

New urbanization; Urban resilience; Coupled coordination model; Huaihe River Basin

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Abstract

Contemporary China's pension system revolves around the allocation and acquisition of pension resources, relying on the enforcement of political power as a guarantee, and is closely integrated with the formulation of laws to form a normative system. This system is composed of a variety of specific systems, and the sub-systems are interconnected and complementary in function, forming a comprehensive pension security network. In the process of promoting the modernization of the national governance system and governance capacity, the pension field needs to achieve a benign governance model, which requires a complete pension system as a support. Under the framework of the existing political system and constitutional system, the basic governance logic remains unchanged. To further promote the development of the pension system, the key lies in optimizing the pension legal system and establishing an effective coordination mechanism between laws and systems. Specifically, it is necessary to start from the following aspects: first, reconstruct the pension legal system with a coordinated and development approach, enhance the fairness of the pension legal system on the basis of objectively analyzing the social situation, and ensure the sustainability of social pension security; second, optimize the pension legal system from the perspective of national strategic layout, including improving the form of family pension responsibility and accelerating the legalization of social pension security; finally, strengthen the development of pension laws by giving full play to the leading role of the National People's Congress in legislation and improving the review mechanism of administrative normative documents. Only in this way can we form a modern system to deal with the issue of elderly care under the increasingly severe aging situation.

Keywords

Pension system, legal system optimization, national governance modernization, sustainable pension security.

1. Introduction

1.1. Research background

With the continuous development of Chinese society and the changes in population structure, the issue of elderly care has become increasingly prominent. According to data from the National Bureau of Statistics, by 2023, the number of elderly people aged 65 and above in China has exceeded 190 million, accounting for 13.5% of the total population. This aging trend has posed a severe challenge to China's existing elderly care system. The elderly care system is not only related to the quality of life of the elderly, but also to the harmony and stability of society. Therefore, it is of great practical significance to study how to improve and develop China's elderly care system.

1.2. Research significance

As an important practical achievement of human society, the pension system has become an indispensable part of the social system. Understanding the pension system is not only about understanding the social soil for its existence, but also about understanding society itself. First of all, theoretically, the pension system has a far-reaching impact on individual, collective and national behavior. The investigation and theoretical refinement of the pension system phenomenon can provide intellectual resources for the extension of specific disciplinary methods and theoretical enrichment. The results obtained from different research entry points can inspire each other and release greater academic contributions in the process of knowledge exchange between disciplines.

From a practical perspective, studying the pension system from a legal perspective has important practical value. Exploration from the perspective of jurisprudence helps to fully and systematically understand and explain the phenomenon of the pension system, understand the basic principles of the system's survival, provide a basis for the construction of a generalized pension system theory, and help form an internally consistent pension system research paradigm. Through the analysis of legal norms, meaningful guidance can be provided for the practice of the pension system and the healthy development of the pension system can be promoted. Therefore, this kind of research not only enriches related disciplines in theory, but also provides practical guidance in practice, thus having important practical significance.

1.3. Research status

1.3.1. Focus on the legal protection of a specific pension right

Ma Shengjun and Li Shaojun (2018) focused their research on the legal protection of family pension rights on spiritual support. The "go home often" clause was added to the 2012 amendment to the Law on the Protection of the Rights of the Elderly, which aroused widespread social attention, so research in this field is relatively active. Zhao Dahua (2020) discussed the spiritual support of the elderly in China, and Ding Liang (2020) explored the issue of spiritual support by introducing foreign experience or analyzing the applicability of regulatory clauses. Zheng Shangyuan (2017) studied the protection of social pension rights of citizens, focusing mainly on social pension insurance, including analysis of the construction principles, positioning, and legislative status of pension insurance. Lu Xiaoming (2021) studied the employment rights of the elderly, while Li Hongxiang (2023) pointed out that the personal and property rights of the elderly are vulnerable to infringement and the property security situation is severe. These studies are combined with specific types of elderly rights protection practices, focusing on the normative analysis of specific legal provisions, and proposing suggestions and opinions on improving relevant legal provisions.

1.3.2. Discuss the nature of the right to protection from the perspective of a specific right

Pan Hongqi (2017) pointed out that in the process of coping with the challenges of population aging, more and more people have come to realize that "caring for the elderly is not only the responsibility of children, but also the responsibility of government public services and livelihood security". This is an issue that requires the attention of the whole society. Yao Liang (2017) believes that the formulation and implementation of the system may deviate from the original intention and give rise to more social contradictions. In the face of the dual pressures of social change and the aging population with a low birth rate, it is necessary to clarify the government's responsibilities in caring for the elderly.

