

Are People in Chinese Rural Areas Conscious of the Law, and What Are the Impacts?

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Abstract: Contemporary society benefits from having a strong sense of the law because it makes it easier for people to live better in a society where the law is upheld. Without effective law enforcement, society may descend into anarchy, making it impossible to protect the rights and safety of its citizens. Yet many Chinese residents in rural regions do not have a basic understanding of the law. The first is that certain rural areas are economically underdeveloped due to their isolation and limited accessibility. As a result, it contributed to a certain extent to the clan system in rural regions, and a lack of knowledge led to some people's dismissal of the law. The absence of courts is the final factor for poor infrastructure. It has been suggested that education be improved and more advertising in rural regions to increase legal publicity. Additionally, the government may arrange for additional volunteers to take part in legal assistance initiatives in remote regions, which would help to address the issue of a lack of attorneys. The government might potentially make improvements to an itinerant program that has been successful in some rural parts of China. However, these options have certain drawbacks, which will be discussed later.

Keywords: rural area, crime, legal consciousness

1. Introduction

Legal awareness holds great importance and should be carefully considered, as it is closely linked to numerous pressing social problems that have afflicted Chinese society for over a decade. The issue was chosen because, while the researcher was growing up, social news like Guangdong drug village and other rural places that were brought about by a lack of legal understanding frequently appeared in the headlines. There were locals with AK-47s who opposed police enforcement in the community of around 3,000 people that were involved in drug manufacture. Therefore, it is important to learn the answer to this issue and to come up with some ideas.

For one thing, although the school does not offer law courses, the deep interest in legal studies and the obsession with researching legal concerns that have arisen in society pushed the researcher to pursue a law degree at the university level. For another thing, due to the economic studies, the researcher has also been concerned about the economic conditions that may affect the awareness of the law in rural areas.

In general, being aware of the laws in force and the accompanying legal phenomena that exist in society is referred to as being conscious of the law. The field of law and its related legal phenomena encompass various aspects such as the interpretation, study, application, and compliance of laws by

people. The wide term “legal awareness” refers to people’s knowledge, attitudes, and psychological state as they learn, examine, apply, and observe the law. We can represent the legal awareness in rural regions through the awareness of farmers since the theme of this dissertation is talking about the legal awareness in rural areas, in addition to the fact that rural areas are directly associated with farmers.

“Farmers’ legal awareness” refers to all of a farmer’s knowledge, opinions, and emotional states as they relate to understanding, learning, adhering to, and putting laws into practice [1]. Farmers’ faith in current laws and related legal occurrences is referred to as their legal awareness. To assess the level of understanding and trust that farmers have in the law, several aspects can be considered. It focuses on the farmers’ knowledge of the law, their trust in the law, how to apply the law, as well as the psychological and sociological effects on farming and daily life in rural communities.

The Southeast area of China, especially the Fujian province, will be focused on in accordance with the concept and phenomena that have been described above. Clan consciousness and religious beliefs are the primary causes of poor legal awareness in rural China, and the Fujian province is extremely typical and worth studying. Despite having a large percentage of rural residents, Fujian is the most significant area in China in terms of religious beliefs and bloodline transmission. Therefore, Fujian has been chosen as the research focus.

2. Literature Review

2.1. What Exactly Is Legal Consciousness?

The entirety of human cognition and psychology regarding legal issues is referred to as legal awareness, which highlights the manner in which individuals see, comprehend, and behave with respect to the law [2]. Other academics see this phrase from a wider range of angles, such as the rule of law that people develop based on their perception of legal phenomena [3]. More different perspectives are held by other scholars. They hold that people’s internal understanding of legal phenomena and the distinct psychological components, such as sentiments, perceptions, conceptions, attitudes, and emotions toward the law, constitute legal awareness [4].

