

Original Paper

Reconciling: How Chinese Village Cadre Solves Land Disputes in Southeast China

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Land disputes are a common phenomenon in rural China. This study focuses on how rural cadres resolve land disputes. It is found that the uniqueness of ownership and cultural and historical factors are the main reasons for land disputes. Village cadres often use the power of their positions in the village, their relationship with villagers, and private financial compensation to resolve disputes. This solution is related to the type of village cadres and the attitudes of higher-level departments (township cadres).

1. Introduction and Literature Review

China's land ownership system is very different from that of the West. In order to maintain the characteristics of public ownership, although urban land transactions are very frequent, rural land is still publicly owned. There are many restrictions on rural land transactions. At the same time, the definition of rural land property rights is not clear (Chen, 2016). Many land disputes occur in rural China. The countryside is still in a relatively backward state.

There are special groups of village cadres in rural China. Chinese rural areas have the basic characteristics of the concept of "community", and at the same time they are different from Western rural communities due to differences in culture and values. In rural China, there are both political elites, as well as economic and social elites (Chen, 2020). In fact, the current rural village cadres are such a group of people. In addition to being formal village cadres, they are also economic and political leaders in the village (Lu, 2007). A few people may also be religious leaders, and they are a mixture of multiple types of elites. In addition to their role as the nominal agent of the state, they may also be the protector of the village, or even the violent authority in the village.

At the same time, there are a large number of informal relationships among rural residents. These social relations affect the way villagers deal with disputes, sometimes more harmonious, sometimes more intense. Village cadres are also embedded in these social relationships. In handling an incident, village

cadres must take into account the closeness and closeness of the relationship between the parties and themselves, in addition to being objective and fair.

Therefore, the behavior pattern of village cadres is very complex in specific situations. In recent years, S Town has taken action to demolish shanties to improve the appearance of the village and protect farmland. In this process, many land disputes arose. This paper attempts to study the attitude and specific behavior of village cadres in resolving village disputes.

2. Ethnographic Method AND Data Collection

This article uses the method of fieldwork. The author came to some villages under the jurisdiction of S Town in southern Zhejiang Province. In the field survey, 10 village cadres and a small number of villagers were interviewed. The author entered the department in charge of rural land in the government of S town, and participated in the coordination of farmers' land disputes with the department head as participant observations.

3. The Emergence of Land Disposes

The land disputes in the rural areas are largely due to the views of the villagers. Traditionally, farmers rely on land to live, and their income is the output of land. At the same time, land comes from the gift of parents, and it is necessary to pass it on to the next generation. It is inherited wealth. So farmers attach great importance to land.

Therefore, villagers have reasons to fight for the ownership of every inch of land. In addition, the Chinese government has not done a good job of dividing rural land, and there is a deviation between the registered land and the actual land. In this case, land disputes are common. Land disputes are dominated by homestead disputes, because homestead disputes have stronger economic factors.

In addition, the quality of the villagers is not too high, their ideological concepts are backward, and there is another group that can live up to the discipline, that is, the villagers. Diao Min gets financial rewards by initiating disputes, or just for revenge.

4. The Attitude of Township Government

The attitude of the township government is also very unclear. The township government has an obvious superior-subordinate relationship with the village cadres. At the same time, the number of residents' letters and visits and even lawsuits have obviously increased over the years. However, most of the petitions did not have reasonable appeals, and the residents did not fully understand the litigation. Rather, it is based on the bad habit of benefiting people who "make trouble" in the countryside, thinking that as long as they make a fuss and make the other party embarrassed, they will agree to their demands (Rao et al., 2011).

The township government usually takes a conciliatory attitude. This attitude of the township government comes from the court on the one hand. The courts usually do not hold hearings directly on

homestead disputes, but send them back to the township government for mediation. On the other hand, it comes from the higher-level (usually the county-level) government. In the case of Village X, the town government urgently needs to make a ruling and convene a meeting because of the instructions of the county government. In the case of Village Q, because the plaintiff Dian's family sued Zheng and Xin's family, they had to sue the county governor instead, saying that it was the homestead approved by the county governor and now the county governor is responsible. This is of course unreasonable. But the township government may also have concerns in this regard when dealing with this matter.

5. The Weapon of Village Cadres

It is worth pointing out that in our research, we found that the reconciling is the most common measure taken by village cadres. Reconciling is not based on the principle of fairness, but hopes that both parties can make concessions as much as possible. There is no doubt that this method will inevitably harm the interests of some villagers. For such villagers, usually the village cadres will compensate privately. This compensation may be material, or it may be a policy preference or political asylum. This part of the content is not the focus of this article.

An important concept used to explain our subject is power. Village cadres belong to the elites in the countryside and have the power conferred by the electors. They not only have a high status in the village, but also occupy important positions. Compared with ordinary villagers, they undoubtedly have power. However, we found that the village cadres do not use the power conferred by the administrative position in the actual process, but instead use their advantages in material and social capital to take pressure to the villagers.

For informal relations in China, a common topic is "guanxi". A large number of scholars who have studied China in the past 30 years have done a lot of work. In the case of Village N, what is interesting is that every household in the village will give out high-end cigarettes to everyone present before starting the topic. This method is called "giving face" in China, first handing cigarettes to create a harmonious atmosphere, and then conducting friendly talks. But this approach is not accepted by the stubborn villagers. The village cadre continued to "give face".

Although there are various methods mentioned above, it is worth pointing out that the most common method is that the village cadres suffer. In the case of Village T, the village cadres settled part of the dispute at their own expense. For example, for relatively small land disputes, some village cadres even paid for the repair of villagers' huts for the "beautiful countryside" project.

6. Conclusion

This paper studies the behavior of village cadres in rural areas in southern Zhejiang Province to settle disputes. We find that the occurrence of land disputes has the influence of traditional cultural concepts in rural areas. The village cadres chose to settle the dispute because of the attitude of the superior departments. In the actual process of handling disputes, village cadres choose to use "guanxi" rather

than political power. But more often, village cadres use their own money to compensate victims. Finally, village cadres become the bearers of losses caused by disputes.

Village is a complex field. Although we analyzed the village cadres and villagers, in similar incidents, the villagers and village cadres who came out actually had a third-party participant, that is, the township government. Government officials may also be involved in the settlement of disputes, which makes our analysis more complicated. It is hoped that the superior government can be taken into consideration in future research.

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