Research on the Path of Rural Revitalization Empowered by Judicial Assistance under the Background of Big Data

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Judicial assistance is an important measure to help revitalize the countryside. It can break down rural cultural barriers and improve village culture; it can ensure targeted poverty alleviation and achieve common prosperity; it can maintain social fairness and justice and promote effective governance. By analyzing the problems of the high proportion of passive assistance, the lack of a diversified assistance system, and the difficulty in evaluating the effectiveness of assistance in the process of judicial assistance empowering rural revitalization, the idea of integrating big data and judicial assistance to promote rural revitalization was proposed, including the establishment of rural poverty-stricken population big data in order to smooth access to case clues, expanding judicial assistance channels, improving the convenience of judicial assistance and establishing an information sharing mechanism to achieve comprehensive assistance.

Keywords: Judicial assistance; Rural revitalization; Big data; Procuratorial work

1. INTRODUCTION

Secretary-general Xi put forward the implementation of the rural revitalization strategy at the 19th National Congress of the Communist Party of China. The general requirements include "prosperous industry, livable ecology, civilized village style, effective governance and affluent life" (Yu Zhang, 2021). As an important content of the rural revitalization strategy, " affluent life " is based on the premise of poverty alleviation (Leifeng Wang, 2022), and the implementation of targeted poverty alleviation will help improve the quality of life of the rural people, thereby improving the level of rural revitalization (Shunwu Huang et al., 2022). In judicial practice, due to reasons such as the defendant's inability to compensate or the case not being solved, the phenomenon of the victim or the plaintiff becoming impoverished or returning to poverty due to the case occurs from time to time (Shanshan Jiang, 2022).

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Jointly released the "Implementation Opinions on Prosecution Organs' Judicial Assistance Work Supporting Poverty Alleviation", which required strengthening the connection between judicial assistance work and poverty alleviation work, and achieving poverty alleviation through industrial support and employment transfer (Dawei Wang et al., 2020). In February 2021, the prosecution organs across the country launched a special campaign of "judicial assistance to help consolidate and expand the results of poverty alleviation and boost rural revitalization". It provided a guarantee for improving the level of rural revitalization in China.

The combination of modern technology application and judicial practice can improve the quality and efficiency of judicial work in the new era (Jun Zhang, 2018), and rely on information technology to solve judicial problems that cannot be solved by traditional methods or the results are not satisfactory (Zhigang Zhao et al., 2017). On the one hand, the application of big data in judicial aid work will help judicial aid assist in precise poverty identification and poverty alleviation, and will help integrate judicial aid work into consolidating the achievements of poverty alleviation; on the other hand, it can help to build a diversified assistance

mechanism and further improve the level of rural revitalization.

Based on the above background, firstly, the significance of judicial assistance to rural revitalization was expounded, and then the practical dilemma of judicial assistance in the process of empowering rural revitalization was analyzed. Finally, combining big data with judicial assistance, the path of judicial assistance to rural revitalization under the background of big data was proposed.

II. THE SIGNIFICANCE OF JUDICIAL ASSISTANCE TO RURAL REVITALIZATION

Judicial assistance can express the will of the country, and can help rural revitalization by improving village customs and civilization, achieving prosperity in life and promoting effective governance.

A. Break the rural cultural barrier and improve the village style civilization

According to the overall requirements of the rural revitalization strategy, village culture is an important part of it. Village style civilization is deeply influenced by cultural factors, but poverty culture is a form of social subculture. This kind of culture cannot promote the improvement of people's quality of life and social development, but will inhibit advanced culture and civilization (Jianlan Yang, 2010), which is not conducive to the implementation of the rural revitalization strategy.

The inner circulation of rural poverty culture has formed a confrontation and conflict with the strong culture of the country's implementation of the rural revitalization strategy. As a part of the national will, judicial relief has the ability to coordinate the conflict between the rural poverty culture and the strong culture of the country's implementation of the rural revitalization strategy because of its "universal values". On the one hand, judicial assistance can bring the particularity of the rural population, especially the poor population, into the scope of judicial consideration, protect the population to some extent within the relevant legal framework and system, and feed back to the strong culture of the country; on the other hand, in the process of judicial assistance, the judicial means such as prosecution and judgment can be combined to break the culture of poverty and make rural people accept the strategic will of the country to implement rural revitalization. Through the above methods, judicial assistance can break the barrier between rural poor culture and national dominant culture, introduce advanced culture and civilization into rural areas, on the one hand realize the improvement of village style civilization, on the other hand help consolidate the achievements of poverty alleviation, and help rural revitalization.

