

Rural Land Dispute Resolution through Xinfang System: A Systematic Literature Review

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Abstract

The management of mechanisms for resolving rural land disputes has become increasingly important against the backdrop of rapid urbanization in China. The escalating number of land expropriation disputes has emerged as a critical issue, necessitating proper management to prevent conflicts. This study aims to provide an empirical overview of this field through a systematic literature review, with a particular focus on the use of the Xinfang system in resolving land expropriation disputes. Utilizing the China National Knowledge Infrastructure (CNKI) as the primary data source, a meticulous search and screening process resulted in the inclusion of 54 thematically relevant articles for analysis. This review concentrates on identifying the primary causes of land expropriation disputes, common resolution strategies, and the role and effectiveness of the Xinfang system in rural land dispute resolution. The research reveals that institutional environment, structural frameworks, and operational mechanisms are the main factors influencing the resolution of land expropriation disputes, with their dynamic interplay playing a decisive role. Based on these findings, the study suggests that optimizing the structure and operational mechanisms of the Xinfang system, along with strengthening the institutional environment, can significantly enhance its capacity to resolve land disputes. This provides valuable insights and recommendations for government and relevant agencies in formulating land policies and improving mechanisms for resolving land disputes.

Keywords: Rural Land, Dispute Resolution, Xinfang System, Systematic Literature Review

Introduction

In the context of rapid urbanization in China, the increasing incidence of land expropriation disputes has emerged as a critical issue requiring resolution. To avoid conflicts, proper management of these disputes is necessary, alongside the creation of a system capable of

effectively addressing these conflicts while ensuring a balance between the interests of local governments and farmers (Ibrahim et al., 2022; Tan & Hassen, 2023). Such a system demands a clear legal framework that explicitly defines the obligations and rights of all parties involved in the land expropriation process, to provide fair compensation to farmers and ensure the just and uniform application of law (Fu & Gillespie, 2014; Zhou et al., 2017). However, China faces significant challenges in resolving land disputes, including an imperfect legal system, conflicts of interest between farmers and local governments, and the absence of effective channels for dialogue and resolution (Zhu, 2014; Zhang & Chen, 2008).

Farmers, as the most vulnerable group in society and economy, are facing increasingly severe situations, especially in protecting their rights (Lian et al., 2016). Within China's legal framework, farmers have three platforms for raising and resolving their land disputes, conflicts, or complaints: administrative litigation (AL), administrative reconsideration (AR), and Xinfang system. These institutions aim to assist the Chinese government in achieving desired socio-economic development while also protecting the interests of farmers (Yang & Chen, 2019). Each institution has its own process and procedures, but all aim to resolve conflicts in a friendly and satisfactory manner through fair and just decisions (Li et al., 2022). When using administrative reconsideration to resolve land disputes in rural areas, public trust issues often arise (Fu & Gillespie, 2014; Peerenboom & He, 2009). For example, the procedure by which higher-level administrative organs evaluate the actions of lower-level ones can lead to biased decisions due to issues with interest transmission (Smith & Tiller, 2002). This tendency prevents many administrative conflicts from being properly resolved through administrative reconsideration, instead forcing them to be addressed through the Xinfang system or proceed directly to administrative litigation (Zhang, 2009). This limitation demonstrates the inadequacies of administrative reconsideration in real-world situations and underscores the value of the Xinfang system as an alternative to administrative reconsideration (Minzner, 2006).

While theoretically, administrative litigation provides citizens with a legal way to challenge administrative decisions, in reality, the efficiency of resolving disputes such as land expropriation is not optimal (Chen, 2022; Peerenboom & He, 2009). The independence of China's grassroots courts is under threat, which could lead to biased decisions in cases involving the government (Keliang & Prosterman, 2007; Minzner, 2011). Grassroots courts are often reluctant to accept land dispute cases due to the influence of local authority, the complexity of the disputes, and inconsistent decision-making standards (He et al., 2023). Because of this situation, farmers are more inclined to use the Xinfang system, making it challenging for them to uphold their rights through the legal system (Chen, 2020; Zhang, 2009).

In rural land management and dispute resolution, the unique nature of the Xinfang system becomes particularly significant (Gui, 2022b; Pils, 2018; Vincenzo, 2016; Zhang, 2009). The Xinfang system not only provides farmers with an informal means of resolving land disputes but often becomes their sole channel for expressing grievances and demands (Jay Chen, 2020; Lian et al., 2016; Yang & Chen, 2019). For instance, when facing disputes triggered by land expropriation, farmers frequently choose to protest and appeal through the Xinfang route (He, 2014; Liu et al., 2014; Tang, 2020). This reflects farmers' unfamiliarity, distrust, or dissatisfaction with formal legal channels, making Xinfang system the preferred method for handling land disputes (Keqin, 2009; Li & O'brien, 2008). Despite its limitations and uncertainties, the Xinfang system remains a practical strategy for farmers to address significant conflicts within the existing political and legal framework (Lian & Lejano, 2014;

Wright, 2018). Particularly for those farmers involved in land expropriation disputes, the Xinfang system is often the preferred choice for resolving and settling land disputes, despite not being explicitly regulated in the national law or customary legal practices. This preference reflects the confidence of the farmer community in the Xinfang system, feeling comfortable expressing their grievances through this channel. The findings of the Xinfang system are largely accepted by farmers, contributing to social stability and promoting economic development (Gui, 2022a; Vincenzo, 2016).

Despite the abundant literature on Xinfang system, there is still a lack of work exploring this area through systematic literature reviews, especially against the backdrop of China's unique Xinfang mechanism, where research on the resolution mechanism for land disputes is particularly important. Therefore, articles from four databases on CNKI were selected as research subjects, aiming to deeply understand the main causes and solutions for land disputes, the methods used, and the effectiveness of these methods, as well as the factors influencing the Xinfang system as a dispute resolution institution for rural land through a comprehensive analysis of the latest research. Thus, the research questions of this paper focus on three aspects:

RQ1: What are the main causes of land expropriation disputes in China, and what are the suggested solutions for these disputes?

RQ2: What methods are most used when facing land disputes? What evidence and analysis does the existing literature provide regarding the effectiveness of these methods?

RQ3: What factors influence the Xinfang system as a dispute resolution body for rural agricultural land?