First, for legal awareness to exist, social factors must be recognised by the conscious subject, and perception is the necessary building block for the development of consciousness [5]. Under this arrangement, the human body receives information about diverse social occurrences via the sense organs. They get the most basic understanding of the topic of social awareness through the study of the brain. The sensation is the process by which the sensory organs of the conscious person acquire external information stimuli and produce nerve impulses that are sent to the brain. Sensation is one of two components of perception. The process of perception involves the identification, categorisation, and integration of nerve impulses acquired by the senses into recognised information in the brain, marking and understanding information, and explaining external happenings [6]. Information enters the system randomly during the creation of legal awareness through the sensory process, is picked out and recognised by the brain during the perception stage, and then information relating to law is merged to form a knowledge set. In the perceptual stage, the brain chooses and recognises information about the law and then compiles it into a body of knowledge to give a preliminary grasp of the law and its associated social circumstances. However, even if the legislation is well-publicised, it does not guarantee that the populace would comprehend it. As a result, the legal consciousness should be based on the prerequisite legal knowledge.

Second, in order to generate legal consciousness, the conscious subject must have a favourable opinion of the law; as a result, the structure of consciousness production must include the judgment and assessment of the data included in the legal knowledge set. By evaluating the veracity of the information that the aware person has perceived, the judgment process establishes the tone of consciousness. The brain evaluates the incoming data and renders a “good or terrible” decision. If the

judgment is favourable, the law is initially and briefly recognised, which enhances the inclination of the conscious subject to study, follow, and implement the law; if the evaluation is negative, the law is disapproved of, which might hasten alienation from the law [2].

2.2. How Crucial Is Legal Knowledge?

Modernising farmers' legal consciousness is a key political symbol of their modernisation. Farmers' legal consciousness can, to some extent, symbolise the level of farmers' political awakening because of the inescapable link between legal and political consciousness, such as elections and voting rights, which implies that the "rule of man" is what defines old society, whereas the "rule of law" defines contemporary society.

Legal aid and knowledge are also crucial for the public's health. Recent US health research recognises the value of attorneys' strategic litigation in advancing or upholding health-related policies [7]. Fundamentally, this understanding represents a tenet of medical ethics, according to which doctors must respect the law and acknowledge their obligation to work to alter it when it runs counter to patients' best interests. Legal help effectively reduces and even avoids health difficulties, even when it is not technically involved in the healthcare environment.

Conversely, raising people's understanding of the law defends their legal rights. Women may safeguard their rights by being aware of the relevance of the law, thanks to laws that protect them. For instance, the legislation has established a number of severe penalties to address crimes against women. In certain ways, these laws have helped Indian women achieve social and economic fairness [2]. Additionally, there are more and more options for women to get jobs, and they are favoured over males. It is argued that the legislation of India permits these women to vote and pursue an education [2]. Therefore, from the perspective of rights protection, raising people's legal awareness is of great significance.

2.3. What Are the Specific Issues with Legal Awareness in Rural Areas?

Examples show that a lack of legal understanding can be a factor in a number of societal problems [8]. The majority of respondents concluded that theft was a crime that significantly harmed rural communities and was probably caused by a lack of social awareness of the law. Subsequently, drug abuse happens. This may indicate that the fear of theft and its detrimental impacts are rising. When a robber steals from a rural resident's assets, harvests, or stores agricultural commodities, the family stands the risk of going without food, and the seeds for the following season's planting are also at risk.

In rural China, there are many instances of trafficking in women and children due to the people's outmoded attitude, limited education, and lack of legal understanding. In addition, these circumstances are more prevalent and frequent in rural areas than in cities [9]. For instance, on 11 July 2013, a villager in Suining County phoned the local police station and accused a man by the name of Wang of abducting and selling kidnapped women in the hamlet. Inquiries led to the discovery that Wang had paid 8,000 yuan for Zhang's wife. The woman eventually became mentally ill when Wang imprisoned her in a pigsty because she kept trying to escape [9].

The clan is yet another well-known example of problems resulting from legal awareness in rural China. According to Hu, a "clan organisation" is a group founded on clans in rural areas that is connected by true blood ties, has a strong organisational structure, and is systematically binding on its members. The association thus produced a big illegal event, which will be explored in more detail below [9].

