

Analysis of the Moral Governing Function and the Approach to Realization of Folk Regulations at the Grassroots Situational Social Governance

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ABSTRACT

There are differences, particularities and dynamics among grassroots units, and it is necessary to pay attention to the situational governance of grassroots society. As a local moral governing resource, in the process of rural governance, folk regulations highlight the "soft law" attribute, embody the cohesion of villagers' value consensus, resolve rural social contradictions, integrate rural social forces, and are conducive to the construction of villagers' spiritual homes. In order to improve the country's modern governance capabilities, attention must be paid to the moral governing function possessed by folk regulations. It's needed to give a correct understanding of folk regulations and further give play to their moral governing function by absorbing excellent traditional culture and socialist core values' guidance.

Keywords: folk regulations, rural society, value of moral governing, approach of realization

I. INTRODUCTION

The "Decision of the Central Committee of the Communist Party of China on Several Major Issues in Comprehensively Deepening Reform" approved by China in 2013 clearly stated that it is necessary to upgrade the modernization level of the country's governance system and governance capabilities, and "promote social organizations to clarify their powers and responsibilities and govern by oneself according to law". Under this circumstance, China has successively promulgated a series of related policies and regulations to enhance the social autonomy of the country. As a governance resource with local characteristics, folk regulations are the foundation of rural autonomy. Because in the geographical location and social background level, the grassroots level has a certain particularity, there are still certain deficiencies in the modernization process of China's governance system and governance capabilities, and these deficiencies are concentrated on grassroots governance. In this case, it's necessary to properly change the governance thinking based on the real situation at the grassroots level, and use effective strategies to actively improve the modernization level of the grassroots governance system and capabilities at the same time, thus laying the foundation for the improvement of China's governance system. As a governance resource, the production of folk regulations has a bottom-up characteristic, and it also has local and spontaneous characteristics. In order to strengthen the capacity of rural social governance

modernization, enhance China's social governance capacity and modernize the governance system, comprehensively exerting the moral governing function of folk regulations has a promoting effect.

II. THE HISTORICAL TRACEABILITY OF FOLK REGULATIONS' MORAL GOVERNING FUNCTION

From the perspective of China's traditional society, especially the macro structure of the Chinese legal system, the nature and function of "soft law" can be reflected in folk regulations, and the folk customary law of "rule by customs" born here. Lenin once said: "If we think that writing a few hundred decrees can change the whole life in the countryside, then we will be utter fools." [1] As to the behavior of the people under folk regulations, it has the function of regulating their behavior and belongs to a basic order. As Max Weber puts it in his book "Basic Concepts of Sociology": "An order that guides and manages organizational actions can be called 'administrative order' (Verwaltungsordnung). An order that regulates other social actions and ensures that actors enjoy the opportunities opened by this rule is called 'normative order' (Regulierungsordnung)." [1] As a kind of governance resources, folk regulations have the characteristics of informality, which belong to the category of folk laws and regulations, and come from the convention among people. This is a kind of "ritual and custom culture that is 'conventional, influenced, imperceptible'... It has been deeply immersed in the bones of rural society. People

often act according to etiquette and customs, and become virtuous because of etiquette." [3] From the perspective of the content of folk regulations, in addition to regulating the civil order through rules, it can also achieve the goals of governing society and educating the people on the moral level. Therefore, it's necessary to lay emphasis on folk regulations' moral governing function. The author will exemplify in the following. "Lv's Village Convenance" was created in the Northern Song Dynasty and was the starting point for the majority of academic research involving folk regulations. Confucianism was fully manifested in the rural covenant, and it attaches great importance to restrain and educate the people from the moral level. In the beginning part of the township covenant, it was said: "Virtue is when you see good things, you will do it, and when you know the mistakes, you can correct them... You can bring the good and remove all evil, and you can do your due diligence while you are an official." [2]

In the Ming Dynasty, the folk regulations were strongly advocated by the court. The importance of etiquette education was repeatedly emphasized by Taizu of Ming, Zhu Yuanzhang. At the same time, he also promulgated the "Six Instructions of the Sages", which was formally implemented in the thirtieth year of Hongwu (1398). Throughout the Ming Dynasty, the guiding document for its enlightenment was the "Six Instructions of the Sages", and "being filial to parents and respecting the elders" and so on were the contents of the document. Because of the promotion of the central government, local governments took the initiative to implement this document. The most typical of these was the "Nan'gan Village Convenance" published by Wang Yangming in 1518, which fully exerted the role of the elite at the bottom, had the effect of punishing evil and promoting good, and can teach the people to be virtuous, thus making the generous folkway generated. The "Nangan Village Convenance" had a profound impact on both then and later generations.

