



APPROPRIATE MODEL OF INTEGRATING TRADITIONAL AND
MODERN LAND TENURE SYSTEM: A CASE STUDY OF
DAI MINORITY IN YUNNAN, CHINA



A DISSERTATION SUBMITTED IN PARTIAL FULFILMENT OF
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APPROPRIATE MODEL OF INTEGRATING TRADITIONAL AND
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DAI MINORITY IN YUNNAN, CHINA

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THIS DISSERTATION HAS BEEN APPROVED IN PARTIAL FULFILLMENT
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ABSTRACT

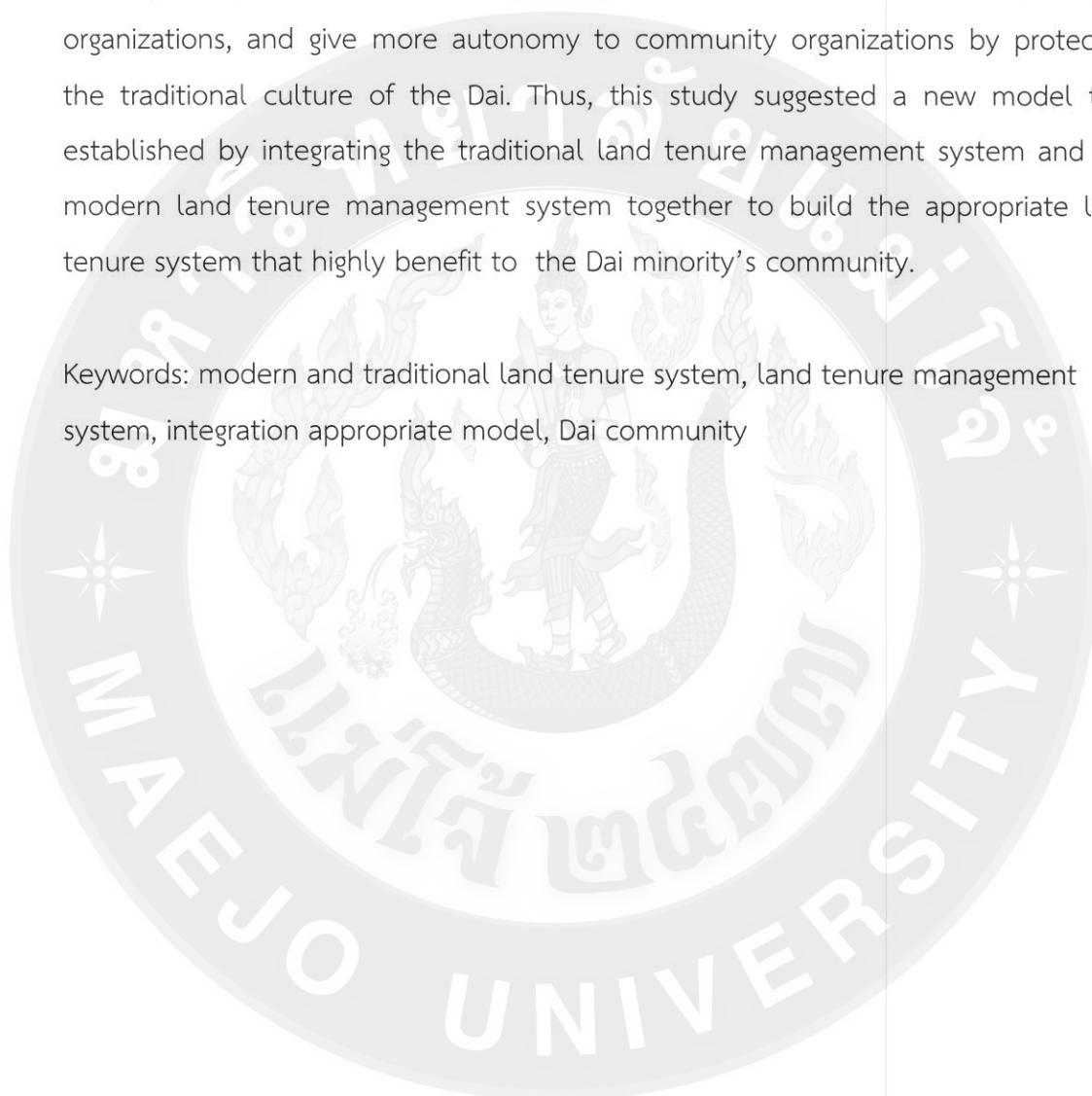
The objectives of this study were to: 1) explore of the Dai traditional land tenure management system; 2) compare the differences between the Dai traditional land tenure management system and the modern land tenure management system; 3) analyze impacts of implementation of the modern land tenure management system on the Dai community; 4) develop a new model of integrating the Dai traditional tenure management system and the modern land tenure management system. This study employed Parsons' AGIL paradigm analysis framework, and data were collected by using documentation review, in-depth interviews, focus group discussion, and participatory observation. Obtained data were analyzed by using qualitative statistics, and the validity of the data was tested by using the triangulation method.

The following findings were drawn: 1) Dai traditional land tenure management came from traditional wisdoms which were beneficial for land use, land allocation and ecological environment; 2) Dai traditional land tenure management system and modern land tenure management system were different, on the basis of land right, land use and management mechanism. 3) The implementation of the modern system had changed the land use and land management mechanism in the Dai area. However, the villagers used traditional land management methods to reduce the externalities; and used the traditional culture and internalization values to reduce the effects of the threat. 4) Dai community used of traditional land tenure management system to function as a supplement for the shortcomings of modern

system, which is conducive to improve land use, social equity and ecological sustainable development.

On this basis, this study recommended that the Dai community must reduce external uncertainty, improve community's social security, and provide local policy development; enhance the adaptability and coordination within community organizations, and give more autonomy to community organizations by protecting the traditional culture of the Dai. Thus, this study suggested a new model that established by integrating the traditional land tenure management system and the modern land tenure management system together to build the appropriate land tenure system that highly benefit to the Dai minority's community.

Keywords: modern and traditional land tenure system, land tenure management system, integration appropriate model, Dai community



| | |
|----------------------|--|
| ชื่อเรื่อง | ระบบการถือครองที่ดินแบบดั้งเดิมและแบบสมัยใหม่: กรณีศึกษา ชนชาติไตในยูนนาน สาธารณรัฐประชาชนจีน |
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บทคัดย่อ

การวิจัยครั้งนี้มีวัตถุประสงค์เพื่อ 1) ศึกษาการจัดการการถือครองที่ดินของชนชาติไต 2) เปรียบเทียบความแตกต่างระหว่างระบบการจัดการการถือครองที่ดินแบบดั้งเดิมของชนชาติไต และระบบการจัดการการถือครองที่ดินสมัยใหม่ 3) วิเคราะห์ผลกระทบของการนำระบบจัดการที่ดินสมัยใหม่มาใช้ในชุมชน ไต 4) พัฒนารูปแบบการบูรณาการระบบการจัดการการครอบครองแบบดั้งเดิมของชนชาติไต และระบบการจัดการการถือครองที่ดินสมัยใหม่ การศึกษาครั้งนี้ใช้กรอบการวิเคราะห์กระบวนการ AGIL ของพาร์สันส์ เก็บข้อมูลและวิเคราะห์ข้อมูลด้วยวิธีเชิงคุณภาพ โดยใช้การทบทวนเอกสาร การสัมภาษณ์เชิงลึก การสนทนากลุ่ม และการสังเกตแบบมีส่วนร่วม และทดสอบความตรงของข้อมูลโดยใช้วิธีการวิเคราะห์แบบสามเส้า

ผลการวิจัยพบว่า: 1) การจัดการการครอบครองที่ดินแบบดั้งเดิมของชนชาติไต มาจากภูมิปัญญาและการจัดการแบบดั้งเดิมซึ่งเป็นประโยชน์ต่อการใช้ที่ดิน การจัดสรรที่ดิน และสภาพแวดล้อมระบบนิเวศ 2) การจัดการการครอบครองที่ดินแบบดั้งเดิมและระบบการจัดการการถือครองที่ดินสมัยใหม่ มีความแตกต่างกันในด้านสิทธิในที่ดิน การใช้ที่ดิน และกลไกการจัดการ 3) การดำเนินงานของระบบที่ทันสมัยได้เปลี่ยนการใช้ที่ดินและกลไกการจัดการที่ดินในพื้นที่ของชนชาติไต อย่างไรก็ตาม ชาวบ้านใช้วิธีการจัดการที่ดินแบบดั้งเดิมเพื่อลดปัจจัยภายนอก ตลอดจนใช้วัฒนธรรมดั้งเดิมและค่านิยมของชุมชนในการลดผลกระทบจากภัยคุกคาม 4) ชุมชนไตใช้ระบบการจัดการที่ดินแบบดั้งเดิมในการทำหน้าที่เสริมข้อบกพร่องของระบบสมัยใหม่ ซึ่งเอื้อต่อการปรับปรุงการใช้ที่ดิน ความเท่าเทียมกันทางสังคม และการพัฒนาที่ยั่งยืนในระบบ ด้วยเหตุนี้ การศึกษาครั้งนี้จึงมีข้อเสนอแนะ คือ ชุมชนควรลดความไม่แน่นอนจากภายนอก เสริมสร้างความความมั่นคงทางสังคมของชุมชน และมีการพัฒนานโยบายท้องถิ่น เพิ่มความสามารถในการปรับตัวและการประสานงานภายในองค์กรชุมชนและมอบอิสระให้กับองค์กรชุมชนมากขึ้น โดยการปกป้องวัฒนธรรมดั้งเดิมของชนชาติไต ดังนั้น งานวิจัยนี้จึงเสนอรูปแบบใหม่ของการจัดการการถือครองที่ดิน

โดยการบูรณาการระบบการจัดการที่ดินแบบดั้งเดิมเข้ากับระบบการจัดการการถือครองที่ดินสมัยใหม่
เข้าด้วยกัน เพื่อสร้างระบบการจัดการการถือครองที่ดินที่เหมาะสม ซึ่งจะเป็นประโยชน์อย่างยิ่งต่อ
ชุมชนชาวไต

คำสำคัญ: การถือครองที่ดินสมัยใหม่และแบบดั้งเดิม ระบบการจัดการการถือครองที่ดิน การบูรณา
การรูปแบบที่เหมาะสมชุมชนไต ชนชาติไต



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CHAPTER 1

INTRODUCTION

Background of the Study

According to the Constitution (1982) of the People's Republic of China, the land belongs to all people, it is a socialist public ownership. Urban land belongs to the state and rural land belongs to collective, and make the difference of land tenure system between urban and rural. In recent years, due to the rapid development of urbanization and modernization, the area of land has decreased, the value of land has been rising constantly, and At the present time land tenure system operating causes many kinds of problems, such as the newly collective members have no rights equity to access land allocation, the fragmentation of land division is not conducive to agricultural production, the rural labor loss, the low utilization rate, and weakening of land management capacity of rural collective organization. (Guo, 2012; Zhi, 2015; Ling, 2014; He, 2017)

Rural land is a land with the natural attribute and economic attribute; it has the great significance to farmer's survival and development (Zhou, 1989). With China's rapid economic development and social progress, especially the rapid development of urbanization, limited land resources and urbanization in the developing area for contradiction are more and more prominent. The interests of the land value and the derived by land increased greatly (Liu, 2014), the content of rural land ownership disputes, complicated, cannot make full use of land resources, ecological environment is damaged and so on. At the same time, due to the low level of land management techniques, the ownership records are incomplete, making the rural collective land tenure management system not play a significant role, the farmers' collective land rights and interests are harmed, such as: some villagers are illegal to reach an agreement to buy or sell the land, resulting in the loss of collective land ownership, which makes the land ownership and management more difficult (Wang, 2016).

Yunnan is a Province in China where a lot of minority residents live. These minority residents have their own unique life style which is different from the other ones. In the Dai area, before 1949, the Dai minority residents used their own land tenure system management by themselves, it is a traditional land tenure management system. The Dai minority traditional land tenure management system is a feudal land ownership, the feudal Lord economy is established on the basis of the rural commune. "All mountains in the area, land, rivers, and farmland is the private property belonging to the leader of the Dai nationality" (Jian, 1984). But usually, at first, land is allocated to the Dai village as the unit, and then, village average allocate land to the whole villagers. Under this land tenure system, village collectives own the land, and villagers only own the land use right, the land ownership and the land use right are separated (Cao, 2006).

Traditional land tenure management system of the Dai people has affected in the management of land use in both the attitude and behavior of the people. In the land use, according to the different needs, the village land is assigned to different production tasks. In addition, each village owned land resources must be in accordance with the regulations of the land management system in the production and use, the traditional land use classification are: paddy field, dry land, economic crops plantation, firewood forests, residential areas and natural forests, etc. Each type of land type can only be produced according to the type of division, but it not only meets the needs of the demand for food and economic interests, at the same time it also meets the needs of the development of ecology. Farmers should pay for the use of land resources to the village collective to a unit, and not to individual and family, thus makes the collective land ownership more binding and management more efficient. The Dai traditionally had their land-ownership and land management system. The owners of land can manage and make use of their land as they see fit. (Jian, 1984).

However, in the past several years, the Chinese government has implemented a new law and policy regarding land tenure management system throughout China. In the past years the new land tenure management system has been in process without a hitch. But now because the rapid economic and social

development, the land's value rapidly rises and has a more and more profit binding with land. So the new land tenure management system has brought about problems for the Dai in their livelihood and more conflicts with other members in the same community.

Before the new land tenure management system was implemented, the Dai traditional land tenure management system was continuously used for more than 800 years. At that time, compared to other areas, they had more harmonious social relations, better production and better living order and better ecological environment (Wang et al., 2009).

Although the Dai traditional land tenure management system has been replaced by the modern land tenure management system, it is widely circulated in the Dai national minority folk tradition of nearly one thousand years of land tenure management method. Also to a certain extent, it affects the local people's production and life, and as a kind of informal system in modern land tenure management system plays an important role.

This study analyzes the problems existing in the operation of the rural land system. Under the circumstances that the modern land use rights management system cannot fully play its role, the Dai community can effectively solve these problems by using traditional methods. By comparing the functional differences between traditional and modern systems, and the impacts of modernization and urbanization, exploring the integration model between traditional institutions and modern institutions, providing policymakers with a choice for future rural land systems reform.

Significance of the Problem

Humans and land have a close and interdependent relationship (Zhou, 1989). All countries attach great importance to the reform and innovation of the land system. This involves not only the problems of the land itself, but also the problems of rural development and farmers' rights and interests, as well as the sustainable development of the economy, the sustainable use of resources, and the issue of

social equity and stability. Especially for developing countries with agriculture as the mainstay, the innovation of land tenure management system is of great significance to the local and the whole country.

Over the years, China has carried out several land reforms to meet the needs of social development. The government has been exploring and innovating, and hoping to further improve the land system and the efficiency of the system in the future.

In the process of urban economic development, the countryside has made tremendous contributions to support the development of the city, and the land tenure management system has played an extremely important role. Now, in the stage of rapid development of urbanization, facing the background of economic transformation, economic globalization and regional economic integration, the reform of rural land tenure management system has become an important issue in rural management. How to achieve industrial “feedback” agriculture (Chen, 2010) effectively improving the management level of agricultural land, protecting rural land resources, improving the living standards of farmers, and promoting the development of rural areas and agriculture have become important issues related to the stable development of the entire society.(Zhang, 2011).

In recent years, due to the rapid development of urbanization and modernization, the area of cultivated land has decreased, the value of land has been rising, and the modern land tenure management system operation has been with problems such as fragmentation of land, low utilization, and weakening of collective management organizations.(Han, 2014).

In the Dai area, due to the influence of traditional culture and values, people have combined traditional methods in land use and land management, which has changed the negative impacts caused by urbanization and modernization, and made the land management shows, land allocation fairer, land use sustainable, and the land system more efficient.

However, this phenomenon is a state of natural formation, with instability and unsustainability. In the communication with the outside world, the Dai community will inevitably bring about changes in traditional culture and values. In addition, if the

national macro policy, and in the trend of urbanization changes, will affect the balance between the traditional system of the Dai community and the natural integration of the modern system. The natural integration of this traditional system with the modern system will be broken.

This study is to analyze how the land tenure management system of the Dai community plays a role in the implementation of modern system, hoping to establish an effective model to achieve a stable and sustainable integration of modern institutions and traditional institutions. It is hoped that this research model will be promoted in the future, with other traditional cultures and ethnic groups and regions.

This research aims to create a new model of integrating the Dai traditional and the modern land tenure management system to solve the problem.

The present study is significant to the following:

1. People of Dai community -- The findings of the study can help villagers of Huyun village and other Dai village, to enhance their awareness of inheriting the traditional culture of the Dai people, protect the land rights of villagers, and utilized land, and accelerate the economic development of the land user.
2. Community -- result of the study is useful to help Dai community and/ or village committee in Huyun village and other village in Yunnan province, enhance adjustment adaptation function, distinguish and coordinate traditional and modern land tenure management system, make them play the different role, keep social harmony in Dai community and promote the management ability of organization in Dai community.
3. Local government-- the result of this study can improve land tenure management system implementation on Dai minority community, and increase efficiency land utilization, bringing its benefits to farmer's incomes, community's social harmony and the environment as well, and to better meet the needs of local people.
4. Policy maker -- China has a wide land and rich culture, containing different ethnics, religions, customs and habits, regional is very obvious, finding of the study can bring about revelatory for policy maker, to formulate a policy with

consideration about local differences. This will make a policy diversification;

5. Future study— the findings of this study can help other researchers in the same study field, as reference of information.

Research Question

For many years, Chinese government has repeatedly reformed the land tenure management system to meet the needs of social and economic development.(Han, 2014)

Since 1949, China's rural land tenure reform has undergone three major changes, and rural land ownership has changed from private ownership to public ownership.

The first change was the equal division of land at the beginning, forming the small-scale peasant economy. The vast poor peasants acquired land ownership. (Liu, 2014)

The second is from mutual aid groups to junior cooperatives. This kind of agricultural operation saves the transaction costs of avoiding risks, and forms a certain scale of production. The farmers have the final decision on their land and property. (Liu, 2014)

The third is the household contract responsibility system, which gives farmers a certain right to make decisions. Farmers can obtain the surplus value of land production, thus promoting the rapid development of agricultural production (Liu, 2014).

Since then, the rural land tenure management system is public ownership, the rural collective have the ownership of the land, and the farmers as collective members have the contractual management rights of the land.

After 2014, the contractual management rights of the land owned by the peasants were separated again and were classified into contracting rights and management rights. The owners of the contracting rights were collective peasants, and the management rights could be legally transferred to an individual or a company. (Chen and Han, 2014)

The purpose of the separation of land ownership is to protect the farmers' contractual rights, promote the use of land, increase the economic income of farmers, and introduce foreign capital for the development of rural communities, while also ensuring the rural collective public ownership right.

The modern land tenure management system has shown different results in the operation of various parts of China. In some places, due to the implementation of the modern system, land resources have been effectively integrated through market allocation, which is conducive to the scale operation of agriculture and promotes local farmers and rural economic development.

However, in some places, due to the further division of land rights, the collective ownership power of the land has been weakened. In the management of the land, the peasant actions have surpassed the scope of the rights they have, causing damage to the collective ownership. The rights boundary of the rights subject unclear, resulting in conflicts of interest between the rights subjects. (Zhi, 2015; He, 2017)

In other places, due to the transfer of management rights, business entities pay more attention to obtaining short-term benefits. In the development and utilization of land, the ecological environment is destroyed and the long-term interests of the collective and farmers are damaged. (Ling, 2014).

In addition, under the impact of urbanization development, rural land resources and urbanized land demand conflict, land prices rise, and land disputes are more complicated. The operation efficiency of the modern land system is low, and the interests of all parties to the land are difficult to guarantee. (He, 2017).

In recent years, the Chinese government and academia have gradually realized, that the evaluation of rural land tenure management system should be multi-faceted, not only to pay attention to whether land resources are fully utilized, but also to consider the sustainability of land resources, the impact of land use on the ecological environment and the impact on rural social relations.

In response to the development and changes of modern land tenure management system and the description of existing problems, community organizations and villagers have played an active role in the operation of modern

systems in the Yunnan Dai nationality, by applying some methods in the traditional land tenure management system, which is in the land allocation, land use and management, it effectively alleviated some problems existing in the implementation of the modern system, making the operation of the modern system in the Dai community smoother than other areas, the land rights boundary is more clear, and the land allocation can be more reflected social equity, land use is more complete and sustainable, the ecological environment is good, and social relations are more harmonious.

In view of the above situation, we should study the historical overview of the traditional land system, compare the differences between the modern system and the traditional system, and analyze the changes in the modern system in the operation of the Dai community, thus revealing the changes in the Dai area. Why and how traditional land systems plays an important role in modern system. The focus of this study is to establish an appropriate model to integrate traditional and modern land tenure management systems, improve the implementation efficiency of community land tenure management systems, and make such integration stable and sustainable.

Therefore, this dissertation would like to answer the following research questions:

1. What is the Dai traditional land tenure management system?
2. What are the differences between the Dai traditional land tenure management system and modern land tenure management system?
3. What are the impacts of the implementation of modern land tenure system on the Dai community?
4. How is a new model which could integrate the two land tenure management systems in the Dai community created?

Objectives of the Study

The objectives of the research are as follows:

1. To study of the Dai traditional land tenure management system.
2. To compare the differences between the Dai traditional land tenure management system and the modern land tenure management system.
3. To analyze the impact of implementation of the modern land tenure management system on the Dai community.
4. To develop a new model of integrating the Dai traditional tenure management system and the modern land tenure management system.

Scope and Limitation of the Study

Research view for this dissertation is the system of land tenure management on the implementation of the participators are farmers. So the study is found to the villagers' visual revealing the unreasonable phenomena in the current land management system, through investigating and analyzing the villagers' impacts by the traditional system, using the scientific method to analyze the villagers' behavior, and explore the traditional advantageous aspects of land management tenure system, and integrating the modern land tenure management system. It is hoped that the study conduct through at a small sociality field research, to know modern land tenure management system implement process had been effected, by traditional land tenure management system as the informal system. This paper uses ethnological, anthropological, sociological methodology to conduct research.

The study area is in the southwest China in Dehong Dai and Jingpo Autonomous Prefecture, and has selected a traditional village as a study representative.

DeHong Dai and Jingpo Autonomous Prefecture established in July 1953. An area has 1.15 square kilometers. The population of Dehong in 2014 was of 1.20 million, 48.17% of them were Han Chinese, and 33% of them were Dai minorities.

The Dehong Dai and Jingpo autonomous prefecture is located in southwest Yunnan province, south of Gaoligong Mountain, and has two provincial ports, Wanding Port and Ruili Port, which are important gateways to Southeast Asia and South Asia. The region provides a convenient channel to Myanmar and helps shorten freight transport distances and cut transportation costs for enterprises in Southwest China. Its mild temperatures provide good conditions for the development of agriculture, forestry, and animal husbandry industries.¹

Situated in the west boundary area of Yunnan Province, Dehong Dai and Jingpo Autonomous Prefecture neighbors Baoshan city to the east and northeast, and shares a boundary of 504 kilometers (313 miles) with Myanmar in the south, west and northwest.

The research content is limited to “the rural land tenure”, urban land and the constitution belongs to the state ownership of land is beyond the scope of this study.

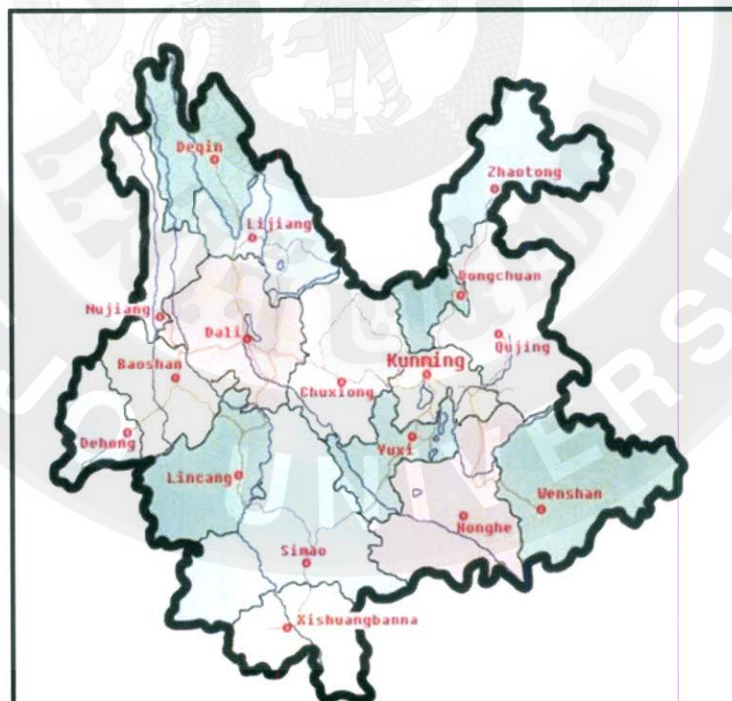


Figure 1 Yunnan map.

Source: www.zhtxs.com

¹ <http://www.csa-expo.org/en-us/topic/topicdetail/1201>



Figure 2 Study site location
of relationship map



Figure 3 Land use status quo
figure map

Expected Results of the Study

The study is expected to develop and come up with appropriate model of integrating traditional and modern land tenure management system that would eventually:

1. Strengthen the protection of the traditional culture of the Dai minority, improve the ability of the community to adjust, and realize the complement of the traditional system function to the modern system function.
2. Empower the community more rights and improve the management capacity of community organizations.
3. Provide a new choice for the reform of rural land tenure management system, the design of land tenure management system should balance development economy, protect ecology and maintain social equity.

Operational Definition of Terms

In order to facilitate a more clear understanding of the concepts in this study, the following terms are defined either operationally or from their lexical definitions.

Appropriate model: The integration of traditional and modern land tenure management systems in beneficial functions, can be more reflected in land tenure management, land distribution is fairer, land is fully utilized, land management mechanism is more efficient, community social relations are harmonious, and ecological environment is good. And this integration is stable and sustainable.

Land tenure: According to the Food and Agriculture Organization of the United Nations (FAO), “Land tenure is the relationship, whether legally or customarily defined, among people, as individuals or groups, with respect to land.” Land tenure is an institution; it comprises rules invented by societies to regulate behavior. Tenure rules define how property rights are to be allocated within societies. They define how access is granted for the right to use, control, and transfer land, as well as the associated responsibilities and constraints. Put simply, land-tenure systems determine who can use what resources for how long and under what conditions. Property-rights theory does not emphasize who “owns” land but considers, instead, the formal and informal provisions that determine who has the right to benefit from the use of assets and who does not (Bromley, 1991; Eggertsson, 1990; Libecap, 1989).

“Land tenure” has a broad sense and a narrow sense, Narrow sense of the rural land tenure refers to the civil law only in the sense of the rural land ownership and related the right, namely, to possess, utilize, seek profits from and dispose of power. Generalized rural land tenure, includes the concept in the sense of ownership of the civil law, and also contains the meaning of political economics in the sense of ownership, namely rural land tenure. Because land tenure of content is prescribed by the constitution of the People's Republic of China, so this study adopt the generalized concept of "land ownership", which is not confined to purely from the perspective of civil law to look at the problems.

Land tenure management system: refers to land tenure system operating process, include land allocation, land use, and operational mechanism.

Land allocation: refers to Land allocation means that rural collective organizations distribute collective land to collective members in a certain way, and collective members obtain the right to use and income of land within a certain period of time.

Land Use: refers to the collective members who have the right to use the land. The specific use of the land, for example, how to cultivate, idle, and transfer to others for cultivation. It involves the management and modification of natural environment or wilderness into built environment such as settlements and semi-natural habitats such as arable fields, pastures, and managed woods. It also has been defined as “the total of arrangements, activities, and inputs that people undertake in a certain land cover type.”

