

How Can the Rule of Law Help Targeted Poverty Alleviation

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Abstract. In the new era, poverty alleviation work is guided by precision poverty alleviation, with "true poverty alleviation and poverty alleviation" as its core. When implementing the targeted poverty alleviation policy, no matter from the precise identification or assistance measures and the setting of the assessment mechanism, specific legal guidelines are needed. Poverty reduction by the rule of law can not only make precision poverty alleviable by law, but also enable citizens to safeguard their due rights through the law. At the same time, poverty reduction by the rule of law has higher requirements for the legal literacy of poverty alleviation workers in order to better implement " Seek truth from facts and adapt to local conditions."

Keywords: Targeted poverty alleviation, Poverty Alleviation According to Law, Judicial relief, Legal literacy.

1. Introduction

General Secretary *Xi Jinping* pointed out at the Central Poverty Alleviation and Development Working Conference that "Eradicating poverty, improving people's livelihood, and achieving common prosperity are the essential requirements of socialism." The difficulty and focus of achieving common prosperity is to solve the problem of poverty alleviation in poor areas. In recent years, it can be seen from practical experience that the biggest problem that directly affects the achievement of poverty alleviation goals is the grasp of the targets of poverty alleviation. The inaccurate results are not only a waste of resources, but also neglect the targets of urgent assistance and cause bad effects and seriously hinder the achievement of poverty reduction goals. Precision poverty alleviation has been the strategic direction of China's poverty alleviation and development since the 18th National Congress of the Communist Party of China. During the inspection in Xiangxi in November 2013, General Secretary *Xi Jinping* proposed that "poverty alleviation should be practical and appropriate to local conditions. We must target poverty alleviation and avoid slogans ..." Targeted poverty alleviation fully demonstrates China's exploration in the path of poverty alleviation. Since the implementation of the development-oriented poverty reduction strategy in 1986, China's poverty alleviation targeting mechanism has been adjusted. The country initially targeted poverty-stricken counties as poverty alleviation targets, and then adjusted them to village-level targets. Later, it carried out "architecting and setting up cards" for poor farmers. With the development of the times, the country gradually adjusted its poverty alleviation strategies in conjunction with the problems in practice. After General Secretary *Xi Jinping* clarified the concept of targeted poverty alleviation, the State Council's Poverty Alleviation Office subsequently formulated the Implementation Plan for Establishing a Targeted Poverty Reduction Working Mechanism, which opened a new chapter in the poverty reduction strategy, and targeted poverty reduction began to be promoted nationwide.

2. Difficulties in poverty reduction at this stage

However, with the advancement of poverty alleviation work, the difficulties and dilemmas of precision poverty alleviation have gradually become apparent while achieving results. As for the object identification of precise poverty alleviation, the difficulty of the practice of accurate poverty alleviation in accurate identification is very difficult due to the factors such as the difficulty of determining the identification criteria and the deviation of the subjective judgment of the judging subject, whether it is subjective or objective factors. It is difficult to identify the identification

standards, and different regions must take corresponding measures according to local conditions. Therefore, even if the corresponding determination standards are formulated, their convincing power will be reduced due to different implementations. All of these require a principled guideline to standardize and legalize its specific content, so as to ensure the conviction of citizens while also bringing a clearer direction for the implementers, and to facilitate the further implementation of the targeted poverty alleviation policy. In addition to the shortcomings of precision poverty alleviation work, the changes in the macroeconomic environment have also made corresponding adjustments in the way of promoting precision poverty alleviation. Among them, the indispensable guide is the rule of law, which can not only help to achieve poverty alleviation faster. The goal is also a practical interpretation of the idea of governing the country according to law. How to promote poverty reduction by the rule of law, and then help targeted poverty alleviation? The author believes that the rule of law for poverty alleviation must first be based on law when promoting targeted poverty alleviation. This is a prerequisite. Secondly, we must pay attention to the right relief of the poor and improve the method of judicial relief. In addition, as an important participant in targeted poverty alleviation, helpers, Especially the local leaders at the grassroots level, the level of their legal literacy directly determines the level of precision poverty alleviation work.