In-depth understanding of the Xinfang system's function in settling land expropriation issues is the study's main contribution, and it is crucial for enhancing the process for resolving disputes between local governments and farmers. The development of a more equitable and efficient system for settling land disputes will be facilitated by this feature, which will also greatly advance future research in this area.

Methodology

This article's methodological approach is a systematic literature review. Systematic literature reviews are essential for encouraging additional research initiatives and provide a fair, impartial synthesis and analysis of study results (Kitchenham et al., 2009). In order to answer particular research questions, this kind of review aims to gather pertinent data that satisfies predetermined eligibility requirements (Kallio et al., 2016). As suggested by Kitchenham and Charters (2009), the review procedure is broken down into three stages: planning, carrying out, and reporting the systematic review. PRISMA statement standards are followed in the reporting of the review. Specifically, the PRISMA methodology directs the characterization of the eligibility requirements, information sources, procedures for collecting data, data items, and the synthesis of findings.

Distribution of Literature Review

To ensure comprehensiveness and authenticity, all data for this study were collected from the China National Knowledge Infrastructure database, using the following search criteria: Search Conditions: (SCI Journal = Yes OR EI Journal = Yes OR Core Journal = Yes OR CSSCI Journal = Yes OR CSCD Journal = Yes) AND (Topic = Land Dispute OR Title = Dispute Resolution) (Exact Match), Search Scope: Journals; Databases: SCI, EI, CSSCI, and CSCD, as detailed in Table 1. A single database search was conducted from January 2003 to October 2023, yielding 184

documents. These documents constitute the primary data for the study of land dispute resolution mechanisms in China.

Table 1
Descriptions of databases

Selection Strategy

In terms of the selection strategy, a set of inclusion and exclusion criteria was developed based on the research objectives, as shown in Table 2. When screening the title, abstract, and full text of the articles, a publication was selected if it met all the inclusion criteria. For any duplicate literature, only the most recent version was included, as suggested by (Kitchenham, 2009). The quality of the articles also had to be assessed to select well-conducted studies. Once relevant and high-quality publications were collected, a synthesis was conducted, where data were extracted and initially summarized into a table, followed by an analysis of their similarities and differences, as well as whether the study findings were consistent or contradictory.

Table 2
Inclusion and exclusion criteria for selection of articles

Inclusion Criteria	Exclusion Criteria
Studies directly involving China land disputes, land expropriation disputes, and administrative dispute resolution.	Studies not involving China land disputes, land expropriation disputes, or their resolution mechanisms.
Research cases or datasets primarily focusing on China or conducted in specific regions or communities in China.	Research cases or datasets not focused on China, or not conducted in specific regions or communities in China.
Studies employing quantitative, qualitative, or mixed methods to analyze land expropriation disputes and resolution mechanisms.	Studies not using quantitative, qualitative, or mixed methods to analyze land expropriation disputes and resolution mechanisms.
Focus on studies from the past 20 years to ensure the timeliness of data and analysis.	Studies published more than 20 years ago, which may not reflect current data and analysis.

Article Collection and Selection

After completing the planning phase, a pilot test was conducted to assess the suitability of the keywords and the article selection criteria, by searching and filtering some of the resulting articles from a database. Given the focus on the resolution of land disputes in China, the articles selected were obtained from the China National Knowledge Infrastructure database. During the article collection and selection process, the articles were examined from their titles and abstracts, followed by full texts, based on the inclusion and exclusion criteria as shown in Table 2. As the primary objective of this research was to identify the mechanisms of land dispute resolution in China in existing publications, only those publications that completely aligned with this objective were considered. Studies outside the scope of this research included those unrelated to land expropriation disputes or not focused on dispute resolution. The collection and selection of articles were conducted by two researchers, with the results

compared to ensure no relevant articles were missed during the process. Ultimately, 54 publications were found to be relevant to this study as showed in Figure 1. The collection of publications concluded on November 12, 2023.