Operational mechanism: Refers to the structure, function, and interrelationship of organisms, and refers to the processes and ways of interaction between the organization and parts of a working system.

The Village committee: refers to the management organization of rural communities. It consists of three to seven directors, deputy directors and committee members. The members are democratically elected by the villagers. They are responsible for the comprehensive functions of politics, economy and social management. They are the organizations that support the operation of rural society.

Modern Land Tenure Management System (MLTMS): China has dual land tenure system. Land ownership is separated from land use rights. Land ownership is divided into two categories: state-owned land and collectively owned land. In other words, the land is either owned by the state or the collective economic organization. Natural persons, legal persons or other organizations may only acquire land use rights and as a result it is impossible for any of them to acquire the ownership of land in China. In Rural region, government recognizes generally a single village (sometimes several villages) as a collective economic organization, which is the owner of land in the area of villages and distributes it to the members or villagers of village for cultivation or residence.

Dai Traditional Land Tenure Management System (TLTMS): It is refer to before 1949 in Dai minority areas of China, which used land tenure management system. It is a feudal lord system, collective has the ownership, and village has use right. After that it has been replaced by new land tenure management, which is implemented in the whole China.

Appropriate Model: Refers to in the process of modern land tenure management system, the traditional land tenure management system can play a role as a kind of informal system. The traditional system and modern system an in harmony coexisting, traditional land allocation, land use, and management methods could make up for the shortcoming of modern land tenure management system' function.

Impact: Refers to the indirect or intangible role or alter the behavior of village people or things, ideas, or properties.

Integration: Refers to the combination of the formal and informal land tenure management systems, each other to formation of a tentative model of land tenure management system and then it has the characteristics of both.

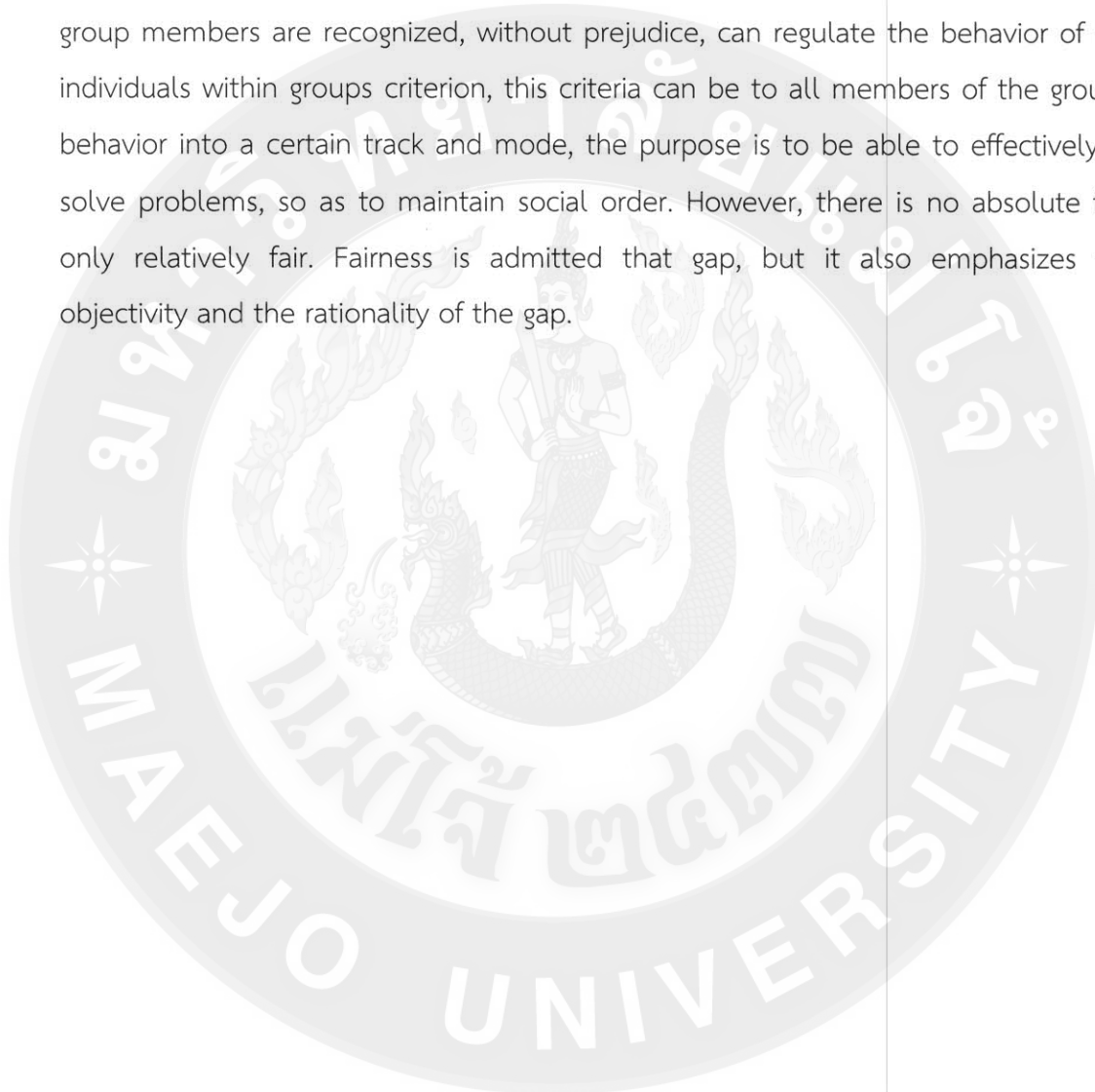
Parsons puts forward "Expect complementary law" to describe the perfect system is formed, namely only when ideally needs consistent with deep culture intention, and itself can keep balance and harmony, with the social system rules allowing individuals to be satisfied, conflict will occur, expected to complement each other, to form the perfect system (Cui, Zhou, 2006).

Harmony: Refers to the social democratic rule of law, fairness and justice, stability and order, harmony between man and nature. Harmony is a dynamic, the process of sustainable development. Unfair distribution of social resources that leads to social disharmony and social conflict, Coase put forward the theory of social relief valve, namely every society has some system and customs, as the means and ways to solve social conflicts.

Stability: From the perspective of functionalism, meeting the needs of the whole society is made in the function to maintain social stability of a complex system composed of each branch office. Similar to the various parts of the organism

and each part of the social system also needs to coordinate to play a role in order to maintain the benign operation of the society. Spencer believes that any system will naturally tend to be balanced or stable, and at the same time, each part of the society for social stability has played a function.

Equity: Refers to the fair rule of order within a group, is a kind of from the group members are recognized, without prejudice, can regulate the behavior of the individuals within groups criterion, this criteria can be to all members of the group's behavior into a certain track and mode, the purpose is to be able to effectively to solve problems, so as to maintain social order. However, there is no absolute fair, only relatively fair. Fairness is admitted that gap, but it also emphasizes the objectivity and the rationality of the gap.



CHAPTER 2

REVIEW OF LITERATURE AND RELATED STUDIES

This chapter introduces the research theories and research methods of land system and institutional innovation, reviews relevant literatures, sorts out the research on land tenure system from different disciplines, discusses the design and the change of rural land tenure system in China, discusses in brief the various theoretical underpinnings and conceptual framework belonging or simply related to model of land tenure management system of this research.

Ultimately, the literature, theories and concepts will be helpful in shaping the scope, focus and conclusions of this research.

The Related Theories

This section introduces various theoretical foundations and conceptual frameworks related to institutional research, and reviews relevant literature and related concepts. In a deeper theoretical background, combined with relevant literature to explore the views and arguments for promoting community land tenure system innovation.

1. Structural Functionalism Theory

Functionalism is one of the social theories of genre. Structural functionalism pays attention to the balance of the study of social operation and social development, coordination mechanism. It is an emphasis that tends to be a "stable order". In the 19 century, an English sociologist, Herbert Spencer, used evolution theory point of biology, he considered evolution social theory an emphasis on different social organizations meeting different social needs the same as human body with different human organs having different physiological functions. Likewise, Emile Durkheim, a French sociologist, who owns the theory of Social Division of Labor, also pointed out that human society organization differentiation and functional

specialization are related, and the relationship between the organizations and the function complementation become important conditions of social stability for survival. (Jia, 2008)

Classical theories are defined by a tendency towards biological analogy and notions of social evolutionism:

Functionalist thought, from Comte onwards, has looked particularly towards biology as the science providing the closest and most compatible model for social science. Biology has been taken to provide a guide to conceptualize the structure and the function of social systems and to analyze processes of evolution via mechanisms of adaptation. Functionalism strongly emphasizes the pre-eminence of the social world over its individual parts (i.e. its constituent actors, human subjects). Anthony Giddens *The Constitution of Society*: 1984)

Radcliffe-Brown proposed that most stateless, "primitive" societies, lacking strong centralized institutions, are based on an association of corporate-descent groups.

Auguste Comte, the "Father of Positivism", pointed out the need to keep society unified as many traditions were diminishing.

Structural functionalism is a framework for building theory that sees society as a complex system whose parts work together to promote solidarity and stability. This approach looks at society through a macro-level orientation, which is a broad focus on the social structures that shape society as a whole, and believes that society has evolved like organisms. This approach looks at both social structure and social functions.

Functionalism addresses society as a whole in terms of the function of its constituent elements; namely norms, customs, traditions, and institutions. A common analogy, popularized by Herbert Spencer, presents these parts of society as "organs" that work toward the proper functioning of the "body" as a whole (Urry, 2000). In the most basic terms, it simply emphasizes "the effort to impute, as rigorously as possible, to each feature, custom, or practice, its effect on the

functioning of a supposedly stable, cohesive system". For Talcott Parsons, "structural-functionalism" came to describe a particular stage in the methodological development of social science, rather than a specific school of thought. The structural functionalism approach is a macro-sociological analysis, with a broad focus on social structures that shape society as a whole (Macionis, 2011).

2. The mechanism of social integration

Durkheim was concerned with the question of how certain societies maintain internal stability and survive over time. He proposed that such societies tend to be segmented, with equivalent parts held together by shared values, common symbols or, systems of exchanges. Durkheim used the term 'mechanical solidarity' to refer to these types of "social bonds, based on common sentiments and shared moral values that are strong among members of pre-industrial societies" (Macionis, 2011). In modern, complex societies, members perform very different tasks, resulting in a strong interdependence. Based on the metaphor above of an organism in which many parts function together to sustain the whole, Durkheim argued that complex societies are held together by organic solidarity, i.e. "social bonds, based on specialization and interdependence that are strong among members of industrial societies". (Macionis, 2011).

Durkheim believed that society constitutes a separate "level" of reality, distinct from both biological and inorganic matter. Explanations of social phenomena had therefore to be constructed within this level, individuals being merely transient occupants of comparatively stable social roles. The central concern of structural functionalism is a continuation of the Durkheimian task of explaining the apparent stability and internal cohesion needed by societies to endure over time. Societies are seen as coherent, bounded and fundamentally relational constructs that function like organisms, with their various (or social institutions) working together in an unconscious, quasi-automatic fashion toward achieving an overall social equilibrium. All social and cultural phenomena are therefore seen as functional in the sense of working together, and are effectively deemed to have "lives" of their own. They are primarily analyzed in terms of this function. The individual is significant not in and of

himself, but rather in terms of his status, his position in patterns of social relations, and the behaviors associated with his status. Therefore, the social structure is the network of statuses connected by associated roles.

It is simplistic to equate the perspective directly with political conservatism. The tendency to emphasize "cohesive systems", however, leads functionalist theories to be contrasted with "conflict theories" which instead emphasize social problems and inequalities.

Durkheim's research field mainly lies in the social integration, which is in essence the problem of social order. His research was inherited and carried forward the tradition of sociology by Comte and was made new progress. Durkheim in *The Social Division of Labor* theory discusses about the relationship between individual and collective. This question mainly includes several important questions: how to constitute an orderly society with many individual? Intervene between a person and how to achieve the basic condition of social life - consensus? Durkheim's answer to these questions when using the center of the concept is the social solidarity. Social solidarity refers to the relationship between people and people, and group and group, which is coordination, consistent, and combined with the relationship.

Collective consciousness is the spiritual foundation of social solidarity, in "the theory of social division of labor," the collective consciousness is defined as: "the sum of the average social members have beliefs and emotions." (Durkheim, 1960).

Durkheim's analysis of social solidarity mainly has four basic points:

- 1) The unity of social structure produces different types: mechanical solidarity refers to establishing the identity or similarity between individuals in society, namely the homogeneity on the basis of a state of social harmony. The main characteristic of mechanical solidarity is: people in the society of difference is small, the collective members have similar characteristics; as there is no differentiation between people, such a society presents a high degree of consistency; between people maintaining a similarity and identity at the expense of the annihilation of the collective personality; individual action is always spontaneous, without thinking, and collective.

Organic solidarity is the product of the developed society, and it is built on the basis of social division of labor with individual heterogeneity of a kind of social contact. The main features displays in: there were significant differences between individuals and groups in society, and the difference development; the complexity of social division of labor has become the basic task of the society in the form of various twists and turns which are done by common people; the result of the development of specialized division of labor leads to the growth of interdependence (Linfei, 1997).

2) Competition leads to the growth of the modern social division of labor: social division of labor produced social solidarity, the social division of labor refers to the structure of society as a whole in technical and economic division of labor is only a form of it. Division of labor meaning and significance of economists, it is able to produce more products. But, the production increase is only the inevitable consequences, is the consequence of division of labor phenomenon, not in order to increase the production the specialized, but in order to get to a new living conditions (Durkheim, 1960).

3) The collective consciousness is the foundation of the spirit of social solidarity: Durkheim believed that social solidarity is the material basis of division of labor, the spirit is based on the collective consciousness. Collective consciousness is the general social members who share the sum of belief and the emotions. The belief and the emotion system has its own life. Collective consciousness exists in the society as a whole space, which depends on the emotion and belief in individual consciousness, but also independence of the individual, and individual consciousness. Such as religious belief is an important kind of collective consciousness. Collective ritual of "collective excitement" is conducive to social solidarity. It will not change as the change of newspaper, but successive generations, passed down from generation to generation. It is completely different from the individual consciousness, although it is done by individuals. It is a form of social psychology, both its own character, and have their own living conditions and development models, like personal, just in a different way (Durkheim, 2000).

In the organic society of individual differentiation, that is due to the development of social division of labor and individual heterogeneity, it is lead to the extension of the collective consciousness and the strength reduced, independent personality has made great development of the individual, the combination of social members are no longer because they have a strong sense of common, but the collective consciousness has not disappeared. In a form of differentiation of intact: it maintains consistent in the whole society level basic beliefs and values, and professional group in the middle level, the original unity of the whole society's specific behavior along with the social division of labor evolution for different professional norms, on the behavior of members of professional group guidance and restriction role. It still continues to make contributions to social solidarity, strengthening the functional and interdependent relationship between people.

4) The law is the guarantee of social solidarity: the Durkheim's theory, social solidarity is a kind of social reality, but hard to be directly observed, so we can use the study of law as the way of the perspective of social solidarity, through legal inspection under the different social form of collective consciousness, and social solidarity is the evolution of the argument by law from the mechanical solidarity to the organic unity of this proposition. Durkheim inherits and develops the sociological method in the principles of functional analysis, the analysis of the law of pay more attention to its function, namely law of collective consciousness, the role of social cohesion.

3. Theory of social evolution and social change

Much like Durkheim, "Parsons' primary concern throughout his life was the problem of order in society" (Adams and Sydnie, 2001), that is "how, if individuals were really separate entities pursuing their self-interest, there could be any order at all: How could there be anything but disorder?" (Johnson, 1993). In practice, people do cooperate, and there is a degree of social integration. For Parsons this comes from the values of society and of social actors – the basis of social action can be termed voluntarism. "People act on the basis of their values; their actions are oriented and constrained by the values and norms of people around them; and

these norms and values are the basis of social order”.

Action System

Parsons thinks, condition and specification are the two equally important factors influencing the action, in the process of operation, the people in determining the goals and means. There is a certain freedom of choice, but this freedom is subject to two aspects, the social and cultural value standard to guide the choice and regulation, environmental state to provide opportunities or barriers to action. Parsons referred to his own theory as action theory and argued that social phenomena not only must be understood in terms of individual meaning, but also must be examined at the “level of collective action among groupings of actors.” (Turner, 1991). As with many functionalists, Parsons was concerned with the same issues as Weber, “how do the subjective states of actors influence emergent patterns of social organization, and vice versa?” (Turner, 1991). He referred to his theoretical approach as a general theory of action systems.

Parsons believes that the positivist school only put the action associated with certain environmental condition, and assumes that state has a decision on action; ignore an important factors affecting action - practice orientation, which ignores the actors of the source of the ultimate goal, properties and differences. School, idealistic, laying emphasis on the value norm, ignore the influence of environmental condition to express specific value. Parsons developed many concepts and elaborate conceptual schemes that could be considered ideal types of the Weberian type. These emphasized important features of social systems, and of the type that Parsons considered important for purposes of his analysis of social integration. They were regarded as useful in different contexts, and a means of comparing concrete situations, to see the extent to which they conform or deviate from these ideal types. (Turner, 1991)

In the 20 century, the American sociologist Talcott Parsons puts forward the Structural Functionalism the name, and the focus on the social system function analysis of the structure of the institutional research. Talcott Parsons integrated of the functional point of view, and laid the structure and function of the theory model.

The Pattern Variables of Social Behavior

Parsons considered the subjective orientation of social behavior which is composed of two basic factors: one is the motivation orientation, namely the doer the expecting maximum profit and minimum loss; the second is the value orientation, that is, doer in determining behavior target and the behavior method follows the normative standards. Parsons believes the former than the latter has a more profound sociology significance. (Adams and Sydnie, 2001)

In Parsons' point of view, although motivation orientation and value orientation depend on each other, they can be independent, compared with motivation orientation, value orientation has a more profound social significance. (Adams and Sydnie, 2001) because, in the institutionalization of the reality of the social system, the value orientation usually reflects the "internalized in" social members personality in various behaviors. Measurement and comprehensive analysis on its classification, can reveal any specific characteristics of social relations and social development trend.

Therefore, Parsons in the value orientation of many factors affecting social behavior comes down out of the five leading variables, each dominant variable interval of measurement by two extreme value definition: (1) Emotional variables: emotions bets - no part. The amount of emotional factors, is an important criterion for selection and division of social conduct. (2) Interest variables: ego orientation - collective orientation. The interests of the social behavior orientation, which is determined by the social members of a particular role. Members in the real society, society is the role of multiple crossing, determined by the different social roles between different interest orientation which sometimes is consistent, but more often it is not in harmony and mutual conflict. (3) Evaluation variables: universalism -- special. Any subjective orientation of social behavior is judged; the difference between universalism and special lies in whether criteria are used the same standard. (4) Status variables: ascribed achievement performance - identity. This is an important variable of social status orientation. Determining a person's social status according to his achievements shows a posteriori effect, or according to gender, age, race, and his family background such as innate qualities. Performance for a modern

civil servants in front on the basis of his performance, on the contrary, a typical example of the latter is a medieval aristocrat's status depending on his family background. (5) The obligation variables: specific - wide dispersion. This is to measure social behavior responsibility which is an important variable. If a certain social behavior relationship clearly demarcated, content is limited, to the specific type of concrete, on the other hand is widely dispersive (Turner, 1991).

Parsons also believes that action is the will the most basic characteristics and target oriented. The basic unit of social action is "basic action", "the basic action" structure includes the following elements: (1) Actors. It is the main characteristics of the "self" rather than the human body, and is subjective consciousness. (2) Object. It is to assume that the future situation of the things that is determined by the subjective aspect of the actors. (3) Situation. It is the "outside environment" of action, including conditions and means, generally can be developed without purpose. Actors are those who can control factors to control the situation, but is limited by that the conditions cannot be changed. (4) Specification. Actors are allowed to behave and scope (Turner, 1991).

Like Weber, Parsons' the study of social action is as the starting point of his whole theory research, from the perspective of the social action research to society, and the action is an actor goal which means all subjective decisions, and it is conditioned by the concept and context condition (Song, 1997).

4. Social System Structural Function Analysis

Parsons' analysis framework, and proposed the theory of "social system", which he thought is similar to a living organism, and has its corresponding structure and function. It consists of four parts: the personality system, cultural system, social system and behavior of an organism. Parsons from the analysis of individual social action of actors, and entered into the four subsystems to the understanding of the mutual connection and restriction; these systems constitute an integral part of the action system. In the analysis of the system operation main body can be a person, and also can be the country's social system organization which is meaningful in the level of human action. (Song, 1997).

Parsons developed an analysis of psychology, economics, politics, sociology, and all social science, although much of this was never completed. For Parsons, there are many systems or action systems where “the parts are connected” (Adams and Sydie, 2001). A system is something that has a boundary, so that there is an inside and an outside to the environment comprising the system. Examples of systems are the social, cultural, and personality systems (Wallace & Wolf, p. 28). Systems have interdependent parts, order or equilibrium, and a tendency to maintain the boundaries and relations of the parts to the whole. These could be the society as a whole, structures or institutions within society (economy, legal system, religious institutions), or smaller subsystems (family or individual) that form part of society. These are action systems in the sense that they involve social action, and each system has certain needs or conditions that are necessary for the survival and continued operation of the system. Systems also have goals that may be created as a result of needs and desires of members of these systems.

Parsons thinks action system is the first level of "cultural system"; the basic unit of analysis is the "meaning" or "sign system". Parsons emphasized on share values. When the value of the whole society is internalized by members of society as a whole, creating a "social"; socialization is a kind of maintaining social control and guarantee of social solidarity is very strong convergence. Culture system in the theory of Parsons has a prominent position. The system of patterned and ordered symbols, while it is created by humans; it is the “social stock of knowledge, symbols, and ideas” (Ritzer, 1992). This includes language and other forms of communication, systems of morality, and all of the shared knowledge of people. Parsons refers to this as the cultural tradition, and argues that elementary communication is not possible without “some degree of conformity to the 'conventions' of the symbolic system.” (Parsons, 1951). Symbols are interpreted by individuals and individual actors in different situations so that they may react somewhat differently to them. For social interaction to occur, it is important that there be a stability in the symbol system, “a stability which must extend between individuals and over time, [and] could probably not be maintained unless it functioned in a communication process in the interaction of a plurality of actors.” (Parsons, 1951).

Because it is composed of symbols, the cultural system can move easily between systems, and strongly affects other systems. It is noted that it is a separate system, and one that cannot be reduced to aspects of the social system. It affects the social system, creating norms and values that guide social behavior, and personality system through socialization and learning. Given the power of the cultural system to influence and control other systems, "Parsons came to view himself as a cultural determinist" (Ritzer, 1992).

The action system of the second level is the social system, the system is the basic unit of "interaction" role. Parsons' definition of the social system is: A social system consists in a plurality of individual actors interacting with each other in a situation which has at least a physical or environmental aspect, actors who are motivated in terms of a tendency to the "optimization of gratification" and whose relation to their situations, including each other, is defined and mediated in terms of a system of culturally structured and shared symbols (Parsons, 1951).

The action system of the third level is the personality system, the system basic unit is individual actor—people. Parsons to this level research mainly focuses on individual's need, motivation, and attitude.

Action system of the fourth level is behavior of organisms; the basic unit is the biological characteristics of human, namely human nature level, including the preservation of organisms and their natural environment. Parsons about this system puts forward the organism of the central nervous system and the concept of "mechanical".

Parsons through the socialization discussion, this paper expounds the four system how to relate to one another. People are born, just behavior of organisms, and with the development of the individual, the people have access to the personal identity, after an internalized process of social values, people have learned to "role expectation and thus" and become a full participant. According to the theory of value from the cultural system, biological quality comes from the behavior of an organism.

Personality system, cultural system and social system between the different levels of the system, it has a minimum of consistency, otherwise, the social system cannot continue. Parsons in personality system used in the consistency of the keyword "internalized". Internalization is the cultural value orientation and role expectation absorbed by personality system in the process. In the process, individual demand intention by culture value orientation and looks forward to the guidance and the shaping of characters. Internalization is a kind of social mechanism. In the concept of Parsons, social structure and social system are equivalent. It is not a substantive specific social organization structure, but restricts the specific type of role interaction of abstract specification model. Action system's basic institutional structure is decided by the system which must meet the functional requirements of the function, and to maintain social equilibrium which is appropriate and useful, and which is in the control system structure and the process of running conditions. The functions of the interrelated constitute the functional system. In order to survive and continue, each social system or subsystem has four characteristics that must be met. These are functional needs of the system, "a complex of activities directed towards meeting a need or needs of the system." (Ritzer, 1992). The first two are necessary for survival and continued operation, with the last two being a means of regulation of the social system. These functional needs can be remembered by the acronym AGIL.

- 1) Adaptation (A). Each system exists in an environment, and must be able to adapt to this environment. In the process of adaptation, the environment is also affected and may be adapted to the society. This is the mobilization of resources so that the system can survive and that things can be done to meet goals of the system. In the family or household, adaptation could include obtaining economic resources -- earning an income to support the family. For larger social systems, the economy is the system which allows the system to survive, grow, and change. The major institutions in the economic sphere, such as agriculture, industry and services provided through the market are the means by which adaptation takes place. These serve the function of allowing the system to survive and provide the goods and services required for society to operate. As economists describe the economy, there

are many equilibrating mechanisms within the economy that produce order. The market mechanism itself can be regarded as a system that has some tendencies in the direction of stable equilibrium. Some of the government institutions relating to the economy also help serve this function. It is noted also how the economy as a system modifies the natural environment.

2) Goal Attainment (G). Each system has certain purposes associated with it. The goals of the system must be defined, means of attempting to achieve these goals must be laid out, and then these goals must be achieved. Within the social system, the polity (political sphere and government) is an important aspect of this, setting and altering the goals for the society as a whole, and “mobilizing actors and resources to that end” (Ritzer, 1992). The state bureaucracy and other organizations – business and nonprofit – all help to implement and achieve these goals. Smaller scale institutions also have goals, for example, the University of Regina as a system has the goal of teaching, research, and community service. Within a family or individual system, there will also be goals, although these may not be so clearly spelled out as in formal organizations. Each organization, as a subsystem, has certain goals, and within this there will be positions with roles to play in helping the organization achieve these goals. Within a business, there will be marketing, production, finance, etc. positions that each has specific roles within the context of attempting to make profits for the business and help the business expand. Within the family, husband and wife, parents and children are each statuses with roles for meeting family goals.

3) Integration (I). This is the means by which social relationships, and interrelationships among units or groups, are regulated. “By integration Parsons Means the need to coordinate, adjust, and regulate relationships among various actors or units within the system ... in order to keep the system functioning” (Wallace and Wolf, 1995).

As various social processes functions occur, strains, tensions and conflicts may emerge. These are a result of the way that individuals are related to each other, and as different units carry out their tasks and roles that need to be done in a system, means of managing these tensions, diffusing and resolving conflicts and ensuring that

orderly means of carrying on activities can be ensured. At the level of society as a whole, there are a variety of institutions that do this. Religion, education, the media, the legal structures – police and courts – all play a role. Ritzer refers to these as societal community. Any institutions that help disseminate the shared culture, and reinforce “that culture through ritual celebrations of its values” (Cuff et al., 2006) help in this. Sporting events could be seen in this light - anthems, rules of the game, common allegiances, etc. Where strains are great, there may be a need for social control, formal and informal sanctions, or discipline to enforce order. In general, Parsons thought that systems develop automatic means of integration, and roles and organizations to help carry this out to develop. Within subsystems, there is a set of roles that do this, although these may not always be specialized.

