

Driving factors behind farmers' preferences for choosing Xinfang system as land dispute settlement body

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Abstract: This study offers a focused examination on Xinfang system, China's unique mechanism particularly on its ability and efficacy in mediating land disputes between farmers and governmental bodies for social governance purposes. Based on interviews with 10 farmers, the study elucidates the system has low entry barriers and user-friendly, thus fast becoming the preferred system option when dealing with land conflicts. Xinfang facilitates direct communication between farmers and government officials, thereby in line with the sociocultural conventions of the rural populace. The study also highlights several constraints. While the Xinfang system employs a multifaceted approach to conflict resolution, including negotiation and grassroots governmental intervention, it lacks legislative power and institutional authority that are required for effective management of more complex or multi-stakeholder land disputes. The study advocates for a comprehensive reassessment and subsequent reform of the Xinfang system, focusing particularly on its mechanisms and procedures for dispute resolution. Such reforms are not merely instrumental for the more robust safeguarding of farmers' land rights, but also for enhancing the overall integrity and public trust in China's legal and administrative frameworks.

Keywords: Xinfang system; land acquisition disputes; conflict resolution; farmer preferences

1. Introduction

In China, the fabric of society is deeply influenced by its agricultural roots, where farmers occupy an indispensable role in both national identity and economic infrastructure. However, farmers frequently face multifaceted challenges, particularly when it comes to safeguarding their land rights. While the Land Administration Law in China offers some degree of legal protection for farmers, the on-the-ground reality is far more complex.

As a socialist country, China practices collective land ownership. Urban land is owned by the state and managed by the State Council, whereas rural land is collectively owned by farmers and managed by village-level collectives or committees (LAL, 2019). Despite this legal framework, farmers are often confronted with multiple legal, administrative and procedural issues like complicated expropriation procedures, unfair decisions, and even malpractices or illegal activities during the land expropriation process (Lin et al., 2018). These factors not only infringe the basic interests of farmers but also exacerbate conflicts between them and other stakeholders such as the government and developers (Zhao & Xie, 2022). It worth to mention here that the government of China appreciates and value social peace, mutual, successful, and amicable settlements between disputing parties. Any form of dissatisfactions or prolong disputes, including land disputes would leave a negative impact on the country,

ruling government, political parties, local organization and citizens (Fenn et al., 1997). If remain unresolve, they naturally would snow-ball into larger problems and widespread across the country, leaving new and different types of social, economic and political impacts on the country as a whole.

It is observed that farmers are considered to be the most vulnerable group socially and economically. They face increasingly precarious situations, especially in context of protecting their rights (Lian et al., 2016). Currently, under China legal system, there are generally three platforms available for farmers to bring and address their land disputes, conflicts or complaints. They are (i) administrative litigation (AL) (ii) administrative reconsideration (AR) or (iii) Xinfang. These 3 bodies are put in place to assist the government of China towards achieving the desired socio-economic development whilst protecting the interest of the farmers too. Farmers are free to choose any of the platforms (Yang, 2021). Each body has different process and procedures, but all are aimed in resolving the conflicts amicably and satisfactorily through a fair and just decision (Li et al., 2018).

For example, the AL functions almost exactly like judicial courts of laws. It is often characterized by confrontation, rigorous question-answers sessions, bureaucratic judicial rules, rigid procedures, and winner takes all approaches. In most cases, the processes and procedures of AL can lead to delays in the delivery of justice, especially in complex cases involving collective land ownership in China (Guo, 2022). On the other hand, the AR is less rigid and complex than AL. Unlike AL, AR is a more an administrative than legal platform. Generally, it too welcomes claimant to seek redress for violation of rights (Chen, 2020; Hu, 2008). However, once the claimant has appeared before the AR, no further litigation can be filed to the AL, even when he wants to appeal or review the AR's decision (Chen, 2020; He, 2014). Historically, Xinfang is a traditional instrument for seeking justice from levels of the government superiors of China. Practically, it is a mechanism which allows citizens from all walks of life to appeal to those at top management and officials to clear up "problems left unresolved by local authorities" (Bruckner, 2008; Wen, 2020). Despite the fact China has a formal platforms and channels of AL and AR together with plethora of legal documents on land and dispute resolutions (Hong et al., 2021; Qian and Mou, 2015), it is noted that farmers, particularly those embroiled in land expropriation disputes often prefer to choose the Xinfang system as their first choice in resolving and settling their land disputes (Bofeng, 2004; Zhang, 2008; Zou, 2009). Interestingly, this is against the fact that the Xinfang system is not explicitly codified in either national law or traditional customary law. However, the farmers community seemingly confident with the Xinfang system thus comfortable in voicing their dissatisfaction and grievances through the Xinfang route. Previous research has observed that the findings of Xinfang system are largely acceptable by farmers and as result, contribute towards maintaining social stability and promoting economic development (Wen, 2020; Xia, 2019).