Laws and regulations are not taken seriously by farmers either, and the legality of the legislation is being questioned. Because of the influence of the traditional Chinese mentality, farmers' friends

do not sincerely respect and uphold laws, do not recognise the reliability and effectiveness of laws in settling problems, and even harbour mistrust for justice. Therefore, the majority of farmers choose to handle the matter privately through clansmen, relatives, friends, neighbours, village cadres, etc. or just adopt a tolerant attitude when their rights and interests are violated.

3. Discussion

The Zhou dynasty established the clan system, which has existed for about three thousand years and is the oldest and most pervasive social structure in Chinese civilisation. The patriarchal family should have been destined to extinction by history under state-led modernisation since 1949 as a traditional social phenomenon incompatible with modernity [10]. Clan culture as a relatively independent spiritual entity has not vanished with the change in the socio-political and economic basis, even in the vast rural areas where clan culture is still closely entwined with social life, despite the fact that the political and economic foundation of traditional clan culture has fundamentally changed since the establishment of the People's Republic of China. For instance, many families in rural Fujian and Guangzhou have ancestral temples to which the entire family pays respect. During the celebration, every member of the family should attend worship in the ancestral hall. In contrast, sexism is one of the major issues in contemporary culture. Families never permit the addition of female members' names to the family roster, indicating that they are unaware of the status and role of women inside the family. This phenomenon is unquestionably caused by undeveloped productivity, a weak market economy, and an unstable political structure.

The clan structure of society in Fujian province is a serious issue that results in a lack of knowledge of the law [10]. The idea of a clan is strongly held in such rural communities, and clan authority confers dignity and advantages on both individuals and the entire family. For instance, clans elect their own representatives to the local government through elections and seek benefits for their own clans in the decision-making and management of rural public affairs, prioritising clan interests over the general interests of villagers. They may even rely on clan power to win re-election, which opens the door to the private use of public power for their clans and has a significant impact on rural governance. From ancient times to the present, every Chinese has been impacted by the idea of the clan. A group of individuals are given a bloodline identity thanks to this idea. Individuals establish large clans when they believe that they are related to other people through blood. They have their own regulations in this clan, exactly as in a kingdom. Every clan has its own ancestral shrine in Alsmot. Some ancient clans' elders will have family genetic genealogies that list the names of all male family members as well as ancestral laws. Many outdated, noncompliant concepts are frequently still present in these rules. For example, sexism is one of them and is incompatible with current legal standards. Families never permit the addition of female members' names to the family roster, indicating that they are unaware of the status and role of women inside the family.

Actually, Many people tend to overlook the laws and regulations set by local governments and the country, only obeying the rules established by their own families. Even though it has somewhat decreased in recent times, this phenomenon still remains in rural places [10]. As a result, clan groups will compete in the election, driven by varied political and economic objectives, and there is frequently little bloodshed. Particularly, some clan leaders are ignorant of the law and frequently hold the view that whoever is strong and fights hard, whose clan members will be elected, which frequently has a negative impact on rural grassroots democratic elections and the legal rights of village people [10]. The same clan will defy the law to further its interests. Although they are aware that what they are doing is illegal, they believe the clan will defend them because of their strength and size. Consequently, many individuals hate the legislation.

