactive logic of social development and legal order. China's compressed modernization and sustained social stability have made rural areas a focal point of institutional contradictions. Profound rural changes over the four decades of reform and opening up have reshaped state-farmer relations and grassroots governance operation [1,2]. Rural governance serves as a microcosm of China's modernization transformation. It reflects the core interactive logic between social development and legal order. China achieves compressed modernization while maintaining long-term social stability. Its rural regions have become a key concentration of various institutional contradictions. Four decades of reform and opening up have brought tremendous changes to rural China. These changes have reshaped the relationship between the state and farmers. They have also reconstructed the operational logic of grassroots governance. This paper clarifies the evolutionary stages of China's rural governance. It concludes the unique "10+20+10" phased features of rural self-governance over the past 40 years. It also explores changes in township-village relations after the abolition of the

agricultural tax in 2006. The paper classifies three major dilemmas in current rural governance. They include structural power dislocation, conflicts between unified legal norms and diverse rural realities, and coordination problems caused by normative pluralism. To address these complex problems, this paper establishes a theoretical framework of compound rule of law. It further applies this framework to multiple research fields. These fields cover the Fengqiao Experience, cooperative governance, whole-process people's democracy, and specialized governance paths for ethnic minority areas. This study follows a clear research route. It proceeds from historical evolution and realistic dilemmas to institutional innovation, differentiated governance paths, and final summary and reflection. It constructs an interdisciplinary analytical framework based on law, sociology and political science. It effectively fixes the defect of single-dimensional research in most existing studies. This research combines national grassroots practices and ethnic regional characteristics. It proposes practical suggestions to improve the legal system. It also provides solid theoretical and institutional references for revising the Organic Law of Villagers' Committees and advancing the rural revitalization strategy.

Historical evolution of China's rural governance model

Pre-reform era: Totalistic organizational governance

Before 1978, China adopted the people's commune-based centralized rural governance mode. Relying on land reform and agricultural collectivization, the state integrated all farmers into state-led organizational systems, eliminated traditional intermediate local authorities, and formed a direct governance connection between the state and individual peasants. This mode took industrial accumulation as the core goal but seriously suppressed grassroots autonomy and farmers' independent production enthusiasm. By the late 1970s, the rigid institutional defects of the commune system were fully exposed, resulting in widespread rural poverty, which laid a practical foundation for the comprehensive reform of the rural governance system.

The reform era: The emergence of "township administration and village self-governance"

In 1978, the household responsibility system broke the institutional shackles of people's communes. Villagers in Guangxi spontaneously set up villagers' committees to manage village public affairs in 1980, and this grassroots creation was officially recognized in the 1982 Constitution [3,4]. Afterwards, the 1987 Trial Organic Law of Villagers' Committees and the 1998 formal version of the law were issued successively, establishing the dual-layer governance structure of "township administration and village self-governance" guided by the "three-self" and "four-democracy" principles. Forty years of village self-governance presents a clear staged track: 1978-1987 is the institutional blank exploration period; 1987-2006 is the standardized operation period with complete laws. After the abolition of agricultural tax, village self-governance presents obvious functional dilution, which fully proves that the establishment of legal system alone cannot realize effective grassroots governance.

Contemporary period: Rule of law construction driven by rural revitalization

The abolition of agricultural tax in 2006 is a watershed changing the state-farmer relationship, which brings two unexpected structural changes. On the one hand, township governments evolved from extractive regimes to suspended regimes, which completely depend on superior transfer payments and lose the initiative to

connect with villages. On the other hand, farmers become floating groups between cities and towns, and their sense of village belonging and collective identity are constantly weakened. Since the 19th National Congress put forward the rural revitalization strategy in 2017, grassroots rule of law has become the core institutional guarantee for rural modernization. The enactment of the Rural Revitalization Promotion Law in 2021 has built a top-level legal framework covering all-round rural development [5]. However, many deep-seated structural contradictions accumulated over decades cannot be completely resolved only through the revision of single laws.

The normative architecture of village self-governance

Three types of normative sources

China's village self-governance normative system consists of three interrelated rule systems. The first tier is national formal laws centered on the Constitution and the Organic Law of Villagers' Committees, supplemented by rural special laws and provincial implementation regulations. The second tier is internal work norms of rural grassroots Party organizations, which clarify the leadership position of village Party branches over villagers' committees. The third tier is informal village norms formed through long-term rural life practice, including village regulations and folk customs. This three-tier normative system is designed to balance national top-level guidance and grassroots autonomous demands, but ambiguous power boundaries between different subjects have spawned long-term coordination conflicts in actual governance [6].

