

# Research on land system reform based on improving rural social security

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**Abstract:** With the increase of the actual population in rural areas and the increase of the number of landless farmers caused by land acquisition in the process of urbanization, the function of land is increasingly transformed to bear the survival guarantee function of farmers. In order to ensure the equal distribution of land, China's rural areas implement the collective property right system, but there are many imperfections in the current land property right system, which deeply limits the rural land circulation and the formation of the land market. Based on a brief analysis of rural social security rights, this paper analyzes the social security functions and contradictions of rural land in China since the reform and opening up, and puts forward reform measures based on perfecting rural social security system. This paper holds that in order to find a way to develop rural social security suitable for China's national conditions, we must first correctly handle the relationship between rural land system and rural social security.

**Keywords:** Rural social security; Land system; Land circulation.

## 1. Introduction

Land is the most basic means of production for farmers. Under a certain property right system arrangement and production and operation mode, it carries a variety of economic functions such as providing farmers with income, stabilizing expectations, and maintaining and increasing assets [1]. The social security of rural land is a special form of social security and the basic guarantee for the realization of farmers' rights. Different from other social groups, the important feature of farmers is the possession of land, which is also the key feature of rural families and the most important safety barrier for farmers' production and life.

With the increase of the actual population in rural areas and the increase of the number of landless peasants caused by land acquisition in the process of urbanization, the function of land is increasingly transformed into the function of guaranteeing farmers' survival [2]. The existing rural land system seriously restricts the effective function of land as capital, greatly hinders the process of agricultural industry and modernization, and blocks the channels for farmers to increase their income through effective use of land. Under this background, this paper puts forward some basic thoughts on the reform and innovation of rural land system.

## 2. Prominence of rural social security right

Industrialization has rapidly narrowed the differences between urban and rural areas, between workers and peasants and between brains and bodies, and the integrated development of urban and rural social economy has gradually developed and improved the social security system in the whole society. In the early stage of industrialization, the development of industry mainly depended on the support of agriculture. During this period, the urbanization rate of population was low, the share of agricultural labor force was high, and the share of agriculture was high. At the stage of supporting workers by agriculture, the rise of urban social

security system was conducive to promoting industrialization and the change of social structure and the transfer of agricultural surplus labor force. At this time, it was impossible to introduce social insurance for farmers [3].

Urban and rural social security rights are divided into two directions in policy. Whether farmers' social security rights can be equated with cities fairly has become a concern, and it has also become a difficult problem that puzzles the development of these countries. The coverage of the existing social security system is very limited, which has caused an institutional defect of social security. In Figure 1 below, the relationship between Y-Z and social security expenditure and social gain after Z is a welfare trap, and the expenditure in this section has no positive significance.

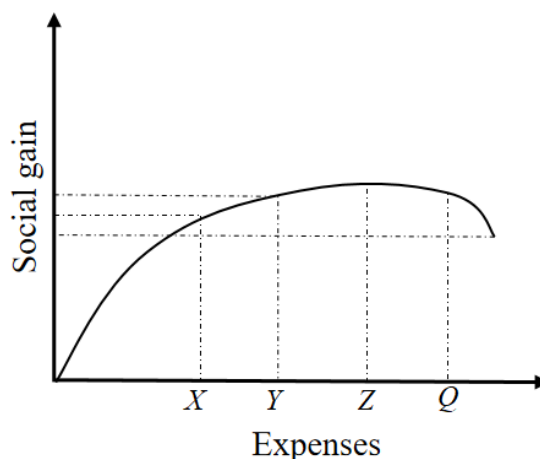


Figure 1. Schematic diagram of social welfare trap

Social security system promotes the healthy development of market economy. Market economy is an insurmountable stage of economic development in the historical process of human society, and social security system is one of the necessary conditions for the establishment and development of market economy. The expenditure of social security increases or decreases with the growth or decline of market economy. Market economy requires balancing the

relationship between social supply and demand, ensuring the rationalization of investment structure and ensuring investment income. Social security system is the regulator of social equity [4-5].