Understanding the factors that drive farmers to utilize the Xinfang system can assist the farmers or disputing parties to quickly resolve their land disputes as well as alleviate the caseload burden in the statutory court system. The above becomes one of the objectives of the current understudy on the Xinfang system. This dovetails with earlier studies such as Fenn et al. (1997), which warn of any form of discontent or

dispute, including those concerning rural land, could lead to negative repercussions on individuals, society, organizations, government and nation at large. By doing so, the findings of the understudy can enrich the ongoing discourse on land rights in China and provide a critical analysis of the existing Xinfang system and a roadmap for future reforms. Such a comprehensive perspective is poised to inform more effective policy interventions, thereby better safeguarding the interests of farmers in matters of land expropriation and land rights.

2. Review of literature

The Xinfang system is not totally new to China's legal or administrative system. In fact, it is legacy and inherited system from the ancient China (Zhang, 2008). Xinfang literally means claimants and petitioners "numerous petition letters and visits" to government officials or offices (Cai, 2012). These offices are located throughout all Chinese government organs, including the court (Minzner, 2006). The Xinfang system, which voices either citizen's grievances, complaints or suggestions of citizens, requesting the ruler or governmental bodies to listen and help (Bofeng, 2004; Bradley-Storey, 2012).

There are many interesting facts and unique features of the Xinfang. Firstly, the Xinfang system has not been explicitly codified in either national law or traditional customary law. As times pass, the Xinfang system has evolved and gone through various adaptations and modernization to be more systematic (Bradley-Storey, 2011). it now extends beyond written or online formats to include face-to-face consultations at Xinfang offices. Most importantly, the Xinfang system has been adopted nowadays as one of the primary tools for dispute resolution of China, and in bigger context, a social governance mechanism in China (Wen, 2020). The same has triggered many interests and research in multidisciplinary areas of social science (Bofeng, 2004; Minzner, 2006; Zou, 2009).

In view of the drawbacks of AL and AR system and filling in their existing gaps, Xinfang offers a middle ground and a more direct approach for both the government of China and the citizens (Xia, 2019). As an alternative, citizens can choose to go for an informal channel in resolving their complaints and disputes (Winter, 2021; Nwachukwu, 2020). In all, it helps the farmers to solve their land disputes in different manners than AL or AR. It also helps the government to have a better understanding about specific problems of the people and the efficacy of its governance and implementation tools (Wen, 2020). Because of that, Xinfang is seen as playing a pivotal role in China's social and political landscape, especially in mediating farmer-related land expropriation disputes (Bruckner, 2008). As highlighted by past studies, the roles and functions of Xinfang as China-specific institutional mechanism in China's layered political structure manage to bridge government-citizen relationships, thus maintains the social and political stability (Bofeng, 2004; Minzner, 2006; Zou, 2009).

The Xinfang is far from perfect. Despite its original intent to uphold social stability and foster unity, the system has directly or indirectly fuelled conflicts and contradictions among citizens, especially in relation to practical application, implementation and enforcement (Zou, 2009). For example, state's attempts to solve

problems by maintaining open communication channels to safeguard grassroots interests locally, has inadvertently prompted the local governments to focus more on averting public complaints than ensuring citizen rights (Yu, 2005). Likewise, certain actions of the government are firstly seen as excessive suppression of legitimate public complaints, and in turn, overlooked valid demands for social justice and exacerbates social unrest (Bruckner, 2008). Such practices introduce significant contradictions and issues within the system itself.