B. Consolidate achievements in poverty alleviation and achieving prosperity

According to the overall requirements of the rural vitalization strategy, living well is an important part of it.

Targeted poverty alleviation is a prerequisite for a prosperous life. Judicial assistance in ensuring targeted poverty alleviation is mainly reflected in two aspects: on the one hand, judicial assistance can correct the illegal behavior of administrative organs in the process of implementing targeted poverty alleviation, resolve the contradiction between the parties involved and administrative organs, and effectively safeguard the rights and interests of the parties; on the other hand, judicial assistance can deeply understand the compatibility between the rural poor and targeted poverty alleviation policies, and revise and improve the policies with the help of judicial procedures.

To be specific, judicial assistance can play the following three roles in the implementation of targeted poverty alleviation policies by administrative organs: firstly, effectively solve the poverty problems caused by the inability of defendants to compensate or the unsolved cases of some plaintiffs or victims; secondly, effectively solve the problem of poor people unable to pay legal fees and unable to obtain judicial assistance; finally, through the establishment of effective connection with poverty alleviation work related units, the construction of multiple relief system, improve the effect of targeted poverty alleviation, further ensure the implementation of targeted poverty alleviation policies, so as to promote the realization of life prosperity and help rural revitalization.

C. Maintain social fairness and justice and promoting effective governance

According to the overall requirements of the rural revitalization strategy, effective governance is an important part of it. The principal contradiction of Chinese society at the present stage is the contradiction between unbalanced and inadequate development and the people's ever-growing needs for a better life (Jinping Xi, 2017). The concrete manifestation of this contradiction in rural revitalization is the contradiction between the rural people's pursuit of equity and justice in wealth accumulation, the right to education and employment opportunities and the unbalanced development. The realization of social equity and justice is an important symbol of effective governance. In the process of implementing the rural revitalization strategy, in order to avoid excessive administrative power of the government, judicial assistance and related judicial forces should be used to restrict and balance, and rural people's demands for social equity and justice should be maintained.

Judicial assistance is an important reflection of the change of fairness and justice standards in the process of the improvement of the rule of law system, namely, in addition to guaranteeing procedural justice, it also focuses on the fairness and acceptability of the result. Judicial aid not only emphasizes standardization, but also reflects flexibility. It is not only limited to the interpretation of legal provisions, but also pays more attention to the spirit of the law. Judicial assistance, on the one hand, not only guarantees the justice of the procedure and the result, but also realizes the social acceptability of the result by providing assistance to the poor people in rural areas, effectively maintains social equity and

justice, promotes effective rural governance and helps rural revitalization.

III. THE PRACTICAL DILEMMA IN THE PROCESS OF RURAL REVITALIZATION EMPOWERED BY JUDICIAL ASSISTANCE

With the continuous promotion of the rural revitalization strategy and the implementation of common prosperity, China has accumulated a lot of experience and achievements in the judicial assistance enabling rural revitalization. However, there are still problems such as the high proportion of passive assistance, the lack of diversified relief system and the lack of evaluation of the effectiveness of relief, which affect the process of rural revitalization.

A. Passive assistance accounts for a high proportion, and "sitting and waiting to collect cases" has become the norm

In 2021, the Supreme People's Procuratorate of China launched a special campaign of judicial assistance to help rural revitalization, which has achieved remarkable results. However, in some areas, there are still few cases of judicial assistance for poor rural people. There are two main reasons for the above phenomenon: first of all, prosecutors do not have a good understanding of the country's implementation of the rural revitalization strategy, and lack the awareness of active assistance to the rural poor. They only care about the procedural justice of the case itself and the applicability of the law, and do not pay attention to whether the parties in the case need judicial assistance. Such behavior is likely to lead to the delay in obtaining clues of judicial assistance for the rural poor. Rural revitalization is not conducive to the realization of well-off lives. At the same time, some procurators still have a wrong understanding of judicial assistance. They regard the poor people in rural areas who ask for judicial assistance as potential personnel of petition and reporting. In this way, for the purpose of maintaining stability, they make a decision to calm down the trouble and calm the people.