Wang Jian and Zhao Shukun (2019) revealed the status and shortcomings of judicial relief for specific pension rights and proposed to resolve pension rights disputes through further standardization and clarification. Han Yang (2020) pointed out that doing a good job in the

resettlement and protection of the elderly is not only related to social stability, but also to the survival, development and well-being of the elderly. These studies involve rights theory issues and judicial practice issues, and are highly integrated with judicial case studies. They are a kind of research in the field of legal application. Through the discussion of the legal protection and nature of specific pension rights, we can fully understand the phenomenon of the pension system, understand the basic principles of the system's survival, and provide useful theoretical and practical guidance for further optimizing the pension legal system.

2. The relevant contents and connotations of the contemporary pension system

2.1. Related content

In a broad sense, the pension system can be regarded as a set of norms and guidelines related to the provision of resources needed by the elderly. Folk customs, village rules and regulations, family rules and regulations, as well as official laws and decrees are all manifestations of the system. The contemporary pension system is a multi-level comprehensive system that covers economic security, health security, social services and legal protection. Its core content includes economic security measures such as social basic pension insurance, enterprise annuities and personal savings pension insurance, as well as health security mechanisms such as medical insurance and long-term care insurance. The social service part includes community pension and institutional pension services, which aim to help the elderly get care in a familiar environment or professional institutions. At the same time, legal protection provides legal protection for the rights and interests of the elderly through laws and regulations such as the "Law on the Protection of the Rights and Interests of the Elderly".

In addition, the contemporary pension system also emphasizes the importance of family care and requires children to fulfill their responsibility to support their parents. The government plays a key role in this system, ensuring the standardization and popularization of pension services through policy formulation, resource allocation and supervision and management. In general, the contemporary pension system is committed to providing comprehensive and continuous protection for the elderly through multi-party collaboration to improve their quality of life and happiness .

2.2. Basic connotation

The pension system in contemporary China is a complex, multi-layered system, which is composed of the family pension security system and the social pension security system. The family pension security system ensures that family members provide economic support, living care and spiritual comfort for the elderly, reflecting the continuation of the traditional filial piety culture. The social pension security system is jointly undertaken by the state and society, and mainly includes the social pension insurance system, the social pension service system, the elderly relief system and the elderly preferential treatment system. The social pension insurance system provides financial support for the elderly, the social pension service system provides living care and medical care, the relief and assistance system provides support for special difficulties of the elderly, and the elderly preferential treatment system gives preferential services or treatment to the elderly in social activities .

In addition, the pension law not only includes the relevant parts of the Constitution, laws and local regulations formulated by the National People's Congress, but also covers the pension clauses in administrative regulations and government regulations. These legal norms declare the will of the state, and by granting special rights and interests to the elderly and expanding citizens' rights, they increase the responsibility and obligation of the state, society and family to protect the rights and interests of the elderly. Overall, the pension system in contemporary

China is a modern security system that has gradually formed in the process of developing socialism with Chinese characteristics. It combines domestic and foreign experiences and lessons, adapts to the needs of China's modernization development, and aims to provide comprehensive and systematic protection for the elderly .

3. The development of contemporary pension system

3.1. Pension system in the early days of the People's Republic of China

In the early days of the founding of the People's Republic of China, China's pension system mainly relied on the power of the state and the collective, focusing on providing basic security for the elderly through units and collectives under the planned economic system. In 1951, the "Labor Insurance Regulations of the People's Republic of China" was promulgated. This was the first systematic social insurance law after the founding of the People's Republic of China, marking the initial establishment of China's pension insurance system. The regulations stipulate that state-owned enterprises, private enterprises and their employees and retirees can enjoy a variety of social insurance benefits including pensions. The pension system during this period was mainly reflected in the employee pension system of state-owned enterprises and government agencies, which guaranteed the basic living needs of employees after retirement through the collective economic power of the unit.

In addition, rural areas mainly rely on family care and collective economic forces to ensure the lives of the elderly. During the period of the people's commune, the problem of rural pension was more solved through collective labor and distribution system, and the accumulation and distribution of collective economy provided a certain living security for the elderly. However, the level of rural pension security during this period was relatively low, mainly relying on the support and care of family members . Overall, the pension system in the early days of the founding of New China had a clear planned economic color, relying on the power of the state and the collective to provide basic security, but with the development of the economy and society, this model gradually exposed many problems, especially in rural areas, the life security of the elderly still faces huge challenges.