3. Strategies for poverty alleviation by the rule of law

3.1. Turning poverty reduction into legal issues

Since 1984, the Party Central Committee and the State Council have successively issued the *“Notice on Helping the Poor Areas to Change Their Faces as Fast as Possible”*, *“The Decision on Solving the Problem of Subsistence and Subsistence of the Rural Poor as soon as possible”*, *“The Decision on Further Strengthening Poverty Reduction and Development”*, *“Circular on Economic Development in Poor Areas”*, *“National August 7 Poverty Alleviation Plan”*, *“Outline of China's Rural Poverty Alleviation and Development (2001-2010)”*, *“Outline for China's Rural Poverty Alleviation and Development (2011-2020)”*, *“Opinions on Innovative Mechanisms to Solidly Promote Rural Poverty Alleviation and Development”* and *“Decision on Winning the Fight against Poverty”*, these nine important documents are used to guide and plan poverty alleviation work. From these documents, we can see that they belong to the policy area and are not legally binding. Therefore, the premise of ensuring the smooth implementation of targeted poverty alleviation is to formulate clear legal norms, translate the targeted poverty alleviation policy into legal issues, and clarify the rights and obligations relationship in targeted poverty alleviation, so that targeted poverty alleviation can be implemented by law.

The root of the rights and obligations relationship in precision poverty alleviation can be traced back to the relevant provisions of the Constitution, which Article 45 stipulates: "Citizens of the People's Republic of China have the right to receive material help from the state and society in the event of old age, illness or incapacity". In precision poverty alleviation, the objects that are accurately identified are often the subjects whose survival and development rights are lacking or severely restricted. In practice, the identification criteria for precise poverty alleviation objects are formulated in some areas in accordance with the above-mentioned conditions. Among them, the elderly, diseased and incapacitated objects are an important group to consider in the identification. However, these standards do not have the rigid binding force of the law, they are only a reference for local officials to implement, and it is difficult to play the role needed for poverty reduction in practice. The provisions of the Constitution are principled. In practice, we can only use them as a starting point to further elaborate them, formulate a special poverty alleviation law, and open a channel for the legalization of targeted poverty alleviation, and then regulate the government market and social poverty alleviation and development behavior.

When legislating, the content should not only concern citizens' most basic right to life, material life and cultural life, but also to implement legal procedures for identifying, helping, and assessing poverty alleviation, and formulate legal specifications one by one. The laws and regulations have a

detailed rule for the selection of precise poverty alleviation targets when regulating poverty alleviation targets. Strict punishment for acts of impersonation of poverty alleviation targets. At the same time, a responsibility system for the distribution of quotas is implemented. Accountability for omissions should also be held accountable. In the specific implementation process, rules and regulations are formulated to the precision of poverty alleviation makes the poverty alleviation work more specific. Therefore, it is necessary to issue certain powers to local governments, so that managers can adapt to local conditions and be realistic and make adjustments based on specific conditions. Assessment standards are provided in the form of regulations to form a complete set of the legal system for poverty alleviation, so that the objects and subjects of poverty alleviation, including government participants, have clear legal requirements to follow, implement under regulations, supervise under regulations, and safeguard rights under regulations. Everything is based on legal requirements in order to properly decentralize the power of local governments for targeted poverty alleviation. According to local conditions, implementation is more conducive to the implementation of practical and accurate poverty alleviation measures in accordance with different circumstances of each locality. Standardization can ensure the smooth implementation of this measure.

3.2. Protect citizens' right to relief and provide effective supervision

Justice is the last line of defense for citizens in the rule of law society to defend and protect their rights. Therefore, in helping the poor with the rule of law, helping the precise poverty alleviation out of the predicament is inseparable from the improvement of this last barrier. For the judiciary, the way and means of rights relief when citizens are defending their rights is very important. Incorporating policy issues into the legal itinerary is an inevitable result of the pursuit of a society ruled by law. However, in the practice of precision poverty alleviation, currently provided the practical effect of judicial remedies is extremely limited. Participants and beneficiaries of the targeted poverty alleviation work are relatively special. The poverty alleviation work is currently being implemented by government departments. Targeted poverty alleviation is for disadvantaged groups living in poverty and difficult to maintain their livelihoods. Targeting at the specificity of the subject, targeted poverty alleviation the right to remedy should be more urgent than other general judicial remedies.

