

The Balance of Power and Agricultural Land Use Rights Transfer in Shanpotian Village, Yaoan County, Yunnan Province of China

ความสมดุลเชิงอำนาจกับการถ่ายโอนกรรมสิทธิ์ที่ดินในหมู่บ้าน
ชานโปเทียน เขตเยออัน มณฑลยูนนาน สาธารณรัฐประชาชนจีน

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Abstract

The objectives of this research are (1) to understand the power relations and negotiations, and the balance of power relations in the agricultural land-use rights transfer process over the past 10 years in Shanpotian village in Yaoan county, Yunnan province, and (2) to propose an appropriate model for the balance of power relations in agricultural land-use rights transfer for sustainable agricultural land use. A qualitative methodology is utilized. Focus group discussions and in-depth interviews with 45 farmers were implemented. The results of the study show that the agricultural land-use rights transfer process is neither a neutral nor a peaceful process; powerful groups will attempt to formally and informally

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use their socioeconomic powers to influence the transfer process to gain more benefits from the negotiation. The poor will always be losers and gain fewer public interests. For balancing power relations, the government must represent the interests of poor farmers and the public, which is vital for controlling market force. Moreover, the third-party monitoring systems should be established during and after the agricultural land use rights transfer process to assure that appropriate land use is in practice.

Keywords: Agricultural Land Use Rights Transfer, Power Relations, Balance of Power

บทคัดย่อ

การวิจัยครั้งนี้มีวัตถุประสงค์เพื่อ (1) ทำความเข้าใจเกี่ยวกับความสัมพันธ์เชิงอำนาจ และการเจรจาต่อรอง และความสมดุลของความสัมพันธ์เชิงอำนาจในกระบวนการถ่ายโอนสิทธิการใช้ที่ดินเพื่อเกษตรกรรมในช่วง 10 ปีที่ผ่านมาในหมู่บ้านชานโปเทียน ในเขตเหยาอันมณฑลยูนนาน และ (2) นำเสนอรูปแบบที่เหมาะสมสำหรับความสมดุลของความสัมพันธ์เชิงอำนาจในการถ่ายโอนสิทธิการใช้ที่ดินเพื่อการเกษตรเพื่อการใช้ประโยชน์ที่ดินเพื่อเกษตรกรรมอย่างยั่งยืน การศึกษานี้เป็นวิธีการเชิงคุณภาพ โดยใช้การสนทนากลุ่มและการสัมภาษณ์เชิงลึกกับเกษตรกร 45 คน ผลการศึกษาพบว่ากระบวนการถ่ายโอนสิทธิการใช้ที่ดินเพื่อเกษตรกรรมนั้นไม่ได้เป็นกระบวนการที่เป็นกลางหรือไม่สันติ กลุ่มที่มีอำนาจจะพยายามใช้อำนาจทางสังคมเศรษฐกิจอย่างเป็นทางการและไม่เป็นทางการของพวกเขาเพื่อมีอิทธิพลต่อกระบวนการถ่ายโอนเพื่อให้ได้รับประโยชน์มากขึ้นจากการเจรจา โดยกลุ่มคนจนมักจะเป็นผู้แพ้และได้รับผลประโยชน์สาธารณะน้อยกว่าเสมอ สำหรับการสร้างสมดุลความสัมพันธ์เชิงอำนาจ รัฐบาลต้องเป็นตัวแทนผลประโยชน์ของเกษตรกรผู้ยากจนและสาธารณชน ซึ่งเป็นสิ่งจำเป็นในการควบคุมพลังการตลาด นอกจากนี้ควรมีการจัดตั้งระบบการเฝ้าระวังของบุคคลที่สามทั้งในกระบวนการและหลังกระบวนการโอนสิทธิการใช้ที่ดินเพื่อเกษตรกรรมเพื่อให้แน่ใจว่าการใช้ที่ดินอย่างเหมาะสมนั้นเป็นไปในทางปฏิบัติ

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คำสำคัญ : การโอนสิทธิการใช้ที่ดินเพื่อเกษตรกรรม ความสัมพันธ์เชิงอำนาจ สมดุลของอำนาจ

Introduction

According to the Chinese Agricultural Law (2020), the rights for agricultural lands are divided into own rights, contract rights, and use rights. The own rights belong to the village committee or the village group; they cannot be changed or transferred. The contract rights were the village committee contract for the agricultural land to be leased to each rural household. At the beginning of 1980s, based on the household population, these rights will be renewed every 50 years, and they cannot be transferred at any time. The use rights of the agricultural land belong to each rural household, which can be transferred to anybody, based on both the agreed conditions and price, but in any case, agricultural land has to be used for agricultural purposes only (Hanjun, 1995). In the agricultural land use rights transfer process, in most situations, ordinary farmers, especially poor farmers, always feel regret after they have transferred out their agricultural land use rights for 3–5 years, resulting in them complaining to the local government, or having conflicts with the new land managers (Mou Y, 2006). The major reason for their complaints are that the price (rent) is too low, or that the transfer contract conditions are more beneficial to the land receivers. However, the land receivers also complain that each contract has been signed voluntarily; nobody has forced them to do so at that time, so why should the farmers have any regret?