3.2. Pension system after reform and opening up

After the reform and opening up, China's pension system has undergone major reforms and developments, gradually transforming from a planned economy to a market economy, and the pension system has also undergone profound changes. In 1986, the "Social Insurance Law of the People's Republic of China" was implemented, marking the further improvement and development of China's pension insurance system. During this period, the country gradually established a multi-level pension security system with social basic pension insurance as the main body, supplemented by enterprise supplementary pension insurance and personal savings pension insurance.

The coverage of the basic social pension insurance system has been continuously expanded, from the initial state-owned enterprises to private enterprises and individual workers, ensuring that more workers can enjoy basic pension security. At the same time, the establishment of the enterprise annuity system and the personal savings pension insurance system has provided workers with more pension security options and further improved the living security level of the elderly . In addition, the government has increased its investment in rural pension security, and provided basic living and medical security for rural elderly people through the new rural cooperative medical care and rural pension insurance system.

During this period, China also began to focus on the construction of the elderly care service system and promoted the development of community-based and home-based elderly care services. The government encouraged social forces to participate in elderly care services

through policy guidance and financial support, and gradually formed a multi-level elderly care service system that combines community-based, home-based and institutional elderly care . The reform of the elderly care system after the reform and opening up has not only expanded the coverage of elderly care security, but also improved the quality and level of elderly care services, providing more comprehensive and diversified security for the elderly.

3.3. Contemporary China's pension system

The beginning of the 21st century, while China's pension system has been gradually improving, it has also faced new challenges brought about by an aging society. In 2012, the Law of the People's Republic of China on the Protection of the Rights and Interests of the Elderly was revised to further clarify the responsibilities of the state, society, and family in the elderly care and strengthen the protection of the legitimate rights and interests of the elderly. During this period, China's pension system has become more diversified and comprehensive, including a multi-level economic security system such as social insurance, social assistance, and social welfare, as well as health security, social services, and legal protection.

At present, China's pension system is mainly composed of social basic pension insurance, enterprise annuities and personal savings pension insurance. Through multi-level economic security measures, the stability and security of the basic life of the elderly are ensured. At the same time, the establishment of medical insurance and long-term care insurance systems provides comprehensive health protection for the elderly, ensuring that they can receive timely and effective treatment and care for diseases and health problems . In addition, the continuous improvement of community and home-based elderly care service systems allows the elderly to enjoy professional elderly care services in a familiar environment, improving the quality of life and happiness of the elderly.

The government plays a key role in this system, ensuring the standardization and popularization of elderly care services through policy formulation, resource allocation, and supervision and management. At the same time, the extensive participation of social forces provides diversified and personalized choices for elderly care services . Overall, contemporary China's elderly care system is an important part of the construction of socialism with Chinese characteristics. It combines domestic and foreign experience and lessons, adapts to the needs of China's modernization development, and is committed to providing comprehensive, continuous and high-quality protection for the elderly to meet the challenges brought by an aging society.

4. Policy governance and legal regulation in contemporary Chinese pension system

4.1. The main governance functions of pension policies

4.1.1. Clarify the development direction of pension systems at each stage

China's pension policy has a clear development direction at different stages, reflecting the action arrangements and guidance of the Party and the state in the supply and allocation of pension resources. The goal-oriented nature of the policy determines its action plan within a specific time and conveys specific value pursuits.

China's pension policy has a clear development direction in different historical stages. In the early days of the founding of the People's Republic of China, the "Labor Insurance Regulations of the People's Republic of China" was passed to establish a basic pension security system relying on the state and collective economic forces, mainly through units and collectives to provide basic living security for the elderly. The policy focus of this period was to ensure the basic living needs of employees after retirement, especially in state-owned enterprises and government agencies, and a preliminary pension security system was formed . After the reform

and opening up, the pension policy gradually transformed from a planned economy to a market economy. In 1986, the "Social Insurance Law of the People's Republic of China" was implemented, marking the further development of the pension insurance system. The country has established a multi-level pension security system including social basic pension insurance, enterprise annuities and personal savings pension insurance. The policy focus is to expand coverage and improve the quality of pension services, while increasing investment in rural pension security, and providing basic living and medical security for rural elderly people through new rural cooperative medical care and rural pension insurance.