Secondly, in many areas, "sitting and waiting to collect cases" has become the norm. The main reason for this problem lies in the information asymmetry in the working mechanism of judicial aid. According to judicial procedures, judicial assistance belongs to the prosecutor of the prosecuting department. However, when the case is not finished, the prosecutor of the prosecuting department cannot contact the victim of the case. Therefore, whether the party to the case needs judicial assistance or not should be decided by the prosecutor who has direct contact with the party, and the information should be conveyed to the prosecutor of the prosecuting department in charge of judicial assistance. However, in judicial practice, due to the lack of case information sharing mechanism and the lack of awareness of active assistance as analyzed above, the opportunity of judicial assistance for rural poor people is ultimately reduced.

B. The aid method is single, lack of diversified aid system

One-time economic compensation is the main form of judicial relief at present, but the simple economic compensation can not solve the poverty problem of the rural poor, nor can it make up for the psychological shadow left by the victim after the injury. In view of the psychological needs of rural poor people in judicial assistance, prosecutors need to take the initiative to assist in providing medical treatment and rehabilitation services to relieve the psychological pressure of the parties. In view of the poverty problems of rural poor people, one-time economic compensation cannot completely eradicate their poverty problems. In the process of judicial relief, it is necessary to do a good job in connection with poverty-alleviation units, and help the recipients get rid of poverty completely through industrial poverty alleviation, education support, transfer employment, relocation and other ways. If the above assistance behavior still fails to effectively improve the poverty problem of the parties concerned, it is suggested that the government can provide the bottom line for the implementation of policy poverty alleviation.

There are differences in the consciousness, quality and ability of procurators in different regions, and their working methods, methods and skills are also uneven, which further affects the process of building a diversified relief system. Most of the rural poor are introverted and do not put forward too many requirements for the diversification of relief. Moreover, the large rural population and wide geographical distribution also inhibit the implementation of the diversified relief system to a certain extent. In addition, it should be noted that due to the relatively limited information in rural areas, there are still a considerable number of poor people in rural areas who do not know that they are eligible for judicial assistance, or even do not know about judicial assistance. These people will be the key groups to help judicial assistance in the future.

C. Lack of standards for effect evaluation and follow-up visits after rescue

At present, there are obvious problems in judicial aid and after judicial aid. In judicial assistance, when prosecutors provide judicial assistance to poor rural people, but because of the lack of corresponding evaluation mechanism, the effect of relief cannot be measured, especially in the case of psychological assistance. With the release of "Opinions on the Implementation of the National Judicial Assistance Work of Prosecution Organs to Support Poverty Alleviation", judicial assistance around the country began to gradually try to implement diversified relief methods, mostly focused on psychological relief, but because of the lack of evaluation standards, the relief did not achieve obvious results, and gradually became a "health factor", including other relief methods.

After the object of assistance obtained judicial assistance, many procurators believe that the judicial assistance work has ended, this concept is not conducive to the realization of long-term relief effect. At present, in the policy documents related to judicial assistance, the requirements for follow-up and return visit after assistance have not been clearly stipulated, including whether follow-up

and return visit should be conducted under specific conditions and when follow-up and return visit should be carried out. Moreover, it is difficult to obtain timely and accurate information because rural personnel can provide less information and have a wide distribution area. This also leads to the procuratorial personnel engaged in judicial assistance work can not know the long-term effect of judicial assistance, and can not modify and improve the current judicial assistance method according to these results. In addition, due to the lack of information sharing among various departments, local poverty alleviation departments cannot know which rural personnel have obtained judicial assistance, and naturally cannot provide targeted follow-up poverty alleviation security measures, which also leads to the failure to solve the root cause of the problem of poverty alleviation and return to poverty.