Institutional defects of current normative system

The Organic Law of Villagers' Committees only sets general operating principles. It lacks detailed standardized provisions for specific matters including village meeting convening standards, villagers' representative election procedures and village convention review mechanisms. Most detailed implementation standards are delegated to local governments, leading to huge gaps in the operation effect of village self-governance across different provinces and counties. At the same time, the current legal system lacks unified conflict resolution procedures to deal with collisions between national laws and village conventions.

Many village conventions contain discriminatory clauses against women's land inheritance rights or illegal punitive measures. However, they hold high recognition among villagers and rely on community pressure for implementation, creating persistent friction between formal law and local norms.

The structural dilemma: A hypothetical bureaucratic relationship

Definition and forming causes of the dilemma

Legally, villagers' committees are grassroots autonomous organizations outside the national administrative system and have no subordinate administrative affiliation with township governments. Nevertheless, village cadres, township staff and ordinary villagers generally hold a legally groundless false hierarchical cognition that villages are subordinate administrative branches of towns [7]. This prevalent misconception stems from three intertwined practical factors: First, villages rely on townships for fiscal appropriation and project approval, forming de facto resource dependence. Second, village cadres seek administrative staff identity and take township recognition as a core work evaluation criterion. Third, decades of top-down task allocation have fostered entrenched hierarchical working inertia that legal provisions alone cannot reverse.

Two staged manifestations and negative consequences

Before the abolition of the agricultural tax in 2006, the bureaucratic dilemma was embodied in "township overpowering village autonomy". Townships controlled villagers' committees via town-managed village finance, electoral intervention and other means, turning autonomous organizations into auxiliary bodies for administrative tasks and severely restricting villagers' independent discussion and decision-making on village affairs. Following the agricultural tax reform, the dilemma evolved into "township alienation of villages". Freed from daily tax collection and other routine interactive work, township governments voluntarily withdrew from daily village governance. Deprived of fiscal support and institutional guidance, villagers failed to independently carry out public service development and collective asset management, resulting in a vicious township-village alienation cycle that cannot be resolved merely by legal revision.

The abstract difficulty: Legal uniformity versus rural diversity

Core contradiction between abstract laws and diversified rural reality

National legal norms follow universal generality to satisfy nationwide unified governance needs. China's rural regions across coastal, inland, mountain and border areas vary widely in economic conditions, ethnic makeup, cultural traditions, population mobility and collective-asset size. Unified legal clauses therefore naturally mismatch local village practical demands [8]. Even inside one county, villages differ sharply in hollowing-out level, migrant share, land transfer scale and collective-benefit distribution. One-size-fits-all legal rules cannot fit every village type. Rigid national-level enforcement of uniform laws clashes with local customs and weakens villagers' recognition of the rule of law.

Emerging governance blind spots and practical separation

Fast cross-flow of urban-rural elements brings new rural governance challenges: large-scale agricultural capital inflow, hollow-village daily management, rights of retirement- or investment-driven new village settlers, and benefit gaps between migrant and local villagers. Existing laws merely offer principled statements instead of detailed enforceable rules. Most legal regimes are built upon urban-industrial logic and overlook rural acquaintance-society features rooted in interpersonal ties and informal mediation. This creates a clear gap between "law on the books" and "law in action". Villagers prefer folk mediation over formal litigation for minor disputes, raising barriers for national-law enforcement at the grassroots.

Normative pluralism and the coordination challenge

Composition and dual influence of pluralistic normative order

Rural governance operates under a pluralistic normative order coexisting with state law, Party internal regulations, village conventions, ethnic customs and religious norms. The coexistence of multiple norms can provide flexible localized governance channels for villages with different cultural backgrounds, making up for the rigidity of unified national legal provisions in handling trivial village disputes. At the same time, normative pluralism brings prominent coordination obstacles, as different norms often have conflicting provisions on land

inheritance, collective income distribution and disciplinary measures, leading grassroots actors to selectively quote norms to seek their own interests [9].

Deficiencies of supporting coordination mechanisms

At present, China has not established a regular and standardized review mechanism for village conventions, and there is no systematic procedure to absorb reasonable folk customs into formal judicial and mediation links. Restricted by the shortage of grassroots legal workers, insufficient judicial service outlets in remote villages and weak legal awareness of ordinary farmers, normative conflicts cannot be effectively mediated in daily village affairs. Selective application of different norms by village cadres and villagers leads to inconsistent governance standards in different villages, continuously weakening the authority and unification of national law in rural areas.

The compound rule of law as a responsive framework

Three core dimensions of the theoretical framework

Targeting intertwined structural dislocation, abstract contradiction and normative pluralism, academia puts forward the compound rule of law as a systematic institutional solution with structural, strategic and normative dimensions. On the structural level, it clarifies power and responsibility boundaries between townships and villages to realize structural coupling and functional matching. On the strategic level, it unifies legal governance, policy guidance and informal village norms. On the normative level, it takes national law as the bottom line and absorbs excellent village customs to fill institutional supply gaps.