The real reason is that, from the surface, both transfer parties are free to sign the transfer contract, and nobody was forced to do so. However, in practice, different stakeholders have different degrees of power; powerful

stakeholders can always influence, control, and dominate the transfer process. If we do not understand different powers from the views of different stakeholders, power relations, or forms of power negotiation, and if we do not know how to balance the power relations, then agricultural land use rights transfers will not help with reaching the objectives of rural sustainable development, and related research is urgently needed.

This research tries to understand the agricultural land use right transfer in Yunnan province of China from the view of power relations and negotiations. The main contribution of this research is to provide the recommendations to the policy makers that the government, the new land managers, and the farmers have become the main actors in agricultural land management, in and after agricultural land use rights transfers. Thus, power relations and balancing of powers in the process of agricultural land use right transfer is crucially important for sustainable agricultural land use.

Research Objectives

1. Understand the power relations and negotiations, and the balance of power relations in the agricultural land use right transfer process over the past 10 years, in Shanpotian village in Yaoan county, Yunnan province, and to
2. Recommend an appropriate model for the balance of power relations in agricultural land use rights transfer, for sustainable agricultural land use.

Literature Review

Power is always started by somebody or group of people who has the authority to make rules or regulations. These rules or regulations will try

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to prevent the others to involve in the decision-making process. Therefore, the decision-making results will make some groups gain and some groups lose, or some groups gain more, some groups gain less. The power is always relates to certain benefits (Foucault, 1975). However, in some situations, the balance of power relation plays the important role. In general, the powerful stakeholders try to influence the other groups. The stakeholders who have less power will try to resist, and they all try to get more benefits through the negotiation process. Therefore, balance of power relation and negotiation can reduce conflict of interests, protect the benefits of the poorer, and help the poorer in decision-making process. And this is one of the duties of the government to search for the model to balance the power relations.

There are many theorists that are interested in power and power relation. Weber et al. (1947) focused on power as a factor of domination, based on economic or authoritarian interests. He identified three sources of authority or legitimate power, or accordance of social permission, for the activation of power: the charismatic, the traditional, and the rational-legal. Whereas Weber discussed power in the context of the organization and its structures, Dahl (1961) located the discussion of power within the boundaries of an actual community. According to Dahl, power is exercised in a community by a particular concrete individual while other individuals, also actual, are prevented from doing what they prefer to do. Power is exercised in order to cause those who are subject to it to follow the private preferences of those who possess the power. Gaventa (1980) found that the social elites make use of their power principally as a mean to prevent the rise of conflicts in its domain, and to attain social quiescence. In other words, a situation of apparent lack of conflicts is identified as both a sign and a consequence of deliberate use of power mechanisms. The purpose of power is to prevent

groups from participating in the decision-making processes and also to obtain the passive agreement of these groups to this situation. In processes of power and powerlessness in situations of social equality, a challenge, or a rebellion, can occur only if there is a shift in the power relation. From many theorists' perspectives, agency creates structure such as Giddens (1973) states that power are integrated within a complex social practice, in which human agency has structural qualities, and the social structure is part of the human activity that creates it and ensures its continuity. This duality of structure model sees the social structure and the human agency as two factors which build and activate the social relations, and power as a central and important component of both. The social structure makes possible the human activity, and also limits it; by means of laws, rules and resources, and also by means of human practices that are part of it. It is human agency that creates the social structure; it establishes it, consolidates it, and also changes it while it acts. In other words, human activity does not just happen; it is structured.

This research uses the above concepts and approaches of power, negotiation and balance of power model as theories base to understand the power relation in all levels and stakeholders: government, community, village heads, farmers, companies, and outsiders. These stakeholders have their power and they all are connected with power relation in a land use right transfer process. The concepts in power theories that this study uses for the research is showed as following figure.

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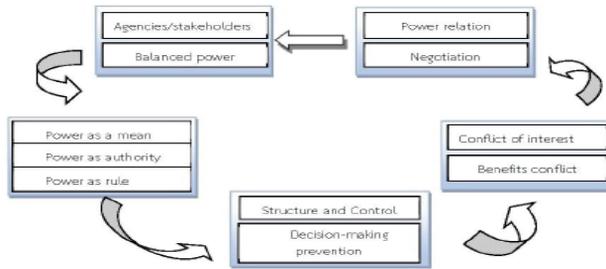


Figure 1: The Theoretical Framework of the Research

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Research Methodology

This research used qualitative methodologies consisting of documentary research, in-depth interviews, and focus group discussions.