Some scholars argue that the system's effectiveness hinges on the balanced relationship between central government, local government, and farmers (Winter, 2021; Cai, 2012; Hong et al., 2021). As such, the frequent and rising numbers of petitions by farmers do not indicate a sign of grassroots' rebellion against the state, imbalance or governance flaws. Instead, it is simply a cry for help (Palmisano, 2016). The local governments, often lack the time or resources to address the farmers complaint and issues substantively as they are busy juggling their efforts to avert citizens from higher Xinfang authorities (Bradley-Storey, 2011; T. Lin, 2015). As result, they could create systematic imbalance and inefficiencies in the governance system itself.

Since the 1990s, the sharp escalation and increase in number of Xinfang matters and possibly tensions are becoming more apparent (Jaychen, 2020; Kui and Shu, 2003; Lang, 2004). A mechanism initially designed to resolve disputes is ironically generating more issues especially in relation to application and enforcement. The same has attracted more research interests in these areas (Minzner, 2006; Zhang, 2008; Winters, 2021; Whiting, 2011). Currently the research trends are gradually shifting from a political focus to a more social perspective. A closer attention is given to the complexity and diversity of societal factors as they potentially could influence Xinfang activities, especially amongst farmers in land expropriation scenarios and cases. Some scholars see this as not merely a way for farmers to seek redress but increasingly as means to pursue various types of interests (Hu, 2017; Zhang, 2008; Xiong, 2021).

Some research has started examining the diverse strategies and tactics employed within the Xinfang process (Xia, 2019; Xu et al., 2020). Most Chinese citizens prefer the Xinfang system as they consider it a more peaceful and non-confrontational approach for resolving disputes (Zhang, 2008). This preference aligns with social norms, and the system is practiced nearly universally across China's regions and provinces, playing a pivotal role in protecting rural farmers' rights (Göbel, 2018; Zhao and Xie, 2022).

However, when it comes to land expropriation disputes, the Xinfang system often falls short, resulting in repeated petitioning by farmers (Q. Lin et al., 2018). Despite this fact, it is interesting to note that farmers, nonetheless frequently continue to use the Xinfang channel. The same seems to suggest a deeply entrenched dependency within the mid-level land governance structures.

This study aims to further dissect this issue at the micro-level: given the limitations of the Xinfang system in land expropriation issues. It firstly wants to establish the reasons for farmers' preferences in choosing Xinfang as their primary method for resolving land disputes. What actually motivate them? is it due to the so called "simplicity and less complicated" system or else? The findings and results will help the researcher to gain a more comprehensive understanding of the roles, strength

and inadequacies of the Xinfang system in land expropriation disputes. The output could be used by the government for future improvement of the system or promotion for better use and acceptance of the system on wider scale.

3. Methodology

3.1. Study setting

The fieldwork for this study is situated in a rural area within Hebei Province, chosen for a plethora of compelling reasons that accentuate its critical significance and relevance for the research objectives. Notably, the researchers hail from this particular locality, providing unparalleled access and intimate knowledge of the indigenous customs and practices. In the Chinese context, state expropriation of agricultural land mandates the execution of formal land expropriation agreements with village-level collective economic organizations or village committees. This process facilitates the conversion of collective lands into state-owned properties (LAL, 2019). Rural land tenure in China is a complex interplay among state agencies, village collective economies, and individual farmers (J. Chen, 2020). Furthermore, rural land management practices are substantially influenced by traditional customs and norms. This cultural underpinning often results in region-specific and sometimes ambiguous land use regulations (Heurlin and Whiting, 2007). The researchers' inherent familiarity with the local customs and native traditions particularly positions them uniquely to offer a nuanced and comprehensive understanding of these intricate practices. Owing to its peri-urban geographical location, the selected rural area experiences heightened demand for construction lands. This subsequently escalates both the frequency and complexity of land appropriation disputes.