Rural land bears the dual functions of agricultural production and farmers' living security. It is precisely because of this special social security function that a perfect rural social security system has become the premise and foundation of rural land circulation. In order to ensure the equal distribution of land, China's rural areas implement the collective property right system, but there are many imperfections in the current land property right system, which deeply limits the circulation of rural land and the formation of land market [6]. The lack of practical operation ability of rural land property rights makes the land transfer right and land property right of contracted farmers not guaranteed when rural land is transferred or requisitioned for non-agricultural construction land.

### **3. Social security function and contradiction of rural land**

#### **3.1. Weakening of production function**

In rural areas, although land is a means of production in a sense, its social security function is the most fundamental. Due to the implementation of the household contract responsibility system, the price of agricultural materials has increased, the cost of small-scale operation of land has risen rapidly, the burden on farmers has increased day by day, and the social security function of land has weakened day by day, even only to ensure the survival needs, so that the last safety net of farmers' lives is facing a serious threat [7].

With the development of urban economy and social diversification, farmers' ways of going out to work are increasing, farmers' income is also increasing, and the security function of land is no longer so obvious, only to provide farmers with food and clothing. At the same time, the lack of land output function also hinders the transfer of rural labor force and the process of urbanization.

#### **3.2. Weakening the function of land assets**

Under the current agricultural land system, although the Property Law recognizes the asset attribute of land to a certain extent, the asset function of farmers' land is greatly reduced due to the major defects in the agricultural land property right system and the injustice of the land expropriation and occupation system. The serious defects in the farmland ownership system have led to a sharp decline in the value of farmers' land assets. At the same time, farmers' expectations for the real value of land are increasing, and farmers' reluctance to give up their land is no longer a simple historical emotion or a simple survival guarantee, but more from the perspective of economic value preservation. Especially in the current situation that farmers' production and life are highly monetized and rural financial services have shrunk seriously, the institutional arrangement of non-mortgage of agricultural land undoubtedly increases the difficulty for farmers to obtain development funds.

Many cities have formulated policies to restrict farmers from entering cities, and the flow of rural surplus labor force has been hindered to some extent, and land has become farmers' unemployment insurance; Every link and step of family production, life and communication needs to buy services and goods in money, and the family needs monetary

support at all times. Of course, for most farmers who only rely on land, the land should have the function of generating continuous cash flow. It has caused serious losses to farmers in the value-added income of land assets, and at the same time, it has made farmers' expectations for the value of land constantly change. Farmers' feelings about land are no longer simple historical feelings or simple survival guarantee, but more consideration is given to the preservation of economic value.

#### **3.3. Incomplete right to use homestead**

From the current laws and regulations, we can know that the process of farmers obtaining the right to use the homestead is complicated and needs the approval of relevant government departments, but it has little to do with the owner of this homestead. Therefore, the acquisition of farmers' homestead use right needs to be approved by the government. Because farmers have ownership of houses on the homestead, and houses are typical real estate attached to the homestead, selling houses will inevitably involve the transfer of the right to use the homestead.

Imperfect administrative management will also make the whole work fall into a state of low efficiency. For example, some land transfer procedures are very cumbersome and difficult to complete in a short time, resulting in an increase in land transfer costs, hindering land transfer and not conducive to improving the utilization rate of farmers' land [8]. The Property Law also stipulates in Article 135 that "the acquisition, exercise and transfer of the right to use the homestead shall be governed by the Land Management Law and other laws and relevant state regulations." Under the above restrictions, rural homestead can hardly be transferred. It can be seen that from the existing laws and policies, the real right power of homestead use right is incomplete.

### **4. Rural land system reform based on improving rural social security**

#### **4.1. Strengthen rural land legislation**

In most countries in the world, legislation comes first, and the establishment of social security system comes last. At present, the legislation of land system in China is still relatively backward. Therefore, we should further standardize the ownership and use right, disposition right and income right of rural land through legislation, formulate the land contract management law, clearly define the rights and obligations of owners and users, make the legal basis of farmers' land rights clearer, and ensure the exercise right of the right subject.

As the implementation of the social security system is basically based on the government administrative regulations so far, there is no social security regulations with China characteristics that are suitable for the current economic development, and many social security work cannot be followed, so it is difficult to regulate social behavior, and it is even more difficult to actively and effectively promote the establishment and improvement of the basic social security system.