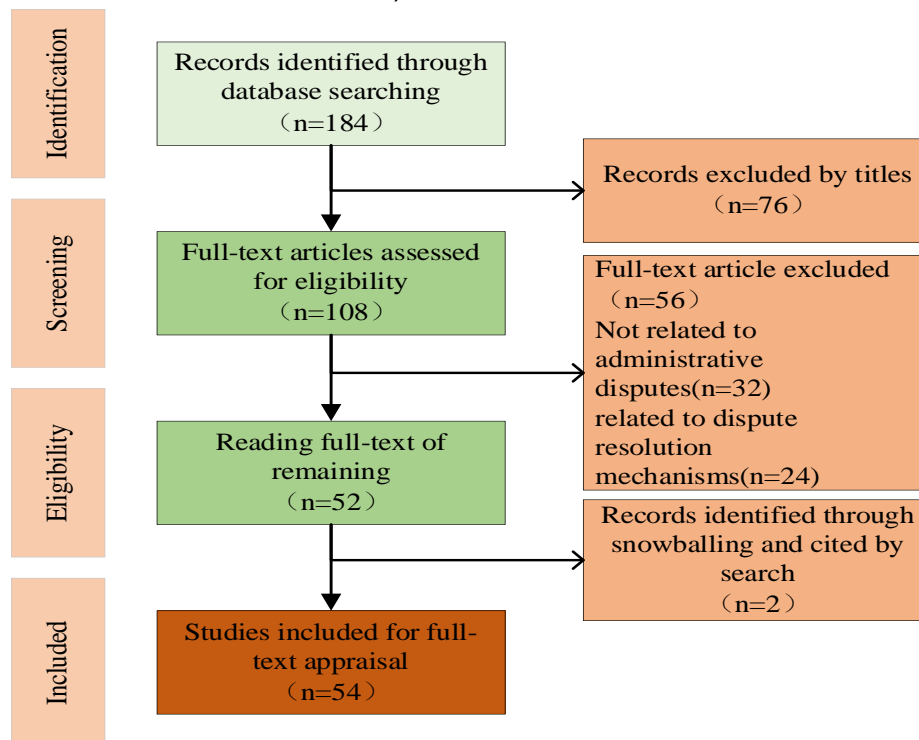


Figure 1 Systematic Literature Review Flow Diagram

Quality Assessment and Data Extraction

The 54 publications selected based on the inclusion criteria were then assessed using the following five quality assessment criteria: QA1: Does the study involve the theme of land expropriation disputes? QA2: Is the background of the study clearly defined? QA3: Is the research methodology clearly explained? QA4: Is the data collection procedure clearly described? QA5: Is the data analysis method clearly described? A score of 1 was assigned when the study met the quality criteria; a score of 0.5 when the criteria were partially met; and a score of 0 when the criteria were not met. Publications with a total score of 3 or more were considered high quality. A total score between 1 and 3 was deemed medium quality, while those with a total score less than 1 were considered low quality and excluded from the review (Nidhra et al., 2013). Two researchers participated in the quality assessment of the studies, and one experienced researcher supervised both evaluations for consistency. Table 3 offers a summary of the key characteristics of the reviewed studies, including the quality assessment results for the 54 selected studies, all of which passed with high-quality total scores. The selection process indicates the number of publications obtained and removed at each stage before the decision to use 54 relevant publications for the subsequent stage, which is the data extraction and synthesis of the studies, as shown in Table 4.

Table 3

Quality assessment scores of the selected articles

Study	QA1	QA2	QA3	QA4	QA5	Total Score
Du, J. (2016).	2	2	2	2	1	9
Hou, J. (2015).	2	1	2	1	1	7
Guo, X., & Cao, X. (2019).	2	1	1	1	1	6
Cao, Z. (2008).	2	2	1	1	2	8
Zhe, X. (2008).	1	1	1	2	2	7
Zhu, T. (2014).	2	2	2	2	1	9
Su, Y. (2012).	2	1	1	1	1	6
Liu, C., Yu, S., & Liu, F. (2019).	2	2	1	1	1	7
Hao, W., et al (2008).	2	2	1	1	1	7
Chen, H., & Yin, K. (2012).	2	2	2	2	1	9
Cao, Z. (2008)	2	2	2	2	2	10
Zhe, X. (2018).	1	2	1	1	1	6
Zhang, M., & Chen, L. (2008).	1	2	1	1	1	6
Zhang, M., & Liang, Y. (2008).	2	2	1	1	1	7
Niu, J. (2006).	2	1	1	1	1	6
Tian, D. (2012).	2	1	2	2	1	8
Du, G., & Yang, J. (2007).	2	2	2	2	1	9
Li, H., Li, B., & Li, S. (2013).	2	1	1	1	1	6
Liu, S., & Liu, H. (2016).	1	2	1	1	1	6
Shi, W. (2008).	2	2	2	2	1	9
Cheng, J. (2010).	1	2	1	1	1	6
Tan, S., & Qi, R. (2010).	2	2	2	2	2	10
Xu, J. (2014).	2	2	2	2	2	10
Hu, Y., Zhou, K., & Lei, Y. (2015).	2	1	1	1	1	6
Liu, Z., & Chen, M. (2012).	1	2	1	1	1	6
Wu, X. (2013).	2	2	2	2	1	9
Shao, H., & Whiting, S. (2012).	1	2	2	2	1	8
Guo, L. (2010).	2	2	1	1	1	7
Zheng, P., & Yu, S. (2010).	2	2	1	1	1	7
Song, C., & Xiang, L. (2015).	2	2	2	1	1	8
Zhou, C. (2013).	1	2	2	2	1	8
Gu, J., & Du, P. (2012).	1	2	2	2	2	9
Xing, C. (2014).	1	2	2	1	1	7
Dong, L. (2013).	1	2	2	2	1	8
Qu, S., Xia, Y., & Zhang, F. (2017).	1	2	2	2	2	9
Bai, C. (2009).	2	2	2	1	1	8
Cai, H. (2008).	2	2	2	2	2	10
Wang, W. (2011).	2	2	2	2	1	9
Yang, H. (2013)	2	2	2	2	2	10
Zhang, H. (2019).	2	2	2	2	2	10
Chen, X. (2008).	1	2	2	2	1	8
Zheng, T. (2016).	2	1	2	2	1	8
Shen, H. (2012).	1	2	2	2	2	9
Xiao, L., & Wang, Z. (2008).	2	2	2	2	1	9
Cheng, J. (2004).	2	2	2	2	1	9
Liu, Z., & Wang, C. (2016).	2	1	1	1	1	6
Zhang, H. (2014).	2	1	1	1	1	6
Guo, L. (2022).	2	1	2	2	2	9
Cui, X. (2018).	2	2	2	1	1	8
Guo, L., & Yang, B. (2012).	2	2	2	2	2	10
Hou, J. (2018).	2	2	1	1	1	7
Wu, J. (2010).	1	2	1	1	1	6

Wang, J. (2008).	2	1	1	1	1	6
Zhang, T. (2009).	2	2	2	2	2	10

Table 4
Studies included in the analysis

NO	Title	Author	Theoretical Foundation	Data Collection	Data Analysis	Dispute Resolution Mechanism Involved	Total Score
1	Land Expropriation Practices from a Game Theory Perspective: A Case Study of L Village in Central Hubei	Du, J. (2016).	Game Theory	Case Study/Interviews	Thematic Analysis	Xinfang	9
2	Rights Violations of Farmers in the Urbanization Process and Land Expropriation Disputes – Based on a Survey of Expropriated Households in 31 Provinces	Hou, J. (2015).	Institutional Theory	Surveys, In-depth Interviews	Multiple Linear Regression Analysis	Xinfang	7
3	On the Fundamental Solution of Land Expropriation Disputes from the Perspective of the Changes of the Farmers	Guo, X., & Cao, X. (2019).	Urban-Rural Dual Structure Theory	Secondary Data	Comparative Analysis	Administrative Litigation, Xinfang	6
4	Legal, Customary, and Political Forces in Land Rights Definition: A Study of Tidal Flat Disputes in the Pearl River Delta	Cao, Z. (2008).	Social Constructionism	Case Study/Interviews	Historical Analysis, Comparative Analysis	Xinfang	8
5	Cooperative and Non-Confrontational Resistance – The Weak's 'Resilient Weapon	Zhe, X. (2008).	Theory of Social Action	Field Survey	Thematic Analysis	Xinfang	7
6	The Construction of Dispute Resolution Mechanisms and Land Expropriation Procedure Reform	Zhu, T. (2014).	Institutional Theory	Secondary Data	Comparative Analysis	Administrative Litigation, Xinfang	9
7	Institutional Guarantees for Farmers' Benefits Post-Land Expropriation	Su, Y. (2012).	Institutional Theory	Secondary Data	Comparative Analysis	Xinfang	6
8	Exploring the Resolution Mechanisms for Collective Land	Liu, C., Yu, S., & Liu, F. (2019).	Institutional Theory	Secondary Data	Content Analysis	Administrative Reconsideration, Judicial Relief	7

