

Research on the constitutional positioning of grass-roots autonomous mass organizations in China

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ABSTRACT

In the context of China's national governance system, grassroots mass self-governing organizations assume an indispensable and crucial role. This paper conducts a comprehensive analysis of the relevant provisions concerning grassroots self-governing organizations within the framework of the Chinese Constitution, aiming to thoroughly investigate their constitutional positioning and social functions, as well as the various challenges and potential developmental pathways they have encountered since entering the new era. This paper adopts a multi-dimensional analysis strategy, spanning the historical evolution, the current legal framework and the broad field of practical operation, aiming to clearly define the strategic position of grassroots mass self-governing organizations in strengthening the effectiveness of China's state governance.

KEYWORDS

grassroots mass self-governing organization; Constitutional positioning; Position of Chinese constitution

1 Introduction

As an indispensable part of the grassroots social governance system in China's national governance system, the development and improvement of grassroots self-governing organizations has far-reaching strategic significance for accelerating China's national governance system and governance capacity towards socialist modernization with Chinese characteristics. The Constitution of the People's Republic of China defines this organization clearly and concretely, not only clarifying its legal status, but also giving it a unique role and mission in the national political structure, highlighting its important role in promoting democracy and rule of law at the grassroots level, maintaining social stability and improving people's well-being. To deeply analyze the constitutional foundation of grassroots mass self-governing organizations is the key to fully grasp their essential attributes, functional categories and social values.

2 Historical development of grassroots mass self-governing organizations

2.1 Origin and Development History

China's grassroots mass self-governing organizations are deeply rooted in a long historical context, and their origins can be traced back to the period of the new Democratic Revolution. At that time, the Communist Party of China had already led the people prospectively, and established

in the revolutionary base areas mass self-governing organizations such as peasants' associations and residents' committees, which played an extremely important historical role in inspiring the people to participate in and promote the historical process of China's new-democratic revolutionary struggle. After the founding of the People's Republic of China in 1949, with the establishment of the socialist political system, grassroots mass self-governing organizations ushered in a new period of vigorous development. The Constitution of the People's Republic of China promulgated in 1954 for the first time clearly defined the nature and status of residents' committees and villagers' committees, laying a solid foundation for the legalization and standardized development of grassroots mass self-governing organizations. With the continuous optimization of the political efficiency of the state, the steady improvement of the economic foundation and the profound changes of the social structure, the grassroots mass self-governing organizations are also constantly adjusting and improving themselves.

2.2 Important historical nodes and significance

Since the Third Plenary Session of the 11th Central Committee of the Communist Party of China in 1978, the development of grassroots mass self-governing organizations in China has entered an unprecedented new era of development. The revision of the Constitution of the People's Republic of China in 1982 was a landmark event in this period, which profoundly defined the legal status of villagers' committees and residents' committees as grassroots mass self-governing organizations, laid a solid constitutional and legal foundation for their subsequent growth and expansion, and ensured their legitimacy and stability in the national political structure. In this context, a series of laws and regulations aimed at refining and standardizing the operation of grassroots autonomous organizations came into being. The Organic Law of the Villagers' Committees of the People's Republic of China and the Organic Law of the Residents' Committees of the People's Republic of China and other legal documents have been promulgated successively, systematically stipulating core elements such as the establishment procedures, organizational structure, functions and powers of grassroots self-governing organizations, providing detailed legal basis and guiding principles for the effective operation of these organizations in social practice.

3 Provisions of the Constitution of the People's Republic of China on grassroots self-governing organizations

3.1 Interpretation of constitutional provisions

According to Article 111 of the Constitution of the People's Republic of China amended in 2018 and Articles 96 and 101 of the Civil Code of the People's Republic of China, "Residents' committees and villagers' committees shall have the status of legal persons as grassroots mass self-governing organizations and may engage in civil activities necessary for the performance of their functions. "The Law clearly states that according to the actual distribution of residents' living areas, China has established residents' committees and villagers' committees in urban and rural areas respectively, which together constitute China's grass-roots mass self-government organization system. This designation not only establishes the geographic and demographic basis of the autonomous organization, but also emphasizes its autonomous nature as a grass-roots unit of governance that directly reflects and serves the needs of the people. The article specifies in detail the election procedures for the core members of the above-mentioned autonomous organizations, and clearly states that the director, deputy director and member positions of the residents' committee and the villagers' committee must be elected by the residents. This regulation highlights the

implementation of the principles of democracy and the rule of law in grass-roots governance and ensures that the leadership of self-governing organizations comes from the broad participation and recognition of the people.