In the Qing Dynasty, three documents with programmatic features were adopted to formulate and promote the content of the rural covenant. These documents were "Six Imperial Edicts", "Sixteen Imperial Edicts" and "Extensive Admonishment of Imperial Edicts"; and they were promulgated in 1652 (the ninth year of Shunzhi), 1670 (the ninth year of Kangxi) and 1724 (the second year of Yongzheng). From a practical point of view, the village convenance in various places were formulated using the above documents as templates, and even some clan rules introduced the above documents. In this period, the content of folk regulations was unified. The folk regulations existed mainly by preaching the imperial edict, and their existence placed too much emphasis on the interpretation of moral and political affairs, resulting in insufficient social practice. In addition,

dealing with the actual problems of the people was no longer the guide for the formulation of folk regulations, which paid more attention to showing the power and will of the country ruled by rites.

III. THE MORAL GOVERNING FUNCTION OF FOLK REGULATIONS AT THE GRASSROOTS SITUATIONAL SOCIAL GOVERNANCE

A. Folk regulations have the moral governing function for the consensus of villagers' values

The German scholar Ferdinand Tonnies first proposed the concept of "community" in his research. And he believes that the community is mainly based on nature, "Blood-related communities develop and separate into geo-communities as a unity of behavior. Geo-communities directly manifest as living together, and geo-communities develop into spiritual communities, as pure interaction and domination in the same direction and the same intention". The formation of "mutual-common and binding thoughts and beliefs as a community's own will is here should be understood as the concept of consensus." [5] The Chinese rural society that was born and grew up here is not only a blood or regional community composed of simple atomic individuals, but also a spiritual community. In real life, due to the difference in life experience and education, there are certain differences in the way of thinking among the majority of villagers, which makes each villager different in terms of value orientation. In this case, it's necessary to ensure that all villagers can reach a consensus on the values. Only when folk regulations can understand and reflect the historical inevitability and the common demands of the people can they ensure that the villagers produce a consensus of values. Reflecting the common will of the village is the folk regulations. As a form of socialization, they contain all the common needs and common value needs of all villagers. From a certain level, it is a manifestation of the collective personality. Within a certain range, the folk regulations can usually form systematic and unified values, and as a mode of thinking or value orientation, they can help the villagers to recognize the essence of things and distinguish between good and evil. In terms of knowledge, understanding, judgment and choice of villagers, they have a guiding function, and ultimately they will ensure that the value goals and thinking concepts of the villagers can be agreed. Therefore, the main way to improve the rural social rationality and rural social value commonality is to reach folk regulations.

B. Folk regulations have the moral governing function to resolve rural social conflicts and integrate rural social forces

Rural society is bound to have conflicts and disputes based on interests. The reason is that the interests and demands of each villager are different, especially in a society in transition. From the perspective of the significance of rural grassroots social autonomy, the village regulations and folk conventions, which are one of the resources of rural grassroots social governance, are the product of the "spiritual internalization of the rural grassroots social people, and its attached contract binding force, public opinion judgment power, and internalized self-conservation" play a special and important role in promoting the resolution of rural social conflicts and even dispute resolution. Traditional Chinese society is an acquaintance society based on blood relationship. In the circle of acquaintances formed by blood and geographic relations, rural public opinion plays a very important role in guiding villagers' behavioral norms and ideological concepts. The implementation of village regulations and folk conventions also provides an important guarantee for the stable and orderly development of villages. As W. Richard Scott said, "Regulations can also arouse strong emotions... The emotions caused by violations of the norms, including shame... Such emotions provide strong incentives for actors to comply with mainstream norms".[6] By concentrating and coordinating rural ideology and culture, folk regulations can influence and constrain rural social values, norms and structures. At the same time, from the perspective of culture, ideas and interests, they can integrate a variety of rural social subjects to ensure that the norms and ethics based on the common interests and ideals of the village can be consciously followed by all villagers, and can also ensure that the requirements of the rural society can be consciously reflected in the ideas and behaviors of all villagers. They can also resolve all kinds of conflicts existing in the rural society, and finally produce a kind of joint force, which is used to improve the development level of the rural society. The process of integrating the real interests, ideas and value pursuit of the village is the process of the folk regulations to resolve various conflicts existing in the rural society. In this way, the above integration can have higher stability and long-term effectiveness, and finally achieve the purpose of enhancing rural cohesion.

C. Folk regulations have the moral governing function to build the villagers' spiritual home

"From a grassroots point of view, Chinese society is rural." This is Mr. Fei Xiaotong's summary of China's grassroots society. "Daily life of the rural grassroots society is based on the direct environment of the individual family, natural community, etc., as the basic residence... It takes traditional customs, experience,