NO	Title	Author	Theoretical Foundation	Data Collection	Data Analysis	Dispute Resolution Mechanism Involved	Total Score
9	Expropriation Disputes in Rural China A Study of Class Conflicts in the Rural Land Expropriation Process – The Case of Longquan City's Land Disputes	Hao, W., Wu, K., Li, X., Zhao, H., & Huang, Q. (2008).	Conflict Theory	News Network Center	Thematic Analysis	Administrative Reconsideration	7
10	The Construction of Farmers' Land Rights from a Rights Thinking Perspective: Based on the Reflection of Rural Land Expropriation Disputes	Chen, H., & Yin, K. (2012).	Rights Theory	Secondary Data	Content Analysis	Administrative Litigation, Xinfang	9
11	How the Weak's Property Rights are Formed: The Evolution of Displaced Farmers' 'Demand for Settlement Rights' to Land Development Rights in China	Cao, Z. (2008)	Institutional Theory	Field Survey and Interviews	Comparative Analysis	Xinfang	10
12	The Dynamic Construction Mechanism of Land Property Rights: An Analysis Perspective of 'Right of Pursuit	Zhe, X. (2018).	Social Constructionism	Case Study/Interviews	Thematic Analysis	Xinfang	6
13	Land Expropriation Relief: Performance Analysis and Mechanism Improvement - Based on Empirical Study in Jiangsu Province	Zhang, M., & Chen, L. (2008).	Institutional Theory	Surveys, In-depth Interviews	-Content Analysis	Administrative Reconsideration, Judicial Relief, Xinfang	6
14	Administrative Relief for Land Expropriation: Rationality and Path Selection	Zhang, M., & Liang, Y. (2008).	Rule of Law Theory	Secondary Data	Content Analysis	Administrative Reconsideration, Judicial Relief, Xinfang	7
15	The Main Issues in Land Expropriation	Niu, J. (2006).	Problem Theory	Secondary Data	Content Analysis	Xinfang	6
16	Problems and Strategies in Collective Land Expropriation in China	Tian, D. (2012).	Problem Theory	Secondary Data	Content Analysis	Administrative Litigation, Xinfang	8

NO	Title	Author	Theoretical Foundation	Data Collection	Data Analysis	Dispute Resolution Mechanism Involved	Total Score
17	The Construction of China's Land Dispute Resolution Mechanism	Du, G., & Yang, J. (2007).	Institutional Theory	Secondary Data	Content Analysis	Administrative Litigation, Administrative Reconsideration, Xinfang	9
18	Governance Mechanisms for Land Conflicts in Multi-Ethnic Areas in the West	Li, H., Li, B., & Li, S. (2013).	Conflict Theory	Secondary Data	Content Analysis	Administrative Reconsideration, Arbitration, Litigation, Xinfang	6
19	Research on the Administrative Dispute Resolution Mechanism	Liu, S., & Liu, H. (2016).	Conflict Theory	Secondary Data	Comparative Analysis	Administrative Reconsideration, Administrative Litigation, Xinfang	6
20	Exploration and Reflection on the Land Dispute Resolution Mechanism	Shi, W. (2008).	Institutional Theory	Secondary Data	Comparative Analysis	Administrative Reconsideration, Administrative Litigation, Xinfang	9
21	Institutional Choice for the Resolution of Administrative Disputes in China - From the Perspective of Citizen Needs	Cheng, J. (2010).	Supply and Demand Theory	Comprehensive Social Survey Data from 28 Provinces in China (CGSS2005)	Linear Regression	Administrative Reconsideration, Litigation, Xinfang	6
22	The Construction and Analysis of the Game Model of Land Conflicts in China	Tan, S., & Qi, R. (2010).	Game Theory	Secondary Data	Comparative Analysis	Xinfang	10
23	Ancestral Property or Private Property: On Farmers' Land Property Rights Cognition - Case Study Interpretation of Land Expropriation Disputes in Z Village in Northern Jiangxi	Xu, J. (2014).	Social Constructionism	Case Study/Interviews	Content Analysis	Xinfang	10
24	Research on the Resolution of Land Disputes in the Urbanization Process and the Construction of Risk Early Warning Mechanisms - From the Perspective of Social Combustion Theory	Hu, Y., Zhou, K., & Lei, Y. (2015).	Social Combustion Theory	Case/Literature	Content Analysis	Non-Litigation	6
25	From 'Land Conflict' to 'Land	Liu, Z., & Chen,	Conflict Theory	Literature	Content Analysis	Non-Litigation	6

NO	Title	Author	Theoretical Foundation	Data Collection	Data Analysis	Dispute Resolution Mechanism Involved	Total Score
	Risk' - Theoretical Approaches to Research on Rural Land Issues in China	M. (2012).					
26	The Conflict Between Democratic Decision-Making and Individual Rights in Villagers' Autonomy - Based on the Distribution Disputes of Collective Land Expropriation Fees	Wu, X. (2013).	Conflict Theory	Literature	Content Analysis	Xinfang	9
27	The Function of Great Mediation and Grassroots Courts in China - Based on the Investigation of Land Disputes in Two Counties in Hunan	Shao, H., & Whiting, S. (2012).	Role Theory	Surveys, In-depth Interviews	Thematic Analysis	Xinfang, Administrative Reconsideration, Administrative Litigation	8
28	The Dilemma of Land Rights Disputes and Rural Governance	Guo, L. (2010).	Social Constructionism	Case/Interview	Thematic Analysis	Xinfang	7
29	Legal Reflections on Solving Rural Land Expropriation Compensation Benefit Distribution Disputes	Zheng, P., & Yu, S. (2010).	-	Field Survey	Content Analysis	Xinfang	7
30	Legal Discussion on Dispute Resolution of Rural Land Requisition in Ethnic Areas	Song, C., & Xiang, L. (2015).	Legal Theory	Literature	Content Analysis	Xinfang	8
31	Legal Regulation under the Autonomy of Rural Collective Economic Organizations — Case Study of Land Compensation Dispute in Village A, Yunnan Province	Zhou, C. (2013).	Legal Theory	Case Study/Interview	Content Analysis	Administrative Litigation	8
32	Exploration of a Multifaceted Model for the Resolution of Rural Disputes — From an Economic Perspective	Gu, J., & Du, P. (2012).	Game Theory	Literature	Comparative Analysis	Xinfang, Litigation	9