1. Documented Data Analysis

The related publications and reports at several levels were reviewed. First, at the village level, there are yearly statistics book and different report topics that are related to the social–economic developments of situations in the village. Second, at the township and county level, there are some special reports that are related to agricultural land use rights transfer, and there are some documents on agricultural land registration information in offices. The third level is research articles and reports. The researcher selected papers that are related to policy history and rural developments in China, for the understanding of the historical agricultural land right management changes in China, and the researcher reviewed all of the related historical policies, and summarizes these into several stages, in an attempt to construct a clear “map” for the changing

history of this topic. Also, data on the social–economic developments of the village and the township government are analyzed.

2. In-Depth Interviews

In-Depth interviews are the major methods in this research for interviewing the different stakeholders that are related to agricultural land use rights transfer, to know about their judgments, values, and suggestions. When different stakeholders felt sensitive about the topic, or when facing complex situations, the researcher took time with conducting the interview. In the first step, after finishing a review of on the theories and the related studies, interviews were conducted for three experts, Mr. Zheng Baohua, the director of the Institute of Rural Development, Yunnan Academy of Social Sciences, China; Mr. Li Yongsong, the deputy director of Yunnan Provincial Government Research Institute, China, and Mr. Liang Ji, the Director of Agricultural Technology Division, Yunnan Agricultural Department.

In the second step, the researcher and the assistants interviewed 45 people in the village, including rich farmers, poor farmers, male farmers, female farmers, young farmers, and old farmers, covering all of the types of farmers in the village. The interviewers are the researcher and his three master students; they worked as four groups and based on the same questionnaire.

3. Focus Group Discussions

For some of the important issues, there might be some topics that yield very confusing information from different individuals during the in-depth interviews, and so focus group discussions were conducted. This discussion also helped with making suggestions for balancing power relations and negotiations in agricultural land use rights transfers. I organized focus group discussions for the village committee staff, township government officers, and the county government officers.

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Research Finding

1. General Information about Shanpotian Villag

The Shanpotian village committee belongs to Dongchuan Township, Yaoan County, Yunnan Province of China as following map.



Figure 2: The location of Yunnan province in China

The total area of Shanpotian village committee is 10.13 km². Under the Shanpotian village committee, there are 16 natural villages and there are 28 village groups. By 2017, the population of the village committee was 5698; within the population, the labor force was 3940, which is 69% of the total population. There are Han and Yi nationalities in the population; Han comprises 90% of the population, and Yi is 10% of the population. There is 305 hectares' agricultural land in the village committee; the agricultural land is managed by individual households. With the limited agricultural land, the major summer crops are rice and tobacco, and the winter crops are different vegetables. The common animals are cows, pigs, and chickens, but vegetables, pigs, and chickens are only for self-consumption by the family, and these are seldom sold in the market. In the village, there is still a large area of forestry land, because of the environmental protection program in

China, which stipulates that farmers cannot cut down the trees for timber sales. However, there are other forestry products in the village, such as walnut, chestnut, prickly ash, pear, and peach (Shanpotian Village Statistics, 2017).

In conclusion, over recent years, farmers' cash incomes have become more and more reliant on non-farming activities, such as salaries from working in the cities. There are 3500 people who work outside of the village yearly, and at times, this can comprise up to 62% of the village committee's population. Especially for the young farmers, more than 95% of the young laborers work outside of the village. This has been the biggest change in this village over the past 30 years, and this is also the reason for why some farmers want to transfer out their agricultural land use rights Liu, the township government officer, interview: 21st June, 2017).

2. The Stakeholders and Their Powers in the Agricultural Land Use Rights Transfer Process in Shanpotian Village

On the surface, agricultural land use rights transfer activity only occurs between the renter and the hirers; they both bargain and make a decision together and only by themselves; nobody else can interfere in this transfer process. However, in reality, the agricultural land use rights transfer process involves two sides, with different kinds of people participating or being involved in the transfer process; these different kinds or groups of people are different stakeholders, because they represent different interests, different views, and different objectives in the agricultural land use rights transfer process; they play different roles, and most importantly; they have different degrees of power within the transfer process

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The Formal Powers in the Agricultural Land Use Rights Transfer
Process in Shanpotian Village

In Shanpotian village, the formal powers that are related to
agricultural land use rights transfer are as follows (Table 2).

Table 1: The stakeholders and its formal powers in agricultural land use
rights transfer in Shanpotian village.