4) Latency (L) or pattern maintenance (P). This is the function of pattern maintenance and Parsons also refers to this as the cultural-motivational system (Parsons, 1951). These are referred to as latent because they may not always be as apparent as the A, G, or I functions. For Parsons, “All institutionalization involves common moral as well as other values. Collectivity obligations are, therefore, an aspect of every institutionalized role. But in certain contexts of orientation-choice, these obligations may be latent” (Parsons, 1951). Even though these exist they may not be readily apparent and thus are latent. The test of their nature would be to determine the actors’ reaction in a specific situation.

The organizations and roles that perform latent functions can be regarded as those that “furnish, maintain, and renew both the motivation of individuals and the cultural patterns that create and sustain this motivation” (Ritzer, 1992). Parsons refers to these as fiduciary, which is, founded on trust. At the level of the social system, these are schools, educational institutions, and the major institution that is concerned with the latent function is kinship and family or other forms of personal relationships. Within this, leisure, affection, love, sex, and friendship, can all play an important function. People provide comfort, consolation and relief to each other, thus reducing tension or keeping it within manageable limits. In addition, socialization is a major function with respect to the raising of children, and also with respect to the ongoing socialization that occurs through over the life span. For Parsons, the

role of women is the key here, as will be seen in the following section on the family. Within organizations, there may be little of the latent functions as an explicit part of the organization, but people within any organization develop these themselves, or come to the organization with these functions developed.

The AGIL functions must exist at all levels, in society as a whole, and in each subsystem. These may not be consciously worked out functions, and roles and functions can be shared among organizations or individuals. In traditional societies, most of these functions would have been centered in family and kinship structures, and in local communities. In these societies, there may have been little differentiation in functions, although culture and the integration function often came to be associated with religion. As societies have developed, these functions tend to evolve, with different institutions developing different functions, and with different functions developing within each organization. Specialized functions and roles develop, and specialized institutions to carry these out also evolve, and it is best to have specialized roles and specialized institutions to carry out the functions of a modern complex society. These may develop in an evolutionary fashion, without any conscious consideration, much like Durkheim's "natural" development of the division of labour. Or, as in bureaucracies, they may be consciously worked out organizational structures. Some of this can be seen by examining Parsons's view of change.

5. Model of social evolution

Parsons believed that the social structure differentiation include four basic processes. The first step, that is, a system or unit is decomposed into two systems or processes. The structure and function of the new unit or system, with the original structure and its function is different. The second step is to adapt to the ability to rise. Adaptability refers to a society overcoming all kinds of difficulties and achieving the goal of all kinds of environmental capacity. The result of the social structure differentiation increases social unit of resources, reduces, thus improves the ability to adapt. The third step is to accommodate, it is the personal status background as the standard of social organizations to expand social organization to accept all kinds of

people. If a society is able to accommodate the new unit and system, its base is more stable, the efficiency will improve. The fourth step is worth generalization. Value into a highly differentiated modern society provides the abstract model and the basis of unity. As differentiation degree rise of abstract shared value instead of the trend of various special specifications, system model is one of the most significant changes that take place in the evolution (Linfei, 1997).

As for the cause of social change, Parsons believes that caused by the social structure differentiation system of internal tension imbalance and disorder is the cause of social change. On the one hand, the structure to differentiate itself will bring subsystem of complicated boundary relationship. On the other hand, the internal structure of each subsystem differentiation level of speed and often inconsistent, and often break the balance of the relationship between the original boundary, creates tension in the relationship between subsystems and disorder. These increase the difficulties of the social integration. Of course, there are some disorders that can be recovered by system internal mechanism of the regulation, in this case it will not appear the instability of the whole society; the only is the social internal structure which remains almost the same individual structure adjustment. This is the internal social changes. Once the imbalance between the subsystems becomes very sudden and sharp, it is beyond the scope of the adjustment mechanism of social control, when the original social structure cannot continue, there will be a comprehensive social change (Linfei, 1997).

It is noted, Parsons in the study of social change in research methods and theoretical concept has certain characteristics. He avoided the disadvantages of traditional method of causal determinism, emphasizing the interaction between the parts within the system and interdependence, emphasis on the border of the relation between subsystems, thus the research in sociology and history provides a new Angle.

6. Middle functional analysis paradigm

Robert K. Merton represents another major structural functionalism. He develops the structure function method, put forward the concept of explicit function and potential function, distinguishes between positive and negative functions, and introduces the concept of feature selection.

Merton made important refinements to functionalist thought (Macionis, 2011), he fundamentally agreed with Parsons' theory. However, he acknowledged that it was problematic, believing that it was too generalized. Merton tended to emphasize middle range theory rather than a grand theory, meaning that he was able to deal specifically with some of the limitations in Parsons' theory. Merton believed that any social structure probably has many functions, some more obvious than others (Macionis and Gerber, 2010). He identified 3 main limitations: functional unity, universal functionalism and indispensability (Ritzer, 1992 cites in Gingrich, 1999). He also developed the concept of deviance and made the distinction between manifest and latent functions. Manifest functions referred to the recognized and intended consequences of any social pattern. Latent functions referred to unrecognized and unintended consequences of any social pattern (Macionis and Gerber, 2010).

Merton criticized functional unity, saying that not all parts of a modern complex society work for the functional unity of society. Consequently, there is a social dysfunction referring to as any social pattern that may disrupt the operation of society (Macionis, 2011). Some institutions and structures may have other functions, and some may even be generally dysfunctional, or be functional for some while being dysfunctional for others. This is because not all structures are functional for society as a whole. Some practices are only functional for a dominant individual or a group (Holmwood, 2005). There are two types of functions that Merton discusses the "manifest functions" in that a social pattern can trigger a recognized and intended consequence. The manifest function of education includes preparing for a career by getting good grades, graduating and finding good job. The second type of function is "latent functions", where a social pattern results in an unrecognized or unintended consequence. The latent functions of education include meeting new people, extra-curricular activities school trips (Macionis. 2011). Another type of social function is

"social dysfunction" which is any undesirable consequences that disrupts the operation of society (Macionis, 2011). The social dysfunction of education includes not getting good grades, or a job. Merton states that by recognizing and examining the dysfunctional aspects of society we can explain the development and persistence of alternatives. Thus, as Holmwood (2005) states, "Merton explicitly made power and conflict central issues for research within a functionalist paradigm".

Merton also noted that there may be functional alternatives to the institutions and structures currently fulfilling the functions of society. This means that the institutions that currently exist are not indispensable to society. Merton states "just as the same item may have multiple functions, so may the same function be diversely fulfilled by alternative items" (Holmwood, 2005). This notion of functional alternatives is important because it reduces the tendency of functionalism to imply approval of the status quo.

Merton's theory of deviance is derived from Durkheim's idea of anomie. It is central in explaining how internal changes can occur in a system. For Merton, anomie means a discontinuity between cultural goals and the accepted methods available for reaching them.

Merton believes that there are 5 situations facing an actor.

1. Conformity occurs when an individual has the means and desire to achieve the cultural goals socialized into him.
2. Innovation occurs when an individual strives to attain the accepted cultural goals but chooses to do so in novel or unaccepted method.
3. Ritualism occurs when an individual continues to do things as prescribed by society but forfeits the achievement of the goals.
4. Retreatism is the rejection of both the means and the goals of society.
5. Rebellion is a combination of the rejection of societal goals and means and a substitution of other goals and means.

Thus it can be seen that change can occur internally in society through either innovation or rebellion. It is true that society will attempt to control these individuals and negate the changes, but as the innovation or rebellion builds momentum, society will eventually adapt or face dissolution.

7. Theory of Harmony Management

Harmonious sharing theory is the basic idea of how to form a harmonious state in each subsystem, so as to achieve the goal of overall harmonious sharing. The substance of harmonious management is the organization to achieve its goal, the change of environment, the harmonious theme of resolution, by means of optimization and uncertainty reduction to provide solutions to problems of practice. It is referred the harmonious theme: in a specific environment, in the process of interaction of people and things elements produced by core organizational issues."

In Chinese history and culture, it has always attached great importance to harmony, two thousand years ago, the pre-qin thinkers Confucius put forward the importance of social harmony, but also allowed people to have different ideas, so as to realize interpersonal relationships, the harmonious development of the internal environment and external environment. And it refers to many factors, elements of conflict, rather than the same kind of factors and elements together. "And" is the basis and source of change in all things, is also a state of presence, in addition, and is also a principle, namely "and" to streamline the various relations, deal with all kinds of conflict, the conflict to fusion.

Harmonious management theory is the Chinese scholar professor Xi (1987) put forward a kind of management theory, theory of harmony is the basic idea of how to form a harmonious state in each subsystem, so as to achieve the goal of overall harmony. The substance of harmonious management is the organization to achieve its goal, the change of environment, the harmonious theme of resolution, by means of optimization and uncertainty reduction to provide solutions to problems of practice. It is referred to the harmonious theme: "in a specific environment, in the process of interaction of people and things elements produced by the core problem." (Xi, 1989) "Harmonious Theory"

Harmony theory is based on the framework of system theory and system analysis, the core of its theory basis is: any system between and within the various elements are related, and there is a sense of harmony mechanism system purpose. The harmonious mechanism in the largest extent and efficiency is the same. In real life, not existence of the harmonious state is absolute, while harmony is relative,

harmonious management is the purpose of the system by the disharmony gradually approaching the harmonious state. (Xi, 1989)

Harmony theory started from the system of negative effects. Harmony theory considers an integrated system status, the negative effects of system, therefore, can be divided into: 1) factor of negative effect; 2) constitute negative effect; 3) organizational negative effect; 4) spiritual negative effect; 5) loss of balance negative effects both inside and outside; 6) overall negative effects such as the six levels of influence. (Xi, 1989)

Xi (1989) thinks on elements, constitute a system, organization, spirit, internal and external coordination and harmony problems in such aspects as overall structure; the basic idea of harmonious management are how to form a harmonious state in each subsystem, so as to achieve the goal of overall harmony. Based on the above point of view, harmonious theory puts forward the concept of two rails, two model. Two rail system organization means and the legal system of the society, it is the system the behavior of members of the border, is a mandatory binding. This is a kind of physical constraints. Two "coordination fields" and "together". According to the definition of Xi, collaborative force field is made up of organization function, the human spirit, morality, and behavior and system culture in the composition of a kind of invisible internal environment. To promote together is the external environment impact on coordination fields of system (Xi, 1987), which is a kind of invisible norms.

Corresponding to the harmonious mechanism, the system optimization can obtain from the following five aspects (Xi, 1989).

- 1) According to the fundamental purpose of survival, resources, manpower and other conditions to determine the reasonable elements and composition, and coordinate with each other.

- 2) According to the system development goals, and determine the reasonable function and achieve the best organizational structure and rigid control mechanism, make the system effective development, achieve organizational harmony.

- 3) Based on the system's mission, objectives, structure, function, structure, quality and so on of the formation and system that can meet the needs of spirit and

culture (i.e. coordination fields), achieve a harmonious internal environment.

4) According to the fundamental purpose and external development of system changes, the formation of system makes full use of to promote together to promote and maintain mechanism adapted to the external environment, to achieve the external harmony.

5) The above process integrated together, makes the system to reach the whole harmonious state, implementing the overall harmony.

Harmonious theory on the basis of above, also gives a "harmonious" measure method, optimization program, and warning system and so on a series of methods, forming a relatively complete system. "We have formed philosophy, human experience to solve the problem of complex, the evolution of society, and all kinds of aspects such as management theory of interactive proves the rationality of the theoretical framework. (Xi, 2005)

Harmonious management theory gave up "planning, organizing, leading and controlling" the basic framework and closely depends on the environment "around the harmonious theme of problem solving study". "At this time, here, it is based on the business under the harmonious theme" discrimination and response.

According to the division of "people" and "object", as well as the management activities often face the uncertainty of "person", "elements of the matching, interactive and combinatorial optimization" and "the complex dynamics of environment", accordingly differentiation "He" and "Heze", "Xie" and "Xieze" two concepts. Among them, "He" is defined as idea, the behavior in the organization and people "meaning" of "embedded", focuses on the person's subjectivity, initiative; directly derived from the He concept "HeZe", and deal with the organization of "uncertainty" of eternal revealed by the concept of law, to coordinate coexistence between people, people and organizations, organizations and organizations, and organization and environment, such as system, rules, contracts, culture, public opinion, the social concept and so on. All is examining the contents of "HeZe". "Xie" refers to all material elements in the organization of "reasonable" "inputs", which is a kind of objective and passive state; "XieZe" as derived concept of "Xie", refers to anything that can be the final element of management issues, and can be quantified

by mathematical or processing pattern according to the target needs to solve. It can be of quality and technical standards, a structure, static, and dynamic. Therefore, the ultimate goal of harmonious management theory is the complex environment full of uncertainty, a series of management problems in this paper, a comprehensive solution, its theory that has occurred, is occurring and will occur. Management phenomenon have wide and good explanatory power and foresight, both close to the precision of the management practice, and can be more simple and easy to operate (Xi and Shang, 2002).

“HeZe” and “XieZe” role together, do not represent the harmonious state of inevitability, but “HeZe”, “XieZe” and organized sports are emerging in the process of the interaction between the harmonious themes. In a given time section, regional and industry organization, you can see the internal rules of progressive “HeZe”, “XieZe” system.

In essence, a harmonious theme, “HeZe”, “XieZe” and external environment related interaction depends on each other, only the first in a certain period to form the coupling among (HeXie Coupling, HC) and maintain the consistency of the relative dynamic evolution together with environment, to promote the adaptation and development of the organization, so as to make the organization a competitive advantage and good performance (Tan et al., 2012).

8. In regard to government planning and evolution of the organic integration of society: the implementation of the complete order

Putti et al. (1998) believed that the essence of management is coordination. Malone (Malone, 2004) also point out that in the new world, to be effective management organization, we need to have a new type of management mode, namely "coordination and cultivate". The coordination is to organize the work, so as to produce good results. Coordination is the purpose of the organization of the activity relationship and the allocation of resources, reasonable arrangement and adjusting optimization, operation order, and promoting the smooth functioning of the organization. Crowston (1991) thinks that, such coordination mechanism generally exists in any environment of organization, and is usually embodied in structure

design, system arrangement, the selection of process planning and resource allocation methods, and other aspects.

Government laws, rules and the optimization and improvement of the social mechanism of artificial, the expected order, social system in the people-oriented and scientific development, incentive and competition, morality and justice, and supervision and the rule of law environment and the atmosphere will be automatically derived evolution order, and the growth of a harmonious society in the full sense of the word order is the sum of artificial order and growth order. However, the organism and the complexity of the social system determines the realization mechanism of these two orders, at work and cannot simply overlay, and should be around the development of the theme of the organic integration. In the harmonious management theory, called the "organic integration" "design optimization of the control system" and "move to change the evolution mechanism of" harmonious theme interaction coupling, in fact this kind of "interactive coupling" is the harmonious management theory which is the most important, the most core proposition (Xi et al., 2006)

Xi (2005), Harmony for a system, the system is to describe system which is formed. The members give full play to the system and subsystem initiatives, creative conditions and environment, overall coordination of activities and members of the system and subsystem.

The theory and practice show that someone involved in the system, such as social development basically follow the law of the evolution, such as Darwin's theory of evolution, the market mechanism of economics, etc. Despite the scientific design of "building socialism" in which is plays a certain role, many human factors and the resulting complex phenomenon, it is difficult to simply come down to the scientific laws of physics.

Harmonious management faces an complex reality, emphasis on human accumulated a lot of knowledge in the field of physics, and pay attention to the use of reason. it is using environment induced by its initiative and creativity, around a harmonious theme, "building socialism" and "evolution", combining with the interaction of people and things, and people with the system on the premise of

autonomy and initiative, to around the "harmonious theme" to "rational design and optimization" and "environment induced by independent evolution" coupling double rules to deal with management issues, namely, to be able to arrange in advance, use scientific methods to solve, with the scientific design and optimization to solve.

Brief comment:

1. Through the review of the development and viewpoints of structural function theory, experts' research on social structure and function provides a paradigm for organizational, institutional, and policy research:

2. The method of researching social behaviors created by Parsons--the analytical framework of goals, established a set of models on the subjective orientation of social behavior, the institutionalization of social behavior, and the survival and development mechanism of social behavior research theory.

9. Modernization Theory

Modernization theory is used to explain the process of modernization within societies. Modernization refers to a model of a progressive transition from a 'pre-modern' or 'traditional' to a 'modern' society. Modernization theory originated from the ideas of German sociologist Max Weber (1864-1920), which provided the basis for the modernization paradigm developed by Harvard sociologist Talcott Parsons (1902-1979). The theory looks at the internal factors of a country while assuming that with assistance, "traditional" countries can be brought to development in the same manner more developed countries have been. Modernization theory was a dominant paradigm in the social sciences in the 1950s and 1960s. Modernization theory both attempts to identify the social variables that contribute to social progress and development of societies and seeks to explain the process of social evolution.

Modernization theories, including modern political, economic, social, behavioral, and comparative research theories, can also be divided into theories of structural schools, process schools, behavioral schools, empirical schools, comprehensive schools, and future schools.

1. **The structural school** is characterized by the theory of structural-functionalism modernization. It is considered that modernization is a transition from a traditional society to a modern society. The fundamental difference between modern society and traditional society is structural differentiation, functional specialization and social integration.

Parsons believes that the process of social development is regarded as the progressive differentiation of social structure and the specialization of social functions. The degree of structural differentiation and the maturity of function represent the level of social development. The basic characteristics of modern society and traditional society, including politics, economy, society, knowledge and culture, constitute modernity and tradition. The transition from the traditionality of traditional society to the modernity of modern society involves a series of fundamental changes in social structure and function and social integration.

Levi analyzed the characteristics of modernization in "Modernization and Social Structure". It summarizes the characteristics and differences in the social structure of modern society and non-modern society: the degree of professionalization of the organization; the degree of organizational function differentiation; the universal nature of ethics; whether state power is centralized or authoritarian; whether social relations are rationalism, Universalism, limited function and emotional neutrality; whether there is a developed exchange medium and market; whether there is a highly developed bureaucracy; and whether the family function is reduced to the direction of miniaturization.

Moore believes that modernization is the overall transition of traditional society to economically prosperous and politically stable societies. He regarded industrialization as the initial cause of modernization. The need to achieve industrialization: in terms of values, the transition from relatives' priority (personality) to performance priority (personal merit); institutionally, the establishment of transferable ownership that can mobilize land and capital for the development of the economy, and the labor that enables the free movement of labor. Market system and commodity exchange system for promoting circulation; in organization, establish specialized, pyramidal bureaucracy and appropriate state financial

organization; cultivate personalistic motivation, performanceist ambition, and upward in personal motivation Enthusiasm, craving for education and enthusiasm for activities

Easton's "Political System" describes a continuous pattern of political modernization, that is, traditional society moves toward modern society through self-proliferation. In his "Politics in Developing Regions", Almond pointed out that the developed political system is a characteristic of modern society, and the underdeveloped political system is a characteristic of traditional society; all political systems are culturally mixed, with tradition and modernity. The combination of ingredients, such as welfare, social class mobility, religious secularization, education popularization, scientific knowledge, information dissemination and population control.

2. The process school pays attention to the process of modernization rather than the result of modernization. Modernization is the process of transforming from an agricultural society to an industrial society. This process includes a series of development stages, and modernization theory is a statement of this process.

Rostow published the "Economic Development Stage" in 1960, stating that all social development can be divided into five stages according to economic indicators: the traditional social stage; the stage that creates the premise for take-off; the take-off stage; the mature stage; High mass consumption stage. In 1975 he added another stage, the pursuit of quality of life. He believes that in the preparation stage, agricultural productivity is rapidly increasing, social infrastructure is more effectively established, new spirits are developed in society, and a new entrepreneurial class emerges; the take-off phase is the key, and it takes a long time to remove obstacles to economic development. In order to achieve industrialization and the establishment of the industrial sector; after the technology spread from the industrial sector, the economy and society will be mature and then transition to a consumer society. Obviously, Rostow's modernization is a continuous development model. He emphasizes the role of economic development and industrialization, while noting the role of the spirit and continuing Weber's thinking.

Black (1996) divides modernization into four stages in the "Dynamics of Modernization". First, the challenge of modernity, the concept of modernity and institutions, the emergence of modern advocates, all of which have led society to meet the original knowledge confrontation. Second, the stability of modern leadership, and the transfer of power from traditional leaders to modern leaders. In the process, sharp revolutionary struggles usually last for generations. Third, economic and social transformation, economic growth and society. The change reached this level: the society shifted from the rural-agricultural-based lifestyle to the urban- and industrial-oriented lifestyle. Fourth, social integration, economic and social transformation led to the restructuring of the entire social structure.

Huntington summed up the nine characteristics of the modernization process. (1) The modernization process is a revolutionary process, which is based directly on the comparison between modern society and traditional society; (2) Modernization is a complex process, and the modernization process cannot simply be summarized into a certain factor or a certain scope. (3) Modernization is a systematic process. Changes in one factor will link and influence changes in various other factors. (4) Modernization is a global process. Modernization originated in Europe in the 15th and 16th centuries, but it has now become the phenomenon of the whole world; (5) Modernization is a long-term process, and the whole changes involved in modernization take time to resolve; (6) Modernization is a staged process, and all processes of modernization of society may distinguish different levels and stages. (7) Modernization is a process of homogenization. Traditional society exists in many different types, but modern society is basically similar. (8) Modernization is an irreversible process, although temporary setbacks and occasional occurrences may occur in some aspects of the modernization process. Regression, but modernization as a whole is a long-term trend; (9) Modernization is a process of progress, and the impact of modernization is very large and profound. Cost and pain are also great, but in the long run, modernization has increased the cultural and material happiness of all mankind.

3. The behavioral school emphasizes the importance of psychological and behavioral shifts in modernization.

Ingles ("Towards Modernity") "If people in a country lack a broad and modern psychological foundation that can give life to the advanced system, if the people who master and use the advanced system themselves are still psychologically, ideologically, attentively and behave without a transition to modernity, failure and malformation are inevitable." It is considered that in any society and in any era, people are the most basic factor in the process of modernization. Only the people have changed their minds and behaviors, forming a modern personality. The modern political, economic, scientific, educational, and cultural institutions have personality modernity, and this society can become a modern society.

McClelland believes that the economic development of a country is related to the country's achievement dynamics. Different stimuli, or encouragement or inhibition of a certain behavior, can lead to changes in behavior, causing or strengthening the formation of certain behaviors. The social system is an operating system, and everyone is part of the operating system. Changing the constraints of an operation can change a person's behavioral pattern.

4. The empirical school believes that modernization is an actual historical process.

Huntington (1996) "Political Order in a Changing Society" puts forward the theory of political order. He studies the political decay, power transfer and political changes in some countries, and proposes that political modernization involves the rationalization of authority, the separation of structure and the expansion of political participation.

Kuznets (1971) "Modern Economic Growth: Discovery and Thinking", analyzing the gross national product and its components, population, labor, etc., draws six characteristics of modern economic growth: First, the per capita output growth of developed countries rate and population growth rate are high; second, productivity is increasing fast; third, economic structure is changing rapidly; fourth, closely related and extremely important social structures and their ideologies are rapidly changing, and sociologists have adopted cities. And secularization as part of the modernization process; fifth, the economically developed countries use technological power to

strengthen, especially the technical strength that has been enhanced in transportation and transportation, and the tendency to expand to the rest of the world. The spread of economic growth, although effective around the world, is still limited.

5. The comprehensive school studies modernization from different perspectives such as sociology, economics, political science and psychology.

"The Motive Force of Modernization - A Comparative History Study", Black (1966) analyzed the changes in modernization in five aspects: knowledge, politics, economy, society, and psychology. He used five methods of comparative historical research to select five. Factors are compared.

Eisenstaedt believes that any system in order to maintain its own existence and obtain resources from all aspects of society must inevitably bring about a certain degree of institutionalization of activities, roles and organizations; any system, whether political, economic or cultural, there are inherent tendencies of change, and it is the institutionalization of the system that makes change possible. He sees modernization as a process of high structural differentiation, social mobility, and larger, unified, and centralized institutions.

7. The future school, focusing on future development, puts forward the idea of post-modernization and post-modern society.

Bell (1973) published "A Study of Spiritual Communication in Post-Industrial Society: A Study of Social Prediction." he introduced the Cultural Contradiction of Capitalism. Bell believes that social development includes three interrelated different stages: pre-industrial society, industrial society and post-industrial society; pre-industrial society is mainly distributed in Asia, Africa and Latin America, industrial society in Western Europe, the Soviet Union and Japan, and post-industrial society United States

Brief Comment:

1) Modernization theory takes the study of modern economic and social development as the object, summarizes the process and experience of civilization evolution since human beings entered the industrial society, and puts forward the principle of universality and the ideological and theoretical achievements reflecting

the common spiritual wealth of mankind.

2) The modernization theory summarizes the historical process of human social development and summarizes the experience of social development. ◦

3) Modern society has certain characteristics, including: democratization, legalization, industrialization, urbanization, equalization, welfare, etc.

4) The general process of modernization is to use science and technology to focus on economic construction and to promote the political and cultural development of society, including the historical process of social change, including people's values, lifestyles, and social psychology. The modernization process of a country or region should be a process of comprehensive and balanced development in economic, political and cultural aspects.

10. Institution and Institutional Change Theory

In the new institutional economics, North (1990) refers to institution consists of three basic elements: 1) Informal Constrains. It includes value beliefs, ethics, morality, customs and habits, ideology, and so on factors, of which the core is ideology. Ideology is a set of beliefs about the world; they tend to morally judge the division of labor, income distribution and social structure of the system. The main economic function of ideology is to cut down the cost of information, can effectively avoid the "free-rider" problem, reduce or increase the cost of system implementation. 2) Formal Constrains are the people consciously creating a series of policies and regulations, including political, economic rules and contracts, and a series of rules of hierarchy, their common constraints of the behavior of people. 3) Implementation mechanism. Because of the complexity of the exchange, people's bounded rationality and opportunism, behavior motivation, and incomplete information, and so on factors, it is necessary to set up a system implementation mechanism. System whether effective, besides itself is perfect, and also depends on whether enforcement mechanism perfect. (North, 1990)

In the real economic life, system implementation of the general is a country, because the system is a kind of "public goods"; At the same time, different levels and different types of organization and institutional change of subject of action, because the organization is "the game" or game players, there are in the process of game and interactive relationship of game rules.

The institution formed in the interpersonal interaction relationship, decided to social and economic incentive structure and its function mainly reflects in four aspects:

- 1) Lower transaction costs. Transaction costs from the transaction factor and human factor, the former depends on the number of market uncertainty and trading main body, the latter depends on the person's bounded rationality and opportunism tendency. When there is transaction cost, the system will play a role.
- 2) Create cooperation conditions. Traditional economics emphasizes the competitive relationship between the economic subjects, and neglecting the cooperation bring efficiency improvement. Institutional economics believes that the function of the system implementation has economic value, can provide information about economic main body action, make the economic cooperation in understandability and predictability, promote the cooperation and exchanges between the main bodies, and reduce the cost of acquiring and using information, so as to reduce the factors hindering cooperation to a minimum.
- 3) Take shape incentive structure. The institution to promote, encourage, restrict what information, guide people's action direction, constraint people's opportunism behavior tendency, change people's preferences, and influence people's choice. Institutional formation of the incentive and constraint mechanism, is beneficial to the improvement of the overall economic performance.
- 4) Reduce outside effect. The institution of function mainly through property right definition's to implementation. On the basis of clear property rights, the introduction of the market Price mechanism, can effectively identify the degree of influence each other and their responsibilities. Specify a different benefit main subject and the rights of the damaged can make social cost and individual cost personal benefits, social benefits and converged, reduce externality.

Institutional change refers to a kind of innovation and the institutional framework has been broken. Depend on the economic subject, can be divided into "bottom-up" and "top-down" institutional change of institutional change. "Bottom-up" institutional change, it is to point to by an individual or a group of people, lured by new institutional profit opportunities, spontaneous advocacy, organization and implementation of institutional change, also known as the induced institutional change. "Top-down" institutional change, it is to point to by the government as the main body, the government ordered and introduce and implement the institutional change of legal form, also known as the mandatory institutional change.