NO	Title	Author	Theoretical Foundation	Data Collection	Data Analysis	Dispute Resolution Mechanism Involved	Total Score
33	Choice and Satisfaction of Rural Social Dispute Resolution Approaches	Xing, C. (2014).	Rational Choice Theory	Survey, In-depth Interviews	Comparative Analysis	Xinfang	7
34	Typology and Resolution Mechanisms of Rural Land Disputes — Based on a Survey of Rural Land Disputes in Huizhou	Dong, L. (2013).	Conflict Theory	Field Survey	Comparative Analysis	Rural Land Dispute; Mediation; Arbitration; Litigation	8
35	Quantitative Assessment and Preventive Resolution of Rural Land Disputes — Based on a Large Sample Survey in Seven Provinces in 2015	Qu, S., Xia, Y., & Zhang, F. (2017).	Risk Theory	Survey	Statistical Analysis	Mediation	9
36	Multidimensional Observation of Rural Land Disputes and Their Resolution Mechanisms — Taking Shaanxi Province as an Example	Bai, C. (2009).	Conflict Resolution Theory	Field Survey	Comparative Analysis	Mediation, Arbitration, Judgement, Xinfang	8
37	Study on the Resolution Mechanism of Rural Land Disputes	Cai, H. (2008).	Conflict Resolution Theory	Literature	Comparative Analysis	Xinfang, Reconciliation, Mediation, Administrative Decree and Reconsideration, Litigation	10
38	Research on the Resolution Mechanism of Rural Land Expropriation Disputes	Wang, W. (2011)	Conflict Theory	Case Study/Interview	Content Analysis	Xinfang	9
39	Class Conflicts in Rural Land Expropriation and Demolition — A Case Study of Suburban Land Disputes in Jingmen City	Yang, H. (2013).	Class Theory	Case Study/Interview	Comparative Analysis	Xinfang	10
40	Expediency in Use: The Practical Logic of Dispute Resolution in Rural Societies During the	Zhang, H. (2019).	Social Constructionism	Case Study/Interview	Content Analysis	Xinfang, Administrative Litigation	10

NO	Title	Author	Theoretical Foundation	Data Collection	Data Analysis	Dispute Resolution Mechanism Involved	Total Score
41	Transformation Period — A Case Study of a Land Dispute in North China Sociological Analysis of the Compensation Dispute Over Land Requisition between Female Guests and Male Hosts in P Village, Northern Shaanxi	Chen, X. (2008).	Conflict Theory	Case Study/Interview	Content Analysis	Xinfang	8
42	Reflection on the Reform of Court Case Filing System under Judicial Reform — Taking Land Compensation Dispute Litigation as a Starting Point	Zheng, T. (2016).	Equity Theory	Case Study	Thematic Analysis	Administrative Litigation	8
43	Land Disputes and the Restructuring of Grassroots Political Ecology	Shen, H. (2012).	Political Science Theory	Literature	Content Analysis	Xinfang	9
44	Analysis and Construction of the Resolution Mechanism for Land Expropriation and Requisition Disputes — Based on the Method of System Structure Analysis	Xiao, L., & Wang, Z. (2008).	Social Constructionism	Literature	System Structure Analysis Method	Administrative Litigation	9
45	Judicial Review of Land Requisition Disputes	Cheng, J. (2004).	Justice Theory	Case Study	Content Analysis	Administrative Litigation	9
46	Construction of a Diversified Dispute Resolution Mechanism for Rural Land in China	Liu, Z., & Wang, C. (2016).	Conflict Theory	Literature	Content Analysis	Mediation, Administrative Litigation	6
47	Research on the Optimization of China's Rural Land Dispute Resolution Path	Zhang, H. (2014).	Rational Choice Theory	Literature	Content Analysis	Mediation, Arbitration, Xinfang, Administrative Reconsideration, Administrative Litigation	6
48	Land Dispute Mediation and Institutional Improvement under the	Guo, L. (2022).	Institutional Theory	Literature	Comparative Analysis	Litigation, Mediation	9

NO	Title	Author	Theoretical Foundation	Data Collection	Data Analysis	Dispute Resolution Mechanism Involved	Total Score
49	Background of Rural Revitalization Resolution of Mass-Involvement Land Disputes from the Perspective of Rural Revitalization	Cui, X. (2018).	Conflict Theory	Literature	Comparative Analysis	Litigation	8
50	Mediation of Land Disputes under Petition Pressure — Field Experience from S Town in Hubei	Guo, L., & Yang, B. (2012).	Conflict Theory	Case Study	Content Analysis	Xinfang	10
51	Administrative Negotiation: A New Way to Resolve Rural Land Ownership Disputes	Hou, J. (2018).	Institutional Theory	Literature	Comparative Analysis	Administrative Negotiation	7
52	A Review and Reflection on China's Land Expropriation Issues	Wu, J. (2010).	Review	Literature	Content Analysis	Administrative Litigation	6
53	A Comparative Study of Land Expropriation and Land Dispute Resolution Mechanisms between China and the U.S.	Wang, J. (2008).	Review	Literature	Comparative Analysis	Administrative Litigation	6
54	Why Do Chinese People Prefer Xinfang in Administrative Disputes?	Zhang, T. (2009).	Conflict Theory	Case Study	Comparative Analysis	Administrative Litigation, Xinfang	10