3.2. Methods

The main objective of this study was to gain an in-depth understanding of the attitudes and experiences of peasants in land expropriation disputes towards Xinfang, an area not extensively explored. Given the limited available literature, this research primarily relied on primary data, complemented by secondary data for additional background information. Specifically, farmers from Jinnan Village in China who had experienced land expropriation disputes and sought resolution through the Xinfang route were chosen as subjects. The criteria for participation were explicit: respondents had to be at least 18 years old, have had contact with the relevant departments for petitions in the last two years, and have made multiple appeals regarding land disputes. Considering the complexity and potential continuity of land disputes, there was a preference for farmers who had encountered multiple land expropriation issues. To ensure breadth and comprehensiveness in the research, a maximum variation sampling technique was employed for a month until in-depth interviews were completed with 10 eligible farmers. The sampling process concluded once it was ascertained that further sampling would not yield new insights, reaching theoretical saturation (Ali and Yusof, 2011).

Before the commencement of interviews, informed consent was obtained from each respondent. To ensure data authenticity, all interviews were recorded and

subsequently transcribed, with the generated textual materials anonymized for subsequent analysis. The interview content was structured based on a review of prior research and theoretical literature, utilizing a set of self-designed interview questions. These primarily included open-ended and semi-structured queries, focusing on exploring the primary motivations of farmers in employing petitions to resolve land disputes. To ensure the accuracy and relevance of the interview questions, they were reviewed by two experts in the field. This review prioritized the rigor and credibility of the questions over traditional validity and reliability, ensuring that the posed questions were both precise and pertinent, aiming to glean valuable data on peasants' attitudes and experiences with petitions in land expropriation disputes.

3.3. Participants' demographics

In this study, a total of 10 farmers were interviewed, of which 7 were males and 3 were females. Their ages ranged from 45 to 56 years, with an average age of 51. Among the interviewed farmers, 6 had received high school education, while the other 4 had completed middle school education. Regarding other professions, 5 farmers solely engaged in crop farming without any other occupation, 3 farmers worked as laborers in addition to their agricultural activities, and 2 farmers were self-employed individuals. As shown in **Table 1**.

Table 1. Characteristics of participants.

Farmers/Interviewee	Gender	Age	Educational Level	Other Occupations Besides Farming
FM 1	Male	49	high school	None
FM 2	Male	45	high school	Worker
FM 3	Male	56	Middle school	None
FM 4	Male	55	Middle school	None
FM 5	Female	48	High School	Self-employed individual
FM 6	Female	49	High School	None
FM 7	Male	51	Middle School	None
FM 8	Female	47	High School	Worker
FM 9	Male	53	High School	Worker
FM 10	Male	56	Middle School	Self-employed individual

3.4. Data analysis process

Given the intricate scenarios and deep-rooted motivations of farmers regarding the use of Xinfang in land expropriation disputes, this study adopted the thematic analysis approach from qualitative research methodologies. This method permitted an in-depth exploration and comprehension of the farmers' genuine experiences and perspectives, shedding light on potential cultural and societal elements behind the scenes. Its data-driven nature and the capacity to uncover latent patterns ensured an authentic capture of the farmers' voices and concerns.

At the onset of the research, to intuitively explore and describe the data, retain the authentic voice of the participants, and achieve organized and structured data, it embraced the 'Description-focused coding' as our coding strategy. This approach is

not only adaptable to various data types and research contexts but also enhances the transparency and credibility of the research.

During an exhaustive review of each interview, detailed descriptive annotations were made based on the farmers’ descriptions of their Xinfang experiences and emotions. Preliminary codes such as “The way Xinfang report problems is simple”, “demonstration effect”, “the cost is lower”, and “farmers trust leadership” were established, capturing the participants’ firsthand insights and opinions on the petitioning process comprehensively. Subsequent to these preliminary notes, these codes were further integrated and abstracted to discern central themes. For instance, the codes “the way Xinfang report problems is simple”, “demonstration effect”, and “the cost is lower” were subsumed under a broader theme: “Accessibility and low threshold of the Xinfang channel”. Throughout the process, continuous comparisons and reflections were undertaken to ensure the pinpointed core themes authentically represented the farmers’ overall attitudes and experiences toward the Xinfang system.

Once the themes were settled, all interview transcripts were reviewed again to ensure that every record could align with at least one theme and that each theme was sufficiently substantiated with data. Concurrently, special attention was given to any “deviations” that might counter mainstream opinions to guarantee the comprehensiveness and depth of the research outcomes. For an efficient amalgamation and application of these themes, the Nvivo software was employed. In the end, through this selective coding technique, a series of themes closely associated with participants’ attitudes and behaviors were successfully identified, laying a solid groundwork for subsequent research and analysis.