#### **4.2. Reform the property right system**

The realization of farmers' ownership of farmland is the basis of giving full play to the functions of land assets and factors, and it is fundamental to protect farmers' land rights and interests, promote the development of modern agriculture,

and give full play to the functions of land production factors. Starting from the reality of rural areas in China, according to the developed areas first, then the remote and poor areas; Rural minimum living security and rural cooperative medical care first, and then endowment insurance; First protect the disadvantaged groups in rural areas, and then the general public.

In the goal and direction of land system reform, we should adhere to the basic principles of "people-oriented" and "land rights belong to farmers" and protect farmers' land rights [9]. Adhering to "people-oriented" is the inevitable requirement and concrete embodiment of implementing "people-oriented and scientific development" in land system reform. Respect the practical choice and initiative of farmers, adhere to the marketization direction in the reform of land system, and maximize the function of land economic factors. Giving farmers complete land ownership is of great significance for giving full play to the function of land property conversion, activating the flow function of land elements, realizing the conversion from land wealth to capital wealth, alleviating the shortage of rural capital and promoting the urbanization of rural population.

### 4.3. Improve the system of homestead use right

Rural homestead is a place where thousands of rural families can settle down. In the concept of hundreds of millions of farmers, saving money to build a house is an extremely important thing in life, which shows that housing occupies an extremely important position in rural life. According to the Property Law, the right to use rural homestead, as a usufructuary right, has the general attributes of property right and usufructuary right. In nature, it belongs to other property rights and restricted property rights, and its right content is mainly to possess and use real estate, which dominates the use value of real estate. Therefore, the object of the right to use the homestead only refers to the collectively owned land, which is specific.

The burden of protecting farmers' right to live is to prohibit and restrict the transfer of rural homestead, which cannot really protect farmers' right to live. Farmers' right to live should be realized by establishing a rural security system, just like the social security system for urban residents. After the rural homestead moves towards the free circulation of the market, it will inevitably produce a group of farmers who have no houses to live in. Therefore, the country must establish a sound rural social security system as soon as possible to provide a reliable source of livelihood for farmers who have left the land, which is an important external economic and social condition to realize the marketization of the transfer of the right to use rural residential land. The most important thing to improve China's rural social security system is to improve the rural housing security system, which is the most basic guarantee for farmers.

### 4.4. Standardize the rural land expropriation system

The vast rural areas have not yet established an effective security management system. When the ministry of social security was established, it was expressly stipulated that rural social endowment insurance should be managed by the Ministry of Social Security. However, the handover of rural social security management has not yet been put on the agenda, and the management of rural social security is still as decentralized as before. The state should strictly examine and

approve farmland and effectively strengthen the management of land development and utilization. General urban expansion and commercial development cannot easily occupy basic farmland to stabilize the area of basic farmland; The level of examination and approval for occupying basic farmland should be raised, and land cannot be granted at all levels. More importantly, it is necessary to break the pattern of "internal circulation" of agricultural land in a timely manner. The current farmland contracting and circulation system is based on the identity of villagers in the village. The source of funds for rural social security system can consider the scheme of "land for security" [10].

Land expropriation compensation is the core of land expropriation and the difficulty of land expropriation system reform. In order to effectively protect farmers' interests, land acquisition compensation must be based on the market value of land, and the construction cost cannot be reduced at the expense of infringing farmers' interests. To properly resettle landless peasants, the government should strengthen employment training for landless peasants, promote employment through multiple channels and ways, and encourage landless peasants to start their own businesses. In order to find a way to develop rural social security suitable for China's national conditions, we must first correctly handle the relationship between rural land system and rural social security.

## 5. Conclusions

The social security of rural land is a special form of social security and the basic guarantee for the realization of farmers' rights. Different from other social groups, the important feature of farmers is the possession of land, which is also the key feature of rural families and the most important safety barrier for farmers' production and life. The main content of the system innovation of land management right transfer is to strengthen collective land ownership, give farmers long-term and guaranteed land contracting rights, and ensure farmers to enjoy the right to land income and transfer. In order to find a way to develop rural social security suitable for China's national conditions, we must first correctly handle the relationship between rural land system and rural social security.

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