Integration function of three-governance mechanism

The compound rule of law serves as the integration carrier of autonomy, rule of law and virtue governance. Pure autonomy without legal restriction is vulnerable to capture by clan elites and wealthy villagers; virtue governance relying only on moral persuasion lacks mandatory binding force to resolve large collective interest disputes. The rule of law provides unified procedural standards, complete dispute settlement channels and standardized supervision mechanisms, making the three governance models complement and promote each other. This framework is not a static fixed institutional blueprint, but a dynamic adjustment

mechanism that continuously optimizes governance modes with changes of rural population structure and economic conditions.

The Fengqiao experience: A model for integrated governance

Core connotation and developmental evolution

The Fengqiao experience emerged in Fengqiao Township, Zhejiang in the early 1960s. Its core lies in mobilizing and relying on residents to settle grassroots conflicts onsite and avoid petitions and intensified disputes. Updated through decades amid shifting policy contexts, it has incorporated three-governance integration and digital grassroots governance, building complete mechanisms for tiered mediation, risk early warning and public supervision applicable to most rural areas. It establishes a graded dispute-handling framework: Minor issues get settled by village mediators following local conventions; intermediate conflicts are dealt with by township mediation committees. Only complex interest disputes go through formal judicial procedures, substantially easing case burdens for grassroots courts.

Practical value and popularization limitations

The updated Fengqiao experience adopts digital governance instruments including online complaint portals, real-time village-affair supervision systems and mobile conflict-reporting terminals. It lifts transparency and efficiency for grassroots conflict settlement and enables full-progress tracking for dispute handling. However, the model cannot be mechanically replicated nationwide. Mountainous, remote and ethnic-minority villages are short of professional mediation staff and digital facilities, while their folk customs and interest structures differ greatly from plain villages. Direct transplantation without localized adaptation results in low villager engagement and unsatisfactory conflict-resolving outcomes. Long-term funding, talent and policy support are necessary for region-oriented adjustments.

From control to service: The cooperative governance ideal

Fundamental shift of rural governance logic

Traditional rural governance followed typical top-down control logic. Driven by diverse assessment targets, township governments assigned administrative tasks to

villages. Village cadres prioritized superior task completion, while villagers' livelihood and public-service demands were frequently sidelined. Cooperative governance discards this hierarchical superior-subject mindset. It redefines government, village Party organizations, social organizations and villagers as equal collaborative partners with equivalent voice in designing and delivering village public affairs. Centered on "co-construction, co-governance, and sharing", this principle appears in central policy documents as a core direction for grassroots governance innovation. It requires collective-interest matters to undergo public consultation, hearings and joint decision-making rather than one-sided government arrangements.

Supporting institutional innovations and practical promotion obstacles

A series of operable institutional innovations have been derived under the guidance of cooperative governance thought. These innovations include regular village deliberative councils and villagers' public hearing systems. They also cover the villager-led satisfaction evaluation mechanism for township cadres. In addition, rural public service projects can be entrusted to professional village social organizations for operation and management. These institutional designs broaden the long-term stable participation channels of ordinary villagers and change the passive acceptance state formed under the long-term control governance mode. However, the nationwide large-scale popularization of cooperative governance still faces multiple prominent practical obstacles. First, the hierarchical inertial thinking of township cadres and village cadres has existed for a long time, and many staff still habitually adopt command-type working methods and are unwilling to carry out equal consultation with villagers. Second, most rural social organizations such as farmers' associations and public welfare councils lack stable operating funds, full-time professional staff and standardized operation systems, resulting in insufficient capacity to undertake consultation and service work. Third, generations of passive administrative acceptance make many villagers lack the awareness of active participation in public affairs, and they are unwilling to take the time to participate in village deliberation activities, which restricts the full play of cooperative governance effects.

Whole-process people's democracy as the operational mechanism

Complete five-link closed procedural system

Whole-process people's democracy supplies full procedural support for the compound rule-of-law and cooperative governance system. Unlike narrow electoral democracy limited to periodic village committee elections, it builds a complete democratic loop. The loop includes democratic election, democratic consultation, democratic decision-making, democratic management and democratic supervision. It covers pre-event, in-process and post-event stages of village public affair governance [10]. Standardized access and procedural rules apply to every segment. Elections secure equal voting rights for qualified permanent villagers and migrant residents. Pre-event consultation gathers diverse villager demands over major construction and land projects. Key collective issues require deliberation and voting via villager assemblies or villager-representative meetings. Villagers take part in routine collective-asset administration and public-service building. Post-event supervision makes village finance, project spending and cadre performance accessible to all villagers through offline notice boards and online digital platforms to sustain dynamic long-term oversight.