The famous American economist North (1990) rediscover institutional factors in the study has an important role in economic development. The system as exogenous variables, economic growth can be described as capital, labor and technology parameters of the function. Use statistical methods to analyze some countries and regions and in the history of the economic growth of the industry, and even China's household contract responsibility system, (Li, 2008) trying to digital analysis of the process of economic growth. North in the rise of the western world, that institutional factors is the key to economic growth, a kind of can provide effective incentive system is the guarantee for the individual the decisive factor of economic growth, in which property is the most important. "An efficient economic organization in the development of the Western Europe is the cause of the rise in the west".

North (1990) thinks that property right structure mainly promote institutional change in the following ways:

First of all, depend on the property right structure to create efficient markets. The validity of the theory of new classical economics holds that market must rely on sufficient competition. North the study found that the effectiveness of the market means fully defined and the exercise of property rights, it means creating a set of constraint variables to promote the productivity. In the face of incomplete information market, property right structure and its exercise and confirmed can reduce or eliminate the uncertainty. North thinks, market inefficiency property right structure is the root cause of inefficient, so an important content of system

innovation is the innovation of the property right structure., on the other hand, the change in the technology, more efficient market developing and will eventually lead to conflicts with the original property right structure, property right structure and form the relatively inefficient. This case will need to adjust the structure of property right, property right structure innovation.

Second, rely on the property right structure to promote technological progress. North thinks, the rate of technological progress, is due to the expansion of the market, and from the inventor invented the possibility of a larger share of income can obtain. Investment in new knowledge and development of new technology of for-profit needs in terms of knowledge and innovation to establish some sort of property rights, if the lack of property rights, the new technology available, will lose the mother of invention. Although the development of new technology of the social yield is always high, but look from the history development is slow the pace of the new technology, the problem is "not in innovation to create a system of property rights". A set of technological change, improve the innovative private returns to make it close to the social returns of incentive mechanism is to define the property rights of innovative." Trademark, copyright, trade secrets and patent law has invented the creator is dedicated to provide you with some degree of exclusive rights".

North make Arthur (1988) the argumentation on the self-reinforcing during the evolution process of phenomenon to institutional change, the path dependence of institutional change theory is proposed. North interpreted "path dependence" as "in the past to the present and the future of the strong impact", and points out that "history is, indeed, play a role, our today's decisions, all kinds of choice in fact influenced by historical factors. North (1990) thinks, the process of institutional change and technology change process, there are increasing returns and self-reinforcing mechanism. This mechanism makes institutional change once on a certain path, established direction of it in the later development of self-reinforcing. So, people used to make a decision on the choice of their possible choices now. Along the established path, the changes of the economic and political systems may enter the virtuous circle track, rapid optimization;

May also be slipping down the wrong path, or even be "locked" (the lock - in) lead to stagnation in some inefficient state. Once inside the lock state, to get rid of it is very difficult.

Self-reinforcing mechanism of institutional change has four manifestations:

(1) Design a system needs a lot of initial setup costs, and along with the implementation of the system, the cost per unit and the additional cost will be decreased. (2) The learning effect. By learning and mastering system rules, it will help decrease the cost of change or improve earnings, will promote the generation of new system and accepted by people. Speed is a function of the learning speed and institutional changes but change direction depends on the expected return of different knowledge. (3) Coordination effect. By produced for the system of organization and other organizations of the contracting parties, and has the benefit, the organization and further investment of system and realize the coordination effect. (4) Adaptive expectations. When system bring a lots great benefits to people, people of produced a strong and widespread expectations or identification, so that the system is dominant. Basis on the specific system of contract, will reduce the uncertainty of the system lasting. (North, 1990)

From the perspective of economics, property rights, human nature, efficiency, is the three core concepts of system analysis. Property rights and property rights system, human nature and human behavior, behavior, efficiency and system efficiency, is the three core issues of system analysis. The logical relationship between the three is: property right system decision behavior characteristics; People's behavior decision system efficiency; Efficiency improvement to promote institutional change; Institutional change to transform people's behavior. Three core concepts, and the cycle of interaction between and among causal relationships, dependencies, and running mechanism, is the research object and contents of the system analysis. The pursue of happiness and the human development, is present throughout the system analysis of the main line. (North, 1990)

Peter et al. (1999) argued that North's research pointed out the importance of path dependence and culture to the system, but did not explain how "historical influence" played a role and proposed the concept of institutional stickiness.

Boettke et al. (2008) and others provide a framework for understanding the viscous system based on the regression principle. Under the institutional stickiness framework, institutional change is an institutional state associated with the previous local agents.

Ali Burak Gilven (2009), based on the continuation and change of the Turkish agricultural system, studied the change of the sticky system and explained the dynamic sustainability of the agricultural market governance model in Turkey by constructing a research framework that is different from institutional sustainability and institutional flexibility.

Brief Comment:

1) Institutional change in the vision of economists, “external profit” is the driving force for institutional change, and the new system will only occur when the expected return is greater than the cost. New institutional economics studies institutions from the aspects of property rights, contracts, and transaction costs. North emphasizes the inducement of institutional change, but ignores the important role of political processes.

2) The research of Peter and other scholars combines the interaction of exogenous system, endogenous system and local factors, and its impact on economic growth. From the perspective of development economics, it studies the institutional changes and proposes the system viscosity. The new concept, and from the socio-cultural factors to build and examine the impact of institutional stickiness.

11. The Man-land Relationship Theory

The scarcity of land and irreplaceability in production life, make the land become a permanent property, and for generations of countries, groups and individuals to fight for the goal. If who have the land rights, that means have the political privilege and status in society, so American land economist Ely (1982) said “the political and the society power is interrelated with the land rights.” Use the land economics to study how to improve the life condition, from the land use process’s people and people relationship. Raleigh Barlowe in “land resource economic ” said “ Land rights is the key factors that often determine a person's

economic, social and political status”(Barlowe, 1989)

The Man-land relationship theory come down to many factors and many discipline, in the land economics research, the man-land relationship is land allocation and land utilize, is the problem at productivity organization and coordination, That people occurred in the process of use of land, the direct and indirect relations can be embodied in land allocation problem, or land system problems or social issues.

In the 17th century western cultural geographers study the problems of the land use, first proposed to man-land relationship, referring to the relationship between human and nature. Malthus population theory, emphasizes population proliferation inhibition of social development. Marx pointed out that the relationship is the essence of the relationship between human and nature, and puts forward the principle of population and economy coordinated development. Barrows and RCXBY successively put forward in the 1930 s researchers in relation to explore the possibility of use and the use of human to the environment, after 60 s in people again to the theory of relationship between people and the environment coordination theory, analysis the relationship between human and environment, to seek harmony with the natural environment harmonious human life. Spengler in 1972 published the "economics of population, population growth and consumption demand, is mainly the relationship between natural resources and investment. In recent years, as population growth, the contradiction between social and economic development and natural environment in deepening, "population, resources, food, energy and environment" structural imbalance problem has increasingly become a global issue of common concern to.

Ely (1982) “the success land utilize is based on understand of land characteristic” Farmland is one of the main natural resources, also is the basis of agricultural production, it has the nature, economic and social characteristics Now Man-earth relation connotation extension to many field "population, resources, food, energy, environment" of the overall framework and pluralistic structure, to find a solution to the human social and economic development and resources and environment of coordination and balance.

12. Property Rights Theory

Western classic economists Coase (1960) consider as property rights is the right to property owned by the economic parties. Coase believes that the effective condition of resource allocation "Pareto optimality" is: transaction cost is zero, The boundary of property rights is clear and the transaction is voluntary, that is, the "Coase Theorem"

Demsetz (1991) consider as property's essence is a right of excludability. The main function of property rights is to guide people to internalize externalities to a greater extent. Demsetz also raised the view that property rights are incomplete. He pointed out that because some agents have the right to change the ownership structure and control some of the private rights, the property rights become crippled, so that resources can not be allocated to the most effective users by means of transactions. The incompleteness of property rights limits the transferability of property rights in a certain sense while retaining exclusivity.

Pejovich (2009) through the summary of the literature of property right theory, consider as property right is the authority responsibility profit relationship be from that process, it is people surrounded to property (object). Its form is a person's relationship to the content, nature is the interests of the relationship between property right main bodies. Property as a social tool, its importance lies in the fact they can help a person to form the reasonable expectations, he traded with other people is the expected expression is obtained by social laws, customs and ethics. Property including a person or benefit or damage the interests of others. Property is by law, custom, such as moral, definition and expression, recognized by people to each other about the rights of the property, generally can be decomposed into ownership, possession, use, usufruct and disposition. System of property right is defined as a result, once a certain system arrangement determine later, got to determine property right arrangement is correspondingly.

Epstein (1995) consider as, Legal protection of property rights is the effective use of various resources, if there is no such protection, people won't go to the development and utilization of resources. Because any others can will hold for the development and utilization of existing; He put forward the property system

efficiency standards: universality, namely any valuable resources should be owned by someone; Exclusive, that is, to the private ownership to reject the others of utilization of resources; Transfer, namely the property rights can be traded through voluntary, from the low value users transfer into the hands of the users of high value, so as to realize the maximization of resource utilization value.

Therefore, the relationship between property rights and ownership is neither a split each other are not mutually coordinate, but the whole and local interests.

Understand the concept of property rights, to clear two questions: one is that the property rights and ownership; second, the property rights and right in rem. Property right is a set of rights, and when it has focused on a subject, is the equivalent of ownership, that is, the property rights and ownership in concept is coincidence. But property rights also can be decomposed, complete property rights is decomposed, such as relative relationship will not be with ownership. If a person have a right to the use of something (via the market contract or regulation), and can't say that he shall enjoy the ownership of the material. And focus on the real right status description of proprietor owns something, pay attention to the economic activities of human behavior and property (Yang and Xie, 2005).

Property rights are theoretical socially-enforced constructs in economics for determining how a resource or economic good is used and owned. (Alchian, 2008).

Resources can be owned by (and hence be the property of) individuals, associations or governments. (Alchian, 2008). Property rights can be seen as an attribute of economic interests. This attribute has four broad components and is often referred to as a bundle of rights: (Klein, Daniel B. and John Robinson) 1). the right to use the good; 2) the right to earn income from the good; 3) the right to transfer the good to others; 4) the right to enforce property rights.

Zhang Wuchang believes that the progress of society lies in the possibility that people can recognize and choose property rights systems and arrangements that can reduce transaction costs. "Private property rights must include three rights: one is private use rights; the other is private income enjoyment rights; the third is free transfer rights. Zhang Wuchang believes that measuring the strengths and weaknesses of a country's institutions and systems and their pros and cons Generally, it is

determined by maintaining the degree of customization and the cost of operating the system. Whether it is sub-leasing, rent-fixing or landlord self-cultivation, the land use efficiency is the same. If the property rights are weakened or the government excessively intervenes in resource allocation, It will lead to the inefficiency of resource allocation. If it can be determined that the land is private property rights, the property rights system is clarified and the land is allowed to be freely transferred, which will make the production factors and land more efficient. (Chen, 2010)

In economics, property is usually considered to be ownership (rights to the proceeds generated by the property) and control over a resource or good. Many economists effectively argue that property rights need to be fixed and need to portray the relationships among other parties in order to be more effective.

Brief comment

It can be seen from the study of property rights theory, that land property rights relationship refers to a behavioral relationship recognized and guaranteed by law, due to the existence and use of land. It can be seen, that land property rights are a kind of property ownership power protected by relevant national laws and regulations, which includes the right of land use, occupation and usufruct.

Therefore, the core of land property rights is, the sum of a series of land rights generated by people in the process of land management and management under certain social conditions. Land rights include: land management rights, land use rights, and land. Ownership, etc., is the land tenure system, because land tenure determines the ownership of land and the subject of land ownership, and what kind of rights they have.

The theory of land property rights can provide a theoretical basis for the rural land system from the perspective of urbanization. With the continuous development of the social economy, the old land tenure management system has been unable to adapt to some situations, like the relationship between relatively independent economic individuals and the operation of the land. The land's own rights and interests become more and more diversified and show a trend of decentralization. If only study the rural land system reform from the perspective of rural land ownership, can no longer fully adapt to the needs of social and economic

development. must use the property rights theory to conduct in-depth research from the land property rights relationship and the land tenure system.

13. Principal Agent Theory

Principal Agency theory, originated from the reflection of classical economics, new institutional economics party they believe in the "system" is in itself a source of economic growth - item (endogenous variable), the internal structure of enterprise organization there exists transaction costs, and with the overall economy is interrelated and influence each other.

According to Jensen and William McLean definition, principal-agent relationship refers to such a sharp or implied contract, according to the contract, specify one or more of the behavior subject to hire other agents to provide services, and provide the quantity and quality of pay according to its corresponding remuneration. And some economists, such as Pratt and Zeki good expression of principal-agent relationship more direct, simple thought as long as a person is dependent on another person's activities, the entrusted agency relationship is created. Managerialist and economists made a further explore the principal-agent relationship, and points out that the principal and agent inconsistencies or conflicts in incentive and responsibility as well as the information asymmetry, agents may deviate from the interests of the principal or not loyal client intention and take opportunism behavior, moral hazard and adverse selection, and subsequently and the cost of the principal-agent problems with good operation of the principal-agent relationship. (Lu and Guo, 2004)

Form a balanced to meet two conditions:

1. The participation constraint. Cannot be lower than the agent to perform the contract after, such as a book income, income level, the clients give agent cannot under the same condition to other client to offer the benefits of water yield level, one can do to ask conditions such as the client can give other levels of income.

2. The incentive compatibility. The agent activities in accordance with the contract to maximize its benefit as the principle, and to ensure that the delegate can maximize expected earnings. These two conditions is also to the design principle of incentive mechanism.

In the principal-agent relationship, the two sides take uncooperative attitude, through the game to achieve both get, is often not optimal. Instead, the two sides take the attitude of cooperation, to achieve the balance of the general good for all parties, which can realize the win-win purpose. Theory assumes that division of labor is beneficial. Most of the process of social interaction, differently experience through their respective different optimal potential, through the division of labor cooperation to achieve the goal of ascension collective welfare.

The generation of agency theory is to eliminate the agency problem, make the enterprise value upward, prevent enterprise value downward spiral. Although the three schools respectively views are offered on the question of agency, also offer solution, but it still has its absence. In terms of school management, general supervision mechanism is composed of the board of managers, although can be internal directors have more information about enterprise internal can restrict managers, but it's possible collusion with management. And although the outside directors to exceptional status supervision and enterprise operation, but the cause of the stake is small, also can make the supervision of outside directors (Peng, 2017).

Basically, the social life is caused by a series of contract, one side is the "buy side" of goods or services, namely the consignor; Is to provide goods or services on the other side of the "seller", the so-called agents, agent theory assume that this prototype. (Charles, 1986). Jensen and Meckling (1976) thought that agency relationship is a kind of "contract", consignor contract by authorized agents engage in the activities of the consignor, agents in these activities to obtain a certain reward.

But agents because of action of the parties, agents often can fully grasp more information than consignor. This makes the contract information is not symmetrical, and each have in their pursuit of self-interest maximization under the assumption of agents are not always in the best interest of the consignor for the action of the highest standards (Jensen and Meckling, 1976).

How to produce one of the most effective contract, governing the relations

between the two has always been the core of this theory, in terms of the nature of the contract, the contract can be divided into two types (a) the contract behavior orientation, (2) the contract of result orientation, it and enterprise organization is the incentive system or information monitoring system mainly relate to each other. (Wu, 1996)

Academically, "pure" agency theory only three factors, (1) the participants' preferences, (2) the characteristics of uncertain set (3) information can be obtained, with operable mathematical formula of precise calculation. On theory, agency theory put forward some basic questions about organization, which is traditionally failed to clear. Case Such as agency problem arises, is to assume that the consignor and the agent action is motivated by self-interest, but it doesn't say there is no common interests between exist.

Like Fama said. "in fact, the enterprise is made up of individual groups, the group members because of self-interest guide to action; but also know that it is the common fate, how much still depends on organizations, when competing with other groups of survival".(Wu, 1996)

Therefore, the enterprise internal has a potential conflict of interest, and has not cooperation. But the group members will to enterprise's survival and development, and cooperation. In our common interest, overall, the agency theory to the actual situation of life clubs or organizations, is has its explanatory power.

Brief comment:

1. The central task of principal-agent theory is to study, how the principal designs the optimal contract incentive agent in the context of conflict of interest and information asymmetry.
2. Prichipal agency is common in both the social and economic fields.
3. In the relationship between the principal and the agent, the principal pursues the maximization of his wealth, and the agent pursues the maximization of his salary and salary income, luxury consumption and leisure time. The utility function of the principal and the agent is different. Lead to conflicts of interest between the two. In the absence of effective institutional arrangements, the agent's actions are likely to ultimately harm the client's interests.

14. The Related Concept

Land Ownership

Land ownership refers to the ownership of land property right is the exclusive right to completely exists in the land. It includes the ownership of land, land use, land lease, land mortgage, inheritance, easement and other rights. A collection of land rights is a bundle of rights, not only include the ownership, but also include the use, mortgage and lease of creditor's rights real right. The main body of land rights is the collective land ownership and land users, the collective land user and other rights of land; Object is earthy land ownership property, the land area, land use, land use condition, the land grade and price etc. Land ownership and the right to use land rights guaranteed by law. When the state-owned land use rights, collective land ownership, collective land use right and other rights such as changes in land rights, must submit an application by the land right subject, after the ownership audit for registration of change, do hair certificate, otherwise do not have legal effect. Land rights could be stripped due to subject in violation of the provisions of laws, may also be due to some reason end or stop. Land right holder may give up their land rights. Land rights can be through the transfer, lease, exchange, and other forms of transfer. Determine the nature of land ownership, must find out the ownership of the land sources, namely the land owners or users first to obtain the land.

Ownership is the state or fact of exclusive rights and control over property, which may be an object, land/real estate or intellectual property. Ownership involves multiple rights, collectively referred to as title, which may be separated and held by different parties. It is including land property right, land use rights and management rights.

In addition, in order to reasonable use of land, country has made the legal system of land use control. The current land ownership system and the state adopts the system is public ownership, i.e. an ownership by the whole people and ownerships by collectives ownership. Land use right system should be depends on user's use of land ownership nature. In general, farmers use the collectively-owned land is free.

According to the regulations of land management, land property rights in our country is divided into national land ownership and collective land ownership, the state ownership of public ownership by the state council shall exercise the ownership on behalf of the state and land collectively owned by peasants in accordance with the law, shall be owned collectively by the ownership belongs to the village collective economic organizations or villagers' committee. But the connotation of state ownership and collective ownership, collective ownership of land disposal power is strictly limited.

Land tenure system

Land tenure is the relationship, whether legally or customarily defined, among people, as individuals or groups, with respect to land. (For convenience, "land" is used here to include other natural resources such as water and trees.) Land tenure is an institution, i.e., rules invented by societies to regulate behavior. Rules of tenure define how property rights to land are to be allocated within societies. They define how access is granted to rights to use, control, and transfer land, as well as associated responsibilities and restraints. In simple terms, land tenure systems determine who can use what resources for how long, and under what conditions.

Land tenure is an important part of social, political and economic structures. It is multi-dimensional, bringing into play social, technical, economic, institutional, legal and political aspects that are often ignored but must be taken into account. Land tenure relationships may be well-defined and enforceable in a formal court of law or through customary structures in a community. Alternatively, they may be relatively poorly defined with ambiguities open to exploitation.

Land tenure system refers to the behavior main body enjoy property as the object of the sum of all rights. Including the ownership of the property ownership and the power, such as to possess, utilize, seek profits from and dispose of. Property ownership is dominant in property rights, the rights of the dominant from other rights belong to the ownership. Property rights and ownership relationship is not divided each other, nor coordinate each other, but the whole and local interests.

Land property right is a compound concept with sense of law and economics, On law refers to the property rights of land based on land is the objective existence of natural objects of property rights, or is related to the land resource assets are the sum total of all the rights. While on the economics of land property rights refers to the people around or through land the property and form relationship of economic power, is based on the social attribute and function of capital according to law of land economics theory and capital operation and the establishment of the beam, set all kinds of land rights as one of the rights. As farmland property system import content, the farmland property right system also is compound concept between with theory of law and economics, Namely: farmland property rights refers to the established in farmland above the objective existence of natural objects, according to the social attribute and function of capital according to law of land economics theory and capital operation and the establishment of the, set all kinds of land rights for the integration of agricultural land property rights. (Jian, 1984).

According to occupy farmland ownership subject, farmland property right system can be divided into farmland property rights system and agricultural public property system. Under the socialist system in China, mainly state-owned rural land ownership system and collective rural land ownership system. Part of farmland property rights system refers to the farmland collective ownership socialist laborers' joint possession, and internal members to earn profits and seek for the collective welfare of property right system.

The rural collective land property rights of collective members exclusive, and within the members also have exclusive. China's rural collective land property rights definition: the rural collective land property rights is the rural collective members in its equality, democracy on the basis of the formation of the collective will, on the land to possess, use and disposal of a set of rights.

Brief comment:

The land tenure system defines different stakeholders, including: the status of the land use and social relations of the state, corporation, and unincorporated organizations are regulated to varying degrees. Therefore, the theory of land property rights defines the strict meaning of each stakeholder and the code of conduct

related to land operation. The use of land interests and third parties must comply with these codes of conduct in the process of economic ties.

In addition, in this study, in order to understand the land property rights more comprehensively and deeply, it is necessary to distinguish the two concepts of “land ownership” and “land tenure” that are both differentiated and related. “Land ownership” is a legal term that stipulates the ownership of land and is a legal manifestation of land economic relations. “Land ownership” emphasizes the attribute relationship between land and social institutions. The term “land tenure” refers to the binding force of various rights and interests that are compatible with the land. In other words, land ownership emphasizes real estate. Therefore, land tenure focuses on the right of various interests to point to the land and be protected by law.

Simply put, Land tenure is a combination of all rights to land real estate. Land tenure is composed of various rights such as land ownership, use rights, income rights, and disposal rights. Land tenure can also be understood as the constraint and combination of each right. Different combinations of them can form different land tenure structures, and different tenure structures can form different interest structures.

Related Studies

The following former studies are deemed relevant and with similarity to the present study associated in terms of land tenure system, land use, land system innovation and other related concepts. The review of the previous studies provides the researcher to relate the present study in terms of research objectives, research design, sampling, data gathering technique, as well as the findings and conclusions. The following are the review of related studies arranged according to the research content:

1. Perspectives in different subject areas

On the land tenure system research, there are three academic orientations, which are studied from the perspectives of institutional economics, law and sociology.

2. Economic research perspective

Marx (1975) believes that land ownership is a concentrated expression of production relations that is compatible with social production methods, and changes with the changes in productivity and production methods. Therefore, land ownership is a historical category. Different historical periods have different forms of existence.

Marx and Engels (1972) in the exploration in the process of the establishment and development of socialism, the problem of land system were studied. Marx and Engels's "communist manifesto" (1848), widely discusses the ownership of land, land value, land scale operation mode of production, land, land planning and land ownership reform and other basic theory. Moreover, Marx in the economics manuscripts (1857-1858) and "Karl Marx on Land Ownership Speech Record" (1869), and other writings on the problem of land system, in the "Theory of Land Nationalization" (1872) years, this paper discusses the land nationalization policies, in "Das Kapital" (1894) studied the ownership of land policy. The study theoretically demonstrates that the land tenure system is a private possession, which has irrationality and unfairness. It believes that private ownership is not conducive to the development of society and advocates the establishment of public ownership. (Marx and Engels, 1972)

British scholar David Ricardo believed that the capitalist is an important part of the capitalist system and is the dominant party of production, and land owners but it is entirely unnecessary; Smith from the maintenance of the industrial capitalist interests, and put forward against the existing land rent theory, land ownership and to more or less the private directly into state-owned land. (Hong, 2018).

According to the theoretical logic deduction of Western economics, especially neoclassical economics, the clearer the farmland property rights, the higher the enthusiasm of farmers to invest in agricultural land, and the greater the expectation

of future farmland income. The more efficient the use (Li and Sun, 2016; Zhou, 2003; Yang and Xie, 2005), the result of this logical evolution will ultimately point to the private ownership of the farmland

Research on institutional change. The study of institutions in Western economic schools mainly studies institutional economics and comparative economic systems. The institutional change theory of the new institutional economics represented by North and Kos has a great influence on the study of China's land system.

North (1990) argues that institutions are a set of ethical norms that are formulated into rules, law-abiding procedures, and behaviors. At its core is the rules that limit human behavior. He pointed out that the rules provided by the system are usually composed of formal rules, informal rules and implementation mechanisms. The so-called formal rules refer to a series of rules that people consciously discover and standardize, including politics, economy and contracts. Their main features are Mandatory; whether between countries or within countries, all conflicts and contradictions arise from conflicts of interest between different interest groups, and institutions are the coordination mechanism in the distribution of interests, thus a relatively stable and fair system. The system is the key to ensuring social stability and economic development.

Schultz (2006) in the transforming traditional agricultural, discusses the influence of land system arrangement of agricultural growth. To transform traditional agriculture, he argues, is the most important system guarantee using stimulus based market way, through the agricultural products and the prices of production factors to stimulate farmers; Control the scale of farms, with the unity of ownership and management, able to adapt to market changes of the family farm to transform traditional agriculture, the transformation in the form of system of ownership of low efficiency of agriculture, the living form of system of ownership, etc. He considers the land rent at the configuration agricultural resources has important function of economic. Land rent in the allocation of agricultural resources, he argues, perform a necessary economic function, any depressive to the rent of damaging guidance and induce farmer's signals and stimulate the effective use of farmland.

Like as Schultz, another scholar Malcolm Dillis attention to study land system for impacts of agriculture development, deem as land tenure is a basis condition, that can boost agriculture yield if has fully of strive, and that land tenure could bring out a big influence for the agricultural productivity , the famers known that owned farmland, the technology of promote production and continue strive can make increase of income, Own land of farmers know that keeps increase production technology and work hard can efforts to increase their income, if the land owned by others, there will not be this result. (Hong, 2007)

Bazel that for property and land property rights, private property rights against the assets by the consumption of these assets, and benefit from these assets and assignment of these assets right or power that property rights can be realized by exchanging (Dang, 2005).

Beka said, property rights system is a kind of social system, including the terms of the constitution, the law and judicial rules, as well as informal tradition and habits. Promote the adjustment of property right system of power, including new market prices and new production possibilities.(Hong, 2007)

Putterman and so on scholars using “the tragedy of commons” of the theory and analysis method, research and analysis on system of rural land ownership in China after that is not so much the rural collective ownership of rural land property rights in China, as a local government ownership of the land ownership system inevitably lead to China's transition of rural land resources development and utilization of China's rural collective land ownership system reform must be as the land private ownership system, in order to avoid the transition of rural land development and utilization, realize the sustainable development of agriculture and rural economy. (Hong, 2007)

Ostrom Stevenson argued that the collective land property rights has more benefits than private property, such as lower the system cost, scale economy and reduce risk in certain natural, social and economic conditions, the system of collective land property rights may produce better performance and results. (Hong, 2007)

Research on the efficiency of the property rights system. After studying the reform process of China's agricultural land system, Myers pointed out that "the government implemented the property rights reform in rural areas from 1980 to 1982, implemented the household contract responsibility system, and encouraged farmers to improve labor efficiency and improve production levels; The reform is still not complete. One of the most serious challenges facing China's agriculture today is how to distribute property rights fairly and effectively. This is a huge challenge for the Chinese people and the government."(Zhang, 2010)

German scholar Franz von Benda - Beckmann to China from the Angle of function of land property rights system of rural land are analyzed, concluded and land rights as the most important property rights has four functions, namely, social function, economic function, environment function and political function; China's rural land system reform and design, must give full consideration to the four factors, otherwise, China's rural land system will hinder the development of social economy, environmental degradation and damage the social public interest and the political stability and so on.(Zhang, 2010).

