

# Research on the Governance of Job-Related Economic Crimes of Grassroots Organization Personnel in Rural Areas of Weinan

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**Abstract:** Against the backdrop of rural revitalization, job-related economic crimes and "micro-corruption" among rural grassroots personnel in Weinan, a typical agricultural area in Northwest China, are prominent. Based on 213 cases, problems including ambiguous subject definition, unclear responsibilities, regulatory gaps and weak legal awareness are analyzed from the perspectives of legislation, judiciary, supervision and legal awareness. A multi-dimensional governance system is proposed with improved legal norms, optimized judicial practice, sound grassroots management and strengthened legal awareness. Key measures such as precise authority delimitation, standardized power operation, intensified supervision and integrity education are adopted to tackle grassroots micro-corruption, refine grassroots governance and boost rural revitalization.

**Keywords:** Rural Grassroots Organization Personnel; Job-Related Economic Crimes; Rural Revitalization; Multi-Dimensional Governance

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## 1 Crime situation

This study is based on 162 relevant effective judgments from the China Judgments Online database from 2013 to the present, supplemented with unpublished judgments, indictments, reports from disciplinary and supervisory commissions, and cases transferred from public complaints, forming 213 valid research samples.

Criminal subjects are dominated by principal officials, coordinated by financial personnel and extended to grassroots group leaders. Village Party secretaries and directors account for 78.4% (167 cases) as they hold multiple posts and concentrate decision-making, fund and project powers, bypassing democratic procedures and acting arbitrarily. Financial personnel (30%, 64 cases) often collude in crimes, while village group leaders (15.5%, 33 cases) directly handle livelihood funds. Serious concurrent posts lead to excessive power concentration and the complete loss of checks and balances. Criminal means are concealed and localized, including establishing shell cooperatives, forging documents, falsely reporting expenses and misappropriating collective funds. Public and private funds are mixed, evidence retention is fragmented, and investigation becomes harder under the rural acquaintance society.

## 2 Cause Analysis

### 2.1 Legislative causes

#### (1) Vague definition of the subject

There is ambiguity in the current legal system of our country regarding the definition of rural grassroots organizations and their related personnel. First, the definition of organizations is inconsistent: the legislative interpretation of the Criminal Law limits it to village-level organizations such as villagers' committees, while the 'Regulations on the Work of the Rural Grassroots Organizations of the Communist Party of China' extend the scope to both township and village levels. Second, the identification of personnel is unclear: Article 93 of the Criminal Law only stipulates in principle that 'other personnel performing official duties according to law' are considered state personnel, but it does not specify the exact scope; in addition, the 2025 revised 'Regulations on the Honest Performance of Duties by Rural Grassroots Cadres', based on the 2011 trial version, include the village affairs supervision committee, stationed personnel, members related to rural collective economic organizations, and staff dispatched by county-level departments to township institutions within the scope of application.<sup>[1]</sup>

This unclear definition of the subject leads to difficulties in applying the law to duties and economic crimes of relevant personnel during case handling, and some personnel escape punishment as a result.

#### (2) It is difficult to distinguish between 'official affairs' and 'village affairs'

Grassroots rural organization personnel are not state employees by nature and mainly deal with village affairs. Yet when they assist people's governments in administrative management, they are treated as "quasi-state employees" and their relevant work constitutes public duties. If they commit illegal acts by taking advantage of their position, they shall be subject to the provisions on embezzlement and bribery in Chapter Eight of the Criminal Law. However, such personnel have multiple identities, with public duties and village affairs overlapping and boundaries blurred, leading to difficulties in ascertaining criminal liability. Two views exist on this issue: one holds that any matter involving government-authorized tasks shall be deemed public duties; the other maintains that multiple factors including the nature of the task, source of funds and management authority must be comprehensively considered. For instance, when disbursing land acquisition compensation, grassroots village personnel such as village committee members assisting the government in "managing land acquisition compensation funds" shall only be responsible for helping examine and approve, calculate and distribute such funds to land-expropriated people.<sup>[2]</sup>

### 2.2 Judicial causes

Penalties for economic crimes by rural grassroots personnel are lighter than those for urban officials. In Weinan, many such cases caused heavy losses but received light or suspended sentences, leading to low crime costs and weak deterrence. For embezzlement, only amounts over 30,000 yuan generally incur criminal liability; those between 10,000 and 30,000 yuan are often exempt, which harms rural anti-corruption and social fairness. These personnel are not state employees but may be treated as quasi-state employees when assisting government administration, falling under embezzlement and bribery regulations. Their dual roles blur the line between public duties and village affairs, making criminal liability hard to define. Views differ on identifying public duties, with one focusing on government authorization and the other on multiple factors, such as the limited scope of duties for village staff handling land compensation funds.