Rural practical defects and long-term cultural transformation tasks

When whole-process people's democracy operates in rural settings, practical flaws across each link weaken its actual effects. For democratic elections, clan influence, factional interest alignment and covert vote-buying occur in some villages and undermine fair voting rights. For democratic consultation, sessions mainly draw elderly stay-at-home villagers. Young migrant workers cannot attend in-person, so migrant groups' interests are largely overlooked. In democratic decision-making, village Party branch secretaries and village-committee directors often dominate discussions, and ordinary villagers' views carry little weight during voting. For democratic management, most villagers lack systematic legal and governance knowledge and cannot offer targeted advice on collective-asset operation and public-service improvement. Under democratic supervision, village financial disclosures are often incomplete and untimely. Many elderly villagers cannot operate digital supervision

platforms, resulting in low uptake of online oversight channels. Targeted refinements to procedural provisions are needed in revisions to the Organic Law of Villagers' Committees. Regular centralized training should be provided for village cadres. Mixed low-barrier offline-digital supervision channels shall be built for rural residents. These measures help tackle these issues. In the long run, the most challenging core task lies in transforming rural governance culture from favour-based acquaintance-relation governance toward procedure-driven rule-of-law governance. Sustained rural legal outreach and moral education are indispensable for this shift.

Ethnic minority areas: Special challenges and the path to revitalization

Unique complexity of ethnic regional governance

Ethnic autonomous regions cover 64% of China's land area, consisting of numerous remote mountainous and border ethnic settlements. Distinct from ordinary rural areas, they feature unique governance complexity derived from special historical traditions, ethnic languages, folk customs and customary laws. Remote ethnic villages commonly rely on clan elders and traditional mediation mechanisms to settle daily disputes, forming a dual operational structure alongside formal national judicial and self-governance systems that easily trigger normative conflicts. Furthermore, scattered settlements, poor transportation, bilingual barriers and weak grassroots infrastructure aggravate governance difficulties. Universal national laws fail to adapt to ethnic living customs, resulting in persistent norm mismatch in border and mountainous ethnic villages. Meanwhile, cross-border population mobility brings unique social stability risks, further increasing grassroots governance pressure.

Targeted optimized revitalization development path

Grassroots rule-of-law construction in ethnic regions cannot copy inland rural models and requires localized, tailored optimization. First, compatible positive ethnic customary norms can be incorporated into grassroots mediation procedures, while backward, illegal customary practices must be eliminated. Second, bilingual legal teams and mobile circuit courts should be established to break language and traffic barriers and improve legal service accessibility for ethnic residents. Third, under

Party branch leadership, ethnic elders and prestigious figures can be included in village governance organizations to mediate minor ethnic disputes relying on their public influence. Fourth, differentiated ethnic-language legal publicity combined with local folk activities helps elevate villagers' legal awareness. The ultimate goal is to realize the integration of national legal systems and excellent ethnic customs, maintain ethnic unity and border stability, and promote rural revitalization in ethnic border areas.

Conclusion

Three core inherent governance paradoxes

China's rural governance has achieved fruitful progress through four decades of institutional reforms and iterations toward village self-governance and rural revitalization. However, three persistent inherent paradoxes keep hindering grassroots rule of law effectiveness and cannot be solved by isolated legal revisions or local trials. First, the legalization paradox: Improved legal empowerment for village committees clarifies their autonomous rights, often leading to refusal of township government work coordination and new town-village power and responsibility conflicts. Second, the judicialization paradox: Grassroots judicial bodies and village mediation committees compete for cases and funds instead of forming tiered linkage, lowering conflict resolution efficiency. Third, the institutionalization paradox: Innovative grassroots governance mechanisms are easily assimilated by traditional hierarchical power operation, losing autonomous and mass-participation value and falling into formalized cadre-led governance. Widening regional gaps and massive rural population mobility further aggravate these paradoxes, bottlenecking grassroots governance modernization.

Future optimization direction and global reference significance

To address these dilemmas, China's rural governance optimization requires systematic institutional improvements in three aspects. First, refining rural legal systems. Clarify power and responsibility boundaries for township authorities, village organizations and rural social groups. Improving procedural norms for whole-process people's democracy. Standardizing village convention reviews to align written laws with grassroots practice. Second, cultivating villagers' governance awareness and participation capability via targeted legal

training and convenient offline and digital participation channels, reversing passive participation and activating rural self-governance endogenous power. Third, adopting differentiated institutional designs tailored to diverse village types under unified national legal bottom lines, balancing national legal uniformity and rural practical diversity.

China's decades of rural governance exploration offer valuable global experience. For populous developing countries with mixed formal laws and local customary norms, China's village self-governance, integrated multi-governance and tiered dispute resolution models provide clear theoretical and practical references for grassroots governance modernization. It contributes valuable Chinese wisdom to global rural social governance.

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Conflicts of Interest

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