3. Research from the perspective of law

As a form of superstructure, law is a concentrated expression of the will of the state. With the development of China's economy, the research on the legal system of China's agricultural land has also undergone several stages of changes. The research focus of scholars is mainly on the property rights of farmland household contracting system and the land rights of farmers.

Prostman is in the article "Research on China's Agricultural Land Regulation and Policy System" (Han et al., 2009). Prostman et al. combed the "Jinggangshan Land Law" from 1928 to the "Chinese Property Law" in 2007, analyzed the changes and causes of China's rural land system policy, and pointed out the irrationality in the existing agricultural land legal framework. For example, the main body of the collective economic organization of agricultural land is vague, the land rights of farmers are not enforceable in the judicial, the nature of land rights, especially the right of family contracting, is not very clear, etc., and it is advocated to solve the

problem through the privatization of agricultural land.

Yijie (2003) believed that the property rights of China's collective farmland should be based on the construction of the farmland rights system, and the civil law with rights as the core content should be formulated to solve the problems. Practice issues in rural China. The discussion focuses on the practice of civil law with rights as the core content in rural China. It focuses on how formal institutions affect the social structure and social organization of rural small c

Wang (2016) analyzed the shortcomings and shortcomings of the existing household contract system. He believed that changing the creditor property of farmland contracting rights and making it change to the property right attribute can improve the rural land contract system.

4. Research from the perspective of sociology

Zhou (2003) believes that the attributes of the land system and its specific implementation process usually determine the social structure of the rural area. Correspondingly, in the process of constructing the rural land tenure system, social structural elements also play an important role. In addition to the “invisible hand” of the market and the “tangible hand” of the government, the allocation and arrangement of land tenure are often subject to rural informal systems, township regulations, local knowledge, etc. it is “Another invisible of the hand.

Zhou (2003) put forward the proposition of “property is a bundle of relations” from the perspective of sociology, which provides a new analysis angle for rural land tenure. In reality, the relationship between farmland property rights is more complicated than that of public and private. For example, in the eyes of the peasants, the clan property, temple, and schooling in the village are public ownership; and, state-owned, owned by different levels of government at the national, provincial, and county levels; there are also numerous forms of joint-stock cooperation between the collective and the private. Land tenure system from public to private are often a continuum. In short, the result of the land tenure relationship depends on the social relationship. Under certain constraints (such as fewer people) and social relations (such as farmers' weakness), the clarity of land tenure (land

rights) does not necessarily maximize farmers' income.

Granovetter and Swedberg (2001) argues that economic action is a form of social action; economic life depends on social networks; economic institutions are a social construct

Cao (2008) pointed out that the so-called "social perspective of property rights" has two directions: one direction is to extract the concept of property rights different from economics from the practice of China, and to establish analytical methods and theoretical hypotheses with universal significance. In this direction, Liu (2009) proposed the concept of "possession" and the analysis of the three dimensions of possession system; Zhou (2003) proposed the concept of "relationship property rights" and the theory of relational property rights, all of which have pioneering value.

Zhou (2003) focuses on the stable relationship between the organization and its environment, ie other organizations, institutional environment or different internal groups. The structure and form of ownership of an organization is the result of the organization's long-term stable relationship with other organizations and its adaptation to its environment. Therefore, the structure and form of tenure does not reflect the independence of the firm as the economists have said; on the contrary, the ownership reflects the stability of an organization and its environment, ie other organizations, institutional environments, or different groups within the organization association

Cao (2008) studies the motivation and value orientation of actors through the process of property rights definition, in order to analyze how property rights are constructed spontaneously through the interaction of actors, and analyzes the social norms of the interaction process, that is, the principle of fairness. The "social construction logic of property rights" was put forward.

Shen and Wang (2005) pointed out that the biggest characteristic of the new institutionalists in the definition of property rights is that property rights are the relationship established between people in the use of goods. This relationship includes who has what rights, who is responsible for what kind of obligations to enjoy such rights, and a set of mechanisms that these obligations performers must follow.

In the study of Sunantang Village, Xiao Xiaoye and Chen Yingying believe that the “reciprocal chain”, which is a string of mutual benefit rules and logic, maintains the property rights order within the community. Property rights in the villages with high development level such as Tangcun are not the core or key to the community problem. That is to say, the customs and practices of the community may solve their own property rights problems better, and they are promoted by external forces. Dealing with property rights issues consistently with a unified policy may undermine this balance, thus making the issue of property rights truly emerge. Community collective property rights are not primarily a market contractual property right, but a social contractual property right. This social contract is neither a consciously designed system nor a natural expression of social relations, but a product of the coordination of specific actions, reflecting a socially harmonious order. In the case of incomplete market contracts, it is possible to deal with and resolve conflicts and property rights conflicts within the community in an informal manner, with the role of defining and maintaining the order of community property rights; but when the institutional environment changes dramatically. This role is very limited.

Ostrom believes that the new way of managing public goods through autonomous organizations, but she does not think that this is the only way, because different things can have more than one management mechanism, the key depends on the effectiveness and effectiveness of management and fair. (Ostrom, 1990, 2000)

Ostrom's public affairs from the perspective of constructively propose new collective actions and innovative programs of independent organizations, breaking through the traditional dogma that the government is both a arranger and a provider of public affairs, and at the same time breaking the "market omnipotence" Mythology puts forward a new perspective that public affairs management can have multiple organizations and multiple mechanisms. For this study, we focus on how social structural factors define farmland property rights, allocate agricultural land resources, and then put forward the idea of “autonomous governance of rural communities” basic reference role.

5. Related research content

Research on the Meaning of Land tenure System. Cao (2005), choose from the Angle of the western theory of property rights to define and understand the system of rural land, farmland system and the farmland property rights system are equivalent, land system is through the definition of land property rights, to determine the value of land property right and its related benefits, and then decided to land property rights related to a series of actions and income. The core of land system is which define property rights. that farmland property rights is a series of agricultural land as carrier power set, not only including ownership, but also to use and usufruct, mortgage, lease, including trading right and other rights.

Li and Lu (2001) to define the farmland system is from the perspective of laws and regulations. Think of farmland system refers to the all farmland system, management system, circulation system and management system. It is these sub system constitute the farmland system.

Wu (2002) chooses Marx's ownership theory to understand the system of farmland production relations. Think farmland system is the land ownership, is in the land as the carrier of the sum of production relations, land system refers to the land of the production, distribution, exchange and consumption in the land which is formed by the relationship between the floorboard of the institutionalized after.

Zhang (1979) think land tenure system including many rights and legal restrictions, such as the system of land ownership, state-owned land or on the function of the economic system structure, Liu Shijin (1993)[□] in Neuberger DIM method is proposed on the further put forward: motivation, configuration, (the function of the system configuration of resources), insurance (ability to transfer risk), constraint (opportunistic constraints on economic parties).

6. Research on land function

Zhou (1989) land system at least have the functions of security and incentive. Taken together, the function of land system may contain four functions: guarantee function, configuration, function, incentive function, constraint function. Four kinds of function complement each other, only safeguard function and constraint function is

perfect, excitation function can play a role. And only under the enough incentive functions, resources allocation is reasonable, only the reasonable configuration of land resources, to achieve good returns, to achieve economic interests of the parties. These four functions, is both the land to more effectively develop its productive forces, and land production results is reasonable allocation between the parties concerned, and interaction between the two influence each other.

Chen (2006) Land is not only a source of income for farmers, but also plays a role in social security for them. At present, the vast majority of farmers in rural China are still inseparable from land as a means of subsistence and income. social security has not been fully popularized in rural areas, land is their unemployment protection and survival guarantee so the function of land security cannot be ignored.

About rural land institutional arrangement of equity and efficiency of household contract management problems, some researchers think that land divide, separate management of small-scale peasant led to the production efficiency loss, should promote the land circulation and centralized management; Others think that divided the welfare effects of land enough to offset its efficiency losses, is a kind of system arrangement of be should insist.

7. The study of Chinese rural land tenure system reform

Du (2001) demonstrates the imbalance of the current rural land property rights system in China, the strong externality of farmers land contract right, farmers market transaction cost is high, the land management scale is not enhanced economic uncertainty, agricultural structure adjustment, puts forward several of China's rural land property rights system vicissitude the goal of institutional arrangements, and stressed that the government should play the part it deserves in rural land property rights system change of the role.

Wei (2002) in the perspective of institutional change after the founding of new China were analyzed the history of the rural land property rights system reform based on the analysis of the current Chinese rural land property rights system facing the new change trend, and puts forward because of the induced institutional change its own limitations and new rural land property rights system reform of the "pareto"

nature, new mandatory institutional change needs to be made to promote the further change of rural land property rights system.

Cheng (2006) from the Angle of property rights after the founding of new China as a brief analysis of the rural land system change, and that the definition and implementation mechanism of the property directly determines the property of economic performance.

Zhao (2007) about property right is the core problem in the history change of farmland system in China after the founding of new China as the background, using the theory of property rights and institutional economics thought, with the help of econometrics to analysis tools, profound interpretation of the rural land system of household contract management "collective and private property rights characteristics and the impact on the real economic life.

Wang (2009) with the history change of Chinese rural land property rights system as the main clue, and further analyzes the deep inside of the causes of land property rights system vicissitude, supply the real demand of farmers on the land property right system, the different land property rights system set of performance and the land property rights system and the problem such as close to the relationship between the modernization and urbanization in our country, and put forward to give farmers more land property rights.

Pu (2009) according to the theory of property right economics, in order to effect on efficient land property rights and land rights, on the basis of the theoretical analysis on the evolution of rural land property system in our country since the reform and opening up, including the cause of the rural land property rights system reform, land property rights system of the nature of change and reform is analyzed, such as performance and sums up the evolution trend of the rural land property rights system.

Shao and Feng (2009) will China 60 years of farmland property right system evolution can be divided into the planned economy era of farmland property right system and since the reform and opening "sharing private" type of farmland property right system, and argues that in the particular political and historical conditions, political interests in ideological preference for the changes of China farmland

property right system has decisive influence; Certain conditions of informal institutional innovation through accumulating on the marginal can make the final formal system deviate from the established target path; Commune type of farmland property right system, though the overall efficiency is not high, but in some ways than the household contract responsibility system management more advantages; Farmland property rights system vicissitude performance to a large extent only exist significantly in a short time.

8. Research on existing problems

The research on the problems existing in the operation of modern land system mainly focuses on the unclear definition of collective property rights. The household contract responsibility system has caused the fragmentation of agricultural land to affect scale operation. The low efficiency of the system has resulted in low efficiency of agricultural production and unsuitable legal construction.

Li (2004) argue that land property rights definition is not clear, show the fragmentary land property rights, land ownership, use, usufruct and disposition between the ownership and the distribution of the fuzzy positioning, which leads to the confusion in the practice of land property rights run.

Chi (2000) argues that China's collective rural land ownership boundaries are clear, is a kind of common right, each member of the collective joint possession of land property rights, exercise the ownership on behalf of the collective rural organizations at the grass-roots level. But in this representative property rights system is not in the operation of the market economy to adapt to the needs of the reality, so should be improved.

Wanghuan and Wang (2006) thinks that our country farmland collective ownership is a virtual, abstract property rights, only the collective, has no members.

Under the background of household contract responsibility system, the degree of fragmentation of agricultural land in China is relatively high, mainly due to the large number of plots, small block area, scattered spatial distribution, difficult to promote agricultural technology, and difficult to achieve large-scale operation. ,

seriously restricting the efficiency of agricultural production in China

At the same time, if the situation of agricultural land fragmentation is not improved for a long time, the scale benefits will be difficult to achieve, which means that farmers may withdraw from the operation because of the “unprofitable” operation of agriculture (Luo and Hu, 2015).

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Ye (2018) pointed out: “The land contract management system and the reform of the rural collective property rights system will be further promoted, and the legal amendments such as the land contract law and the property law will be speeded up.

Chi (2000) maintains that we should uphold and improve the current rural collective land ownership, under the premise that adhere to the collective rural land ownership to agricultural land use rights in rem, give farmers long-term and stable land use rights, and members of the collective ownership of rural land transformed to occupy the land together according to the number of land.

Zhang and Zhou (2004), Think of the rural collective land nationalization reform, by the Nations as the only representative of the farmland property rights. Extend the farmers land lease term 99-999 or emphyteusis, and leasing farmland can also be inherited.

Yang and Xie (2005), believes that a thorough reform of farmland system should take farmland privatization, the farmland property rights to farmers to operate, fully in accordance with the market economic model independent by households, the ownership and use right separate condition is determined by the level of productivity development, government regulations to ensure that the market operation order.

Guan and Kong (2014), believe that the reform of “three powers separation” is the inheritance and development of the original reform achievements, and represents the direction of the future reform of the agricultural land system. At the

same time, it emphasizes that "the reform should be based on the premise of reaching a consensus on the basic concepts. Under the realization of institutionalization and legalization, its legal expression needs to focus on defining the relationship between farmers' contractual rights and land contractual management rights; to scientifically divide the "three rights" power, and at the same time, to clarify the nature of land management rights."

The researches mainly focus on rural land in the future all the design of the system and management system. Debate about land and farmland ownership form mode of operation are mainly concentrated in the 1980 s, the background is a reform in the rural management system performance decline after agriculture appeared a hovering over a long period of time. The discussion continues today, representative point of view there are three main types: one is advocated farmland nationalization, time, state-owned agricultural management (Yan Xun, Zhao Yuan, Se Binong); Two is to advocate of farmland privatization, private farmers, thought that privatization can be effective against power, capital, and the combination of power and capital erosion of farmers' land property rights (Yan Xiaokai, Wen Guanzheng); Three is perfect the rural collective land ownership, collective, family management (Zhang Huagui, Zhang Hongyu, Ye Xiangyan, Lu Zhiqiang). In addition, there are scholars proposed the farmland system of mixed ownership, the lease use, agricultural land assets management mode and so on different points of view.

9. Conclusion

From legal perspective, the researches mainly focus on rural collective land ownership and farmers' right to the contracted management of land evaluation. Collective premise of farmers' right to the contracted management of land policy is formed in practice and obtained recognition and an important concept of law on farmers' land rights from legal principle of abstraction. But the theoretical circle in these categories of much debate. Properties on farmers' right to the contracted management of land, there is a real right and creditor's rights, theory of real right of creditor's rights, labor relationship theory, theory of production organization form different judgment; About the connotation of rural collective land ownership, there is

a village all members, a total of and by shares shall enjoy the and subject fuse, different views, land rights predicament, and so on.

On the household contract responsibility system as the core of the defects of modern land tenure system, economics and law are consistent views: the one is main body of the land ownership, the ownership is not clear; The two is in the state and the dualism of rural collective land ownership structure, the relation in the state, the collective and land farmers triple pattern, the collective land ownership and farmers' right to the contracted management of land power is incomplete, to adapt to the market economic system of modern land property rights system has not yet been established; Three is due to the ownership and power is incomplete, the relationship between rural land ownership is not stable, lack of liquidity, farmers' land property rights and the relevant rights and interests of the lack of effective protection, farmers and land management expectations are not stable, which affect the economic performance.

All in all, the study of land property rights has research methods and conclusions from different levels of economics, law, and sociology. The research content includes the connotation of land property rights, public ownership or private ownership, the change of land system, and the problems and solutions of current land system. The research content is wide-ranging. In the related research, the most economical research is focused on the impact of the tenure system incentives on land use efficiency and institutional costs. The study of jurisprudence is based on economics, so there is not much innovation in perspective. There are few studies in the sociological perspective, but a new perspective has been proposed for the study of land tenure.

Therefore, whether in terms of theoretical ideas or the actual process of China's land tenure system reform, pure economics or neoclassical economics cannot fully explain the reality of property rights proposed in reform process and theoretical issues, so, need to join the sociological analytical perspective, in order to more effectively explain the facts of experience.

According to the above general studies of Chinese land tenure system can be seen, since the rural household land contract system, the academic circles in the land tenure system in the field research is very rich, scholars in law, political science, economics, sociology, history, and other disciplines within the land tenure system problems in many aspects of research, carry on academic discussions, many research results have practical significance and policy in the later reflected. But as detailed combing existing research results, find about the research of Chinese rural land property rights system has the following defects or inadequate:

First, the research on the rural land property rights system is mostly from the perspective of efficiency, the research of on fair not enough. But with the deepening of rural reform and the potential release of land tenure system, rural various deep contradictions gradually exposed, pure "efficiency first" principle has not effectively solve the problem of social fairness and justice, also cannot achieve the grand goal of building a harmonious society.

Second, the current land tenure system research only focus on inside the rural land to find the reason, less than from the overall structure of the whole national economy and the view of economic and social comprehensive coordination development carry through theoretical innovation and breakthrough. Must be from the country's macro strategic search the reason and the social structure, the implementation of the system of rural land property rights can be better, can truly establish and perfect a harmonious society.

Third, the innovation model lack of operability. Academic research on the land tenure system innovation is abundant achievements, but the lack of overall system design, feasibility, has caused many theoretical ideas with only partial for the land tenure system innovation can operate, but can't provide overall guidance idea of its true need.

In view of the insufficient research on the above, this study will combine the sociological point of view to study the rural land tenure management system in China, in order to fill in the feasibility and social equity of the innovation model of the tenure management system. fill in Insufficient research in land tenure management.

Theoretical Framework

According to the structural function theory of Talcott Parsons, there is a certain structure in any society. The whole society exists in a balanced state. Although its components will change, it will tend to a new balance after self-regulation and integration. In order to ensure their own maintenance and existence, the social system must satisfy the four functions of adaptation, goal attainment, integration, and latency. (Linfei, 1997)

Parsons explored why societies are stable and functioning. His model is AGIL, which represents the four basic functions that all social systems must perform if they are to persist. It was one of the first open systems theories of organizations.

Parsons model included that:

1) Adaptation: the organization oriented of acquiring sufficient resources. b) Goal Attainment: the problem of settling and implementing goals. C) Integration: the problem of maintain solidarity or coordination among the subunits of the system. d) Latency: the problem of creating, perserving, and transmitting the system's distinctive culture and values.(Linfei, 1997).

Parsons believes that the social system consists of four systems, the economic subsystem performs adaptive functions, the political subsystem performs the goal fulfillment function, the society performs the integration function together, the value norm execution mode maintains the function, and the corresponding four social structure categories are roles. , collective, normative, and values.

Parsons believes that the ultimate goal of action comes from the value system of social culture. The value system as the irrational factor constitutes the basis and background of all rational judgments. Therefore, actions should include goals, means and values.

It is believed that economic action is a form of social action; economic life depends on social networks; economic system is a social construction.

The attributes of the land system and its specific implementation process usually determine the social structure of the countryside. Correspondingly, in the process of constructing the rural land tenure system, social structural elements also

play an important role. (Zhou, 2003)

The structure and form of an organization's land tenure is the result of the organization's long-term stable relationship with other organizations and their adaptation to their environment. Land tenure system reflect a stable relationship between an organization and its environment, that is, other organizations, institutional environments, or different groups within the organization. (Zhou, 2003)

The definition process of land tenure, from understanding the motivation and value orientation of the actors, to analyze how land tenure are constructed spontaneously through the interaction of actors, and analyze the social norms of the interaction process, or the constraints of the principle of fairness. (Cao, 2008)

In summary, the AGIL theory has two basic logical assumptions that can be used to analyze the reform and innovation of the rural land system of the Dai community.

First, the AGIL function exists in any organization, system, and structure. It is a necessary condition for the development of organizations, systems, and structures, and also the reason for their changes. In other words, regardless of changes in organization, system, and structure, new results must have AGIL capabilities. The rural tenure management system belongs to a social system involving economic, political, value and community systems. In the process of urbanization, new conditions have emerged in the modern system operating environment, and the AGIL function needs to be adjusted, but that is, modern In the operation of the land system, the change was due to the fact that the AGIL function was not fully utilized.

Second, the AGIL function is established and pre-determined. This pre-determination is clearly reflected in the operation of the modern system in the Dai area.

Before the modern land tenure system has entered the Dai area, the Dai community has an inherent AGIL system. From the perspective of the Dai community, the Dai community should actively adapt to the reform of the new system and enable the new system to be integrated into the AGIL of the Dai community In the system, but in fact, due to the defects of the modern system itself, it hinders its smooth operation in the Dai community. The defects of the

modern system are manifested in the background of the household contract responsibility system, and the degree of fragmentation of China's agricultural land is relatively high. It is characterized by a large number of plots, a small block area, a scattered spatial distribution of land, difficulty in promoting agricultural technology, and difficult to achieve large-scale operation, which seriously restricts agricultural production efficiency

At the same time, if the situation of agricultural land fragmentation is not improved for a long time, the scale benefits will be difficult to achieve, which means that farmers may withdraw from the operation because of the “unprofitable” operation of agriculture (Luo and Hu, 2015).

Therefore, the shortcomings of the modern system hinder the institutional efficiency that the system should play, and it also hinders the steps of the harmonious development of the Dai community in the urbanization development and the entire national system, which may lead to the weak development of the rural community in the Dai community.

Using the AGIL analysis framework, can look at the changes in the social system of the Yi community from a more practical and dynamic perspective. In the operation of the modern system instead of the traditional system in the Dai community, due to changes in the external environment and internal environment, the function of the AGIL system has not been fully utilized, thus creating the need for institutional reform and innovation. In addition, the modern system should adapt to the original AGIL pre-determination of the Yi community, and both sides need to change to adjust and adapt, thus establishing a new AGIL system, giving full play to the functions of the new AGIL system, and bringing the social system back to equilibrium. The Parsons AGIL model provides the theoretical basis and analytical method for this study.

Talcott Parsons: *The Social System*

The AGIL Model of Social Organization

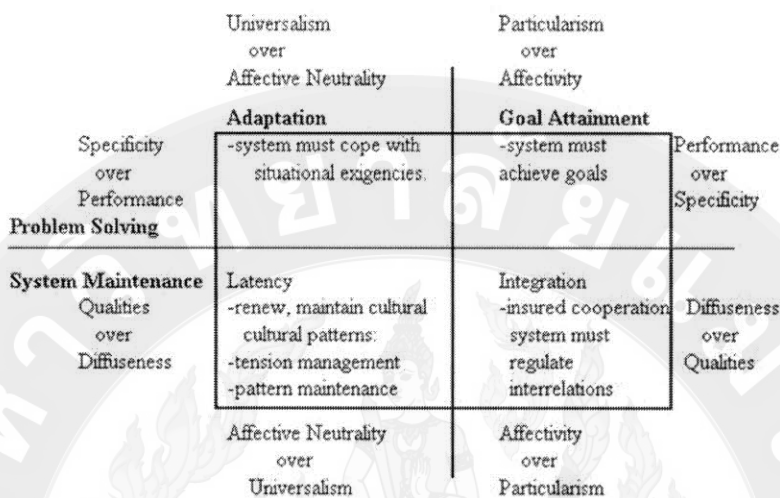


Figure 4 Theoretical Framework

Conceptual Framework

The land system is one of the most basic and important systems of a country, and it is related to economic development, social stability, and ecological protection. And land tenure management system is the core of land system. As a community concept under the national scope, the Dai community has certain specialties in the course of the change of China's land system. The study of the traditional land system of the Dai community and the comparative analysis of the modern system are conducive to discovering the principle of the land system operating in the community and providing a choice for the future reform of the land tenure system in the ethnic minority areas of China.

In this study, the Dai community was selected as a case to design a research framework around the research objectives. This study starts with the change of land system in the Dai nationality, and systematically analyzes the changes of the land system of the Dai community according to the chronological order. Before 1949, it

experienced two periods, from the public ownership of the primitive society to the feudal lords of the feudal society. In these two periods, the land system operated by the Dai community is the traditional land tenure management system. After 1949, the traditional land system in the Dai area was replaced by the modern system. The modern system experienced three changes. In the process, many changes have taken place in the Dai community. In the face of urbanization and modernization, the traditional system is applied to the modern system. Supplementing has alleviated many problems. An analysis of the changes in the land system in the Dai area can find the mechanism of institutional change and provide a basis for institutional innovation.

In the concept of parsons system, social structure and social system are equivalent. Not substantive specific social organization structure, but restricts the specific type of role interaction of abstract specification model. Action system's basic institutional structure is decided by the system must meet the functional requirements of the. Function to maintain social equilibrium is appropriate and useful, is in the control system running conditions, the structure and process of interrelated functions constitute the functional system.

Combining system of meaning and understanding of the land system in Chinese academic circle, it can be seen that the land system is the main important part of social system, General land system is in a certain historical stages and productivity due to land on the basis of the interpersonal relationships of standardized and institutionalized after combined. It includes both the land to possess, use and management system, but also related to land tax, land rent, finance, land price and land transfer, trade, etc.

So the sum total of all kinds of system definition. Narrow land system is due to the land to possess, use management, management system, which formed the specific summarized as land property rights system, management system of land, land management system. Therefore, farmland system is for agricultural land to possess, use, management system formed by combined.

Land tenure management system is consisted of three aspects of core contents: land use, land allocation, land management mechanism. In the Dai

minority area, the current land tenure management system is a complex of formal and informal system. Modern land tenure management system serve as formal system, which is the operating system for entire China, and the Dai minority traditional tenure management system serve as informal system, which can influence the modern land tenure management system.

These two land tenure management system have different functions in the Dai minority area, the two LTMS (land tenure management system) have fused, evolved, and finally found a harmonious balance as time goes by. With help of the two LTMS, the current land tenure management system could implement governmental policy smoothly and effectively, on the other hand, it assured benefit and right of land owner. As a result, the current land tenure management system brought internal equity and efficiency to the entire community.

The most important feature of current management system is, according to different situation, the two components of the system could modify themselves to suit each other, and start a new circle of fusion and evolvement to find a new balance. According to Parsons AGIL theory to analysis, it is possible to develop a new model to integrating two land system, and recommend how to make this integration sustainable.