Result and Discussion

RQ1: Main Causes and Proposed Solutions for Land Expropriation Disputes in China

In China, disputes over land expropriation are common and are typically marked by hostilities between farmers and the authorities. Previous research indicates that these disagreements have a range of root causes and intricacies. Issues include the lack of a legitimacy review during the approval stage, the inadequate dispute resolution process in compensation judgments, the imprecise definition of "public interest," the limited scope of compensation, and low standards were emphasized by (Zhu et al., 2014; Su et al., 2012). According to Liu et al (2019), institutional structures' irrationality and implementation biases of policies are to blame for these issues. According to Hao et al (2008), one of the main reasons why disputes arise between rural classes is land expropriation. The inadequate research on defending farmers' rights in rural China was highlighted by (Chen et al., 2012). Zhang et al (2008) noted that farmers lose out on relief chances even in the face of different relief measures because there isn't a specific body in place to decide disputes involving land expropriation. According to Liu et al (2012), to ease tensions between the government and farmers, improvements

should begin with the land system itself. Wu (2013) noted that while deciding on benefit distribution plans democratically, it is important to take the limits of legitimacy and legality into account. Conflicts over the advantages of rising land values and problems with the independence of rural collective economic groups were noted by Guo (2010) and Zhou (2013). According to Gu et al (2012), the number of rural disagreement cases is rising, and the effectiveness of traditional dispute resolution techniques is deteriorating. According to Qu et al (2017), legislative changes and the insecurity of property rights are important factors that contribute to land disputes. Systemic flaws and unique approaches are key components in settling land expropriation issues, as noted by (Xiao et al., 2008). According to Liu et al (2016), there are several issues with China's current conflict resolution systems since they are still impacted by institutions, norms, and traditional culture. Zhang (2014) noted that the effectiveness and rural governance order are impacted by the current rural land dispute resolution system's lack of integration of diverse approaches. Guo (2022) noted that the application of rural regeneration initiatives resulted in an increase in land disputes. Chen (2008) emphasized that the designation of community membership is the central point of contention.

Scholars have put forth several reform recommendations and solutions in their research on China's land expropriation problems. These recommendations center on enhancing system fairness and transparency, refining legal provisions, enhancing dispute resolution mechanisms, and optimizing land expropriation procedures. Zhu et al (2014) recommended creating a system of dispute resolution that is largely focused on negotiation and enhanced by impartial third-party support. Su et al (2012) placed a strong emphasis on reforming to define the public interest, enhance relief systems, standardize expropriation processes, enhance compensation techniques, and improve compensation systems. Liu and colleagues (2019) suggested developing a multifaceted rights remedy framework that encompasses mediation, arbitration, administrative hearings, and court orders in addition to instituting thorough oversight to guarantee the impartiality and openness of policy execution. Zhang et al (2008) supported the creation of a thorough administrative relief system for land expropriation, as well as the extension of relief to farmers and the provision of legal assistance.

A comprehensive land dispute risk warning mechanism should be established, as suggested by Du et al (2007); Li et al (2013); Hu et al (2015), who all highlighted the need for a diverse dispute resolution mechanism and suggested that traditional customary law and state law be used in a flexible manner. Dong et al (2013); Hao et al (2008) proposed authorized land expropriation and the issuance of different compensation fees in order to address the legitimacy and equity of the expropriation process. The public's role in selecting and utilizing different channels and regulations, especially people's mediation in resolving land conflicts, was emphasized by (Zhang, 2019; Guo, 2022). Cui (2018) suggested creating a scientific legal assured system for land and fortifying land laws. Scholars' profound awareness of land expropriation concerns in China is shown in these literatures, which offer reform recommendations for institutional, legal, and policy reforms that consider public demands and customs.

RQ2: Prevailing Approaches and Efficacy in Addressing Land Disputes

Administrative reconsideration, administrative litigation, and the Xinfang system are China's primary administrative processes for resolving disputes pertaining to land expropriations. These procedures are important in settling conflicts involving the purchase of rural land.

However, their role in resolving disputes is very modest because of their limitations about procedural safeguards and legal efficacy. Notably, the impartiality and fairness of the reconsideration authority are difficult to ensure, and administrative reconsideration lacks both independence and justice, which leads to its underutilization. Administrative reconsideration usually has a significant impact on the various global administrative dispute resolution procedures, as stated by (Liu et al., 2016). Nonetheless, in China, a great deal of administrative conflicts avoids administrative reconsideration and go straight to administrative litigation; still more disagreements end up in the Xinfang domain. Land conflicts can be difficult and may not always be resolved through administrative channels, as noted by (Cai, 2008). A lot of land disputes stem from land management decisions made by the government. Farmers thus frequently choose for alternative forms of assistance.

Administrative litigation is frequently regarded as an efficient means of resolving conflicts arising from China's land expropriation policies. Nevertheless, as several studies have shown, there are a few difficulties and restrictions with this approach in real-world use. According to Whiting (2012), formal law and folk norms clash, making it difficult for China's grassroots courts to fulfil their intended roles. These conflicts also prevent the courts from being independent under the current state power structure. This raises the possibility of problems with impartiality and independence in the way the courts resolve cases involving land expropriation. According to Zheng and Yu (2010), there are more disagreements over the allocation of compensation for rural land expropriation, and the courts are less certain about how to resolve them. The identification of membership in rural collective economic groups, which is related to the fundamental civil rights of farmers, is the central problem. This suggests that while addressing land expropriation disputes, courts must deal with intricate legal and societal considerations. Through strategic legal interpretations, Zheng (2016) notes that courts generally show a reluctance to take on cases involving disagreements over the allocation of land compensation monies, implying that courts may decide not to get involved in certain situations. According to Cheng (2004), people's courts typically decline to hear cases involving land expropriations within the existing legal system. This strategy causes disagreements to be delayed and postponed, which may make the abuse of land expropriation powers worse. Wang (2008) highlights the importance of courts as the final institutions for resolving issues involving land expropriation and stresses that remedies should be given to individuals impacted at all phases of the land purchase process. According to Zhang (2009), there are problems with the public's comprehension and acceptance of administrative litigation as seen by their avoidance of it since they are unfamiliar with and dislike its methods. In order to successfully settle land expropriation disputes, Tian (2012) recommends expanding research on the adjudication of administrative cases of land expropriation, defining the parameters of judicial review, defining the scope of adjudication, and boosting the effectiveness of the administrative litigation coordination mechanism.