Entering the 21st century, facing the new challenges of an aging society, the macro-policies of the Party and the state on elderly care are aimed at reducing social conflicts and meeting people's needs. The Law of the People's Republic of China on the Protection of the Rights and Interests of the Elderly, revised in 2012, strengthens the protection of the rights and interests of the elderly. The state has formulated the overall framework and development track of elderly care through the five-year plan and various macro policies. The policy focuses on standardizing and popularizing elderly care services, promoting the development of community-based elderly care, home-based elderly care and institutional elderly care services, and improving the quality of life and happiness of the elderly.

4.1.2. Stabilize and coordinate the supply of social pension security resources

The supply of social pension resources is different from the supply of family pension resources and cannot be separated from the active actions of administrative agencies. In practice, a large number of micro-administrative policies from governments at all levels and their departments are an important part of the pension policy system. They further break down and refine the goals and tasks of macro policies. The distribution and flow of human, talent, material and other resources in society mainly rely on these policies. From the perspective of the policy-making subject, governments at all levels and their departments under the administrative bureaucracy have issued a variety of pension policies. These administrative policies also show different policy natures and characteristics due to the level and status of the issuing agencies in the administrative system, and play an important role in stabilizing and coordinating the supply of social pension resources.

4.2. The main regulatory functions of pension laws

4.2.1. Standardized allocation of rights and responsibilities for the supply of elderly care resources

Under my country's pension legal system, various laws and regulations at different levels confirm the responsibility for the supply of pension resources in different forms and grant citizens corresponding pension security rights and interests. On the whole, the content of pension rights and responsibilities becomes more specific as the legal level decreases, and becomes more abstract as the legal level increases. First, the Constitution makes basic provisions for the rights and interests of the elderly and the state's responsibility for protection. Although the constitutions of different periods differ in the scope and content of empowerment, they all have relevant clauses to provide additional protection for elderly citizens. According to the current constitutional provisions, citizens have the right to obtain material assistance from the state and society when they are old, the lives of retired citizens are protected by the state and society, and citizens can receive support and assistance from their adult children, while the state bears relative responsibilities.

4.2.2. Provide relief for citizens' pension rights

Under the premise that the law allocates responsibilities and powers for the supply of pension resources, the granting of citizens' pension rights and interests is accompanied by relief. Relief is a basic power of statutory rights and interests, which aims to promote the realization of

citizens' statutory rights or interests and provide solid guarantees for the defense and benefit power of rights and interests. Otherwise, the defense and benefit power of statutory rights and interests will lose their practical significance. Therefore, the existence of the power of relief is not only about passive post-event remedies and punishments, but also about urging the infringing party to fulfill its obligations and bear responsibilities, and at the same time warn third parties to respect the legitimate rights and interests of citizens. The differences in the nature and types of pension rights and interests determine different relief channels and methods.

5. The sound development direction of China's pension system under the trend of aging

5.1. Improve the multi-level pension security system

Improving the multi-level pension security system is one of the key measures to meet the challenges of aging. First, it is necessary to further expand the coverage of basic pension insurance to ensure that all workers, regardless of their employment form, can enjoy basic pension security. The government should encourage informal workers and rural residents to actively participate in pension insurance through policy guidance and financial subsidies. In addition, as an important supplement to basic pension insurance, enterprise annuities need to promote more companies to establish enterprise annuity plans for employees through tax incentives and policy incentives. Personal savings pension insurance allows individuals to accumulate pensions during their working years to improve their living security level after retirement. Through a multi-level pension insurance system, pension risks can be effectively dispersed and the stability and sustainability of pension security can be enhanced.

At the same time, in order to improve the overall level of elderly care security, the government should also increase investment in the elderly care service system and promote the development of community-based elderly care and home-based elderly care services. Community-based elderly care services can provide elderly people with life care, health management, cultural and entertainment services by establishing day care centers, community health service stations and other facilities. Home-based elderly care requires government subsidies and volunteer services to support family members in caring for the elderly and provide professional home care services. By improving the multi-level elderly care security system, it is possible to provide the elderly with comprehensive and diversified elderly care services, improve their quality of life, and ensure their safety and happiness in old age.

5.2. Promoting the long-term care insurance system

Promoting the long-term care insurance system is an important measure to deal with an aging society, aiming to provide economic security for disabled and semi-disabled elderly people and reduce the burden of family care. As the population ages and the demand for long-term care increases significantly, it is particularly important to establish a long-term care insurance system that covers the entire society. The government should formulate a clear policy framework and implementation details based on pilot promotion, covering insurance coverage, compensation standards and management mechanisms. Financial support is the key to ensuring the sustainable development of long-term care insurance. By increasing financial investment, the government can provide a stable source of funds for long-term care insurance and ensure the effective operation of the system.

