

How to Effectively Protect Farmers' Rights and Legal Issues in the Development of New Countryside

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Abstract: With the improvement of the country's comprehensive strength, the construction of various localities has been increasing, and very significant results have been achieved in recent years. At this stage, when developing new countryside construction, we must pay more attention to the protection of farmers' rights. This is the top priority of new countryside construction and an inevitable choice for social development. In the development of new rural areas, how to effectively protect rural rights and interests is a hot topic and one of the current problems. By analyzing the concept of rural rights and interests, the author investigated and analyzed the current protection status of farmers' rights and interests, combined with my own practical experience, made an in-depth discussion on the protection of rural rights and interests from a legal perspective, hoping to smoothly carry out the development and construction of new rural areas in my country With certain help, it also contributes to the realization of socialist modernization.

Keywords: New Rural Construction; Farmers' Rights and Interests; Law

Introduction

In recent years, the national economy has achieved leapfrog development, the process of urbanization has also deepened, and people's living standards have also been greatly improved. In the current new market environment, if the local economy wants to achieve rapid development, speeding up the construction of new rural areas is a very important content, which has a very significant effect on optimizing the economic development model and improving people's quality of life. However, due to factors such as imperfect job-related policies and regulations, the legal rights of farmers cannot be effectively protected when building a new countryside. Especially in recent years, some areas have not strictly followed the regulations, and a large number of collective land has been expropriated as state-owned land, which has

seriously deviated from the original value and natural laws of the urbanization process. The main purpose of this article is how to ensure the legal rights of farmers through laws and regulations, to achieve the orderly and healthy development of urban and rural areas, and to lay a good foundation for the construction of a harmonious society.

1. The concept of farmers' rights

The protection of farmers' rights and interests must be evaluated and judged based on actual conditions, and scientific standards and values must be formulated. This is also the basis for discussions on the protection of farmers' rights and interests. The concept of farmers' rights and interests refers to the rights and benefits that citizens and members of society should enjoy, including social rights, economic rights and political rights. With the development of the times and the progress of society, the content of farmers' rights and interests has become more and more abundant, and the rights and interests enjoyed have become more extensive. In the 1980s, the Constitution completely deleted the prohibition on renting land, and it can be transferred in accordance with the relevant provisions of the law, which also means that farmers have the right to rent land.

2. The lack of protection of farmers' rights and interests in my country

2.1 Lack of economic rights

Among the economic rights and interests, it mainly includes the rights and interests of consumption, the rights and interests of contracted land use, the rights and interests of market entities, and the economic rights and interests of farmers. However, it can be found from the actual situation that some regional departments still have random apportionments, arbitrary fees, and arbitrary fines. Related surveys show that the value created by each migrant worker in the city is about 40,000, but the actual remuneration is only 15,000, that is, the value of 25,000 created by each migrant artisan is left to the city. Because of the limitation of farmers themselves and the lack of a dominant position in commodity economic activities, it is difficult to protect their legitimate rights and interests in a collective manner. For example, in terms of land contract management rights, many farmers' rights protection has not been implemented, and they have been seriously interfered by local policies.

2.2 Lack of political rights

As the important rights and interests granted to farm names by the Constitution of our country, farmers' political rights and interests mainly cover political activities participation, political equality, and political freedom. But in actual life, the phenomenon of farmers' lack of political rights and interests is very common. The urban-rural dual structure implemented in recent decades has led to a lower status of farmers than urban residents. This is not only reflected in institutional discrimination, but also weakened the basic rights that farmers should enjoy, and they cannot enjoy society, education, and labor. Equal rights in employment, etc. In addition, the institutional barrier of hukou has made the core representation of citizens' freedom rights missing, causing farmers, a vulnerable group, to become less and less concerned.

2.3 Lack of social rights

The main content involved includes social security rights, labor rights, education rights, social respect rights, etc. For human rights, the most critical and core element is the recognition of human values and freedom of behavior. The term "agricultural name" in our country is like a sign of social rank and identity, which seems to be inferior to urban residents. However, my country's laws clearly stipulate that all Chinese citizens have equal rights, but the actual situation can be found that education resources, social resources, etc. are significantly less than urban areas. In particular, farmers have suffered long-term employment discrimination in the urban labor market, and their own legal rights have been greatly benefited and violated. Of course, the state has intensified reforms in this regard in recent years and has also achieved very significant achievements.

3. How to effectively protect farmers' rights and legal measures in the development of new countryside

3.1 Clarify the legal responsibility for infringing on farmers' rights and interests

Constitutional doctor Deng Lianfan proposed that the introduction of corresponding legal measures on farmers' rights and interests can be punished in accordance with relevant regulations and thoroughly improve the past bad practices of

dealing with the infringement of farmers' legal rights. There are very few laws in my country regarding the infringement of farmers' legal rights, mainly because the detailed regulations of the law are not perfect and the actual operation is relatively poor. When clarifying the corresponding legal responsibilities, it is necessary to clarify the types of administrative sanctions, the amount of fines, and the standards for sentencing. In addition, the scope of legal protection for farmers must be expanded so that it can be implemented in practice.

3.2 Clarify the protection scope of farmers' rights and interests

First, democratic political rights. To protect the foundation of villagers' self-government, it is necessary to ensure that the right to be elected and the right to vote are not violated. However, the villagers' right to vote has been deprived in a disguised form. This requires that the right to equality be implemented through the law, and farmers should be given national treatment politically.