Before 2013, there was a well-known and significant instance involving the production and sale of drugs by everyone in a community. Since everyone in the Boshe hamlet belongs to the Cai family,

they are collectively referred to as a clan. Around 2011, Boshe village, controlled by the clan power of Dong Jia Cai, had about one-third of the families directly involved in the production of methamphetamine. The entire Lufeng City's methamphetamine production accounted for one-third of the nation, and Boshe village's every move had a significant impact on the price of methamphetamine in the nation and even the world. In addition, Boshe Village evaluates how successful or unsuccessful the company is [11]. Due to the enormous earnings from methamphetamine trafficking, a community of clan and blood-relative interests has emerged, transforming this once seashore fishing hamlet into a stronghold housing an incredible number of methamphetamine trafficking families in just a few years. In China, drugs are absolutely outlawed. The offence, such as illegal manufacturing, dealing, transportation, and smuggling of produced narcotics, is defined in Article 350 of the Chinese Criminal Law. As a result, it is clear that the Cai family completely broke the law. After 2011, the police became aware of Lufeng City. Dong Jia Cai, a prominent figure who would have suppressed the villagers' knowledge of the law at this time, had been elevated from the position of director of the village of Boshe to that of the village chief and was also a representative of the National People's Congress of Lufeng City and Shanwei City.

In addition to producing narcotics for himself, Cai also offered protection to the villagers, thus they could produce and sell drugs. He attempted to assist some arrested family members to escape justice by bribing case officers. He also used his position as an official to covertly gather information on police investigations into drug cases, alert important people to flee before the police intervened, and notify important people to abscond [11]. It is clear that in certain rural parts of China, clan awareness continues to hold sway over the rule of law. This case is significant because, as was previously indicated, many villagers initially realised that it was unlawful to produce drugs. However, because of the clan's patronage, they didn't give a damn about the law even though some of the villagers were detained and sent to the police station.

However, China's educational system has not developed to a very high degree. Since many of the settlements in this region are encircled by mountains, and transportation is still poor, for instance, education and isolation are the biggest problems there [12]. In a hamlet in Yunnan province, residents have to cross a river without a bridge in order to leave the community; which is risky because they can only use the zipline.

China's rural areas are also big and dispersed, and the mountainous southern regions are much more remote. For instance, a town in Sichuan province is 2,800 meters up in the mountains and the sole means of transportation is on foot. As a result, the legal literacy team faces tremendous difficulty since farmers cannot get legal advancements and instruction in a timely and efficient manner. Raising legal awareness is a very difficult problem since farmers do not know enough about the law to understand it completely. Therefore, the government's legal education and publicity are not entirely in place [13]. According to statistics, there will be 37.75 million illiterate persons living in rural regions in 2021, with a 2.67 per cent illiteracy rate [8]. However, just 10% of China's peasant population has a junior high or higher degree of education [8]. The population of peasants is predominately uneducated or semi-literate. In traditional subsistence households with tiny farming economies, in rural areas, children often give up their education and start working to make a living once they reach school age, and they are almost ten years old. Crop farming and pig farming are examples of traditional farming livelihoods that do not demand a high level of culture or education. Since most children grow up on farms, farmers often do not give schooling adequate attention. Many children are left alone and unattended by their parents, making it unlikely they will be motivated to study. There are 9.02 million left-behind children in rural China under the age of sixteen, and the majority of them are being raised by their grandparents, according to survey data from 2022 [13]. Additionally, due to the rural economy's slow growth and the relatively backward educational development in these areas, farmers do not receive adequate education and learning, and because the

majority of farmers lack basic cultural knowledge, it is unavoidably difficult for them to fully comprehend and understand the law.

As a result, it is necessary to enhance legal education in order to raise people's cognitive awareness. The government or organisation might arrange for volunteers with legal expertise, such as law students and legal professionals, to travel to rural regions and spread their knowledge there. An enjoyable, one-hour legal literacy program might be added for elementary or high school students each week. Schools can set up fake courts for high school students to give them a taste of genuine situations. Additionally, volunteers might utilise newspapers, flyers, and TV advertisements for distribution if they are unable to reach the community easily. However, some people in China's rural areas are now aware of the legislation [14], but they frequently downplay its significance, as in the case of the Cai family that has been previously described. Thus, the judiciary should firmly uphold the law, adjudicate each case harshly and seriously, as well as get rid of corruption and bribery. As corruption may have an adverse impact on social security, it is necessary to improve people's legal awareness in order to avoid being involved in corruption.