4. Findings

The outcome of the data analysis indicates that there are four primary factors contributing to farmers’ preference for the Xinfang system in China: Accessibility and low thresholds of the Xinfang channel; responses to Xinfang are guaranteed; inaccessibility of the law; Lack of understanding of other ways to solve problems (see **Table 2**).

Table 2. Themes and their features under “farmer’s preference for Xinfang”.

Theme	Cases (no. of Participants)	Counts (no. of empirical indicators)	Empirical indicator (evidence)
Accessibility and Low Barriers of Petitions	10	34	“...I think it feels much more convenient; it doesn’t really cost us anything. The process of submitting to the Xinfang department mostly just involves a few trips, and doesn’t cost much...” (FM 2)
Guaranteed Responses from Xinfang	8	31	“...Sometimes, the higher-ups push the lower officials to solve our problems faster for the sake of stability. This might work better than other methods...” (FM 5)
Inaccessibility of Legal Channels	8	23	“...Suing is such a hassle, it feels like us common folk filing a complaint against officials is really difficult. We don’t understand these legal procedures and feel they are bothersome...” (FM 4)
Lack of Knowledge About Other Solutions	7	13	“...To be honest, I haven’t tried using platforms like AR or AL. I really don’t know much about them...” (FM 9)

4.1. Accessibility and low thresholds of the Xinfang channel

Farmers overwhelmingly favor the Xinfang channel, seeing it as a low-barrier method for direct interaction with the government. Not only does it offer them a fast feedback avenue, but the majority also believe it garners swifter responses from the government. For instance, one participant (FM 1) underscored the significance of the Xinfang system, stating, “Xinfang provides a means of communication between us and the grassroots government”. Another (FM 2) lauded its convenience, remarking, “Mainly, the Xinfang method just seems so much more accessible”.

This confidence among farmers partly stems from the demonstrative effects of resolving issues through Xinfang in the past. Indeed, the Xinfang system aims to encompass various societal grievances and public policies, offering a platform for the public to address issues. With technological advancements, especially the ubiquity of the internet, the convenience of online Xinfang has also escalated — a point underscored by a comment from a participant (FM 4), who observed, “With the internet so advanced now, just a couple of taps on the phone and you can touch Xinfang online; we find that rather convenient”. Moreover, considering the cost aspect, most farmers believe that Xinfang does not incur additional financial burdens.

4.2. Guaranteed responses from Xinfang

Participants expressed a positive sentiment towards their trust in the higher echelons of the government. In their perspective, once senior government officials take notice of their issues, the resolution often hastens. This sense of trust makes farmers more inclined to present their grievances to the government. However, some participants also indicated that, to ensure their voices are heard, farmers would persistently pressurize the Xinfang department. As participant (FM 5) mentioned:

“...We often feel that as long as our concerns are noticed by the higher-ups, the chances of resolution significantly increase. We trust the Xinfang department, but we also recognize that sometimes we need to remind them repeatedly to ensure our grievances are heeded...” (FM 5)

Furthermore, they also alluded to the government’s propensity for swift responses to farmers’ Xinfang matters, driven by the motives of societal stability and performance assessments. FM 3 described it as:

“...For the sake of social stability and their performance metrics, they would address our grievances more promptly, ensuring our issues are resolved in a timely manner... This is also why petitioning has become such an effective communication channel...” (FM 3)

The emphasis on maintaining social stability and performance evaluations makes Xinfang an effective channel for farmers to communicate with the government.

4.3. Inaccessibility of legal processes

The study indicates that participants harbor concerns about the intricacies of legal proceedings and the associated high costs. The complexity of legal processes, combined with the general public’s limited legal knowledge, makes many farmers perceive litigation as challenging. Specific legal procedures, such as “administrative

litigation” and “administrative reconsideration”, further perplex the farmers. As Participant FM 5 expressed:

“...Facing administrative litigation and reconsideration, we farmers truly feel overwhelmed by the procedures. In reality, we have little understanding of these intricate legal steps; it all seems so cumbersome...” (FM 5)

They also emphasized the substantial costs required for litigation. The frequently mentioned “litigation expenses” represent a significant financial burden for them. Participant FM 7 described:

“...Taking legal action is both time-consuming and expensive. We farmers lack the financial resources and time for such commitments. It feels incredibly challenging for us...” (FM 7)

The research also shed light on farmers’ vagueness and limited understanding regarding legal proceedings. Participant FM 9 asserted: *“...When it comes to administrative litigation and reconsideration, we, as farmers, genuinely find the processes tedious. In truth, we aren’t familiar with these complicated legal steps...”* and suggested, *“...Thus, there should be ways to simplify and popularize these procedures”*. In essence, the apprehensions farmers have about legal processes can partly be attributed to their lack of comprehension of legal procedures, steps, and potential risks.

4.4. Lack of knowledge about other solutions

The research reveals that the farmers express uncertainty and concern regarding alternative dispute resolution avenues, such as AR (Alternative Reconsideration) or AL (Alternative Litigation). They feel that, although these methods offer more ways to resolve disputes, they remain largely unfamiliar territories for most ordinary people. As Participant ‘FM 2’ articulated: *“...Personally, I’ve never tried methods like AR or AL. In fact, my knowledge of these tools is limited to what I’ve merely heard of...”* This leads to a relatively low acceptance rate of these methods among the public.

Simultaneously, there’s apprehension about the intricacies of these methods. Utilizing these platforms may necessitate users to have specific skills and knowledge, which might pose a real challenge for many ordinary individuals. Participant FM 2 further elaborated: *“...For common folks like us, tools like AR or AL are indeed alien. We don’t know how to use them, and we’re concerned about potentially misusing them and inadvertently offending someone...”*

From these insights, it’s evident that the general public’s awareness of these alternative dispute resolution avenues is limited. Moreover, there are prevailing concerns regarding their application and efficacy. This undeniably presents obstacles to the broader adoption and promotion of these methods.

5. Discussion

Research suggests that farmers view Xinfang as a low-barrier and direct channel for communicating with the government. When conventional mechanisms fail to address their disputes with the government, they lean towards alternative routes. This “alternative route” refers to the Xinfang system. The widespread availability and accessibility of the Xinfang system provide farmers with a direct and effective means

of interacting with the government. With technological advancements, the convenience of the Xinfang system has been further enhanced through the internet, bolstering farmers' trust and satisfaction.

A second thematic key point is the trust farmers place in the responsiveness of the government within the Xinfang system. Such trust is rooted in their belief that once higher governmental echelons take notice of an issue, the efficiency and speed of its resolution will increase. This aligns with our earlier findings that when individuals feel their efforts are acknowledged and valued, their trust in the entire system or institution invariably grows. For the sake of societal stability and administrative performance, the government addresses petitioning concerns promptly, further solidifying farmers' trust and reliance on the system.

The third theme identified farmers' apprehensions and perplexities about legal procedures. They perceive legal processes as cumbersome and are largely uninformed about them, leading to diminished faith in legal avenues. This mirrors our prior findings in the Xinfang realm where farmers were unfamiliar with litigation processes. When a solution is overly intricate or hard to grasp, individuals tend to opt for more direct, uncomplicated alternatives.

The fourth theme centers on farmers' familiarity with other dispute resolution platforms. Clearly, their knowledge about avenues like AR or AL is scant, which might induce biases in their choice of problem-solving approaches. This resonates with our prior research on farmers' acceptance of new technologies or methods. When individuals lack understanding of a novel technology or method, they're likely to prefer conventional, familiar routes.

Farmers' preference for Xinfang in land expropriation disputes has been substantiated in other sociological studies. We delved deeper into the reasons for this predilection, discovering that farmers seek timely and effective safeguards of their rights, yearning for just and fair treatment. One participant commented, "I finally no longer feel like a silenced farmer, stripped of rights". Many farmers gain encouragement and inspiration from other successful Xinfang-driven rights defense cases. Research further uncovers that Xinfang fosters informal interactions between farmers and the government, bridging their legal knowledge gap and offering timely assistance when their rights are jeopardized. However, there were also instances of farmers exploiting Xinfang for personal undue gains. For grassroots governments, the study's revelations underscore the importance of fortifying accountability mechanisms to safeguard farmers' rights during land disputes. Furthermore, there's a need to intensify training for local officials, enabling them to better comprehend and cater to farmers' needs, consequently enhancing trust between the government and its citizens.