Stakeholder	Powers
Provincial and central gov-ernment	Policy making
County government	Policy implementation Land management planning Land certification
Town government	Policy implementation Land management plan implementation Land management monitoring Land conflict management
Village committee	Land management needs assessment and reporting Land conflict management Land management policy introduction
Villager group	Land management needs reporting Land management projects implementation Land conflict reporting

Stakeholder	Powers
Rich farmers	Investment of funds on the land Higher plantation skills Market information and channels
Poor farmers	Labor sale Working quality control United complaints
Outside investment	Investment of funds New knowledge about crops Market channels
Other farmers	Influence on public opinion

Source: In-depth interview with different stakeholders, 2017

3. The informal powers in the agricultural land use rights transfer process in Shanpotian village

The informal powers in Shanpotian village are those that we cannot see them recorded in public documents or observe them in public spaces; they work “under-table”, based on certain relationships (the following Table 3’s data was collected from different interviewees, and this is very sensitive).

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Table 2: The informal powers in agricultural land use rights transfer in Shanpotian village.

Stakeholder	Power
Provincial and central gov-ernment	Provision of special rural development projects
County government	Provision of special support
Town government	Reporting on special issues
Village committee and group	Relationship development Sharing of benefits with the rich farmers and outside companies
The rich farmers	Relationship development Sharing of benefits in the village
The poor farmers	Work time and quality control
The outside investor	Relationship development Sharing of benefits Image construction
The other farmers	Seeking of benefits

In Shanpotian village, the agricultural land use rights transfer process has never been peaceful and simple; there are many stakeholders who join the transfer process, and who act differently, based on their interests and benefits. Different powers will attempt to gain the maximum benefits for themselves in the agricultural land use rights transfer process;

they will negotiate with each other, compromise with each other, and reach an agreement. However, the so-called agreement is never fair; it is always the result of powerful stakeholders obtaining more benefits, and the powerless stakeholders obtaining fewer benefits

4. Power Negotiations in the Agricultural Land Use Rights Transfer Process in Shanpotian Village

I used both in-depth interviews and focus group discussions to obtain the following information, because the operation of the different powers within the agricultural land use rights transfer process is complex and difficult to identify. Especially for powerful stakeholders, it is difficult to determine how they develop good informal relations with key government officers. I had to check with different sources to obtain information, and I interviewed different people to confirm these facts (Lui et al., interview: 27–29 June, 2017).

4.1 The Types of Power Relations in Agricultural Land Use Transfers in Shanpotian Village

4.1.1 Economic Power Relations

(1) The government has used development projects that are not even related to agricultural land use rights transfers, to control or to influence transfer activities in the village. For example, when the government conducted training for working skills in cities, and organized labor to work in the city, the price of agricultural land rent decreased in the village, because many people had already left, there was a smaller population that relied on the agricultural land. When the government introduced a company to enter the village to plant pomegranates, the price for agricultural land use rights transfers increased. Because many farmers

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believed that the value of their agricultural land would increase, some farmers even kept their agricultural land in-hand, to wait for higher prices.

When the county government introduced a company to plant pomegranates in the village, the county government was initially worried that farmers would not transfer out their agricultural land for this company, and so the county government informally mentioned to the village committee that if the farmers took out their agricultural land, the county government would provide another poverty alleviation project for this village (Wang, township government officer, interview: 10th June, 2017).

(2) Rich farmers and outside companies have used economic power through two aspects; one is the sharing of benefits with local government officers and village leaders in the name of a working fee or a working allowance. They do this indirectly by inviting officers to have dinners and tours in the name of training. The second aspect is through the sharing of profits with the local community; for example, by providing funds for the construction of public roads, the school, and the village clinic. During different festivals in the village, the rich farmers also invite key villagers to have dinners, or they provide small gifts for them for celebrating these festivals.

Especially before Chinese New Year, there is a tradition in the village of killing one pig for the festival, and then keeping the leftover meat for eating throughout the whole year. However, nowadays, rich farmers have used this tradition as a kind of communication opportunity with key farmers and the government. In Chinese New Year of 2016, one rich farmer in this village killed three pigs to invite more than 200 people for dinner (Zhou, village committee member, interview: 10th June, 2017).

(3) The poor farmers have used their rent for bargaining with the rich farmers and the company, in order to gain favor. At first, the poor farmers can decide to rent their agricultural land to those with whom they have good relations, even if the rent is relatively low. Secondly, the farmers can ask for higher rent from outside companies than the rich farmers in the village; the rent for the former is 1200 Yuan per year per Mu, and for the latter, it is 800 Yuan per year per Mu. The reason for this is that the rich farmers have closer relations with the poor farmers than with the outside company.

4.1.2 Social Power Relations

The government has provided special projects (meaning that other villages do not have the same projects) to Shanpotian village, because the village committee head has good relationships with the county, and even the provincial government. As I mentioned above, this village has become a role model of agricultural land use rights transfer in Yunnan province, so that the provincial and county government has given more support toward the village development.