According to what has been discussed, residents in rural areas have fewer connections with people outside of their community since they are nearly always located in isolated places or in the mountains. Because of this, most rural areas in southern China's regions are economically underdeveloped, and people live independently, so unless there are significant criminal offences, people seldom consider using the legal system to resolve minor civil issues, such as financial disputes. Finding a lawyer is perceived by many as being difficult and expensive. According to a report, most farmers who meet problems opt to resolve them informally, through village cadres, or through family negotiations, with just 10% opting to file a lawsuit [14]. Thus, as it takes much time, money and effort to make a basic appeal, rural people, particularly the elderly, might not be able to cover this cost and spend the time. As a result, it has been discovered that the majority of farmers prefer to resolve conflicts through social support and self-help.

Farmers and the law will have many connections in the new social environment as a result of the legal system's ongoing improvement, but in less developed regions, people's knowledge of the law is superficial and partial, and most farmers are unwilling to relate to legal issues or even purposefully avoid the phenomenon. According to the survey, nearly half of the farmers believe they should only deal with the law and the public prosecutor as a last resort, placing them at a disadvantage in the majority of legal activities [13]. As a result, they prefer to choose their own safe, predictable methods of problem-solving. In this sense, farmers are reluctant to abide by the law. There are also some issues that these farmers are dealing with. For example, if farmers get to a more desirable outcome without going to court and no party is unfairly made worse off, there is no real reason or incentive to go to court. However, by deliberately not going to court, one party is made worse off in an unfair manner. Thus, the incentive for engaging in legal proceedings becomes more clear from a normative and reasonable perspective. To summarise, the issues farmers are dealing with and how they are solved extra-judicially can demonstrate that going to court may be more desirable.

In addition, only 30% of farmers are sure that following the law is an intrinsic obligation of the law for citizens, and the former is a negative law-abiding occurrence [14]. More than half of them believe that they follow the law because they are frightened of legal penalties or problems [14]. In other words, they obey the law only due to their fear of legal punishments. Additionally, it is critical to undermining the public's perception of pricey and intrusive appeal. In China, property cases, according to the amount or value of the claim does not exceed 10,000 yuan (1,158 pounds), each paid at 50 yuan (5.8 pounds); more than 10,000 yuan (1,158 pounds) to 100,000 yuan (11,580 pounds), according to 2.5 per cent; more than 100,000 yuan (11,580 pounds) to 200,000 yuan (23,160 pounds), according to 2 per cent payment [14]. Although rural residents' average yearly disposable income after 2021 will be more than 2,192 pounds, most individuals will still be able to pay minimal court

costs [14]. In some exceptional circumstances, persons are exempt from the cost. The recipients of the minimum subsistence guarantee, the recipients of regular relief for special hardship in rural areas, the recipients of the rural five guarantees, the recipients of unemployment insurance benefits, and those without other sources of income, for instance, are exempt from paying the case acceptance fee for the recovery of labour remuneration.

In this case, legal assistance in China might help to resolve the issue in a major part. Legal aid is a term used to describe a system of legal protection, whereby legal aid attorneys are organised by government-established legal aid agencies or non-government-established law firms to offer free legal services to people with special needs or financial difficulties, particularly in rural areas [14]. Thus, by sending a small group of attorneys to the countryside once a year, the government may encourage more legal firms to uphold their social duties and serve the public good. In China, only a few communities and organisations currently provide pro bono legal services [15]. They can pay these attorneys their respective bonuses and allowances. Additionally, it is necessary to boost our advocacy efforts to let people in rural regions know that the legislation is favourable for them and that it may defend their rights to a significant extent. In other words, it is worth helping them become aware that their positions would actually improve if they went to court. Moreover, in order to eliminate the stereotype and prejudice of the law, the public's awareness needs to be raised so that more people are aware of the fact that the law exists to benefit particular groups of people. For instance, the government can post advertising and put up signs in locations where villagers frequently congregate and pass by.