This study does bear certain limitations. While purposeful sampling was employed to recruit farmers who experienced land disputes and petitioned, those satisfied with the current petitioning system or opting for other solutions might be underestimated. Participating farmers might be more proactive and resolute. As with any cross-sectional study, data collected in one go might be susceptible to recall bias. The data is self-reported by farmers and hasn't undergone third-party validation.

In conclusion, land rights issues in land expropriation disputes impose significant strains on farmers, their families, and society at large. This study offers a pioneering deep dive into the reasons behind farmers' preference for petitioning in resolving land

disputes. Strengthening grassroots government accountability and protecting farmers' land rights are paramount for fostering a harmonious and equitable society.

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References

- Ali, A. Md., & Yusof, H. (2011). Quality in Qualitative Studies: The Case of Validity, Reliability and Generalizability. *Issues In Social and Environmental Accounting*, 5(1), 25. <https://doi.org/10.22164/isea.v5i1.59>
- Bofeng, C. (2004). Excessive Litigation, Xinfang and Legal Traditions of New China. *Peking University Law Journal*.
- Bradley-Storey, L. (2011). The Political Dynamics and Implications of Rights Articulation in China's Online Forums: The Case of Xinfang. APSA 2012 Annual Meeting Paper.
- Bradley-Storey, L. (2012). Petitioners and the State: Xinfang S Paradoxical Role in Managing State-Society Relations in China.
- Bruckner, M. (2008). The paradox of social instability in China and the role of the Xinfang system. *Cambridge Student L. Rev.* Available online: https://heinonline.org/hol-cgi-bin/get_pdf.cgi?handle=hein.journals/camslr4&ion=13 (accessed on 11 August 2023).
- Cai, K. (2012). China's Xinfang System: History, Institution and Practice: Harvard Law School.
- Chen, L. (2020). China's Administrative Reconsideration and Administrative Litigation Cohesion Mechanism: francis-press.com.
- Fenn, P., Lowe, D., & Speck, C. (1997). Conflict and dispute in construction. *Construction Management and Economics*, 15(6), 513–518. <https://doi.org/10.1080/014461997372719>
- Göbel, C. (2018). The Chinese Petitioning System (Xinfang): asianlaw.univie.ac.at.
- Guo, L. (2022). Mediation of Land Disputes and Institutional Improvement in the Context of Rural Revitalization. *Journal of Huazhong University of Science and Technology*, 23-30. <https://doi.org/10.19648/j.cnki.jhustss1980.2022.04.04>
- He, X. (2014). Administrative Reconsideration's Erosion of Administrative Litigation in China. *The Chinese Journal of Comparative Law*, 2(2), 252–269. <https://doi.org/10.1093/cjcl/cxu008>
- Heurlin, C., & Whiting, S. (2007). Villagers against the state: the politics of land disputes," academia.edu.
- Hong, K., Zou, Y., Zhu, M., & Zhang, Y. (2021). A Game Analysis of Farmland Expropriation Conflict in China under Multi-Dimensional Preference: Cooperation or Resistance? *Land*, 10(2), 124. <https://doi.org/10.3390/land10020124>
- Hu, C. (2008). Administrative Litigation and National Compensation in 2005. *The China Legal Development Yearbook*. Available online: https://brill.com/view/book/edcoll/9789004180567/B9789004180567_017.xml (accessed on 23 August 2023).
- Jay Chen, C. J. (2020). Peasant protests over land seizures in rural China. *The Journal of Peasant Studies*, 47(6), 1327–1347. <https://doi.org/10.1080/03066150.2020.1824182>
- Kui, H., & Shu, J. (2003). Waves of Xinfang Cases hit China in 2003. *Oriental Weekly*.
- Lang, P. (2004). Reform of the Xinfang system must be coordinated with judicial reform. *Qing Nian Bao*.
- Li, L., Zhang, J., Liu, S., et al. (2018). The Evolution and Context of Grassroots Social Governance in China: A Dialogue among Li Lianjiang, Zhang Jing, Liu Shouying, and Ying Xing. *Chinese Social Science Review*, 5-11.
- Lian, H., Glendinning, A., & Yin, B. (2016). The Issue of 'Land-lost' Farmers in the People's Republic of China: reasons for discontent, actions and claims to legitimacy. *Journal of Contemporary China*, 25(101), 718–730. <https://doi.org/10.1080/10670564.2016.1160505>
- Lin, L. (2015). China's imploding pressure cooker: Xinfang petitions. *The Diplomat*.
- Lin, Q., Tan, S., Zhang, L., Wang, S., Wei, C., & Li, Y. (2018). Conflicts of land expropriation in China during 2006–2016: An overview and its spatio-temporal characteristics. *Land Use Policy*, 76, 246–251. <https://doi.org/10.1016/j.landusepol.2018.05.018>
- Lin, T. (2015). Chinese Attitudes Toward Third-Party Dispute Resolution in International Law. *NYUJ Int'l L. & Pol.* Available online: https://heinonline.org/hol-cgi-bin/get_pdf.cgi?handle=hein.journals/nyuilp48&ion=15 (accessed on 21 July 2023).
- Minzner, C. (2006). Xinfang: an alternative to formal Chinese legal institutions. *Stanford Journal of International Law*.