Rich farmers can hire agricultural land use right sat a lower price than can outside companies, the main reason for this being that the rich farmers have closer social relations with the other farmers in the village, such as relatives and friends, and outside companies do not have this privilege. Poor farmers may complain about the rich farmers, but they did not show this from the perspective of agricultural land management, because they may be relatives and friends to each other, and they will at least keep superficially peaceful and good relations.

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An outside company hired the village heads to help them to hire agricultural land from the villagers, for the purpose of saving time, and to attempt to gain agricultural land as soon as possible, and secondly, to obtain it at a cheaper price, as even the company needed to pay the village heads back. The village heads' social relations were able to help the company to obtain agricultural land at cheaper prices.

4.1.3 The Workings of Power Relations in Agricultural Land Use Transfers in Shanpotian Village

According to the interview, agricultural land use rights transfers in Shanpotian village were commenced through market force, and rich farmers and the outside company were the driving forces. These power relations are illustrated in Figure 3.

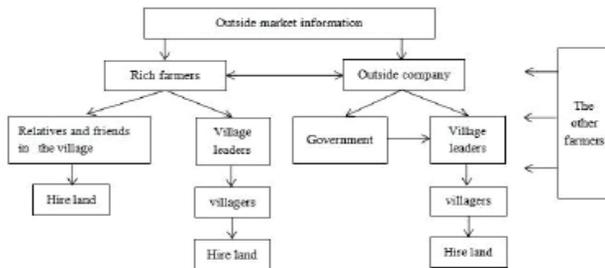


Figure 3: The power relation interactions/negotiations processes in the agricultural land use rights transfer process in Shanpotian village.

Figure 3: The power relation interactions/ negotiations processes in the agricultural land use rights transfer process in Shanpotian village.

The above figure shows that powerful stakeholders will always go through government officers or directly through the village leaders to hire land, or they will let their relatives and friends in the village hire land; the only objective for doing this is to obtain agricultural land under any favorable conditions, such as cheaper rent, the better location of the land, etc. The different power relations interact according to the following steps:

Step 1:

Market information showed that tobacco leaf crops would have a good price and a higher profit, and the county tobacco company had a policy of providing an allowance to big plantations (a large plantation area, over 50 Mu). Market information also showed that traditional crop plantations such as rice and corn were no longer profitable, and that new agricultural species should be considered.

“If I plant 2 Mu of tobacco, my wife and I will have to work for it throughout the year; even if we sometimes have spare time, we will not be able to go out to work. If I plant 10 Mu tobacco, my wife and me will be busy 17 throughout the year, but the income will be much higher than the 2 Mu plantations. So, the bigger plantation of tobacco is more profitable than the smaller plantation”

(Li, interview: 22 June 2017)

Step 2:

The rich farmers in the village decided to hire agricultural land from other farmers, to expand their tobacco plantation. The other farmers in this village include two types, one type are the families who have already

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moved and are working in the cities; they will generally transfer out all of their agricultural land. The second type is the poor households who do not have enough investments, and they will transfer out part of their agricultural land.

The external company decided to plant pomegranate in this village, because they saw that higher profits of pomegranate than rice and corn would occur in the future, and they wanted to hire agricultural land from the villagers, but they asked for help from the village heads to hire land from the farmers, and they paid a working fee of 100 Yuan per Muto the village heads.

“I preferred to rent my family’s agricultural land to the outside company, because if I rented to farmers in my village, I would be shy to ask for a high price, because we are relatives. But for the outside company, I can ask for a price that is as high as possible, because we do not know each other.”

(Lui, interview: 21 June 2017)

Step 3:

The rich farmers used two methods for obtaining the land, one was go to their relatives and friends to see whether they would want to rent out their agricultural land, or whether they knew whether others would want to rent out land; this an informal social networking process for obtaining land, because most people in the one village are relatives or friends of each other. The second method was to go to the village heads to ask for their help, and to let the village headers to help them to hire the agricultural land, the farmers did not pay any working fees to the village heads, but they

would become friends with the village heads for future land management, and would share the benefits from other aspects with each other.

The outside company also had two ways of obtaining land, one way was to go to the village heads to ask for help from them, and let them hire the land from the farmers, with the company paying a working fee to the village heads. The second way was to go to the county government, and to let the county government ask the town government to make arrangements, and for the town government to also ask the village heads to help. These two ways both involved the village headers.

My observations:

The salary of the village head from the government was only about 1700 Yuan per month; this salary was lower than any one farmer working in the city, and even lower than any one farmer who worked in the village; the monthly costs for the village head were also much higher than for one ordinary farmer. However, the village head still liked this line of work, with one important factor being that he could gain more benefits from other sources, directly or indirectly.