For several reasons, the Xinfang system in China has emerged as a popular means of addressing issues involving land expropriation. First and foremost, during the land expropriation process, farmers experience serious violations of their fundamental rights, particularly the rights to information and participation (Jianghua, 2015). Their pursuit of alternate means of safeguarding their interests is prompted by this infringement and knowledge asymmetry. The use of the Xinfang system is also encouraged by internal conflicts over the benefits of land expropriation within villages (Du, 2016); farmers' worries about surviving after losing their land and their unease with urban life (Guo & Cao, 2019). Another important consideration is the entwinement of politics and law. Sometimes, political forces

directly protect land rights by circumventing the law (Cao, 2008). Additionally, farmers build rights of redress and collective action to increase their influence Zhe (2008, 2018), while authorities operating under the tenure system utilize resources to further their political status (Cao, 2008). Petitioning is a popular procedure in part because of the critical role administrative power plays in the allocation of land resources Niu (2006) and farmers' propensity to use informal conflict settlement techniques (Xing, 2014). Furthermore, the Xinfang system is used for reasons other than financial gain, such as maintaining one's dignity and appearance (Xu, 2014). But the legality and fairness of the benefit distribution plan decided upon through democratic procedures are in doubt Wu (2013), and farmers frequently employ illogical ways to defend their rights Song & Xiang (2015), which exacerbates land expropriation disputes. Through the Xinfang system, farmers are playing a strategic game with the government and village organizations that has made it a vital avenue for relief in the redistribution of interests for the farmer class (Yang, 2013; Shen, 2012). Land enclosures are carried out by local government representatives for performance evaluations and economic statistics (Wu, 2010).

The uncertainty surrounding the outcome of relief, however, contributes to the escalation of disputes in the Xinfang system (Tan & Qi, 2010). Additionally, the pressure township officials experience forces them to resort to extreme measures of dispute resolution, like threats and intimidation (Guo & Yang, 2012). The administrative action system now includes non-litigation resolution techniques due to the formalization of administrative negotiation procedures (Hou, 2018); yet the courts are limited in their ability to handle land dispute matters (Wang, 2011). Chinese farmers' decision to primarily utilize Xinfang as a means of resolving land expropriation disputes is a reflection of several factors, including the limitations of current legal options, the interaction between politics and the law, the impact of collective action, and the critical role that administrative power plays in the distribution of land resources. Simultaneously, the complexity and endurance of disagreements were caused by the systemic problems and inherent ambiguity of the xinfang system. These problems show that to improve the efficiency and equity of the current procedures for settling land expropriation conflicts, extensive study and change are required.

RQ3 : Factors Affecting the Xinfang System as a Dispute Resolution Body for Rural Agricultural Land

In analyzing the factors that affect the Xinfang system as an institution for resolving rural land disputes, the literature review has revealed four determinants. These encompass the broad policy context that shapes and influences the system's operations, the composition of institutional structures, the specific mechanisms that ensure procedural functionality, and the modes of interaction between the farmers and the Xinfang authorities. The collective impact of these elements determines the role of the Xinfang system in addressing rural land disputes.

Institutional Environment

A literature review has revealed that the institutional environment is a significant factor influencing the Xinfang system as a mechanism for resolving agricultural land disputes. Du (2016) suggests that land expropriation disputes often stem from internal village conflicts over interests, highlighting the pivotal role of distribution mechanisms. Hou (2015) reveals how farmers lose fundamental rights, including the right to be informed and participate during expropriation, underscoring the urgency of protecting farmers' rights within the institutional environment. Guo and Cao (2019) further describe the farmers' concerns for

their future livelihoods, indicating the need for more socio-psychological support within the institutional framework. Cao (2008) points out the direct intervention of political forces in land rights disputes, illustrating the impact of political-legal interplay on the effectiveness of the Xinfang system.

At the operational level, Zhe (2008) notes that farmers publicize issues to gain legitimacy, showing the importance of public participation in the institutional environment. Niu (2006) and Tan and Qi (2010) focus on the decisive role of administrative power in land allocation and the uncertainty of petition redress outcomes, highlighting the influence of administrative power structures and legal system uncertainty on the Xinfang system. Cultural factors and democratic practices also play a role, as shown by Wu (2013); Song and Xiang (2015), who demonstrate the profound impact of democratically determined benefit distribution schemes and the "litigation-free" tradition on land dispute resolution mechanisms.

The complexity of the institutional environment forms an intricate system that impacts the capability of the Xinfang system to address agricultural land disputes. The interplay and coordination of these factors are crucial to the Xinfang system's effectiveness in resolving such disputes and represent a vital direction for the future optimization of the Xinfang system.

Institutional Structure

The institutional structure plays a significant role in the Xinfang system's capacity as an institution for resolving rural land disputes. Research by Cao (2008) reveals the confluence of political and legal domains in China, indicating the direct action of political forces in land rights disputes, bypassing legal procedures. This not only reflects the impact of the intertwining of politics and law within the institutional structure on the functionality of the Xinfang system but also challenges the legal framework might face in practice. Within this structure, the Xinfang system offers a channel from the local to the national level, theoretically allowing residents to elevate their complaints from municipal to provincial and even national levels, as described by (Zhang, 2008).

However, the ambiguity of roles within Xinfang institutions often leads to individuals bypassing local authorities and appealing directly to higher levels, a practice officially discouraged yet common due to a lack of trust in local governance. This situation reflects potential deficiencies in institutional design and reveals distrust in the system's effectiveness among citizens. Further studies by Whiting (2012) emphasize the tension between China's legal and administrative systems, affecting the efficiency of the Xinfang system in resolving land disputes. Guo and Yang (2012) note the pressures on township officials leading to an extreme dispute resolution approach, highlighting the influence of institutional structure on local officials' behavior. Additionally, research by Shen and Yang (2012) shows that farmers actively engage in the distribution process to affect the outcomes of land revenue, negotiating with local governments and village organizations through petitioning, which illustrates the complexity of power and resource allocation within the institutional structure and its impact on the operation of the Xinfang system.

These elements—the interplay of politics and law, the hierarchical pathways, the tension between legal and administrative frameworks, and the behaviors of local officials—are key factors affecting the Xinfang system as a resolution mechanism for land disputes. They unveil the profound implications of institutional structure on the Xinfang system's capabilities, also indicating areas needing enhancement to improve the system's transparency, fairness, and efficiency.