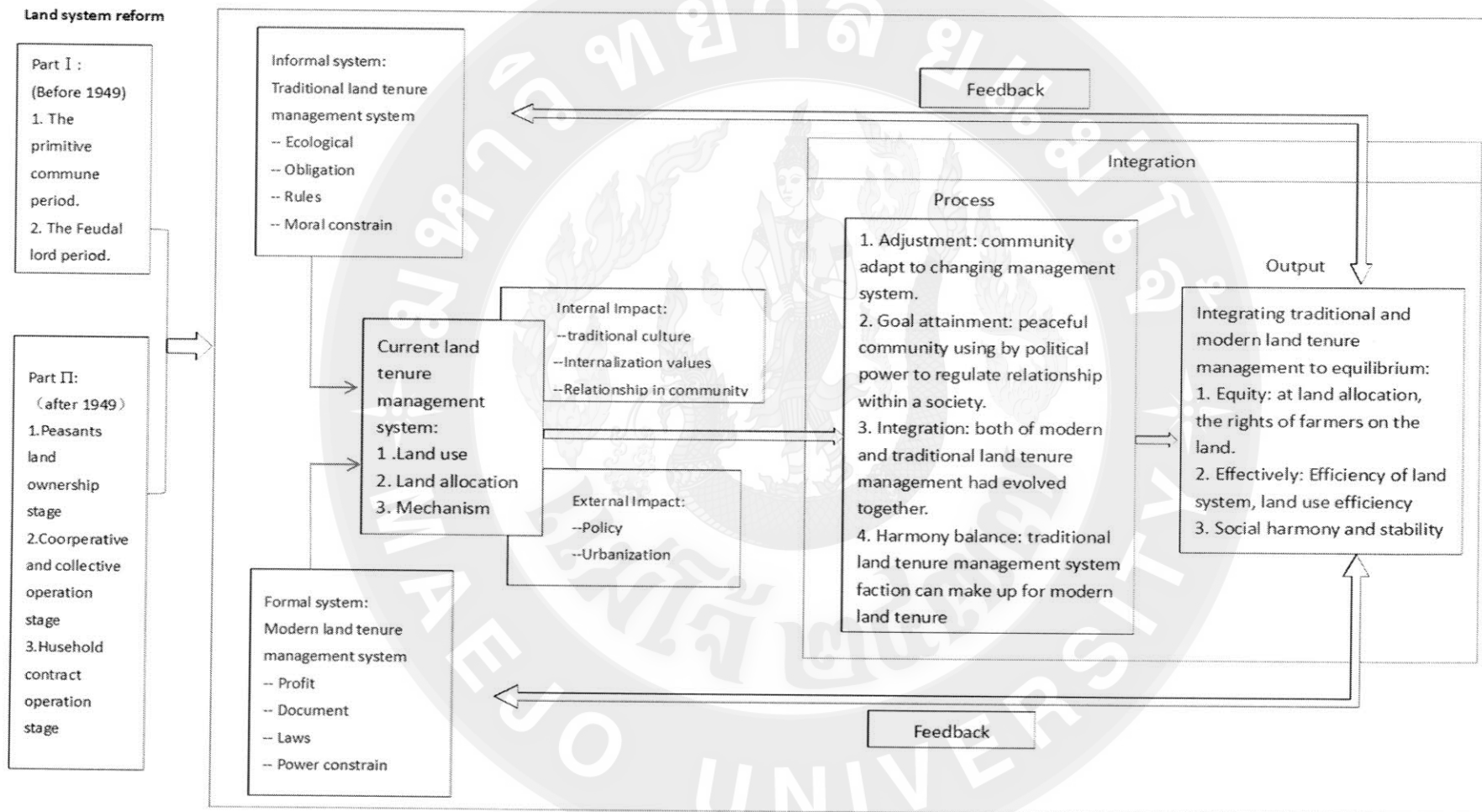


Figure 5 Conceptual Framework

CHAPTER 3

RESEARCH METHODOLOGY

In this chapter, that the study revolves around dissertation research objective to explain the research philosophy, approaches and strategies, and why the methodology has been adopted. This section also provides information about the locale of the study, sampling selection, and analysis of the data. At the same time, introduce associated with data collection approaches. Furthermore, the study employed qualitative data gathering techniques and analysis in the conduct of the study. Data from both primary and secondary sources were also utilized for the study.

In this research main use qualitative methods, a qualitative researcher holds that understanding of a phenomenon or situation or event comes from exploring the totality of the situation (e.g., phenomenology, symbolic interactionism), often with access to large amounts of "hard data". It may begin as a grounded theory approach with the researcher having no previous understanding of the phenomenon; or the study may commence with propositions and proceed in a scientific and empirical way throughout the research process (Taylor and Bogdan, 1990).

Through collection Dai minority area's multiple information, such as economic, social, and so on. Observation farmers and the working land tenure management system, to found traditional land tenure management system as the informal system exist at the modern land tenure management system, to understand the farmer's true needs and action in the land, to analysis exist of diversity land tenure system phenomenon of Dai minority area, by the generate of traditional rural land property rights and the acceptance of national law and folk law and national law between the game as the clue, to explore how to improve the current rural land system, integrated with the local farmers' real needs and actual environment, to find a suitable path, the advantage of the Dai national minority area traditional land property rights system and the modern land system to integrate

The following research procedures and methods will be explained in this chapter, location of the study, sampling procedure, selection respondent, research method, research process. Data collection mainly from documentation review, in-depth interviewing, focus group, participatory observation.

Locale of the Study

The Dai people are one of the most early indigenous of Yunnan Province. Dehong Dai and Jingpo autonomous prefecture is one of the biggest Dai minority group live site. The Dai people have a long history and rich traditional culture. Through the investigation of historical data, interviews with experts found that the traditional land system of the Dai people has many excellent traditional methods in land use and land management.

This study was in the village of Fengping town of the Dehong Dai and Jingpo Autonomous Prefecture, this is a minority autonomous prefecture in the southwest of China, in the here that the traditional culture is keeps better, Huyun village is one of the 12 natural villages under the Fapa village, An average elevation of 863 meters, the annual average temperature 16.00 °C, annual rainfall of 2150.00 mm, belongs to subtropical monsoon climate, abundant water resources, is located in the Manjiu reservoir, the Manbie reservoir, and the Namu reservoir irrigation area, 8 kilometers away from the city, Is a predominantly Dai minority inhabit mountain dam combining with the village.

This village population is 837 people, 173 household. Total arable land area of 1580 mu, including: paddy field 550mu, dry land 74mu, in 2016 government requisition paddy field for build public rental apartment. Total forest land 1467 mu, including forest reserve 800mu, in 2005, government requisition mountainous for build Drug Rehabilitation Center. In the village mainly cultivate such as paddy, vegetables, sweet corn, watermelon, aromatic tobacco and so on.



Figure 6 Village planning and design map

Sampling procedure

Sampling techniques are a range of methods that enable the researcher to reduce the amount of data to be collected by considering only data from a subgroup rather than possible cases or element (Saunders et al. 2003).

In non-probability sampling, the probability of each case being selected from the total population is unknown. Non-probability sampling is more frequently used for case study research. In this sampling the researcher uses subjective methods such as personal experience, convenience, and expert judgement to select elements in the sample (Saunders et al. 2003).

This study carried out field investigations and collected raw data in the area of Huyun Village, Mangshi, Dehong Daizuzu Autonomous Prefecture, Yunnan Province, China. First of all, Dehong Prefecture is one of the biggest Dai populous living areas in Yunnan Province. . In addition, Huyun Village is located in Mangshi City, Dehong Prefecture, close to the urban area. It is a Dai village with a history of more than 200 years. At the same time, due to its location is close city side, the impact of

urbanization is very obvious. As a research case, it has obvious characteristics.

The study was primarily conducted within the Dai community of Huyun village, and selected villagers of Huyun as research respondents, because their are directly influence by land tenure management system implementation. selection of respondents was based on the following criteria:

1. The respondent must have the resident status of the villagers of Huyun Village;
2. The respondent was engaged in related agriculture work and was familiar with the situation in Huyun village.
3. Respondents are easy to communicate so that researchers can contact them for follow-up at any time.

Stratified Sampling and snowball sampling were used in this study. Based on the above sampling conditions, the villagers who meet the sampling conditions use the non-probability sampling to select the survey samples. The sampling method mainly uses Stratified Sampling and snowball sampling were used in this study.

The size of the sample was determined based on the information collected during the interview, and in the snowball sampling, when the recommended respondents were repeated, the size of the respondents were determined. In the field research of Huyun Village, when the number of respondents reached 65, the number of respondents recommended by the respondents was repeated. Therefore, the sample extraction scale was determined to be 65 households, accounting for the total number of households in Huyun Village 38%

Sampling is a process of selecting subjects who are representative of the population being studied (Burns and Grove 2003). Henry (1990) offers more details about the processes of selecting a sample from a total population and Johnson (1991) discusses the issues involved in sampling for ethnographic research. It is probably that convenience sampling is the most frequently used in qualitative study, to provide the reader to know the size and type of sample used in the study. The logic of using a sample of subjects is to make inferences about some larger population from a smaller one- the sample.

It is an important research method in this research, that to Selecting key informants and interviewing them, that is we study of data information collection, research has very important significance for this research, according to the characteristics of the study sites and research purpose, using stratified sampling and snowball sampling method, can effectively determine the selection of representative samples and make sure enough number of sample.

Stratified Sampling method

Stratified Sampling is refer to set up a goal and a classification standard, and then make the study population were divided into several groups of no cross or some kind of layer, then the study population is codified in the corresponding level for each individual in the layer, then in each layer with simple Sampling or systematic Sampling method to select appropriate method of sample. Stratification is based on the designer's experience and judgment according to the sampling and investigation for the purpose of. Ideally the more the number of layers is better. Because the more layers, each layer of the sample unit, the higher the accuracy of sample estimates.

In this study, stratified sampling was used in the focus group to investigate different levels by interviewing the traditional management system of the Dai people's land use rights and the different opinions of the modern land use rights management system. According to the research needs, the stratification is divided into different levels according to the different classification interests of the land ownership management system according to the hierarchical classification criteria: formal village leaders, influencers (informal village leaders), wealthy villagers, and poor villagers. The layered types and standards are explained as follows:

Formal leader - member of the village committee, village-level manager elected according to legal procedures.

Influencer (informal village leaders) - prestigious villagers, who are from the villagers responsible for temple, are an informal organization elected by the informal.

Poor villagers and wealthy villagers - official statistics on annual income in the village; villagers provide information; observation information

Snowball sampling method

Snowball sampling is non-probability sampling strategy, that some may see as similar to convenience sampling, is known as snowball sampling. Snowballing is sometimes the best way to locate subjects with certain attributes or characteristics necessary in a study. Snowball samples are particularly popular among researchers interested in studying various classes of deviance, sensitive topics, or difficult to reach populations

In the study of Huyun Village in this study, the interviewees of the in-depth interviews used snowball sampling. In the snowball sampling, the first respondent to the in-depth interview was the former village head. Due to the position of the former village chief, the basic situation of the household was very well understood. Through the recommendation of the first respondent, a group of qualified interviewees were found. After that, according to the situation mentioned in the interview process, the interviewee recommended and contacted the next interviewee.

The sampling method is different depending on the method of investigation. In this study, stratified sampling was used for focus group discussion and participatory observation, and snowball sampling was used for in-depth interviews.

Selection of respondents

In this study, the total population of Huyun Village was 837, with 173 households. The total number of respondents was 65 household, accounting for 38% of the total household. The field investigation data collection time range is: 2014-2017.

Table 1 Respondents information

| Number | Name | Gender | Age | Interview time |
|--------|-----------------|--------|-----|----------------|
| 1 | Yanbo tuanguo | M | 54 | 2014 |
| 2 | Fanmie fangfang | F | 71 | 2014 |
| 3 | Bolang yuexian | F | 62 | 2014 |
| 4 | Lanmie yanting | F | 60 | 2015 |
| 5 | Fanbo suoliang | M | 57 | 2015 |
| 6 | Fanbo aiwang | M | 45 | 2015 |
| 7 | Mobo aigui | M | 60 | 2015 |
| 8 | Mobo baoyun | M | 49 | 2015 |
| 9 | Jinbo pinwang | F | 72 | 2015 |
| 10 | Jinmie guilin | F | 64 | 2015 |
| | Lang tuanfu | M | 64 | 2015,2017 |
| 11 | Fenbo guiyuan | M | 58 | 2015 |
| 12 | Fenmie baowen | F | 63 | 2015 |
| 13 | Jinmei yanpin | F | 65 | 2015,2017 |
| 14 | Jinyu yin | F | 58 | 2015 |
| 15 | Jinmie xiyu | M | 60 | 2015 |
| 16 | Jinbo huilin | F | 50 | 2015 |
| 17 | Jinyue feng | F | 52 | 2015 |
| 18 | Jinwan tuan | M | 66 | 2015 |
| 19 | Jinbo aixianbo | M | 68 | 2015 |
| 20 | Daobo yuwatuan | M | 47 | 2015 |
| 21 | Menmie xinxin | F | 53 | 2015 |
| 22 | Lanbo jinbao | M | 55 | 2015 |
| 23 | Jinbo xiansuo | M | 68 | 2015 |
| 24 | Jinmie suojin | F | 61 | 2015 |
| 25 | Jinan guo | M | 27 | 2015 |
| 26 | Jinbo aitianbao | M | 35 | 2015 |

Table 1 (Continue)

| Number | Name | Gender | Age | Interview time |
|--------|-----------------|--------|-----|----------------|
| 27 | Mobo yuesuobao | M | 46 | 2015 |
| | Mobo yangui | M | 50 | 2016,2017 |
| 28 | Mo xiaowa | M | 66 | 2016 |
| 29 | Lanbo jing | F | 45 | 2016 |
| 30 | Jinbo hannuo | F | 49 | 2016 |
| 31 | Jinbo aiwayan | M | 55 | 2016 |
| 32 | Mie xiuli | F | 52 | 2016 |
| 33 | Jin xiaozhan | M | 49 | 2016 |
| 34 | Jinbo erxin | F | 49 | 2016 |
| 35 | Fanbo aizuoixin | M | 33 | 2016,2017 |
| 36 | Fanbo hanmei | F | 60 | 2016,2017 |
| 37 | Jinbo guilan | F | 30 | 2016,2017 |
| 38 | Jinbo aixin | M | 55 | 2016 |
| 39 | Jinmie linhui | M | 51 | 2016 |
| 40 | Jinbo meiyin | F | 60 | 2016 |
| 41 | Xianbo aishibao | F | 67 | 2016 |
| 42 | Xianbo suo | M | 49 | 2016 |
| 43 | Xianbo anxin | M | 38 | 2016 |
| 44 | Xianbo wanbao | M | 52 | 2016 |
| 45 | Xianbo hanshi | M | 50 | 2016 |
| 46 | Xiangbo aihnuo | M | 67 | 2016 |
| 47 | Xianbo aiming | M | 61 | 2016 |
| 48 | Yan xiaoan | F | 66 | 2016 |
| 49 | Men xiaoi | M | 72 | 2016 |
| 50 | King cun | M | 42 | 2015,2017 |
| 51 | Fanmie linlin | F | 43 | 2017 |
| 52 | Jingbo pinwang | M | 60 | 2017 |

Table 1 (Continue)

| Number | Name | Gender | Age | Interview time |
|--------|-----------------|--------|-----|----------------|
| 53 | Fanbo aishi | M | 49 | 2017 |
| 54 | Lanbo xianbao | M | 48 | 2017 |
| 55 | Yanbo tuanguo | M | 50 | 2017 |
| 56 | Xiao ye | F | 24 | 2017 |
| 57 | Shabo yeyangguo | M | 76 | 2017 |
| 58 | Menbo xiaoye | M | 33 | 2017 |
| 59 | Momie xinjing | F | 61 | 2017 |
| 60 | Fanmie yanlin | F | 43 | 2017 |
| 61 | Dao hanxin | M | 56 | 2017 |
| 62 | Aibo watuan | M | 55 | 2017 |
| 63 | Jinbo xiaozhan | M | 57 | 2017 |
| 64 | Lang er | M | 46 | 2016,2017 |
| 65 | Xiang xiangn | M | 48 | 2017 |

Note: (In order to protect privacy, most of the villagers' name they interviewed were technically anonymized)

Research Method

According to Saunders et al. (2007), there are two research approaches including deductive and inductive. The deductive approach is a theory and hypotheses are developed and also research strategies are design to test hypothesis. On the other hand, inductive is the approach that the researchers gather the data and develop theories due to the data analysis. As Ghauri and Gronhaug (2005) mentioned that the researchers draw a conclusion through logical reason in deductive approach. Moreover, the researchers realize hypothesis from existing knowledge which can be tested and decided whether to accept or reject. This

approach is often involved with the quantitative research. However, the inductive approach is general conclusions are described from empirical observation by researchers.

According to Saunders et al. (2003), the inductive approach also emphasizes gaining an understanding of the meanings humans attach to events, a close understanding of the research context, the collection of qualitative data, a more flexible structure that allows room for changes as the research progresses, a realization that the researcher is part of the research process and less concern with the need to generalize. This approach to research also gives room for alternative theories to be put forth. Inductive approach processes are observation, findings and theories building. This approach is involved with qualitative research

Inductive approach is usually used to build theories, in practice, people need to collect data and develop theory as a result of data analysis. Nevertheless, the two methodologies are not mutually exclusive, in reality; they are often used jointly in business and management studies. However, it is important to point out that the choices of research approach should base on the research question and research objectives.

Therefore, that the deductive and inductive approach are appropriate for this research.

In this study will use the deductive and inductive approach to carry out research, the first step use deductive approach, use Parsons' AGIL theory to study, that Dai community how to do their social activities;

In reality, the research focuses on not only understanding why something happens but also describing what happens. As the inductive approach usually only tell people why something happens rather than describe what happens (Saunders et al., 2003), it would have advantage to combine the two approaches in this particular research according to the nature and purpose of this research. So second step used inductive approach, from data to theory, by collecting the data first and then developing new hypothesis as a result of the data analysis.

Qualitative research, usually involves the collection of non-numerical data that is open to interpretation, such as customer's opinions, where there is no intention of establishing statistical validity (Brassington and Pettitt, 2003).

The essence of qualitative research is that it is 'diagnostic'; therefore, it is especially useful for investigating attitudes, motivations, beliefs and intentions. In practice, they are usually based on small-scale samples; therefore, it cannot be generalized in numerical terms (Brassington and Pettitt, 2003).

Most would agree that qualitative data generally take the form of word, not numbers. Today it is include visual, audio, or graphic data in the definition, as well as verbal or textual data.

Data Sources

One of the most important element in research project is data collection method. This method means good preparation and organization of collecting data in order to researcher not have a problem to face too much information collected, which can become a major obstacle rather than help in the project researched. Very often, there is much information available that can be a barrier to sort and evaluate real and important information and to assess their usefulness. It is necessary to understand different approaches and methods for collecting data and that have great importance in preparing research and organizing data collection in a systematic way.

According to Saunders et al. (2007), there are various forms of information which can be distinguished in two main group as secondary data and primary data.

In this study data sources collection will from primary and secondary data sources. Under primary source, emphasis will be put on the collection of data directly from field surveys interview and observation.

Secondary data sources

Secondary data is the data that have been already collected by and readily available from other sources. Such data are cheaper and more quickly obtainable than the primary data and also may be available when primary data can't be

obtained at all. Evaluation secondary data the following four requirements must be satisfied: Availability, Relevance, Accuracy, and Sufficiency. Robert W Joselyn has given a detailed procedure for evaluating secondary data: -Applicability of research objective. -Cost of acquisition. -Accuracy of data.

Lancaster states (2005) that the secondary data which already are presented and collected by other researchers for the purpose of previous researches and giving hypothesis on other issues. It summarized raw data and published data including internal records and external records within the organization. Those secondary data can provide wide range of financial data, personnel, transcripts of speeches, administrative and public record data followed by external record such as newspapers articles, journals, internet, official statistics, etc.

Primary data sources

There are many data collection techniques to collect primary data from the research including interview, questionnaires, focus group and case study and so on. Primary data collection is every important for us to collect in-depth data and information, because secondary data collection only can provide us with the existing and skin-deep data and information.

Collect primary data, can probe deeper answers, can get detailed information on what causes problems or benefits, more opportunities for bias creep in when results are "coded", can also elicit more honest and more sensitive information, Also the ever-present problem of all self-report measures. By using interviews, future change agents can also introduce themselves to the people in an organization, and establish both rapport and trust Accuracy.

Due to the advantages of primary data, it is important for us to collection primary data through data collection techniques like interviews. Primary data collection can provide us with the in-depth data and information related to our research questions. Therefore, primary data collection is crucial to the success of my research despite of its main disadvantage that it could take a long time and cost much to collect the data and information.

Field research

Jensen and Meckling (1976) contend that “data collection in qualitative research involves a variety of techniques: in-depth interviewing, document analysis and observation, and focus group discussion.” It is these techniques that make up the qualitative component of this research.

The most common method used to generate data in qualitative research is an interview which may be structured, semi-structured or unstructured. Other ways to generate data include group discussions or focus groups, observations, reflective field notes, texts, pictures, and other materials (Savin-Baden and Major, 2013).

Very popular among qualitative researchers are the studies of photographs, public and official documents, personal documents, and historical items in addition to images in the media and literature fields (Taylor and Bogdan, 1990).

According to the different types of research, there are many different data collection techniques such as interviews, questionnaires, survey, observation, focus group, and documentation review and so on (Saunders et al, 2003). The different data collection techniques have their different advantages and disadvantages, and should be adopted according to the different research purposes. In this research, three data collection methods of documentation review, in-depth interviews and observation will be adopted.

Documentation review

Among data collection techniques, documentation review is the method to quickly and accurately collect the existing information and historical information. (Saunders et al., 2003).

This study choose this method of documentation review can meet objective 1 and 2 research needs, because use this method to collect some existing and historic data and information about Dai minority area for this research.

This method of documentation review has many advantages and is generally used in the case study. The information collected through documentation review is factual information and through this method, researcher can get the comprehensive

and historical information with few biases. So this method is very useful for to understand the real information about the Dai minority traditional land tenure system, that is how to create and how to changing, because the documents review can give some reliable information used to the next step research.

Through collection second data from: Local the annals data: Lu Xi County Annals. Jing Hong County Annals. Men Hai County Annals. Men La County Annals. De Hong Prefecture Annals. Local develop history, Local events, Dai History, traditional poem etc.

In-depth interview

Generally, Observation, interviews and questionnaires are three main primary data collection methods (Sekaran, 2000). According to the purpose of this research and the restriction of time and geography, researcher mainly focus on the method of interviews to collect qualitative data.

The semi-structure interview has been used to collect data. Interview is a good data collection technique to get the in-depth information and it is particularly useful for getting the story behind a participant's experiences. This method is used when want to fully understand the impressions or experiences of someone or want to learn about their answers to the questionnaires (Creswell, 2014). Interview is the process of the communication between the interviewer and interviewee.

The Communication includes the free talking and the discussion about the assigned questions. This data collection technique provides people with a communication way to know the information they want to know from other people or know the opinions of other people on the assigned questions. This method of interview has strong pertinence to investigate the special issue and widely used in the about social research to obtain the in-depth information.

This is a face-to-face way, that the method of interviews can collect the full range and depth of information from the interviewees about local people opinion at modern land tenure system and traditional land tenure system. This kind of information is very useful and may not be collected through other ways. And this method can be flexible with the different interviewees and the interviewers can

determine and choose the questions based on their thoughts and objectives to discuss with the interviewees and obtain the data and information they need.

And data collection technique also has many disadvantages and may lead to the biases of the collected information, because the use of this method may be take much time, may be hard for people to analyze and compare, may be costly and the interviewer may bias the responses and opinions of the interviewees. On the one hand, the interviewees may not tell the full information they know or may tell the wrong information to the interviewers. And on the other hand, the interviewers may misunderstand the information from the interviewees and causes the bias during the process of data collection.

Based on snowball sampling, In-depth interviews were carried out with the following categories of people. The number of interviews was limited so that they could be manageable.

1. Village committee members and key informants
2. Different levels of farmers such as: gender, age, poor, middle, wealth, etc.

The selection of in-depth interviewees was determined by snowball sampling. In this study, the number of respondents in in-depth interviews was 65. The interview location is usually at the farmer's home, and the formal interview time is 45 minutes per household. The informal interview time have not calculated.

The advantage of in-depth interviews is that, like conversations with respondents, there is no formal structured questionnaire, but a semi-structured interview outline. During the interview, due to the relaxed atmosphere in the respondent's home, the respondents collected data in a mutual trust chat.

During the investigation of this study, many villagers described the events in the atmosphere in a chat with the atmosphere, and even displayed some sensitive materials such as original land allocation records and collective assets dividends into the original materials. The interview process is an atmosphere of relaxation, freedom and mutual trust.

Participant observation

According to Collis and Hussey (2014), the method of participant observation is where the researcher becomes a working member of the group or situation to be observed. The aim of this method is to understand the situation from the inside: from the viewpoints of the people in the situation, and the researcher shares the same experiences as the subjects and this form of research can be particularly effective in the study of small groups. Participant observation can be overt (everyone knows it is happening) or covert when the subjects being observed from research purposes are unaware it is happening (Collis and Hussey, 2014).

In this study, in order to objectively understand the influence of the traditional culture of the Dai people on the social behavior of the villagers, the researchers participated in the observation and selected the observation objects through stratified sampling and random sampling. Direct participation and observation by investigators into the community is a positive way to collect information.

When conducting participatory observation and collecting data, researcher at first enter the community as a distant relative, participate in large-scale activities held by Huiyun Village, such as the traditional festival celebrations of the Yi people, go to the temples where the villagers often gather daily activities, and learn about the real community through natural exchanges. The status of land use and land management, as well as villagers' opinions on land management, were observed at close range.

Focus Group Discussion

The focus group may be defined as an interview style designed for small groups. Using this approach, researchers strive to learn through discussion about conscious, semiconscious, and unconscious psychological and sociocultural characteristics and processes among various group (Basch, 1987; Lengua et al., 1992). It is an attempt to learn about the biographies and life structures of group participants. To be more specific, focus group interviews are either guided or unguided discussions addressing a particular topic of interest or relevance to the

group and the researcher (Edmunds, 1999).

A typical focus group session consists of a small number of participants under the guidance of a facilitator, usually called the moderator. Krueger (1994) suggests that for seven participants. Thus, larger groups of subjects may be divided into a series of smaller focus groups. The moderator's job, like the standard interviewer's, is to draw out information from the participants regarding topics of importance to a given research investigation.

The informal group discussion atmosphere of the focus group interview structure is intended to encourage subjects to speak freely and completely about behaviors, attitudes, and opinions they possess. Therefore, focus groups are an excellent means for collecting information from young children and teens, as well as from elderly adults.

In this study, focus group very suitable for as the research methods of data collection in this paper. The focus group's size about 7-8 respondents, which come from study of site, it is composed of village head, government official, village farmer, older Dai community member.

In this study, the focus group discussion, based on the needs of research data collection, selected villager representatives at different levels in the village to form a focus group discussion.

The study organized 2 focus group discussions, 8 people in each group, and the discussion time was 2 hours. Participants are composed of villagers of different levels, include 1 village leader, 1 informal leader, and 6 ordinary villagers, including 2 rich farmers, 2 poor farmers, and 2 middle-income farmers. Participants selected take into account gender and age.

Before the focus group discussion began, detailed preparations were made to design participants' ice-breaking activities, starting with the participants found and mark own home address and field land location, that is used a self-made picture from drone to take a panoramic view of Huyun Village. The atmosphere of discussion were be activated to facilitate, the collision of different perspectives of different stakeholders in the discussion of the next issue. Through problem-oriented focus group discussions, in the end, the participants reached a basic consensus on the

basic issues of the survey.

The focus group is carried out in the village activity center to create a familiar and relaxed environment for the villagers. The discussion process is open and friendly. The questions raised by the investigators are not subjective. The group discussion encourages and ensures each participants were involved in the discussion of the issue.

Data Analysis

There are a number of procedures used by qualitative researchers to analyze their data, Miles and Huberman (1994) identify three major approaches to qualitative data analysis: interpretative approaches, social anthropological approaches, and collaborative social research approaches.

Interpretative approaches. The most common analysis of qualitative data is observer impression. That is, expert or bystander observers examine the data, interpret it via forming an impression and report their impression in a structured and sometimes quantitative form. This orientation allows researchers to treat social and human activity as text. In other words, human action can be seen as a collection of symbols expressing layers of meaning. Interviews and observational data, then, can be transcribed into written text for analysis.

This approach provides a means for discovering the practical understandings of meanings and actions. Researchers with a more general interpretative orientation are likely to organize data in order to uncover patterns of human activity, action, and meaning.

Comparative analysis

Analysis where data from different settings or groups at the same point in time or from the same settings or groups over a period of time are analyzed to identify similarities and differences. A good way to undertake these comparisons is using tables or matrices.

A procedure very much like this called constant comparison, is a central part of grounded theory. In constant comparison, newly gathered data are continually compared with previously collected data and its coding in order to refine the development of theoretical categories. The purpose is to test emerging ideas that might take the research in new and fruitful directions.

In this research, it can help to comparing the traditional land system and the current land system in the Dai minority area.

Noticing, Collecting and Thinking model

Seidel (1998) developed a useful model to explain the basic process of qualitative data analysis. The model consists of 3 parts: Noticing, Collecting, and Thinking about interesting things.

These parts are interlinked and cyclical, while thinking about things notice further things and collect them. Seidel likens the process to solving a jigsaw puzzle. Noticing interesting things in the data and assigning 'codes' to them, based on topic or theme, potentially breaks the data into fragments. Codes which have been applied to the data then act as sorting and collection devices.