Step 4:

Once the agricultural land was hired, both the rich farmers and outside company needed to hire labor for the management of activities on the land, and both needed to have good relationships with the local people, and especially with the village heads, because they needed continued local support for sustainable management. They both needed to develop good relationships with the town and the county government, so that they could gain government project support in the form of resources or funds.

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“The real reasons for an outside company to hire agricultural land are twofold: one is to plant pomegranates to get a higher profit; two is for getting support from our government projects, and the company will even use the agricultural land use rights as a guarantee for getting loans from the bank.”

(Zhang, interview: 10 June 2017)

4. 2 The Effects of Agricultural Land Use Rights Transfer that are
Influenced by Power Relations

Advantaged groups control the agricultural land use rights transfer process, and they can help “big rural families” and agricultural companies to obtain agricultural land use rights easily, in time, and effectively, they can increase the inputs of technologies and materials toward the agricultural land, and they can help farmers to save costs, and decrease the market risks of agricultural products. However, according to my study, this also brings about the following negative effects.

(1) The poor farmers easily lose their benefits during the agricultural land use rights transfer

According to the law, or superficially, agricultural land use rights transfers are based on the needs of supply and demand; no-one can force anyone in the process. In reality, what we have seen is that powerful groups can easily use formal or informal means, and economic or social powers, to influence the decisions of the poor farmers. For example, they will make up a good story for the poor farmers, use benefits to attract them, use relatives and good friends to persuade them, or make the current profits from the farmers’ cultivation yields unsatisfactory. The usual way in which they achieve this is to offer a cheaper price to the poor farmers for their current

yields, or even let the poor farmers carry the burden of risk in the current crops plantation.

(2) The local governments are easily controlled by powerful stakeholders in agricultural land use rights transfers

The government should maintain a position of protecting the benefits of the poor farmers, or a position that backs public benefits, such as environment protection. However, in reality, powerful stakeholders use two tools to persuade the local governments support them, and not the poor farmers and the public. One tool is to make up a good story to the government, and to let the government believe that their investments are good for both the government and the local community. The second tool attempts to share some profits with the government through many aspects; this is key to maintaining power relations, and many unfair things have occurred just because of this.

(3) The entire cost of agricultural production is greatly increased after the transfer process

As I mentioned above, after the agricultural land use rights transfer process, the new land users are different from the traditional land users in two aspects. One is that the new land users will not manage the plantation by themselves; they will hire more than 98% of the management labor, and will pay the labor salary, with the labor salary increasing year by year. Two is that the new form of land use will not be purposed for traditional crop plantations; the land will be used for planting new and or higher-value but higher-cost crops. This will increase the agricultural production cost as a whole, and then increase the price of the agricultural products.

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(4) Sustainable agricultural land management is challenged by the new land users

The new land users only gain the agricultural land use rights for a certain number of years (less than 50 years), and sometimes this is year-by-year, and so the only objective for the new land users is the highest output of the land. They will prefer to use more chemical fertilizer and pest control measures; these are effective in producing high outputs, but these are not good for future agricultural land quality, and they will even have negative impacts on the environment. However, both the farmers and the new land users will not care about this issue.

(5) The farmers are becoming more and more dependent on the new land managers

After the agricultural land use rights transfer, the farmers essentially become agricultural workers for the rich farmers and the company; they do not think about the input-output relationship, the price changes, the crop species, or the technology, and they only participate in one process of the agricultural production process year after year. The farmers' knowledge will become limited, and they will have to rely on the new land managers. If the new form of land management fails, the farmers will no longer be able to continue the agricultural production process.

Discussion, Suggestion and Conclusion

1. Discussion

The existence of power and power relations is normal, power relations negotiations are also normal, and even the control asserted by powerful groups over powerless groups is also normal. However, for sustainable agricultural development and for a harmonious society, different

stakeholders should all do something to change something. My concluding discussions are:

1.1 Power and power relations exist everywhere.

Power relations are dependent on culture, place, and time, as mentioned by Foucault (1975). Power not only operates in specific spheres of social life, but it occurs in everyday life. Power occurs in sites of all kinds and sizes, including the minutest and the most intimate, such as the human body. Or power is not limited to political institutions, as has been commonly thought. Power has a direct and a creative role in social life. It is multidirectional, and it operates from the top-down, and from the bottom-up. Although power is at its peak when it is situated inside specific institutions such as schools, prisons, or hospitals, we should be wary about identifying technologies of power with particular institutions, because power is neither a superstructure, nor the quality of an institution. For example, there is the judgment of normality. This is ability to determine who is normal and who is not, and to punish those who violate the norms, through three dimensions: time—if one is late; activity—if one is not attentive; behavior—if one does not behave properly. Thus, power is a general matrix of power relations in a given society at a given time. No-one is outside this matrix, and no-one is above it.