Second, property rights. For farmers' rights, the most important thing is property rights. The state and government departments can start from the perspective of strengthening legislation on land rights. For farmers, housing and land are the most important and basic property rights. The law must clearly stipulate the payment of land compensation fees, the procedures for land acquisition, the calculation of land prices, and the compensation for young crops in the land. The scope of land acquisition and the right of acquisition are clearly defined.

Third, the rights and interests of migrant workers. Vice Minister of Human Resources and Social Security You Jun stated at a press conference on February 28, 2020 that the total number of migrant workers reached 290 million last year, of which 170 million were migrant workers, including 75 million migrant workers. However, my country's labor laws do not provide adequate protection of the rights and interests of migrant workers. Migrant workers should be granted national treatment in the legislation and enjoy the same rights as urban residents. Children of migrant workers also have the right to receive compulsory education nearby and are protected by the Work Injury Insurance Regulations. Rights etc.

Fourth, the right to social security. In the scope of social security for farmers, it

mainly covers rural minimum living security, medical care, and old-age care, so that farmers can also provide for the elderly and the sick. The law should clearly stipulate that financial departments at all levels should have special funds for rural social security every year and set up special agencies to manage them.

Fifth, the right to relief. In the legislative content, the relief of farmers' rights and interests is also a very important part. When implementing relief, judicial and administrative channels can be used. Either way, the farmers' right to appeal, debate, hearing, cross-examination, application for recusal, request for notification, and legal aid rights must be guaranteed, and legal aid to farmers must be strengthened.

3.3 Clarify the legal definition of farmers

With the deepening of my country's reform and opening up, the peasant stratum has become more and more diversified and complicated. By classifying rural personnel, the following types can be derived. First, "non-agricultural households". That is to say, those who live in the countryside all the year round, the main source of income is their stable income in the city or the salary paid by the state, such as retirees. Second, "de-peasant households". That is, the main labor force of the family is engaged in non-agricultural industries. Third, "farmers who use agriculture as their sideline". The main labor force of the family spends most of the time in non-agricultural industries and also planting part of the farmland, which is currently the largest proportion. Fourth, "agricultural-oriented farmers". The main labor force of the family is engaged in agricultural production most of the time, but it also works out in a short period of time to subsidize family income, which is the second largest proportion of the total. Fifth, "pure farmers". The family is mainly engaged in agriculture. The first two no longer belong to farmers in the legal sense, and the latter two obviously belong to the category of farmers in the legal sense. As for the third type, there are still differences in theoretical circles, but the author believes that these people should be divided into the category of farmers, because they have played a very important role in the development of the rural economy.

3.4 Improve the social security system

As the country stipulates the obligations and rights enjoyed by citizens according

to certain legal forms, the social security system is directly related to the level of social stability and development. At present, it is necessary to further improve the legal norms of social security to protect the labor rights of farmers. In the process of enacting laws, it is necessary to have a full understanding of the interests of farmers and protect migrant workers. Whether the new countryside can develop harmoniously is directly related to the appeal mechanism of farmers' rights protection. Therefore, it is necessary to further improve the appeal mechanism of farmers' rights protection to properly resolve the conflicts of interests of all parties.

3.5 Improve the political and democratic system

Deepening the reform of the political system can promote the development of farmers' civic awareness. To realize the prerequisite for farmers to enjoy political rights and interests equally, the right to vote of urban and rural residents is a very important part. Only by establishing more reasonable and complete protection measures for farmers' political rights and interests can they stimulate their enthusiasm for participating in villagers' autonomy. Therefore, it is necessary to actively innovate the forms and methods of villagers' self-government and improve the grassroots democratic system so that citizens' right to be the masters of the country is guaranteed.

In many rural areas, it is common for villagers to neglect to exercise their democratic rights. This is also a direct manifestation of farmers' lack of democratic awareness and weak civic awareness. They are also influenced by traditional feudal ideas and generally do not express their opinions on elections. What's more is the attitude of hanging up high. Therefore, we must actively encourage farmers to participate in democratic elections and strengthen their awareness of democracy and protagonist. In particular, doing a good job in protecting political rights and interests is an important symbol of a democratic and rule of law society. It is also the realization of the democratic rights of the broad masses of the people. The improvement of the democratic system directly reflects the level of development of China's democratic politics and is also an important goal of achieving China's modernization.

4. Concluding remarks

All in all, in recent years, people's awareness of rights protection has become higher and more attention has been paid to farmers' rights. Protecting farmers' rights is an inevitable choice for social development. It is also an important part of the construction of a new countryside. Out of humanistic care, what is more important is the progress of social civilization. At present, the protection of farmers' rights and interests by domestic scholars is still in the early stage. There are still many imperfect status in relevant national laws and regulations, and farmers' own awareness of democracy, law and rights need to be further improved. This requires speeding up the development of the democratic system, strengthening the support of social forces, and in the context of new rural construction, better protecting the rights and interests of farmers, improving unfair and unreasonable phenomena, and achieving balanced social development. What is urgently needed is to introduce more complete laws that can protect the legitimate rights and interests of farmers, so as to promote the healthy development of the farmers' economy, enhance the status of farmers, and build a new socialist countryside.

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