IV. SUGGESTIONS ON WAYS FOR JUDICIAL ASSISTANCE TO EMPOWER RURAL REVITALIZATION WITH BIG DATA TABLE CAPTIONS

The huge volume of big data of judicial assistance contains extremely high data value, which can provide a new vision and insight for judicial assistance and rural revitalization, dig and use it in depth, and help to solve the dilemma of judicial assistance in the process of enabling rural revitalization practice.

A. Establish big data on the rural poor and unblock the channels for obtaining case clues

Judicial assistance departments need to establish big data on the local rural poor population, which mainly comes from poverty alleviation, industry and commerce, finance and other departments, and realize real-time automatic correlation. The poor population big data can help prosecutors effectively identify poor people in the process of case handling, so as to change the original waiting for the case to be sent to the active identification, and expand the channels of obtaining case clues. On the basis of building big data of rural poor population, judicial assistance departments need to build a big data platform with the following three main functions:

1. Case clue acquisition

The case information parties that are likely to cause serious damage to personal and property safety will be bumped into the big data of rural poor population, and the general movement will transfer the matching information to the prosecution department, transforming the passive acquisition of case information into active identification, thus solving the problem of passive assistance.

2. Matching analysis of rescue method and amount

Through the big data platform, the data of the past judicial relief cases are deeply mined, and the corresponding parameters and weights are determined. Then the current relief cases are put into the system for intelligent matching, so as to obtain the relief method and amount of the case, avoiding the human error caused by the difference of cognition, experience and skills of the procurators.

3. Real-time monitoring

Using big data can fully optimize the practice process of judicial relief. According to the policy and document requirements of judicial assistance, corresponding monitoring nodes are set in the big data platform to facilitate the procuratorial personnel in charge of judicial assistance work to timely obtain the progress of the assistance project, and optimize the work flow of judicial assistance practice through the process of the system.

B. Expand the channels of judicial assistance and improve the convenience of judicial assistance

In order to promote rural revitalization, the judicial assistance service center can set up a judicial assistance service window for rural personnel to provide free legal advice to rural personnel and provide accurate and efficient judicial assistance services. At the same time, it should make full use of information technology and video calls to provide online access to rural residents living in remote mountainous areas or who are unable to access judicial assistance service centers. In addition, considering the need to submit materials after receiving visits, the judicial assistance service center can network the information of the service centers in the surrounding areas, so as to realize the possibility of submitting materials nearby. For rural areas with relatively closed information, the judicial assistance service center can exchange data with local civil affairs departments and poverty alleviation departments, transfer information of key potential judicial assistance targets to relevant local departments, and the relevant departments will provide targeted guidance to protect their rights and interests in judicial assistance.

Judicial assistance has many procedures and processes, including application, interview, review, visit, approval and distribution, etc. In the traditional judicial assistance process, many rural personnel, due to their low level of cultural knowledge, often have problems such as incomplete information, resulting in the need to go back and forth several times to complete the materials, which reduces the efficiency of judicial assistance. On the other hand, it also increases the psychological burden to rural personnel. The judicial assistance service center can set up a platform for convenience. On the one hand, it can receive and visit rural personnel with judicial assistance demands in real time. On the other hand, it can make the judicial assistance process online, simplify the modules of each process, and facilitate the online submission of rural personnel. In addition, online payment can also be realized in the process of granting relief funds, which effectively ensures the openness and transparency of the process and helps to improve the efficiency of judicial assistance.

C. Establish information sharing mechanism to realize comprehensive assistance

Comprehensive relief includes two meanings: one is to build a diversified relief system; the other is to pay attention to the comprehensive effect of relief, not only to complete the payment of relief funds as the end of judicial relief. In order to achieve the expected comprehensive effect of relief, first of all, it is necessary to strengthen the construction of information platform and real-time information sharing mechanism. To be specific, three levels of information sharing should be constructed: first, before judicial assistance, information sharing should be realized between the prosecution department and the procuratorial department that has direct contact with the litigant of the case, so as to provide information basis for the identification of the rural poor in judicial assistance; Secondly, in judicial assistance, it is necessary to realize information sharing between judicial assistance departments and poverty alleviation departments, including poverty alleviation departments, human resources departments, education departments, etc. Through information sharing, a diversified relief system can be established. Meanwhile, big data analysis can be used to improve the evaluation of relief effects. Finally, after judicial assistance, it is necessary to share information with the local civil affairs department of the target, so as to realize the tracking of the effect after assistance and further ensure the long-term effect of the assistance. Specifically, there are:

1. Improve the evaluation of rescue effect with the help of big data analysis

With the change of information transmission channels, the channels for obtaining information of judicial aid also need to change accordingly. Judicial assistance departments need to build a big data platform, connect with mainstream servers, obtain real-time information about cases that are likely to cause personal and property safety of rural personnel, and then actively intervene in cases to provide judicial assistance. At the same time, it relies on the data sharing mechanism with civil affairs, human resources, poverty alleviation, industry and commerce and other departments to obtain the individual needs and characteristics of rescuers, and matches the case information obtained before, so as to formulate targeted relief programs and evaluation methods, and effectively improve the effectiveness of relief. In addition, the data of past cases are analyzed in depth to sum up the key matters and core demands of judicial assistance for rural personnel, and then the publicity of rural personnel through public accounts, brochures and other ways is conducive to the protection of the corresponding rights and interests of those rural personnel who do not know about judicial assistance.

2. Form a comprehensive relief mechanism through big data matching

After providing assistance programs to rural personnel, prosecutors sometimes do not carry out tracking and effect investigation. On the one hand, it is because there is no mandatory provision for effect tracking. On the other hand, prosecutors cannot obtain convenient contact information of the above-mentioned personnel, and the above problems can be well solved through big data matching. First of all, when prosecutors intervene in judicial assistance cases, the parties have been recorded by the big data platform, forming an independent file, and the file will automatically supplement the information along with each link of judicial assistance until the rescue is completed. After the completion of the rescue, the judicial department and the civil affairs department have realized the information sharing, so through big data matching can find the latest situation of the rescue object, which is helpful for prosecutors to regularly track the rescue effect of the rescue object, but also conducive to the optimization and improvement of the rescue work. In addition, local departments related to poverty alleviation can also learn about the progress of judicial assistance of local residents through the matching of big data, and further consolidate the achievements of poverty alleviation through the matching of relevant support policies, so as to effectively promote the implementation of the rural revitalization strategy.

V. CONCLUSION

This paper makes an in-depth analysis of the existing problems of judicial assistance in China's rural areas, and proposes a plan to promote the process of rural revitalization in China by integrating big data and judicial assistance in detail, which is an innovation in the practice of judicial assistance.

VI. FUNDING

VII. DISCLOSURE

All authors have no conflict of interest in this work.

REFERENCES

1. Yu Zhang. Consolidating and expanding poverty alleviation achievements to help rural revitalization: a case study of a village in Hotan, Xinjiang Province. *Rural Revitalization*. 2021,3(10):90-91.

2. Leifeng Wang. The consolidation strategy of poverty alleviation under the background of rural revitalization. *Guide to Intelligent Agriculture*. 2022,2(21):135-137.

3. Shunwu Huang, Zhangwei Ding, Yani Zhang, et al. Targeted poverty alleviation and rural revitalization: an empirical study based on 408 counties. *Journal of Hefei University of Technology (Social Sciences)*. 2022,36(05):49-58.

4. Shanshan Jiang. Legal protection of rural vulnerable groups in civil proceedings. *Rural economy and Science and technology*. 2022,33(04):204-206.

5. Dawei Wang, Huiqiang Zhang, Cuifang Kong. Promoting a closer combination of new-type urbanization and poverty alleviation. *macroeconomic management*. 2020,36(09):69-75.

6. Jun Zhang. Adhere to high sharing development and provide higher-end procuratorial information products. *https://www.spp.gov.cn/dj/xwjj/201805/t20180526_ 379912.shtml*. 2018-05-26.

7. Zhigang Zhao, Honghao Jin. The evolution and change of smart prosecution: top-level design and practical exploration. *Chinese Applied Law*. 2017,1(2):29-38.

8. Jianlan Yang. Poverty culture and guidance to its value. *Seek*. 2010,30(06):70-71.

9. Jinping Xi. Decisive victory in building a moderately prosperous society in all respects and winning the great victory of socialism with Chinese characteristics in the new era. *People's Daily*. 2017-10-28(001).