In Shanpotian village, in general, the agricultural land use rights transfer process is driven by the market force, and the transfer price is determined by the demand and supply. In this situation, it seems that the economic powers are the main power, but there are actually many other forms of powers, such as formal governmental official powers and social informal powers, that exist everywhere; for example, the village heads, the township and county governments, and even the provincial government.

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Village relatives and friends, and the rich farmers, all play different roles in the agricultural land use rights transfer process. Power negotiations happen all the time.

Dahl (1961) presents a specific definition of power—power as the ability to make somebody do something that he or she would otherwise would not have done. The purpose of power is to prevent groups from participating in the decision-making processes, and also to obtain the passive agreement of these groups to this situation. Power is activated, not only in order to triumph over the other participants in the decision-making process, but also to prevent decision-making, and to exclude certain subjects or participants from the process.

In Shanpotian village, the outside agricultural company is the most powerful stakeholder in the agricultural land use rights transfer process, as the company always finds support from the township and county governments, or even from the provincial government. The governmental officers introduce the company into the village, and the company offers cash or non-cash benefits to the village heads, so that the village heads will help the company to gain agricultural land use right sat a cheaper price. However, at the same time, the village heads will try to obtain a higher price from their relatives and friends in the village, for the company's and their benefits. The final transfer results are negotiated among the different powers.

1.2 Economic power is not the only key power for agricultural land use rights transfers.

Giddens (1973) said that power is integrated within complex social practices, in which human agency has structural qualities, and that the social structure is part of the human activity that creates it, and which

ensures its continuity. This duality of the structure model sees the social structure and the human agency as the two factors that build and activate these social relations, and sees power as a central and important component of both. This social structure makes human activity possible, and it also limits it—by the means of laws, rules, and resources, and also by the means of the human practices that are part of it. It is human agency that creates the social structure—the human agency establishes it, consolidates it, and also changes it while it acts. To the same extent, social structure is a component of all activity.

In Shanpotian village, from the surface, as I mentioned, the market force is a major power for agricultural land use rights transfer. However, in reality, the market power only determines whether or not to demand the transfer, but for transfer prices and conditions, social powers play important roles in the transfer. For example, transfers occur among relatives and friends, among villagers, and between villagers and the company; the prices are different, with the former being the lowest, and the latter being the highest.

1.3 The government plays a key role in power negotiations in agricultural land use rights transfers.

Weber's (1947) approach to power is connected with his interest in bureaucracy, and it links power with the concepts of authority and rule. He defined power as the probability that an actor within a social relationship is in a position to carry out his will, despite the resistance to it. The activation of power is dependent on a person's will, even in opposition to another person's will.

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According to his theory of community power, power is exercised in a community by a particular concrete individual, while other individuals, in reality, are prevented from doing what they prefer to do. Power is exercised in order to cause those who are subject to it to follow the private preferences of those who possess the power (Mills, 1956; Hunter, 1953).

Gaventa's (1980) theory of power will serve, further on, as a basis for a discussion of powerlessness, not as a personal problem of the powerless, but as a social situation that has its roots in conditions of social inequality, and in disempowering social solutions. An inequality exists in different peoples' abilities and access to resources, which also creates an inequality among them in the sphere of power. Hence, the development of ability and access to resources are key concepts for an understanding of the power that people can exercise.

In Shanpotian village, the township and county governments connect with different powers or stakeholders; for example, the government invites outside companies that come to the village to provide agricultural development investments, the government guides the village committee to provide support to outside companies for obtaining agricultural land use rights. In this village, we observed the power of the government, but in the power negotiation process, we found that the government mostly remained with the outside companies, because the government was eager to gain outside investments, and at the same time, the outside companies had many resources to influence the government, so that the benefits of the poor people, the public, and the environment were not fully considered in this village.

2. Suggestion and Conclusion

The government, the new land managers, and the farmers have become the main actors in agricultural land management, in and after agricultural land use rights transfers. In order to balance power and power relations, I recommend that each actor should act as shown in Figure 4.

In this model, the role of the government is a key, and the government's power should include the watching and monitoring of management activities by the new agricultural land users, to determine whether their management is beneficial. At the same time, the government should observe and take care of the farmers and natural resources, and it should especially be sensitive to the poor farmers, to determine the impacts of the management activities by the new agricultural land users on the poor farmers and the natural resources, to break out of the encouragement or punishment policy toward the new agricultural land users, based on the impacts. Outside of this cycle, societies like NGOs, universities, and media and research institutes should also monitor and study the inside three actors, to help to balance the power relations in a different way.