3.2 Connotation of constitutional positioning

As the fundamental law of the country, the Constitution's positioning of grassroots mass self-governing organizations profoundly reflects the core concepts of democracy and autonomy, and its specific connotation can be explained as follows

3.2.1 Basic characteristics

As the cornerstone of social management, grassroots mass self-governing organizations are rooted in the most basic level of urban and rural areas. They are not only the tentacles of the state power system extending to the people, but also the indispensable bridge and link between the people and the state power. This grass-roots nature ensures that the tentacles of state governance can penetrate into the fabric of society, and at the same time provides direct channels for the people to participate in state affairs and express their own demands.

3.2.2 A broad base of mass

The composition of grassroots mass self-governing organizations fully demonstrates its mass nature. They are spontaneously organized by residents and villagers and are the concentrated embodiment of the interests and will of the broadest masses of the Chinese people. This structure not only gives grassroots mass self-governing organizations a solid mass base, but also ensures that their decisions and actions are closely aligned with the actual needs and expectations of the people. By absorbing public opinion and pooling people's wisdom, grassroots mass self-governing organizations have become an important force in promoting social harmony and development.

3.2.3 Independent exercise of autonomy

As an important link between the government and the people, grassroots mass self-governing organizations play a key role in social governance. Giving it the subject status of civil and commercial legal person has opened up a new way for it to better serve community residents and village collectives. First of all, after obtaining the civil and commercial legal person status, grassroots mass autonomous organizations can integrate various resources in the community or village collective more effectively. Idle land, houses and other assets can be rationally planned and developed, through leasing, cooperative management and other ways, to bring stable economic income to residents and village collectives. The methods for obtaining legal person status of rural collective economic organizations and urban and rural cooperative economic organizations and the relevant principles for the application of law are of great significance in regulating and promoting the development of these organizations, protecting their legitimate rights and interests and normal operation in market economic activities, and are conducive to promoting the healthy development of rural and urban economies and improving the efficiency of resource allocation. Promote urban and rural economic integration. At the same time, it also provides the basis and guidance for solving the legal problems that related economic organizations may encounter in practice. In the specific legal practice and economic activities, it is necessary to properly handle various affairs and disputes involving rural collective economic organizations and urban and rural cooperative economic organizations in accordance with these provisions and in light of the actual situation. For example,

converting idle factories into small entrepreneurial parks to attract businesses to settle in not only increases job opportunities, but also collects rent. Secondly, as the main body of legal person, grassroots mass autonomous organizations can carry out economic cooperation with enterprises and social organizations to jointly promote regional economic development. In the field of agriculture, it can cooperate with agricultural enterprises to introduce advanced planting technology and management experience, develop special agricultural products, improve the added value of agricultural products, and increase farmers' income. In terms of community services, we cooperate with service enterprises to improve the quality of community services, and obtain certain economic benefits through cooperation for the construction of community facilities and the improvement of public services. Finally, as a civil and commercial legal person, grassroots mass autonomous organizations need to build a standardized financial management system to enhance financial management and risk prevention capabilities. This helps to improve the efficiency of the use of funds and ensure the transparency and legitimacy of economic activities. At the same time, when participating in economic activities, it can better assess risks, take effective risk prevention measures, and protect the economic interests of residents and village collectives.

3.2.4 Functions and roles of grassroots mass self-governing organizations

In the process of discussing the construction of democratic politics, this paper focuses on the analysis of the key role of grassroots mass self-governing organizations in promoting citizen participation and promoting grassroots democratic development, and further examines their multidimensional contributions to social governance.

3.2.5 The improvement of citizen participation

As the cornerstone of citizens' participation in political life, grassroots mass self-governing organizations have built a direct and effective platform. Through the implementation of core mechanisms such as democratic election, decision-making, management and supervision, this organizational system not only ensures the full implementation of citizens' democratic rights, but also significantly enhances citizens' awareness and practical ability to participate in politics. This process not only deepens citizens' cognition and identification of the political system, but also promotes the maturity and development of civil society, laying a solid foundation for the deepening of democratic politics.

3.2.6 Promoting the development of grassroots democracy

As an important carrier and practical form of grassroots democracy, grassroots mass self-governing organizations allow people to directly participate in and influence the management and decision-making of grassroots affairs through direct democracy. This model has greatly stimulated people's enthusiasm for democracy and enthusiasm for participation, and promoted the vigorous development of grassroots democratic politics. It not only enriches the form and content of democracy, but also improves the scientific and effective nature of democratic decision-making and provides a strong guarantee for building a more harmonious and stable grassroots social environment.