The first is to standardize the process of targeted poverty alleviation. During the process of targeted poverty alleviation, the suggestions of collectives and villagers will be listened to more transparently and clearly, and it will help citizens to supervise the targeted poverty alleviation process. Secondly, due to the high comprehensive cost of judicial proceedings, Ordinary farmers, especially the poor, are difficult to understand their professionalism. Therefore, in judicial relief, we should pay attention to protecting vulnerable groups, and provide more convenient measures for the parties in the burden of proof and lawyers' assistance. Finally, in order for the subjects whose rights and interests are infringed to be timely to protect their own rights and interests, we should vigorously publicize the relevant concepts of the rule of law, strengthen the concept of power maintenance, and set up efficient and convenient rights protection channels for them and inform them.

For the supervision of targeted poverty alleviation, bottom-up supervision is an indispensable way. This method has mobilized the power of poverty alleviation targets and stakeholders, but in practice, what we see is more direct and effective. Still top-down legal supervision. Therefore, the supervisory authority should give play to its initiative, implement the responsibility of precision poverty alleviation to specific persons in charge, and implement the accountability system. At the same time, strengthen the interaction and connection between the two channels, which is more conducive to the supervision authorities to obtain feedback on bad information in a timely manner, and remove obstacles for the correct and effective implementation of precision poverty alleviation.

3.3. Improving staff governance and strengthening legal literacy

The rule of law is not only to establish a legal system and legal norms, but also requires legal subjects to use legal thinking and legal methods to solve problems. In addition to the above, the law

was determined in the form of explicit provisions and applied by the participants in poverty alleviation. Poverty by the rule of law cannot be achieved without the cultivation of the legal literacy of the staff.

The cultivation of legal literacy is, first of all, the study of laws and regulations, which is the basis. In the targeted poverty alleviation work, the management of poverty alleviation funds is the focus and a gap that is prone to problems. In August 2014, the State Council Leading Group for Poverty Alleviation and Development issued the "*Opinions on Reforming the Financial Management Mechanism for Special Poverty Alleviation Funds*". Use and supervision are clearly stated. However, some grassroots officials have a weak idea of the rule of law, cannot properly treat the power in their hands. The Supreme People's Procuratorate and the State Council's Poverty Alleviation Office also jointly issued "*Opinions on Strengthening Coordination in the Prevention of Duty Crime in the Field of Poverty Alleviation and Development*" to control for this phenomenon. It can be seen that although basic law and regulations study is the foundation, it is still an important content of promoting poverty alleviation by the rule of law.

In addition to emphasizing the study of laws and regulations, the cultivation of legal literacy also requires poverty alleviation workers, especially leading cadres, to use legal thinking and legal methods to deepen precision poverty alleviation reform and promote the development of poverty alleviation work. This is a higher requirement for the poverty reduction by the rule of law, and it is also the fundamental guarantee for the advancement and implementation of targeted poverty reduction. In legal thinking, we should pay attention to rights thinking, respect and guarantee human rights. In this way, we can better grasp the nature of the work when implementing targeted poverty alleviation work and make more favorable decisions based on specific conditions and local conditions. In the application of legal methods, pay attention to the use of logical thinking, so that when solving problems, we can convince people rationally, and when we promote precision poverty alleviation, we can be recognized by citizens spontaneously and cooperate with each other, which can avoid conflicts and can also Reduce waste of judicial resources.

4. Conclusion

In summary, in the process of building a well-off society in an all-round way and achieving common prosperity, the advancement of governing the country according to law is accompanied by the advancement of the country's politics and economy. As one of the poverty alleviation policies proposed by the country in recent years, targeted poverty alleviation has encountered difficulties while achieving success. In the implementation of precision poverty alleviation, whether it is the precise identification of poverty alleviation objects, or the specific measures to help local conditions, it is necessary to improve precision poverty alleviation from the aspects of legislation, justice and law enforcement.

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