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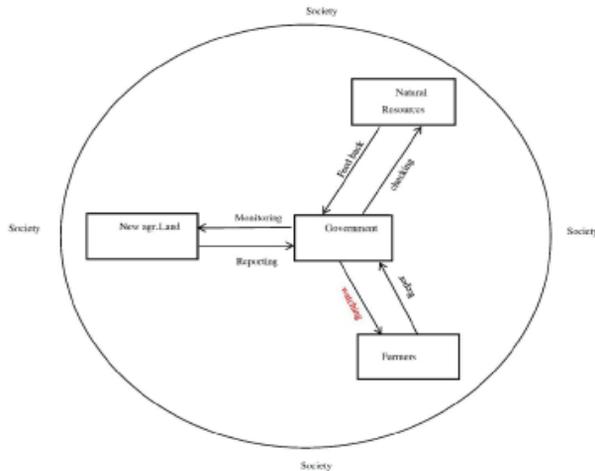


Figure 4: The recommended model for balancing power relations in agricultural land use rights transfers.

Figure 4: The recommended model for balancing power relations in agricultural land use rights transfers.

From the above model, my suggestions to each key actor are as follows:

2.1 The government:

1) The government should represent the public interests in agricultural land use rights transfers and agricultural land management. “Public interest” here means five things: one is to be sure that agricultural land use rights transfers follow the associated laws, regulations, and policies, two is to be sure that the reasonable benefits of the poor farmers will not be taken by others in the agricultural land use rights transfer process, three is to be sure that the quality of the agricultural land will maintained or improved, four is to be sure that the agricultural land management activities

by the new land managers will not bring negative impacts upon the agricultural environment, and five is to be sure that the agricultural land management activities by the new land managers will not cause social conflicts in the local community. Of course, in reality, it will be difficult to reach the above five objectives, because the power of the rich farmers and the company is very strong, and they will always try to influence or attract the government in order to gain more benefits. So the county government should add one task in land management office for solving above issue.

2) The government should provide support for sustainable landuse management by the new land managers. The support measures should include: ensuring that the new agricultural land managers know the associated laws, regulations, and policies well, providing research funds for academic institutions to research sustainable agricultural land management technologies, and providing these to the land managers, attempting to quickly and fairly manage agricultural land use conflicts, and providing the new agricultural land managers with timely access to legal land documents for. Here, this role of the government should stay with the provincial government.

3) The government should monitor the agricultural land use rights transfer process and the agricultural land management process. The government should represent public interests in monitoring the two processes, and provide suggestions to the new land managers, and even punish the new land managers if their behaviors damage public interests. The government should establish an independent monitoring system, with the village committee being responsible for the monitoring system. This system can be controlled by the provincial land management department with the help of new technical information tools.

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2.2 The new land managers:

1) The new managers should aim to allow the previous land-holders to become the benefit-sharing body alongside them. The usual strategy of the agricultural land hirers is to establish a closed system, and to try to avail of any benefits that are connected with the local farmers. However, agricultural production is a longer process within an open system; its risks are higher than those any other industries. If the local farmers or the local people can become part of the new land managers business, then the risks for the new land managers will be decreased, and there will a good opportunity for long-term and sustainable profits.

2) The new managers should try to build good relationships with the local community. This is a strategy that can help the new land managers to gain social resources, and it can finally help to decrease their economic costs. Because the land managers can successfully hire agricultural land, this means that the economics are accepted by the farmers involved, but in actuality, they are not socially accepted by the community. The new land managers should become familiar with the local culture, and act culturally appropriately.

3) The new managers should try to increase the prices of agricultural products through quality, and not only output. The existing popular profit-making strategy tries to increase outputs through using much more inputs of chemical fertilizers and pesticides; this is harmful to soil and water systems, it is not good for sustainable development. If the new land managers do not change this current strategy, and both the government and the local community do not accept it, the new land managers should finally be kicked out.

2.3 The farmers:

Here, “farmers” refers to two groups of people. One group of farmers is farm workers; they may be from this villager other villages, or they may be people from the cities, and they are all paid by the new land managers. So, they should provide qualified labor. They need to change their mindsets from being self-managers and self-workers, to being agricultural workers for the new land managers, and they should establish an awareness of the link between work quality and salary.

Another group of farmers is the people in the village; they need to monitor the agricultural land management activities of the new land managers. They have direct knowledge of the management activities of the field, and they can monitor these activities in real time. The government should establish a system for working with these people, to implement effective monitoring.

2.4 The society:

The government should aim to establish an informal representative committee consisting of government officers, researchers, technicians, investors, and farmers; the researchers should coordinate this group, and construct monitoring report son agricultural land use every year. This committee should be independent, and it should come from outside of the village, or even outside of the county.

From all above reasons, this research recommends that, in YunnanChina, it is the most important role of the government to balance the power relations, to join the power relations negotiation process, to protect the reasonable benefits of the poor, to limit the power of the powerful groups, and to reach the objectives of sustainable development.

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