3.2.7 Strengthening of social governance

First, the maintenance of social stability, grassroots mass self-governing organizations by virtue of their close to the people, understanding the advantages of the people, can quickly capture and

respond to social dynamics, effectively resolve conflicts and disputes, thus is an important force to maintain social stability. It promotes the harmony and tranquility of the society by constructing the governance pattern of pluralism and co-governance. Second, the provision of public services, in response to the diverse needs of residents and villagers, grassroots mass self-governing organizations actively provide a full range of public services, including environmental health, cultural entertainment, social security, etc. These measures have not only significantly improved people's quality of life, but also enhanced people's trust and support for grassroots organizations, creating a positive social environment for further promoting social governance. Third, to promote social harmony, by holding colorful community activities and rural construction projects, grassroots mass self-governing organizations have successfully built a bridge of communication between residents and villagers, and enhanced the cohesion and centripetal force between each other.

4 Challenges faced by grassroots mass self-governing organizations in practice

4.1 The relationship with the grass-roots political power

In the practice of exploring the structure of grassroots governance, the interaction mechanism between grassroots mass self-governing organizations and grassroots political power has revealed some problems that need to be solved. The first significant problem is the increasing tendency of administration between the two, which has blurred the boundary of their respective functions and led to ambiguity and confusion in the definition of responsibilities. The excessive intervention and intervention of the grass-roots political institutions in some areas has limited the space of self-management and self-service of the grass-roots mass self-governing organizations, and weakened their self-governing effectiveness and vitality to a certain extent. The defects in the supervision mechanism of grassroots mass self-governing organizations are an urgent problem to be solved. The lack of effective supervision mechanism, especially the lack of supervision means for grass-roots governments, makes some grass-roots governments may deviate from the track of rule of law when exercising power, leading to power abuse, and then damage public interests and social justice. The lack of supervision mechanism not only weakens the credibility of grass-roots governance, but also hinders the healthy and orderly development of grass-roots democracy.

4.2 Self-improvement

When discussing the challenges of self-construction of grassroots mass autonomous organizations, we need to pay attention to the following aspects, which have a profound impact on the operational efficiency and social service function of the organizations:

4.2.1 The dilemma of talent shortage

Grassroots mass self-governing organizations are generally facing the severe challenge of serious shortage of high-quality management personnel and professional and technical personnel. This phenomenon directly restricts the work efficiency of organizations, including policy implementation, project management and public services, and thus weakens the overall service quality and social satisfaction. Talent shortage not only hinders the improvement of innovation ability within an organization, but also limits its adaptability and development potential in a complex and changing social environment [1].

4.2.2 Limitation of shortage of funds

The single and insufficient source of funding is another key bottleneck restricting the development of grassroots mass self-governing organizations. Although government grants and social donations constitute the main funding channels, these resources are often unable to adequately meet the broad needs of the organization's daily operation, project implementation and sustainable development. The lack of funds limits the investment of grassroots mass autonomous organizations in infrastructure construction, personnel training, service optimization and other aspects, further aggravates their development bottlenecks, and hinders their ability to effectively perform social responsibilities and improve service quality.

4.2.3 The current situation of weak organizational construction

Some grassroots mass self-governing organizations also have significant deficiencies in organizational construction, which are embodied in the non-normative organizational structure, imperfect rules and regulations, and chaotic internal management. These problems not only weaken the cohesion and execution of the organization, but also affect the shaping of its external image and the establishment of social credibility. The weak state of organizational construction limits the efficiency and effectiveness of organizations in resource allocation, decision-making, supervision and implementation, and thus restricts the breadth and depth of their services to society, and it is difficult to give full play to the positive role of grass-roots governance and social construction.

4.2.4 Challenges brought about by changes in the social environment

Under the background of rapid economic and social development and deepening urbanization, grassroots mass self-governing organizations are entering a new era full of changes and challenges. This series of changes in the social environment not only reshaped the social ecology, but also put forward more complex requirements for the operation of grassroots autonomous organizations.

First, the significant increase in population mobility has become a phenomenon that cannot be ignored. With the advancement of urbanization, the population flow between urban and rural areas and within cities is becoming more and more frequent, which not only promotes economic prosperity and cultural exchanges, but also puts forward higher requirements for the capacity of grassroots mass self-governing organizations in population management and community services. How to integrate floating population resources effectively, safeguard their basic rights and interests, and promote community harmony has become an important issue that grass-roots autonomous organizations must face.