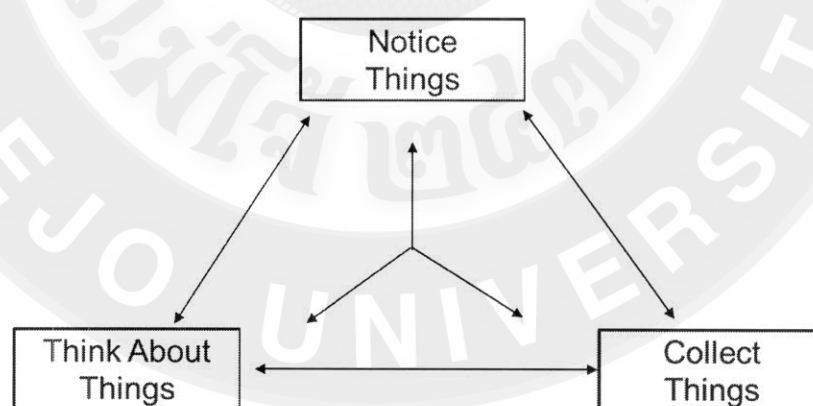


Figure 7 The data analysis process

In Seidel and Kelle (1995) codes are differentiated in two basic ways; they can act as “objective, transparent representations of facts” or they are heuristic tools to enable further investigation and discovery. At one level the codes are acting as collection points for significant data. At another level the code labels themselves are acting as markers or pointers to the way rationalize what it is that think is happening. At a third level they enable researchers to continue to make discoveries about deeper realities in the data that is referenced by the codes. The research needs to collect abundant data, further process of the data will be difficult. By using this model, collection and processing of data would be much easier.

Validity Test Method

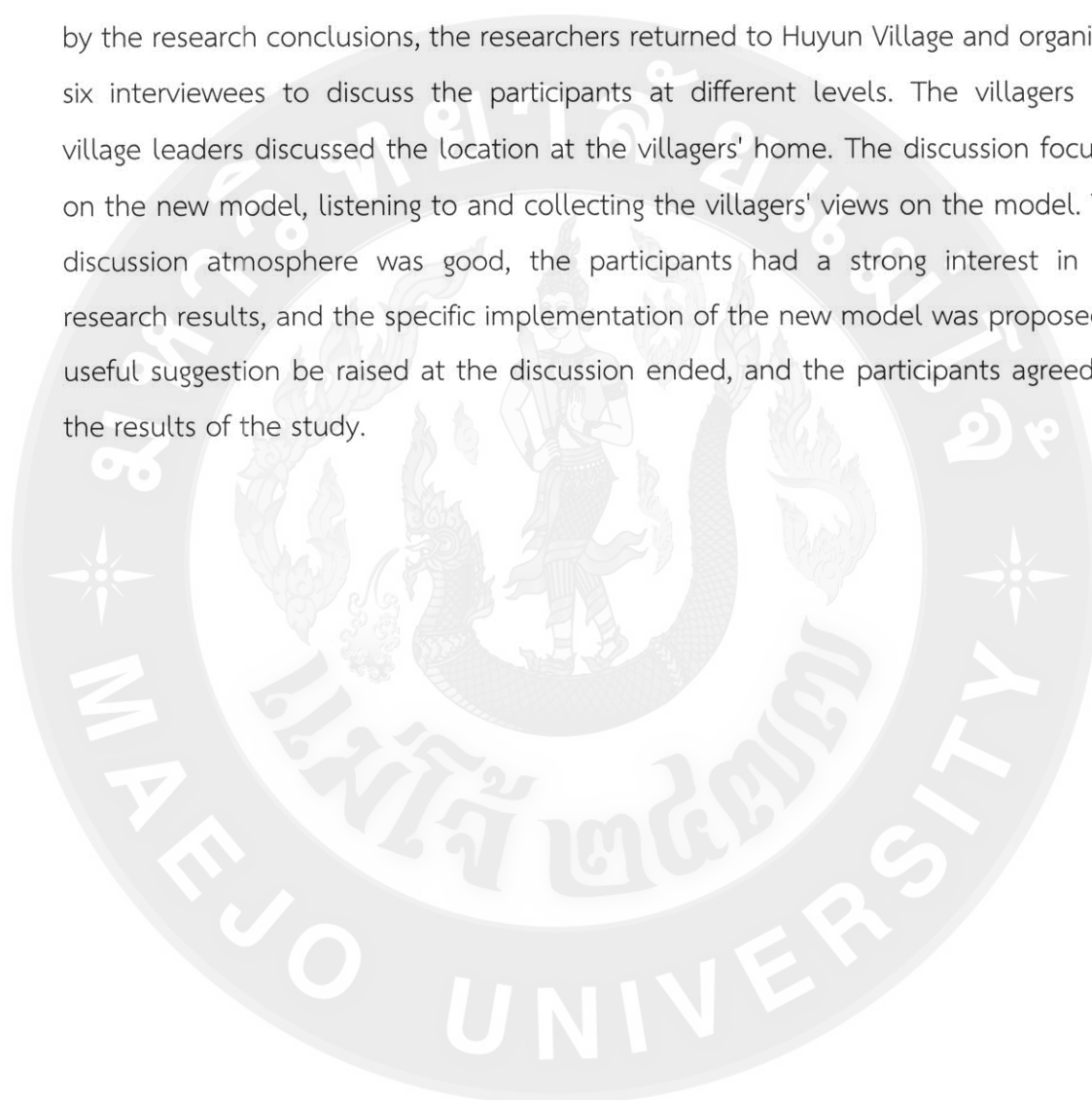
The academic community generally believes that qualitative research refers to “in the natural environment, using field experience, open interviews, participatory and non-participatory observations, literature analysis, case studies, etc. to conduct in-depth and meticulous and long-term research on social phenomena; The method is based on induction. At the time, local first-hand information was collected, and the meaning of their behavior and their views on things were understood from the perspective of the parties. Then, based on this, assumptions and theories were established, and the falsification method and related tests were passed Methods to test the results of the study. (Chen, 1995)

In this study, due to the qualitative research method, the test process and the research results are mainly tested by the triangle verification method and the feedback method. In the research process, the researcher try to avoid personal prejudice and subjective influence.

In the process of data collection, the validity of the data is tested using the triangulation method, using in-depth inter, focus group, and participant observation, from different research methods and obtaining data from different ways. Through access to different categories of farmers, village leaders and other key informants, the collected data is verified in many aspects and multiple angles. Through the aggregation and comparison of the collected data, the contradictory evidence and

negative evidence are repeatedly placed. Return to Huyun Village to replenish, verify and correct the survey data in a timely manner.

In the test of the conclusion of the study, the feedback method is mainly used for verification. After the conclusions of the study, the feasibility of the fusion model between the traditional tenure system and the modern system established by the research conclusions, the researchers returned to Huyun Village and organized six interviewees to discuss the participants at different levels. The villagers and village leaders discussed the location at the villagers' home. The discussion focused on the new model, listening to and collecting the villagers' views on the model. The discussion atmosphere was good, the participants had a strong interest in the research results, and the specific implementation of the new model was proposed. A useful suggestion be raised at the discussion ended, and the participants agreed on the results of the study.



CHAPTER 4

RESULTS AND DISCUSSION

The Social and Economic Situation of the Dai Minority and The Traditional Land Tenure Management System of The Dai Minority

1. The Social Historical Situation of Dai Tradition

1.1 General situation of Dai population

Dai minority has long history before 1st century BC. There had some records about Dai minority in Han majority in the Historical Records. Now, the Dai ethnic group is one of 56 minorities in China. The Dai Ethnic Group comprises several smaller ethnic groups living mainly in the Xishuangbanna Dai Autonomous Prefecture and in the Dehong Dai and Jingpo Autonomous Prefecture. Both of which prefectures are located in the southern part of Yunnan Province. Though smaller pockets of Dai live in and around the Yunnan cities of Xinping and Yuanjiang, as well as in other autonomous counties in Yunnan Province. In all there are roughly 1.2 million Dai living in China. However, the Dai of China belong to a larger family of Dai/ Tai ethnic groups that also exist in neighboring Burma, Laos, Thailand, and Vietnam. They have different names but they have common ethnic origin. (Dai minority brief history, 2007)

1.2 The basic component unit of Dai minority traditional society

In the Dai minority area, people always practice monogamy, and in a family, only two generations live together, such as only have parent and child. Usually family is a unit to access land, and it can allocated a portion of land for cultivation from village. When the child growth up and get married, they will leave the family and become a new family, and then they can allocated belonged to themselves the portion of land for cultivation.

In a family, parents usually stay together with the youngest child when all of children grow up, and in the future most of familial property would be inherited by the child that lived with parents. The other children can inherit a small part of property. But because of the land always belonged to collective, so it is can't be inherited, they only can inherit house, farm cattle, farm tools and so on. In the Dai minority area, woman's situations as important as man, not only in the family but also at agricultural work.

Clan in the Dai language is called "ha gun", Dai people usually describe the relationship between members of clan that as a big tree growth branch. Every clan only contain three generations. Beyond the third generation families, blood relationship is distance and will become a new clan. Different clan lived in the different orientation in the village, the orientation often named that a clan's name. The clan leader, who usually has been elected democratic way by clan members, is usually be respected by all of clan members. The clan leader haven no especial rights, He must work with other clan's members. But he can represent a management and distribution of all of the clan family land, host sacrificial activity, and solve conflicts within clan members.

Each clan has some public fishpond, tea garden, wastelands, clan family land. The clan's land named "Na ha gun", which means the land come from inherited for generation to generation. Each of land have a clearly boundary, that is only could be used and distributed among the clan members. If any clan members left the clan family, they need to return they land. Clan family's land could be inherited by clan members, if not any more clan members can inherit, the land must return to village. Without permission from a clan leader, the clan family waste land, tea garden, fishpond can't be use and reclaimed. A clan members can't without beyond of their clan family land boundary. If reclaim wasteland has been allowed, after reclaimed uncultivated land, people could used for full 5 years, and once cultivated land used for full 3 years, those land should be combine into the clan land, and allocates in the clan members in the future.

In the clan family, there is an obligation, that each clan members have to help each other and protected members, meanwhile the clan have the right of punishment to members.

A village Community is the basic unit of Dai minority area. At beginning of the village established, usually only consisted one or three kind of blood relationship, As time goes on, migration make populations growth up, a blood relationship community is changed to a geographical relationship community, it is becomes Dai community social basic units. (Dai minority brief history, 2007: 320)

In many Dai minority areas, there have many lands belongs to themselves at each village, and have a quite complete organization of village. It is an independent unit of geography and economy. A village leader is called a village father or a village mother, whose duty is to manage all of village public affairs. Under the leader, there are special personnel for military affairs, water conservancy and sacrifice action. If the village is destroyed after a war or other disaster, it can be reestablished in the same place with the same name.

1.3 Dai Traditional Culture

Broad culture refers to the sum of material wealth and spiritual wealth created in the historical practice of human society. A narrow sense of culture refers to the ideology of society and the social institutions and organizations corresponding to it.

Culture is a social phenomenon that develops with the development of social material production. As an ideology culture, it is a certain political and economic reflection, and at the same time affects and acts on the politics and economy of a certain society. With the emergence and development of the nation, culture has a national character. Through the formation and development of the nation, the cultural tradition of the nation has been formed.

According to the history and current situation of the Dai society, the Dai people in different regions have basically the same cultural traditions. Since the beginning of the Dai society, in the long-term practice of social life, the Dai people in various places have gradually developed in common areas and common economic

life. The Dai people have developed a common language and common psychology in the process of formation and development. Formed the same social system and organization.

The language of the Dai belongs to the Zhuang-Dai branch of the Zhuang-Dong group of Chinese-Tibetan Phylum, or family of languages. The Dai have their own special writing system, which is written in an alphabetic, as opposed to a character, script. There are five different branches of this writing system spread throughout the various Dai communities in China. Among these, the most common are the Daikou and the Daina writing systems, which are also known as the Xinshuangbanna and the Dehong writing systems, respectively.

The Dai society has long been in the feudal system of leadership, but the rural communes in most areas have not completely disintegrated. The original cultural system based on the village community is in all aspects of social life, such as political economy, religious beliefs, culture and art, customs, etc. Aspects can be seen in the existence of village culture.

The village society culture is a basic social organization that transitions to individual ownership based on public ownership. Village community has a common area, and the land shared by the village community is distributed to individual members of a village for cultivation, farming cattle, farm tools and other means of production. Labor products and living materials are owned by individuals.

The village community is composed of members of the democratically elected representatives to form an administrative body, responsible for managing the village community boundaries, managing daily affairs, extending village rules and regulations, regulating the behavior of members; assigning and adjusting cultivated land, accepting new members. Other major matters are discussed and decided by the members' assembly.

In the Dai village community, there is division of labor and cooperation in the profession. The members have the virtue of unity and mutual assistance. The villagers will help each other to build houses, handle marriage and funeral, and cultivate for the lack of labor. In addition, each person is also obliged to maintain the boundaries of the village community, to defend against foreign aggression, to

undertake the construction of fences, roads, bridges, ditches, dams and other public welfare affairs, and also to pay taxes, provide religious expenses, and perform military service.

The village community culture of the Dai people represents the traditional culture of the Dai people. The village community implements the social production ownership that the village community possesses and distributes and uses. It is derived from the economic primitive egalitarianism and brings the people to the people with a very low level of productivity. The stable production and living environment has provided conditions for the inheritance and development of traditional culture.

1.4 General Situation of Economic development of Dai minority area

There are few historical records on the economic development of the Dai nationality. Due to geographical and climatic advantages, the Dai area mainly grows rice, grain, beans, tea, cotton and coffee. Handicraft products include burlap, cotton, and bamboo. There are horses, cattle and sheep in animal husbandry.

Through the compilation of historical data, it is possible to have an understanding of the economic development of the Dai. The important way for the Dai to obtain material through social labor is agricultural production. As early as the Shang and Zhou Dynasties, the Dai people began to develop the agricultural economy, and farming is the most important activity in agriculture. After that, the economic development began to change from the Yuan Dynasty to the greatest change in the middle of the Ming Dynasty. Therefore, the Ming Dynasty was a period of significant development and changes in the economic and cultural development of the Dai people. At the same time, due to the development of the Dai economy, compared with other ethnic groups in the same period, the Dai area Political and cultural development is also faster

The economic development of the Dai area mainly comes from commercial trade with the mainland. In the loading of "mangshu", the Dai area began to trade with the mainland a thousand years ago. In the late Ming Dynasty, the trade scope extended to the coastal areas of Southeast Asia, and Southeast Asian countries have

established border trade links.

In order to business trade with western region, Dai minority area is the only way which must be passed, early at Qin Han dynasty, people moved from inland of China to Dai minority area at Yunnan province and someone after lived in, at Ming dynasty and Han majority more people moved to Dai area and live together with Dai minority to form a relationship with integration and assimilation. The arrival of large Numbers of immigrants has played a major role in the development of social and economic development in the Dai region. Because they brings to the new production technique and large numbers of labor resource. At late Ming and early Qing dynasties, large numbers of immigrants moves in again, in order to exploiting the abundant mineral resources. Thus, the Dai region attracted a lot of talents and funds, which played a role in the local economic development.

With the expansion of the trade zone, economic exchanges have led to the development of the Dai area. The metal production process in the 14th Dai area has developed rapidly. The traded goods are no longer agricultural products, and there are many unique ethnic handicraft products. During the development period of the Dai textile technology, the materials recorded in the Bai Dai Chuan showed that commercial towns and cities have developed in the Dai area, which promoted the economic development of the Dai area and also promoted the progress of agricultural production.

In the course of economic development in the Dai nationality, agricultural production is the main and most traditional economic sector of the Dai nationality. Until now, farming agriculture is still a very important mode of production in the Dai area. The dependence of agriculture on the natural environment, especially the land, makes the land the pillar of people's economic life for the entire Dai society. Before the democratic reform, the society in the Dai area bordering the mainland developed rapidly, but the social form and economic structure of the Dai settlement have been relatively stable. Therefore, the land ownership as a production relationship has not changed, and the relatively complete feudalism has been basically maintained. The Lord's economy.

1.5 Duality of religion in Dai minority

Basically Dai people basically believe in religion. They not only believe in the local religion, that is, the primitive religion of all things, but also believe in the Southern Buddhism that came from the outside world. During the long-term development, the Dai religion gradually formed a dual religion that is both original religion and Buddhism faith. The coexistence of primitive religions and Buddhism, the two are permeated with each other, soaked in Buddhism in the primitive religions, and Buddhism also influenced by primitive religions. In the past, the dual religious beliefs and the daily life and even the political activities of the Dai people have been formed for a long time relationship.

First, The interdependence of different functions in village management. Before and after the 15th century, Buddhism was introduced into the Dai area, gradually developing mutual tolerance and coexistence with the primitive religions, and formed a dual religious belief (1993). With the combination of Buddhism and primitive religions, mutual infiltration, the original religion is added to Buddhism, and the original religions are also infected with the colors of Buddhism. For example, in terms of personnel management, the Buddhist clergyman is a "buddha" who is "Pousan" with the village community in charge of managing the original religious activities. The religious functions they bear also do not work their own way. They are interdependent, Support, gradually changed people's understanding of ideas and concepts, the original local gods and Buddhism have no own and external boundaries (Cao, 2006).

Second, the collective concept of village is deepening. The collective concept of village community and the existence and development of individual small-peasant economy are suitable for Buddhism, while the integration of dual religion makes the concept of community collective of Dai people become stronger. For example, the village community as a unit of worship Buddha, building towers, temples and other activities to make the village closer relations; In addition, the village common cemetery, commonly known as "Long shan", "Long lin", usually the village near the forest, Only those who buried the village means that people living in the same village must maintain the collective concept.

1.6 Political power institution

The political system of Dai society is very perfect, especially the legal system, can rule by law. In the Dai area of Xishuangbanna, the supreme administrative authority is called commissioner of Chelixuanweishisi, under the jurisdiction of the supreme legislative and executive branch of the district. Under the Commissioner of Xuanwei is the regime agencies are Meng, villages, etc., to form a more complete set of systems. Under such circumstances, the administrative agencies at all levels should, under the supreme power management, be interlinked and mutually restrained and exert the role of safeguarding feudal rule and promoting social development. The internal management of village communities maintains a good form of democracy. The highest authority of village communities is "village community", the authority of village community is "village council", and village society council is called " ", Is responsible for handling all day-to-day administration and is composed of "Mimman", "Taug", "Wave Plate" and a "first" class leader. "Miman" is the convener of the council. The meetings and decisions should be reported to the upper level "Boman". If major issues such as land adjustment, burden allocation, new member recruitment or approval to move out of the village, election or replacement of heads and mobilization of public affairs such as water conservancy are carried out, "Boman" will personally convene the "village community will seek public opinion (Wu Jianguo and ZhaoShiling, 2009).

The composition of the Chamber consists of the President of the Senate, the executive, the financial, military, judicial officials and representatives of Meng (Zhao Meng). Their regular duty is to supervise the officials 'administration over the top executive heads, to understand the social situation, to extract the masses' reactions, and to promptly report the information learned to the summons.

The Senate meets regularly twice a year, once in the "Closed Door Festival" in September of the Dai calendar and the second in the "Open Door Festival" in December, and can hold a temporary meeting in the event of an emergency. The main function of the Senate is the legislation and judiciary, to discuss and decide major issues in the region.

For example:

- The division or revision of administrative divisions in the whole district;
- The dismissal of the leader and the representative of Meng (Zhao Meng);
- The mediation or adjudication of the disputes between areas of Meng and Meng;
- Departments of supreme leader, Meng and local administrative requirements for reporting between the issues;
- To develop or modify the rules and regulations of the region;
- To discuss the decision to launch a war or peace;
- All areas of Meng assumed the central dynasty and the supreme leader Department of tribute burdens;
- Ask the supreme leader to discuss the matter, and so on

However, for the discussion and analysis of the above matters, all decision-making powers have no absolute decision-making power and must be approved by supreme leader. During the ninth round of leader of called "Siam" reign, the organization called for the coordination of relations with the courtroom, playing a big role in promoting the social and economic prosperity, social and political stability, and raising the standard of living of the people. Therefore, the supreme leader should also be the head of the entire system of government organs. Whether he can correctly identify and handle the opinions of the senate of Deputies, and can make correct judgments and decisions, promptly direct his lower-level executions can affect the normal operation of the work of the government agencies. Affect the role of the feudal regime as a whole.

The power sector of Dai area usually consists of five levels: top leader, the senate, the board of governors in Meng's, the board of "huoxi", and village aboard. Among of them play the regular roles are supreme leader, the senate and village board.

Due to the multi-layered nature of the organs of government, these institutions, in their power, have greater independence and centrifugal force on the highest ruling body. Although the supreme leader is the highest leader of Meng, but

Meng only obeyed him in management and did not obey the arrangement. Although Meng leaders attended the Senate meeting, the decisions of the meeting may not necessarily be binding. In general, the government should obey the leadership of the summoning leader in nominally annual tribute and taxes to the supreme leaders, subject to military command and dispatch. However, all Mengs have relatively strong independence within their jurisdictions and have implemented feudal separatism.

Under such a background, village communities are self-contained, and although the functions of government agencies at all levels above the village communities are not functioning smoothly and even cause problems, they cannot give timely instructions to village communities, but village communities can still operate normally. The relative independence of village and community political institutions, all the affairs in the village, such as the arrangement of production and living, the distribution of various burdens, and the interpersonal relationships, will quickly arouse the attention of the relevant parties in time if problems arise, and are prompt and reasonable. The village committee has played an important role in self-regulation of village communities.

In addition, due to the possession and distribution of land by the village community, the village community retains the substantive nature for a long time. When the government wanted to expand its territory, it was unable to confiscate the land of the village community by enacting decrees on the government or other behalf. Before the social reform, the land owned by the lords in Xishuangbanna was only about 14% (Cao, 2006) of the total land owned by the lords. This is also the intrinsic political factor and the most fundamental reason why the lord-based economy has not been able to develop for a long period of time. It can also be seen that the village community has independent and powerful political rights.

2. Social production General Situation

The development of the productive forces in the Dai traditional society mainly centers on agriculture. Handicrafts are closely related to agriculture as sideline and the commodity exchange is not well developed. The self-sufficient natural economy is a distinctive feature of the Dai social economy.

The Dai people are peasants and herdsmen. After years of exploration, they have unique opinions on how to deal with the relationships between forests and agriculture, forests and water sources, enabling them to accumulate a wealth of accumulated resources for management and accumulation by the most indigenous people in the long run of production and living. Summed up the knowledge, and this concept into the entire community management system, with the statute of the norm and religion to regulate the social behavior of all community members for the sustainable use of natural resources in Dai areas and community sustainable development has laid a Solid social foundation.

2.1 Rice culture

The Dai area is subtropical with warm climate with an annual average temperature of about 21°C. It has no snow all year round and has a short frost period with an annual rainfall of 1000-1700 mm. The soil is fertile and provides favorable conditions for agriculture and agricultural and sideline production.

The rice production in the Dai area is divided into paddy field and dry land, mainly paddy fields. According to the statistics, the paddy field area in the Dai area accounts for about 70% of the total cultivated land area, while the paddy field area in Dehong area exceeds 70% of the total cultivated land area, Xishuangbanna area accounts for about 60%, paddy field area in the valley plain is as high as 95%. According to the differences in temperature around the time of planting and harvesting each have their own differences. The main crop rice farming festivals: Dehong area summer sowing, planting seedlings, the autumn seedlings, autumn divide the valley, after the winter solstice plow Tian. Tillage period, transplanting need 10-20 days, Sui Yang and harvesting of about 20 days, the field schedule of the plow board lax, extended 30-40 fields. Xishuangbanna arranged by Dai calendar (Dai calendar in April, the equivalent of the lunar month) agricultural arrangements, the lunar calendar began in mid-August Plow Tian, seeding in September, transplanting in October, late December or next January cut the valley. Tillage with the long process, but more extensive farming and management, all farming time does not exceed 90 days.

Although the natural conditions in the Dai area are excellent, paddy planting can be planted two to three times a year, but in fact paddy fields or drylands are only planted once a year.

Rice farming techniques in general 1 plow 1 rake or 1 plow 2 rake, the depth of only 2-4 inches. (The first plow should be about 15 days before planting. Plow after harrowing, weeds are concentrated in the ground to dry, burn. This will not only improve the fertility of the land, but also the majority of weed seeds burn, reducing the rate of weed germination. After the rake, after 5 to 7 days sun drying, the second plow, plow, let the sun for 3-5 days, the residual weeds and ground larvae after drying rake.) Normal weeding the general 1-2 times, some do not even weeding. In most areas, rice stubble is pressed into the fields while plowing, leaving it naturally rotted and fermented, and then used as fertilizer.

Farmers cultivate their fields uniquely and often consist of five processes: 1. "Nahou," or plowing, usually after the New Year of the Dai calendar. 2. "Gaona", which is a dozer, usually 10-15 days after plowing. 3 "Fenna", that is, turning the heap, raking with his hand, turn the mound again from the bottom, once all the weeds are rotten and prevent the grass from planting, usually about half a month after the soil is piled up Weeds have been basically reduced; 4. "Xiena" that is harrow field, with the foot on the rake, the rake rotten, rake; 5. "Debu", namely the entire field, with the rake the soil leveling. The fourth and fifth processes and planting at the same time (Cao, 2006).

Selection methods are chip selection, screening, the general implementation of another, can be changed every year, if the yield is good, the time will be postponed sometimes seven or eight years before changing again. Field management generally do not fertilize, up to only use green manure. According to the survey data, the Dehong region adapts to the shallow plowing of shallow tillage, so less than 6 kg per acre of seeds, but the yield per acre can reach about 300 kg, about 60 times the seed (Cao, 2006).

2.2 Water resource management

The Dai community started agricultural production and irrigation two thousand years ago as the basis for its agricultural production in China. The Dai people have made outstanding achievements in this regard. In the Dai area, people have accumulated rich experience and scientific knowledge in using natural rivers and artificially dredging irrigated fields, and also have a well-organized system for managing water conservancy projects.

In areas where the Dai live, there has long been a very complete irrigation system. The Meng Department as well as the various "Huoxi" villages and villages have their own dedicated water conservancy personnel responsible for the repair of ditches and watershed irrigation. Named Xuanwei department of Xishuangbanna, the internal manager has a financial officer and water management. Each of the major channels promulgated in Meng has its own primary and secondary water mains. The Dai language is called "Banmennong" and "Banmennu." It is responsible for managing water affairs in the ditch irrigated area.

In the villages within the irrigation area, there are also "Banmen", "Banmen" in the upstream and downstream villages where a ditch is conventionally selected to assist the sub-water managers in managing water conservancy, which is beneficial to the same ditch. The upstream and downstream are interdependent, and there is no water occupation of the upper reaches of the village when water is used, leaving the fields in the lower reaches of the village without water for irrigation.

From "Zhaonongpaxia" to "Banmen" in each village, a vertical system of water management is formed. Distribution of water is calculated according to the field of each village, every village according to the number of acres of land per household, to be fair to get irrigation fields, so to calculate a field should be a number of water "kg" "tael" (This is a special unit of measure of flow, not a unit of weight), and the consumption of water from the ditch into the field is calculated. For example, two fields of the same area can be directly injected with one kilogram of field water after the water is divided, and the other one must flow through a small channel to be poured into the field. The flow rate of this field should be two kilograms plus flow, the number of infiltration through the small ditch (Jian, 1984).

In the Dai area, besides the planting of rice, some economic crops and fruits such as tea leaves, cotton, tobacco, banana, papaya and sugar cane are also cultivated in the social economy. In the historical records of the Yuan and Ming dynasties, mangoes, papaya, coconuts and sugar cane were produced in the Dai area. However, instead of mainly putting them on the market and realizing economic value, they planted these things mainly to beautify the environment, improve living conditions, adjust living conditions, make ready meals and entertain guests at any time (Cao, 2006).