- Nwachukwu, C. C. (2020). Traditional shrine: a place for alternative dispute resolution in Igbo land. *J. Afr. Stud. Sustain. Dev.* 3, 5.
- Palmisano, V. (2016). The Xinfang System: A Major Threat to an Effective Judiciary. *US-China L. Rev.*
- Qian, Z. (2004). Land Expropriation: Equilibrium and Nonequilibrium—Analysis of Current Chinese Land Requisition System. *Management of the World.*
- Qian, Z., & Mou, Y. (2015). The land requisition system, land finance, and the reform of rural land marketization in China.
- Wen, B. C. (2020). The Logical Connection between Xinfang Relief and People’s Mediation. *Chinese Public Administration*, 140-146. <https://doi.org/10.19735/j.issn.1006-0863.2020.11.17>
- Winters, M. S., & Conroy-Krutz, J. (2021). Preferences for traditional and formal sector justice institutions to address land disputes in rural Mali. *World Development*, 142, 105452. <https://doi.org/10.1016/j.worlddev.2021.105452>
- Whiting, S. (2011). Values in Land: Fiscal Pressures, Land Disputes and Justice Claims in Rural and Peri-urban China. *Urban Studies*, 48(3), 569–587. <https://doi.org/10.1177/0042098010390242>
- Xia, Y. (2019). Dual Logic of Petition System and “Non-Administrative Petition”: A Case Study of Repeated Collective Petition in City A (2010-2014). *Political Science Research*, 102-111.
- Xiong, W. S. (2021). The social composition of land rights: a new perspective on rural land rights after the separation of powers. *Social Sciences*, 70-81. <https://doi.org/10.13644/j.cnki.cn31-1112.2021.05.006>
- Xu, Y. F., Wang, Y. B. (2020). Innovation in the Mode of Petition Governance: An Analysis Based on a Land Requisition Case. *Journal of Yunnan Administrative College*, 43-48. <https://doi.org/10.16273/j.cnki.53-1134/d.2020.04.008>
- Yang, Y. (2021). Online Xinfang: Generation Logic, Operational Challenges, and Optimization Strategies. *Hubei Social Sciences*, 34-40. <https://doi.org/10.13660/j.cnki.42-1112/c.015641>
- Zhang, T. (2008). The Xinfang phenomenon: Why the Chinese prefer administrative petitioning over litigation: openyls.law.yale.edu.
- Zhao, X., & Xie, Y. (2022). The effect of land expropriation on local political trust in China. *Land Use Policy*, 114, 105966. <https://doi.org/10.1016/j.landusepol.2021.105966>
- Zhou, C., & Banik, D. (2014). Access to Justice and Social Unrest in China’s Countryside: Disputes on Land Acquisition and Compensation. *Hague Journal on the Rule of Law*, 6(2), 254–275. <https://doi.org/10.1017/s1876404514001110>
- Zou, K. (2009). Granting or refusing the right to petition: The dilemma of China’s Xinfang system. *Socialist China, Capitalist China*. <https://doi.org/10.4324/9780203880111-15>