common sense and other empirical factors as its basic activity schema. It is a realm of free quasi-essential objectification based on naturalistic relationships such as survival instinct, blood relationship, and natural emotion."[7] The special geographical and spatial conditions of the grass-roots society gave birth to special rural production and lifestyles, which gave the local moral and cultural traditions its own particularities. And this special production, life style and special regional cultural background make it form a unique rural moral culture picture with regional characteristics. The original meaning of culture is "to use culture to educate people". Using various forms, folk regulations can pass on the value orientation and moral principles to villagers, and the values and cultural elements promoted by the rural society can also be recognized and accepted by more villagers through folk regulations. In addition, the villagers will continue to weigh, adjust and adapt to the cultural elements they accept in production and life, so that ideas, beliefs and moral principles similar to or the same as those in rural society are generated, and ultimately the purpose of integrating into rural social groups is achieved. The above shows the shaping function possessed by folk regulations. At the same time, as far as the villagers are concerned, folk regulations also have the function of spiritual regulation. By living together in a healthy and civilized village, the villagers can get a certain improvement in the spiritual level, so that the elegant culture and healthy lifestyle become every villager's pursuit, and ultimately the purpose of personality modernization can be achieved. Therefore, only by giving full play to the spiritual shaping function of the folk regulations, can it be possible to give full play to the governance functions of the folk regulations; if you want to influence the behavior of the villagers, you must shape the spirit of each villager and finally build a community of spiritual homes for the villagers.

IV. THE REALIZATION PATH OF THE MODERN FOLK REGULATIONS' MORAL GOVERNING FUNCTION

A. A correct role positioning is the prerequisite for giving full play to the modern folk regulations' moral governing function

Only by placing the folk regulations in the correct position can the role of folk regulations in rural governance be fully played. Are folk regulations still valuable? The folk regulations and the rule of law have a common starting point, so in essence, they do not have a fundamental conflict. Based on compliance with laws and regulations, the scope and principles of the folk regulations can be determined. Because the villagers have a lack of cultural literacy, it is difficult for them to learn, master and use the law effectively. As a binding rule, the folk regulations are more conducive

to the villagers to master and use because of their local characteristics. Therefore, compared with laws, folk regulations have higher pertinence and influence. Obviously, there is no conflict between folk regulations and laws. As far as the law is concerned, the folk regulations have the role of adjustment, supplementation and soundness; for areas that are difficult to be covered by the law, the folk regulations have an indispensable role, such as neighborhood disputes. Under normal circumstances, the above-mentioned problems can hardly be solved by law, but through self-restraint, folk regulations can eliminate some of the problems that are difficult to solve by law. Based on the real situation of the village and based on the public order and good customs, they have established a code of conduct that conforms to the rational and legal principles. In addition to the role of punishment for the law, they also have the function of moral education, which makes them exist as an indispensable resource in rural social governance.

B. Absorbing excellent traditional culture is the basis for giving full play to the folk regulations' moral governing function

Chinese traditional culture has a long history and a wide range of contents. As a moral culture, the folk regulations still have many concepts that are still in use today, which are the moral standards people must comply with. "But it is precisely in this way that emphasizing virtue and attaching importance to moral education have become the basic characteristics of Chinese traditional culture".[3] The traditional culture is carried in the folk regulations, so the masses of people fully recognize it. The essence of the traditional culture can be fully reflected in the folk regulations, for example: respect the old and cherish the young and other moral requirements. This also makes popular characteristics to be given to traditional culture. At the same time, based on this, it's necessary to establish modern folk regulations to ensure that the role of moral governing is fully played in rural governance.

C. The core values of socialism are the soul to give full play to the folk regulations' moral governing function

Moral implication exists in the core values of socialism. General Secretary Xi once said: "The core values are actually a kind of virtue, which is both a personal virtue and a great virtue, and it is the national virtue and the social virtue."[4] From a national perspective, it's needed to focus on improving the level of rural economic development, strengthening the level of rural democracy construction, and achieving self-governance and good governance. Through folk regulations, the purpose of building a good rural civilization and building a beautiful village can be achieved. From a social point of view, it's necessary to

ensure that the interests of every citizen can be safeguarded through folk regulations, and ensure that all villagers can be treated equally, never exceed the bottom line of the rule of law, and fight against illegal and disorderly activities together to ensure that the social public order can be maintained. From a personal point of view, efforts should be made to ensure that the patriotic spirit of the villagers can be cultivated and promoted by folk regulations, and promote the villagers to realize their self-worth through their own efforts, and at the same time ensure that the neighbors can form a good situation of mutual help. In addition, the punishment is not the goal of folk regulations. With the restriction of various mechanisms, the level of rural economic development and residents' self-governance level can be improved. The core value of socialism is the most suitable for evaluating the effect of folk regulations' moral governing. If the folk regulations in a certain region can't improve and reform themselves, then the folk regulations will be abandoned by the times, and their role in rural governance can't be fully reflected. When the core values of socialism are fully consistent with the final practical results, the effect of rural social governance can meet the needs of national development and social progress, and at the same time, it can help the village to build a good rural civilization, thereby ensuring that the folk regulations' moral governing function can be fully reflected.

V. CONCLUSION

Folk regulations have a long history, are the common memory of villagers, and have a broad mass base. As a local governance resource, the folk regulations have a strong practicality in daily life because they are derived from the daily life and social interactions of the villagers. Therefore, it is a vivid practice of the mass line in the new era and has important value to fully exert folk regulations' moral governing function in the governance of the grassroots social situation and effectively integrate the largest variable of rural governance into the greatest advantage.

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