The underdevelopment of various services and infrastructure is a further issue that contributes to the lack of legal knowledge. Southwest China is home to various mountain ranges and numerous communities that are distributed throughout each mountain range. As a result, it is challenging for city dwellers to go to a hamlet and construct courts there. People also believe that creating courts in rural regions is not economically feasible since, in contrast to cities, most rural areas have dispersed populations and limited access to mountainous terrain. Consequently, rural residents must appear in court. Due to the fact that most rural residents are reluctant to utilise the law to resolve conflicts, their level of social awareness of the law must decline [14]. Due to the lack of courts in most communities during the past ten years, many judges were only able to put up a crude temporary courtroom in the yard of a house bearing the national anthem [16]. However, despite the fact that attorneys are a crucial component of the legal system, many rural areas in China lack them since few individuals choose to practice law and earn a living in economically undeveloped regions, whereas large cities always have more room to grow. Even while some young people who grew up in the community obtained legal licenses, the majority of them do not choose to remain there [16].

Finally, despite the difficult situation, what cannot be neglected is that the situation is getting better. The Chinese government has assisted in the improvement of the infrastructure in several communities [12]. Even though creating a courtroom would not be a particularly realistic option at this moment, the itinerary may be improved. For instance, the Changping Court established a mountain circuit court as early as 2015 [17]. The first and third Wednesdays of every month are the days that circuit judges insist upon hearing cases in the highlands. Over the course of the past seven years, more than 230 cases have been handled on tour, more than 360 legal services have been provided, and more than 280 cases have been successfully concluded [17]. Additionally, legal firms may be encouraged to assign certain attorneys to serve temporarily in rural regions in exchange for sufficient compensation and bonuses. Overall, a widespread application of the law would be beneficial to build an empowered community.

4. Conclusion

This study has examined three factors that contribute to the low levels of legal knowledge in rural China, with an eye toward potential remedies. In a legal society, it is crucial that individuals are informed of the law since doing so will stop them from acting illegally and lower crime rates. Additionally, a nation will often be quite stable if its residents are highly aware of the law and possess sufficient self-control. A person with strong legal awareness will also be more knowledgeable about how to defend their rights in society and how to take action.

In contrast, many rural places, including the northwest regions and Fujian province, have relatively lower levels of legal knowledge than cities, according to certain news and social data from recent decades. Thus, these issues require much attention. This dissertation has discussed three factors that contribute to these issues, including a lack of knowledge, economic illiteracy, and underdeveloped infrastructure. Furthermore, remedies to these issues have been explored, which have important implications for future research on these issues.

Together, these findings imply that the government should put more time and resources into enhancing public relations and other infrastructure and facilities. Legal professionals should all have equal responsibility for raising the general public's understanding of the law in rural regions. Thus, they should be encouraged to volunteer and contribute to the cause. Although legal practitioners may have limitations in making legal knowledge understandable to the public, they are expected to contribute greatly to the spreading of legal awareness.

There are some restrictions on the aforementioned findings. In addition to the places that have been highlighted, it is uncertain how much of the conclusion can be extrapolated to other rural areas in China. There are known to be little disparities between urban and rural regions due to certain rural areas' development and proximity to cities. Some rural regions have excellent economic growth, which implies the residents there have greater levels of education and better living conditions. For example, the residents of Jiu Xing Village are so business-minded that they established a joint stock company to provide employment and stock for everyone in the community. More than 500 millionaires have been created in the past 12 years. Currently, the village's average yearly dispersed income is 35,000 RMB per person, which is comparable to China's annual per capita income [18]. There will also be a lot of uncertainty since China is too big and has a big population. Changes won't happen right away, even if these issues are discovered and answers are found. Legal awareness could require more than one generation to develop. Knowing each region's scenario and some of its unique features would be a profitable field for future research so that the government could create various remedies based on the various situations. It is preferable to create a sample survey using a questionnaire, but doing so requires caution since we must take into account the population proportion and regional circumstances in each location.

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