Second, the increasing trend of social diversification further complicates the environment for grassroots governance. In today's society, the coexistence of values, lifestyles, cultural identities and other aspects has become the norm, which not only injected vitality into social development, but also brought governance problems. Grassroots mass self-governing organizations should, first of all, strengthen communication and dialogue, establish diversified communication channels, and promote exchanges and dialogue between different groups. Enhance mutual understanding and reduce misunderstanding and prejudice through communication. Secondly, promote the coordination and sharing of interests, establish a fair and reasonable interest distribution mechanism, and ensure that the interests of different groups are reasonably protected [2].

We will narrow the income gap and promote social equity through tax regulation and social security. Finally, we should strengthen education and cultural construction, strengthen civic education, and cultivate citizens' sense of democracy, rule of law and social responsibility. Improve

the quality and ability of citizens and enhance their awareness and ability to participate in social governance.

5 Countermeasures and suggestions for improving grassroots mass self-governing organizations

5.1 Clarify the relationship with the grass-roots political power

Under the framework of building a law-based society and improving the effectiveness of grassroots governance, this paper focuses on how to optimize the interaction between grassroots political power and grassroots mass self-governing organizations. The primary task is to clarify and standardize the guidance, support and assistance mechanisms of grass-roots governments to grassroots self-governing organizations in accordance with the law, which aims to maintain the legitimacy and transparency of power operation, and thus enhance public trust in the grass-roots governance system.

5.2 Strengthening self-improvement

In the process of promoting the all-round development of grassroots mass self-governing organizations, strengthening self-construction is a crucial link. Specifically, this effort needs to focus on the following aspects: First, strengthen the construction of the talent team in order to improve the effectiveness of grassroots governance, the primary task is to train and introduce high-quality professionals. Through systematic training mechanisms, we will continuously enhance the operational capabilities, professional knowledge and service awareness of existing staff to ensure that they are able to effectively deal with complex challenges in grassroots governance. Secondly, we should broaden the way to raise funds, which is the key factor to ensure the normal operation and sustainable development of grassroots self-governing organizations. Therefore, it is necessary to adopt diversified strategies to broaden the source of funds. On the one hand, the government should increase the financial support to grassroots self-governing organizations to ensure that their basic operation needs are met; On the other hand, we actively advocate and encourage the extensive participation of social forces, guide social resources to tilt to the grassroots through project cooperation, donation and sponsorship, volunteer service and other forms, and jointly promote the improvement and development of the grassroots governance system. Finally, to deepen the construction of organizational system, organizational construction is the cornerstone of enhancing the efficiency of grassroots autonomy. The rules and regulations of grassroots mass self-governing organizations should be constantly improved to ensure that all work has rules to follow and evidence to rely on [3].

5.3 Adapting to changes in the social environment

When discussing the modernization path of grassroots governance, this paper focuses on three core strategies to improve the management effectiveness and service quality of grassroots self-governing mass organizations. First, in view of the increasingly significant trend of population mobility and social diversification, grass-roots autonomous organizations need to innovate their management and service models. Second, strengthening digital information management has become a key measure to improve the effectiveness of grassroots governance. By deeply integrating modern digital information technologies, grassroots autonomous organizations can significantly improve the level of intelligence and digital precision of their management and services. For

example, establish community digital information platform to realize digital information sharing and resource optimization allocation; Implement e-government, simplify the process, improve administrative efficiency, so as to better meet the growing service needs of the masses. Third, cultivating and developing social organizations is an important part of building a pluralistic co-governance pattern at the grassroots level. The government should actively encourage and support social organizations to participate in grassroots social governance so as to give full play to their unique advantages in providing public services and reflecting the demands of the masses.

6 Concluding remarks

In the Chinese Constitution, grassroots mass self-governing organizations are an important force to realize grass-roots democracy and improve the grass-roots national governance system. In the new era, we should fully understand the importance of grassroots mass self-governing organizations, clarify their constitutional positioning, strengthen their self-construction, improve their relationship with grass-roots governments, adapt to changes in the social environment, and constantly improve the level of grass-roots governance, so as to lay a solid foundation for the modernization of China's national governance system and governance capacity.

References

- [1] Wang Xu. System Construction and logical development of Constitutional representation Theory [J]. Legal Studies, 2024, 46 (04): 21-38.
- [2] left also. The constitutional spirit of constitutionality review [J]. Chinese law, 2024, (3) : 23-41. DOI: 10.14111 / j.carol carroll nki ZGFX. 2024.03.002.
- [3] Liu Han. The original purpose of the Constitution and its approach to China [J]. Chinese and Foreign Law, 2024, 36 (01): 63-83.