### 2.3 Regulatory Cause

#### (1) External supervision is blurred

A regulatory vacuum in power operation has led to duty-related economic crimes among rural grassroots personnel in Weinan, which is mainly reflected in the failure of internal control and the weakening of external supervision. Township discipline inspection commissions have heavy supervision tasks and can only conduct formalistic oversight over villages; county-level inspections are carried out once every five years with a long cycle, making it hard to detect illegal acts in a timely manner. In addition, the lack of detailed rules for the management of "three assets" (funds, assets and resources) results in arbitrary fund use, irregular asset disposal and unreasonable resource development, damaging collective interests.

#### (2) Difficult for social supervision to intervene

Social supervision of cases of corruption and bribery in rural areas and across the country is relatively weak, with the core problem lying in the significant reduction of the disclosure of information on related cases. In 2024, courts at all levels concluded 30,000 cases of corruption and other occupational crimes involving 33,000 people, a year-on-year increase of 22.3%.<sup>[3]</sup> However, only 1,291 judicial decisions have been made public, accounting for only 4%, and in the Weinan area, such documents are even scarcer; in 2025, only 933 related cases were published nationwide, and most only show the case names without specific details. Updates and iterations in the internal court systems have also led to the loss of a large number of cases, leaving electronic records blank, with no effective correspondence between paper and electronic files, making it difficult to access even recently concluded cases. In addition, the disciplinary review section of the Weinan Municipal Commission for Discipline Inspection's official website has only been updated once in 2022 since 2018. The lack of transparency in case information directly prevents the external society from conducting effective supervision.

## 3 Diversified Governance Paths

### 3.1 Improve the regulatory system

First, clearly define the identity of rural grassroots personnel and the scope of official duties. Improve Criminal Law interpretations to establish a "town-village-group" three-level structure and bring relevant institutions into legal supervision. Formulate Weinan's guidelines to classify village group leaders managing seven agricultural public affairs as state functionaries; collective economic organizations shall be charged with embezzlement, and corruption only applies when assisting government administration. Adopt the "public office theory" instead of "identity theory" for college-graduate village officials. Specify that assisting in land expropriation, poverty alleviation funds and post-disaster reconstruction constitutes public affairs to prevent judicial misjudgment. Second, establish a graded and differentiated penalty system. Refine criminal liability standards, add aggravated punishment provisions, and set a 10,000-yuan threshold for crimes involving poverty alleviation, disaster relief and land compensation funds. Include non-statutory agricultural funds under 30,000 yuan that cause group petitions or hinder rural revitalization in criminal punishment. Build a sentencing adjustment system with stricter penalties for key village cadres and those using illegal cooperatives or forged documents. Supplement qualification and property penalties, such as deprivation of political rights, 3–5 years of employment prohibition, heavier fines and confiscation of property to eliminate illegal gains.

### 3.2 Optimizing Judicial Practice

Launch special governance and optimize evidence application. The Procuratorate, Court and Supervisory Commission set up joint task forces to concentrate on investigating cases in key areas including land acquisition compensation, poverty alleviation funds and rural infrastructure, forming coordinated law enforcement. Evidence standards are established: electronic images of financial documents are valid with extraction records, and interrogation records with audio-video recordings and signatures are admissible, ensuring a complete evidence chain. Construct a prevention-oriented crime control system. Compile a warning map of duty-related crimes in Weinan as mandatory annual training for village cadres, and hold court trials in villages for warning education. Big data is used for real-time monitoring of financial and project data to detect risk warnings. Compliance guidelines are formulated to clarify exemptions for reform mistakes and emergency risk avoidance, with a collective asset management manual to regulate cadres' performance and prevent legal risks.

### 3.3 Regulatory Approach

First, establish a zoned collaborative supervision system. With 3–5 villages as a supervision zone, a special team shall be set up under the leadership of the county procuratorate, with clear division of labor among township discipline inspection commissions, agricultural and rural bureaus, and finance bureaus. Quarterly special inspections on agriculture-related funds shall be carried out, third-party audits shall be introduced for capital-intensive projects, and the inspection cycle shall be optimized to strengthen normalized supervision. Second, advance digital supervision innovation. A smart platform for rural "three capital" supervision shall be built to realize real-time fund tracking and automatic early warning for large expenditures. Data sharing among departments shall be promoted to screen violations. Algorithmic management and data monitoring shall be integrated into supervision, shifting the focus from person-to-person instruction control to

system-to-person rule-based control. Finally, improve the fault-tolerant and correction mechanism. Issue compliance guidelines for grassroots cadres to clarify exemption scenarios and equip with operational manuals to regulate performance and prevent crimes.

## References

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[2] See the judgment of the People's Court of Linwei District, Weinan City, (2014) Linwei Criminal First Instance No. 00350.

[3] Zhang Jun. Report on the Work of the Supreme People's Court — Delivered at the Third Session of the 14th National People's Congress on March 8, 2025 [EB/OL]. (2025-03-08) [2026-01-17]. Official Gazette of the Supreme People's Court of the People's Republic of China. <https://gongbao.court.gov.cn/Details/f560a703efbd2671764ec07a827c.html>.

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