In addition, promoting the long-term care insurance system also requires improving public awareness and participation. Through publicity and education, the general public should understand the benefits of long-term care insurance and encourage their active participation. The government should also strengthen the construction of the long-term care service system,

cultivate and train professional nursing staff, and improve the quality and level of nursing services. At the same time, relevant laws and regulations should be formulated to clarify the standards and requirements of nursing services, and long-term care service institutions should be strictly supervised to ensure the improvement of service quality. By promoting the long-term care insurance system, comprehensive care protection can be provided for the elderly, reducing the burden on families, improving the quality of life of the elderly, and ensuring the dignity and happiness of their later years.

5.3. Ensuring the sustainability of social pension security

Sustainable development of social pension security, that is, emphasizing social pension security policies and other economic and social policies, mutual support and promotion, ensuring the sustainability of the supply of pension security, including the continuous supply of pensions, the sustainable development of social pension security is not only subject to, In addition to factors such as the political environment and economic development, the internal adjustment of the system itself can also promote sustainability of development. On the issue of sustainable development of the basic pension insurance system, the sustainability of basic pension insurance can be achieved by changing the concept of understanding, changing policy parameters, and increasing support for the development of the second and third pillar pension system. In addition, optimizing the fiscal expenditure structure, consolidating state-owned assets to provide support for the enrichment of the pension insurance fund, and standardizing the investment and operation management of the insurance fund to ensure the appreciation and preservation of the fund are also one of the policy points that cannot be ignored. Of course, this involves very complex policy issues, which require more professional business institutions to conduct objective and accurate policy evaluations. At the same time, it will inevitably affect economic and financial policies. These areas are the most challenging and most necessary parts of pension insurance policy adjustment. To improve the administrative policy system, it is necessary to improve the democratic and scientific nature of administrative decision-making and the effectiveness of administrative policy implementation. Therefore, it is necessary to conduct sufficient research to reasonably determine policy issues, collect opinions from all parties to form policy plans, have an in-depth understanding and objective evaluation of the possible risks of policy output, and conduct extensive consultation on policy plans. In the process of policy implementation, it is necessary to carry out reasonable policy deployment, prudent pilot selection, active policy publicity, and serious policy inspection and summary. During the policy evaluation phase, the goals should be objective, scientific, comprehensive and accurate. Based on the evaluation conclusions, it should be further determined whether the policy content needs to be adjusted, new procedures should be initiated, or whether the level of regulation needs to be improved.

6. Conclusion

The pension system in contemporary China has gone through different stages of development, reflecting the governance role of pension policies and laws in their respective fields and their complex interactive relationship. From the trend point of view, national law has gradually strengthened the support responsibility of family members and promoted the multi-level development of pension security through policies and laws. The basic pension insurance system has gradually moved from identity and regional fragmentation to institutional integration, and the development of the second and third pillar pension insurance has also been gradually improved under the promotion of laws and policies.

Pension policies and laws play a role in different fields, and also form complex interactions based on the changes in social situations and the initiative of social participants. Changes in the level of economic development, the impact of economic crises, the aging of the population, and

the weakening of family pension capacity have all prompted the readjustment of the supply of pension resources. In this process, decision-makers draw on international models and theories to form corresponding policies and legislative strategies. The leadership of the Party, the division of labor and cooperation among state organs, and the requirements of constitutional democratization have further promoted the formation of a mutually stimulating interactive relationship between pension policies and laws. On the one hand, pension policies guide the formulation of laws, and laws consolidate policies; on the other hand, pension laws promote the implementation of policies and make the content of administrative policies subject to legal constraints .

In the process of promoting the modernization of the national governance system and governance capacity, China's pension system needs to be further optimized on the track of rule of law. This requires the coordination and development of the elderly policy system, accelerating the construction of the elderly legal system from the perspective of national strategic layout, ensuring the coordination of policies and laws, and highlighting the core position of law in governance. The leading role of the National People's Congress in legislation and the improvement of the administrative normative document review mechanism are both important parts of promoting this process. Faced with rapid aging and complex domestic and international situations, China needs to establish a pension system that cares for the elderly in an all-round way and ensure its benign operation to meet future challenges.

Acknowledgements

This work is supported by 2023 National Undergraduate Innovation and Entrepreneurship Training Program, Project number: 202310378234.

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