Operational Mechanism

The operational mechanism has been identified as a pivotal factor influencing the Xinfang system's role in resolving agricultural land disputes. Research by Guo and Yang (2012) examined the pressures faced by township officials as key mediators in land disputes, leading to a tool-like dispute resolution approach where officials may adopt preventive measures to stop petitioners from escalating their complaints. Such behavior may lead to officials evading responsibilities, reflecting issues within the operational mechanisms and potentially impacting the effectiveness and fairness of the Xinfang system. Xu (2014) emphasized the reflection of farmers' collective actions in pursuit of dignity and rights, indicating the need for the Xinfang system to pay greater attention and response to such collective endeavors. The increase in collective actions suggests a new dynamic within the Xinfang system: more organized petitioning actions tend to receive higher response rates (Gui & Luo, 2021), prompting the public to opt for collective actions to amplify the chances of being heard.

However, this has also led to governmental countermeasures, such as limiting the number of representatives per complaint and enforcing accountability at the local level, intended to promote progress in Xinfang affairs through a mix of incentives and punitive measures for local cadres. Nonetheless, this has resulted in unintended consequences, such as officials taking preventive measures to prevent petitioners from escalating complaints to avoid accountability (Zou, 2009). Despite its shortcomings, the Xinfang system remains a crucial avenue for expressing grievances, converting public sentiment into a manageable channel, and continues to serve as a safety valve for social stability, preventing discontent from escalating into more widespread social unrest.

The advent of online Xinfang services marks a modernization within the Xinfang framework (Gui & Luo, 2021). Since its launch on July 1, 2016, the overwhelming demand for this service has sometimes crashed official websites due to excessive traffic, highlighting the public's preference for digital platforms to voice and resolve their issues (Gui & Luo, 2021). Historically, over 6.5 million new civil cases were filed in 2011, while the number of Xinfang petitions peaked at 11.5 million in 2002. Although these figures are from different years, they underscore the enduring significance of the Xinfang system in addressing civil disputes amidst an increasingly sophisticated legal framework.

In summary, the operational mechanism of the Xinfang system, including pressures on local officials, the influence of collective petitioning actions, the enforcement of accountability, and the introduction of digital platforms, collectively forms a complex system affecting the system's capacity to resolve land disputes. The interaction and coordination of these factors are key to the Xinfang system's ability to effectively address agricultural land disputes and should be considered important directions for future optimization of the Xinfang system.

Dynamic Interaction

In the examination of how the Xinfang system addresses rural land disputes, scholarly reviews highlight the significance of dynamic interactions between farmers and the Xinfang staff. Xing (2014) posits that informal dispute resolution avenues, particularly the Xinfang system, are the predominant methods for resolving rural conflicts (Xing, 2014). Song and Xiang (2015) note that upon rights infringement, farmers tend to assert their rights through individual or collective action Song & Xiang (2015), reflecting the intricate interplay with the Xinfang system at the grassroots level. Shen (2012) further explicates how farmers engage in petitioning to influence land revenue distribution with local governments Shen (2012), which

illustrates the system's capabilities and limitations in dealing with collective actions and underscores its determinative role in efficaciously resolving land disputes.

Liu and Liu (2016) mention that while administrative review often serves as the primary channel for resolving administrative disputes, in China, many such disputes bypass review and enter litigation or directly flood into the Xinfang realm, indicating the system's accessibility and prompt responsiveness as particularly appealing to farmers (Liu & Liu, 2016). Cai (2008) points out that due to the complexity of land disputes, some are ill-suited for resolution through administrative routes (Cai, 2008). Furthermore, Whiting (2012) emphasizes the limitations of grassroots courts within the power structure, failing to fulfill expected functions (Whiting, 2012).

Collectively, these studies suggest that the Xinfang system offers a direct and expeditious channel of communication, indispensable for the resolution of farmers' land disputes. Consideration of these dynamic interactions can inform further refinement of the Xinfang system, enhancing its capacity to resolve land disputes. Therefore, in the optimization process, the quality of interactions between farmers and Xinfang officials is paramount to ensure that the system better serves the farmers, maintaining fairness and efficiency in the resolution of land disputes.

Conclusion

The systematic literature review (SLR) undertaken in this paper has extensively examined the complexities surrounding land expropriation disputes in China, revealing the multifaceted nature of the challenges faced by farmers and the authorities. This exploration across three distinct yet interrelated research questions has underscored the depth of the issue, the prevailing approaches to its resolution, and the critical factors influencing the efficacy of the Xinfang system as a dispute resolution mechanism for rural agricultural land.

RQ1 highlighted the inherent issues within the land expropriation process, including the lack of legitimacy, inadequate compensation, and the contested definition of "public interest." Scholars advocate for systemic reforms emphasizing fairness, transparency, and the enhancement of legal provisions and dispute resolution mechanisms. This call for reform underscores the necessity for a balanced approach that respects the rights and livelihoods of farmers while meeting the developmental objectives of the state. RQ2 revealed significant limitations within administrative reconsideration, administrative litigation, and the Xinfang system. Despite their intended roles in providing justice and resolving conflicts, procedural shortcomings and a lack of judicial independence have limited their effectiveness, leaving many disputes unresolved or pushed into the domain of the Xinfang system, which, despite its accessibility, faces challenges of its own. RQ3 were identified as institutional environment, structure, operational mechanism, and the dynamic interaction between farmers and Xinfang authorities. These factors collectively influence the system's capacity to effectively address disputes, highlighting areas for potential optimization to enhance the system's responsiveness, fairness, and efficiency.

The insights gathered from this review suggest that while the Xinfang system remains a vital avenue for rural residents to express grievances and seek resolution, there is a pressing need for comprehensive reforms. These reforms should not only address the procedural and institutional flaws within the dispute resolution mechanisms but also ensure that the farmers' fundamental rights are protected and that their voices are heard and acted upon. Enhancing the effectiveness and fairness of the Xinfang system, along with administrative reconsideration and litigation processes, requires an integrated approach. This approach

should include legal and policy reforms, strengthening institutional structures, improving operational mechanisms, and fostering constructive interactions between farmers and authorities. By addressing these areas, China can move towards a more equitable and effective resolution of land expropriation disputes, ensuring social stability and promoting sustainable rural development in the face of rapid urbanization and economic transformation.

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