Farmers generally raise poultry and livestock, livestock mainly cattle, buffalo, pigs. Poultry mainly chicken. In addition to being the main labor force in agricultural production, each village owns 1-3 cattle. In Dais society, because of the inability of individuals to own private land, how much is the possession of cattle constitutes an important symbol of individual possession of property (Cao, 2006).

According to the survey, the output of a normal workforce and the surplus labor products created by each laborer in Xishuangbanna each can afford to cultivate an area of about 8 mu and produce 2,000 kg of cereals. After deducting living costs and production costs of 1,000 pounds, the remaining 1,000 pounds are Dehong Each laborer can afford to cultivate an area of about 10.5 acres, 3150 kg of grain production, after deducting living expenses and production costs of 1,800 pounds, the remaining 1350 pounds. The surplus product provided by a labor force is about one time more than its own consumption. In addition to normal farm labor income, but also a small part of other income, such as sideline production, local Dai income is much higher than other ethnic groups in the surrounding areas. (Cao, 2006).

3. The evolution of Dai land tenure system

According to the Xishuangbanna's Dai class volumes and folk inheritance records, the historical development of Dai is divided into three periods: the first period was called "DanbunaSakha", was the Olive period, when that time people said: "Moremezhaio, Moremewa, Moremegantan", that is mean: " no leader, no Buddhist temple, no exploitation "; the second period" Danlunasakha" is during the interpretation of the valley period, at this time people called: "Mezhaio, Mewa,

Moregantana, that is mean: " there are leaders, there are temple acres, but no exploitation; the third period is called," Zhunasakha "period, interpreted as class society period, at this time people called: " Mezhao, Mewa, Megantana , that is mean: " there are official, there are Buddhist temples, but also exploitation, ".the first and second period are Primitive Society period, and the third period is Feudal Society period.

Before the 1949, the Dai society experienced the stages of Primitive Society, Slave Society and Feudal Society. The land tenure system also experienced the stages of from public ownership to private ownership. Thus the entire Dai nationality's land system belonged to the Feudal Land Ownership system.

3.1 The Primitive Society Period

When Dai society was at the end of the primitive commune, with the transition of society to serfdom, the form of land began to change. The process of change could be classified into three categories, and the changes of these three types of land forms were accompanied by the evolution of the land system under different conditions.

"Meng" is an area, usually a dam area is a Meng, is second only to the highest lord under a local government. The land owned collectively by rural communes or clan communes that is composed of Dai Meng

In the first stage, the land is owned by the village community. During the primitive commune period, the members of Dai Meng commune, through the reclamation of wasteland and the establishment of village communes, owned the ownership of the original ownership of the village community and distributed equally among the members

In the second stage, collective ownership of land becomes one-owned. At the end of the primitive commune, the heads of families of some privileged families gradually transformed themselves into privileged persons. After long-term evolution, power continued to expand and developed into the highest ruler of a region, the "monarch." With the advent of monarchs, the Dai community Also entered into a class society in which the supreme ruler possessed the supremacy of right. Through the usurpation of the entire land, the land originally owned by the village

community and the family, that is, the land form with "collective ownership and private possession" occurred for the first time Change, from "collective ownership" to the highest feudal lord "owned by one person." However, the original system of land use had not changed. Feudal lords still used "collective ownership" to distribute land to peasants through rural communes or family communes so that they could cultivate the land with their own labor and their own tools to survive and material information of life. Although the land belongs to the collective management, distribution, and use, the ownership belongs to the highest ruler, and the members of the village community pay tribute to the highest ruler with the "real wages" that provide feudal rent.

In the third stage, at the stage of the formation of serfdom, the highest ruler plundered the land of Dai Meng village, and the form of land changed again. The land was divided into the land of the serf owners and the peasants' land, The land of the serf owners' land was directly occupied and operated by the serf owners and the peasants were recruited to cultivate their land freely for the serf owners, resulting in "labor rent."

3.2 The Feudal Lord period

With the development of society, in the end of the family or rural commune, the family of some privileged families began to change from the service management status of the commune to the privileged leader. After a long period of evolution, the power expanded and eventually became the supreme ruler. And the monarch. In the same process as the formation of the monarch, the land originally owned by the members of the village community has also changed, and the land ownership of the village community has also been changed to be owned by the monarch.

In addition to the existing village community, there is a new village community. Non-Dai Meng composition of the village community land, Non-Dai Meng village refers to the dependent peasants and the domestic slaves released by the serf-owners during the feudal process, in addition to the villages that the rural communes continue. With the development of society, the slaves of parents who established the village after agriculture was engaged in agricultural production after

being released by the rulers, as well as the dependent peasants formed by various social causes (such as war prisoners and large numbers of peasants who were relocated) The emergence of non-Dai farmers, such as "the government of the village or the family of the masters", began to plunder the land of the Dai Meng village and give them to the non-Dai farmers for cultivation. At the same time , In which the collection of labor or service rent. The land belonging to the non-Dai Mengcun society mainly occupies and uses land ruled by the rulers from the Dai Mengcun society. According to the different forms of land ownership, its evolution has undergone three stages of development.

The first stage is owned by the collective of Dai Meng primitive village; the second stage is the supreme ruler plundered the land of Dai Meng village; the third stage is that the rulers send the land they have looted to non-Dai Mongolian farming and then levied on government rent.

In the Dai area, due to the different levels of economic development in different regions, there are also differences in the form of land ownership. According to the order of their development level, there are two types of ownerships: feudal landlord land ownership and feudal landlord land ownership.

3.3 Conclusion

3.3.1 With the development of society, the land system of the Dai nationality has also changed. The society has transitioned from the primitive society to the slave society. In the feudal society, the land ownership of the Dai nationality is also owned by the village members and becomes the sovereign ownership. Village members have the right to use.

3.3.2 Before the emergence of the lord, the primitive society disintegrated into the historical period before the formation of the feudal society. The landowner as the supreme ruler had the highest power over the land under the jurisdiction, but the supreme ruler did not directly manage any particular land. It is managed by the head of the village community and distributed to the villagers on average. The village members pay certain tributes and labor to the supreme ruler, but no one can buy or sell land.

4. Traditional Land Allocation of Dai

Under the traditional land tenure management system of the Dai people, although the land belongs to the feudal lords, in fact, the village community has a large possession and control over the land. Therefore, in the land management system, the village community has a relatively complete administrative body, which can exercise the power of organization and management. These rights include the power to allocate the collective land of the village community. In addition, the power of the village community and its management functions are also used as tools for the feudal lords to rule the village. Although the village administrations distribute the land fairly and freely to farmers for cultivation, the farmers must fulfill the village regulations. The obligation of the village community administrative agency also serves as a grassroots political power to serve the political and economic services of the feudal lords.

4.1 Overview of land tenure types

The feudal lords 'great land system and the feudal landowners' land system are two forms of the Dai's traditional land system, whose land ownership structure is shown in Figure 7 and Figure 8.

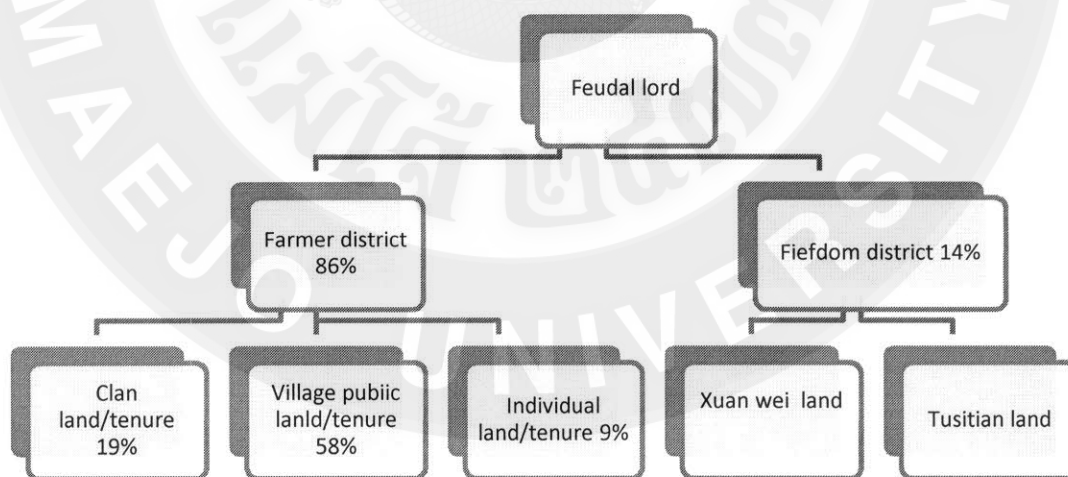


Figure 8 Land Tenure Distribution under the Feudal Landlord Land System

Under this land system. Most of the village's land belong to collective, a few land is the fiefdom, belong to someone that because of working and reward from King. The famer land have three types: 1. Clan land have 19 percent, it is belong to same clan people. However, due to the problem of build and used infrastructure, clan lands in most areas have voluntarily turned into collective public lands. 2. Village public land have 58 percent is belong to collective. 3. individual land have 9%, it's comes from open up wasteland, but only 3 to 5 years belong to individual, after that it is belong to collective. Therefore, the three types of land in the "famer district" have in fact eventually become the collective land owned by the village community. (Cao, 2006)

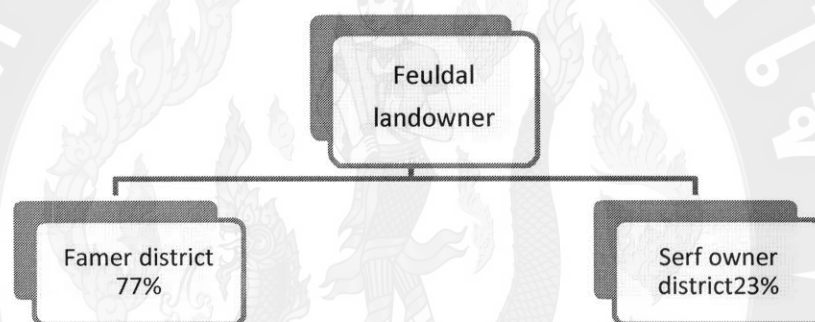


Figure 9 Land Tenure Distribution under the Feudal Landowner Land System

Under the feudal landowner system, farmers' places accounted for 77%, and the serf owner district was 23%. The emergence of the feudal landlord system was later than the feudal lord system. The difference between the two systems was, that the feudal landowner system was affected by the private ownership of the land in the Han majority. Private land number was increased. But, the proportion of public collective land in the village is still high, and the land tenure system of the public ownership of the land is still maintained.

However, in any form, the total land owned by peasants in the village accounts for more than 70% of the total land. As long as they are members of the village community, they have equal rights allocated to the land for cultivation.

The land tenure of the Dai community is divided as follows:

1. Lord District Land Tenure

Under both the feudal lord's land system and the feudal landowner's land system, the lord held less than 30% of the land in the entire village community. This is a kind of land directly under the lord, this land is divided into six types:

The first one, "Xuanweitian" land. This kind of farmland is the hereditary land directly owned by the highest lord in the Dai area and belongs to the nature of private fields and is distributed in various Meng areas and can levy land rent for laborers.

The second, "Tusitian" land. This is the land directly occupied by the big lords in each area of Meng, can be hereditary, and can levy land rent.

The third "Bolangtian" land is the land allocated to retainers by the highest lords or Meng districts and enjoys the rent in kind as compensation for the salaries of their work. This land can only be temporarily possessed. It cannot be hereditary. If it leaves office, it will be handed over to the land.

Fourthly, "Tourentian" land is a kind of land that has always existed in the original village as a salary or salary recognized by the lords or the lords give to the agents in their village. This kind of land also belongs to highest lord. It can only be temporarily owned and cannot be hereditary. If it leaves office, it will be handed over to the land. However, such land can be used to plant farmers for farming while relieving the full burden on the land. It is an integral part of the land of the lord

Fifth, "Bonatian" land, a field occupied by the feudal lords in the head of the village (and possibly individual farmers), occupied by the lord for the supervision of farmland cultivation. It is an integral part of the land of the feudal lord, occupying one tenth of the land of the lord. Enjoy the real rent.

Sixth, religious land, covers an area not large, the income of the land is mainly used for religious affairs, usually by the village head is responsible for management.

2. Famer District Land Tenure

Famer District Land Tenure occupied 77% land in the whole village. The land of the famer district land can be jointly owned by the various village communities,

the forests and pastures are jointly used, and the houses and gardens are individually owned by the village members. In the village communities where the cultivated land is not sufficient, the land will be allocated and cultivated. This is a kind of land directly under the community and family, this land is divided into three types: Family Public Land Tenure, Village Public Land Tenure, Private land tenure.

2.1 Family Public Land Tenure. Family public field refers to the collective ownership of each family village land, allocated by household use. Inheritance of land within the transfer, outsider cannot be used, if the family moved out of the village must also return the land. The land to which the family members have been assigned can be inherited as hereditary, but the family members inherit only the possession and use rights of the land, and the land ownership always belongs to the family. Without a heir's family, the land will be recovered by the family after all the family members have died (Jian Yinglian, 1984). According to survey data, this type of farmland accounts for an average of 20% of the total farmland, but some villages make up a smaller proportion.

2.2 Village Public Land Tenure. Village Public land tenure refers to the collective possession of land by members of the village, which is the remnants of the primitive rural commune form of land. When distributing village public land, the family and their relatives are no longer prerequisites for the distribution of the land. As long as they are members of the village, they can be allocated a piece of land as long as they are not separated from the village community and assume public obligations.

The difference between Village Public Land and Family Public land lies in the fact that Village Public Land belongs to whole the village community, and village community is not a kind of kinship formed by kinship, but a geo-collectivity. Village Public Land allocated to members of the village community, and members of the village community need to have the eligibility is whether to assume certain social obligations, responsibilities of the decision.

The public nature of the village community in Village Public is manifested in the following aspects:

First, those who are willing to take on certain social obligations and responsibilities and are accepted by the village community are entitled to one share. Undertake obligations, nothing more than building water conservancy projects, road repair, protection of village community boundaries and other public affairs. Those who have relocated their village or who have lost their membership in the village community must return the land to the village community.

Second, members of the village community (the whole family) have only the right to use the land and the ownership always belongs to the village community.

Third, although the land allocated to members can be inherited by children, after a certain period of time, the village community should take back all the land for redistribution. The regular redistribution reflects the ownership of village community by village collective.

Fourthly, the cultivated land reclaimed from the wasteland owned by the village community can be cultivated for a period of three years without obligating it. However, the cultivated land reclaimed from the wasteland in the village community will be classified into the village land within five years.

In the relations between the family public land and the village public land, there are many facts that illustrate that the village land owned by the village community is transformed from the family owned family land. The root causes of this transformation are above all the need for public utilities such as water conservancy and irrigation projects and the increase in population. Many public utilities, which neither family can accomplish but also break through the boundaries of family land, bring the different families together to form a rural commune. Family Public land tenure gradually become Village Public land tenure, kinship of the family commune has become a regional association of rural communes.

2.3 Private land tenure. Private land in the Dai traditional land system exists in small quantities, there are two main forms:

First, reclaimed wasteland. Farmers in the village community reclaim the wasteland around the village. Within five years, the farmers can cultivate their own land freely. After five years, they should be handed over to the village community as Village public land.

Second, occupy a relatively fixed family field. No longer adjust the distribution of family fields within the family, maintain a fixed hereditary, this part of the field is a real private ownership, but because the land is forbidden to buy and sell, private little significance, will not change the form of land ownership. This part of the field is very small.

4.2 Allocation organization system and method

In the Dai traditional land management system, there are differences in the way of distribution according to the different types of land ownership village public land is the "collectively-owned, privately-used" land in a village that can be used for distribution. As a result of the collective nature of the village, all members of the village community have the right to demand the allotment of land.

In the Dai traditional land tenure management system, land allocation through the village council to allocate to villagers. The method according to total of village population, and every year can be adjusted if villagers requirements. They usually used rope and bamboo as the land measures tools, all of land divided to a lot of piece by quality and location, and then through lottery or grasping decision which person got which land.

However, since the land belongs to the collective ownership, all of them have certain boundaries between the various villages. When the members of the village move away from or leave the village, they must return the land to the village. After obtaining the membership of the village, the migrant households have the right to claim a share of the land, but in any case, the land is not allowed to be transferred or traded.

4.3 Land Management and Distribute Organization

The basic organization of the Dai society is the village council, and there are strict boundaries between the village communities. The Dai customary law stipulates that the village community has a village father (Bomon) and a village mother (Miemon), whose responsibilities are mainly:

1. Manage the relocation of residents, and the new members on behalf of the village community, and approve the relocation;
2. Manage the village community land and guard the boundaries of the village community;
3. Collect various tributes instead of lords;
4. Administer religious affairs, For example, the source and use of Buddhist temple funds;
5. Management of marital affairs and settlement of civil disputes.

4.4 Land Allocation Method

Allocation of land in each village community has been allocated in accordance with the method of rural communes to allocate land, once a year, disrupt or equalize the original allocation basis. The time is generally before the plowed fields in the Dai calendar in July and August. Distribution, the original use of land for each household upset the ground, re-use the rope or bamboo measurements of land, divided into certain scores. Divided by the number of land according to the quality and location of the number of far and near to determine the number of far field, bad field area will be more near the field, good field area will be less, or good fields and bad fields together, and then by the whole Members of the village community, household units, lottery or grasping decision which account points those fields.

All married men in the village have the right to claim or be forced to accept a share that they should share. Generally, all members of the male and female villages aged 15-18 years old should be allocated a quarter of the land and begin to study and bear the burden. Generally, 4 to 5 people can afford one burden household. If they are not yet married by the age of 18, they will be forced to allocate land to the entire household and bear the burden of the village community, mainly on feudal rent, and secondly on various public affairs in the village community, which is also the basic condition for obtaining the land.

The loss of village membership, the relocation of this village, the loss of labor or the death of the family's leading workforce must be returned to the village community. When a man is over 50 years of age, he is required to return his share to the village community and meanwhile relieve the burden by giving the village community about one-third of the original land for the Buddha, the vegetarian monk. At the same time, it only shoulders the feudal burden of one-third of the village community.

For the head of a village or a villager who undertakes public affairs, the village commune is replaced with a piece of land for their possession, but not permanently occupied, and if not held, it must be returned to the village community.

4.5 Land Allocation Adjustment Method

The land of the village community will be regularly adjusted the allocation. Generally, one household will be the unit and the successor units will be limited to fixed single households. After the death of many children, only those who are willing to shoulder the burden of feudal inheritance cannot be separated. Separated from the new home, the right to request points.

There are many changes that have taken place in the Dai history on a regular basis to adjust the distribution of land. However, since the occupation of land and the feudal burden borne by the possessor are equal, the ways and means of distributing land and the procedures for distributing land are also changing with the social changes in development have become more stringent. Adjust the allocation of time each year for the Dai calendar July and August, that is, the solar calendar in June plow field before the village community in accordance with the land and account of the land allocation adjustment is divided into a number of roughly equal production of a few pieces of land each year regardless of the distribution adjustment or not, All villagers have to hold a sub-field assembly, presided over the convening of the convention in accordance with established practice must personally ask the villagers: Are you satisfied with the field planted in this year? Is it handled according to the method of last year? Is there a new household requiring

allocated land?

If there are the following cases after the distribution in the previous year, village clubs will discuss and adjust: Someone divides into a house or recruits a foreign son in a village, a newly established family member; Adopts the consent of the village community to attract foreign households as a new member; Past due to lack of labor or unwillingness to farm. Now people are required to separate fields. Those who used to have bad fields put forward the proposal to change their land. Some people are not willing to farm and return to the village community. Some people will leave the village and return the land to the village.

The general method of adjustment and distribution is as follows: Firstly, no farmland or less farmland shall be allocated for cultivation; if the land distribution among members of the village community has been generally balanced, the farmland shall be left as the "mobile field" of the village and shall be handed over to the more labor-intensive households for free use; When households increase, they must hand over their land to some areas for adjustment. Others rent them to more laborers in the name of QuanZhai or rent them to other villages in a collective way and collect the rent for public expenditure in QuanZhai. Never give more land to abandon the wasteland.

In some cases, due to the actual situation, the members of the village put forward the demand for the distribution of land. However, when the land in the village is too small and not distributed enough, the land is leased or dwelling into the outlying village for cultivation. The land rent and the dianzi are borne by the whole village. Or, a number of picky millet farmers or other members of the entire village community would have to pay to the landless households to share the burden of the village. In some places, we adopt a work-around approach and those who are reluctant to hand over the newly reclaimed land for private ownership are rented out to non-farm households in an amount equal to the rent they should be entitled to. Although different approaches, but the common goal is to share the burden of feudal, so that the fate of all villagers together.

4.6 Supplement and Adjustment Method

Supplement and adjustments, as an adjunct, complement the regular adjustment distribution method. Mainly refers to the original cultivated land based on the pumping adjustment of a distribution. In the case of an organic farm in the village community, only a portion of the farmland is allocated to the new tenant and, in the absence of a mobile field, a specific approach is taken as a specific situation:

1. Extrusion: squeezed by farmer households in several adjoining fields, gradually shrunk from one end to the other, giving way to new households;
2. And to: multi-family in their own territory were removed from the new households should be assigned to a number of points, and a foot, assigned to the new home use. Since the old households are mostly curtailed and the land allocated to the new households is dispersed, the new households oppose this method.
3. Cut the ground: a few elderly people connected to one end of the land cut out a whole block to a new home.
4. Digging: Several elderly households connected to the central land, dug up a whole lot more to new households.
5. Land replenishment: The new household is not enough for share, and the following year requests it again.
6. Swap: The new family share is not good, you can ask for some good replacement.

When adjusting the land, more households are required to disrupt the division. Elders and heads of household are advocating for dredging and cutting. Therefore, in many cases, the new households' land is not as good as the old ones. Since land cannot be divided because land is fixed, the above method is not applicable. In the absence of a motorized field, new households only have to wait. The village community collectively rented the land of the lord, or the land leased to the collective in the outer village, also divided into several equal parts according to the above distribution method

5. Traditional Land Use Of The Dai

Land use involves the management and modification of natural environment or wilderness into built environment such as settlements and semi-natural habitats such as arable fields, pastures, and managed woods. It also has been defined as "the total of arrangements, activities, and inputs that people undertake in a certain land cover type."

The traditional land use of the Dai people is based on ecological protection. In the Dai villages, it is difficult for villagers to survive if leaves from the surrounding environment, and their lives basically in a natural state of "living depend on God mercy". This "God mercy" refers to a good natural environment. To have a good natural environment, people must protect the ecology and not use and waste resources in land use. Therefore, in the land use, the villagers will rationally plan the land to be inhabited and the land to be produced, choose the variety to be planted, the time of planting, and the way of fertilizing the land in order to make the land use sustainable. Continue the way humans depend on the natural environment for survival.

Before the 1950s, there was a large amount of wasteland in the Dai area, and the Dai culture did not encourage the uncontrolled development of forests. In terms of the sustainable use of land, the Dai people are more dependent on the field's own remediation ability. Only one season of grain is planted a year, mainly through fallow to achieve natural restoration of soil fertility.

Although the Dai area has relatively complete water conservancy facilities, it is mainly based on water diversion, and there is no reservoir that can expand the irrigation area. When faced with short-term water shortages, the seedlings will be temporarily placed on small plots of land, and after the rainy season, they will be moved to large areas that have been irrigated; the rice production system of the Dai people is less manpower, land It is only shallow farming, no fertilization, and no field management activities such as weeding, which is significantly different from farmland farming activities in the Han area.

Many modern studies pay too much attention to the rice yield per unit area. They believe that local agricultural production is “backward”, but considering the less investment in human and material resources, the traditional rice cultivation of the Dai nationality can be said to be an efficient and rational production method. (Zhang and Lei, 2018)

In the land use, the Dai people attach great importance to the management of forests, water and agricultural production, and pay attention to the sustainable use of natural resources. Under the public ownership system of land ownership, according to the characteristics and uses of the land, the Dai people divide the entire community land into villages, forests, and rotations. There are four basic types, such as land and paddy fields. Under the joint discussion of village elders, village heads and clan chiefs, the land of the whole community will be divided into forests, villages, land and fields, and important forest resources will be managed by the community.

In the Dai traditional land use, there were four kinds of land types, it has classified with different characteristic of land, and different land has different functions.

5.1 Land use at Residence and public

Residence and public land include courtyard, temple, education fee land, public road and fishpond. It is can provide collective finance, useful to manage public affairs of village.

Public Land includes temples and surrounding courtyards, education land (It refers to the public land reserved in the village, which is operated by collective arrangement and is used to bear the education expenses of young villagers), public roads, and community-owned timber forests and fishponds.

The management of the temple usually consists of four elderly people who are responsible for the management of the temple's land and the required items. For example, when the temple needs to repair the wood needed for religious activities, it will also be responsible for the felling or Supervision. Until now, this tradition still exists in the Dai village community. For the management of public land, the village head arranges the villagers to take turns to participate in maintenance and

specific affairs management. The villagers' participation in management is an obligation and does not pay for labor.

The residence of the villagers allocates land by household and builds their own houses. At the same time, each household has a vegetable plot, due to the cultivation of vegetables.

Generally, temple and village residence houses were built in the central position of village, and more concentrated, it is very convenient to management.

5.2 Land use at forest

Forest land is include Longshan forest, water recourse forest, and firewood forest. It can adjust climate, Conducive to maintaining a good ecological environment.

According to the Dai's dual religious beliefs and the basic characteristics of forests, the management of forests can be divided into two categories:

One category is the absolute protection of forest resources, including the Longshan forest, water source forests, scenic forests; Dai has long been the concept of the protection of ecology, the village site is usually considered to have forests, rivers, paddy fields, so as to live and work, so The protection of the forest is very focused. In order to protect the water sources, the Dai people built the Walled City to protect the sources of water as well as the upper reaches of the water resources forests. The main function of the water source forest is to ensure the village water, especially the domestic water and production of plenty of water.

The water source forest is the largest in all absolutely protected forests. Except coffin trees, it is absolutely forbidden to cut down any trees in the water source forests. After each village was built, a dense forest near the water source was chosen as the mountain forest (tomb grove) to serve as God's home and lay dead people. Dai people believe that the dragon forest is sacrosanct, hunting, collecting, logging is not allowed, and once the hunted animals fled into the forest, people think that the animals were hunted to give up hunting. For the Longshan Forest, the villagers usually have no access to the land, they can not grow crops, pick up trees, branches and small forest products. In addition, there are more stringent customary

laws to protect them, while offenders are severely punished. In order to protect the village, each Dai village will plant linden trees around the village in order to pray for the protection of the gods. The local people become "Mansiri" or "village of the gods". The villagers believe that they have the divine power and are strictly protected and destroyed by the villagers Will be retribution, so that the village of linden tree handed down from generation to generation, as a village landscape.

The other is available forest resources, including community timber forests, firewood forests, courtyards and temple plant gardens. Dai is a nation of dual religious beliefs. In addition to believing in the primitive religions of the Dai people, the Dai people also refer to the Southern Buddhism as the belief of the entire nation. Generally, each village has a Buddhist temple and pagoda, and each temple has a garden around it Cultivation of plants related to religious beliefs.

In Xishuangbanna, there are about 400 such courtyards. The main plants are *Ficus religiosa*, *Corypha umbraculifera*, *Artocarpus tetraphylla*, *Mussaenda ferrea* and so on. Villages provide timber or other forest products needed for the renovation of temples and religious activities. Four elderly people in the village specialize in cutting or collecting items for the temple, and they also monitor monks in the temple. Community timber forest for the community residents sharing the construction, firewood, fences and other life, the production of timber land. Such forests are generally selected in the relatively close to the village but not the source of water reserves, and the use of the village as the uniting of their respective timber forests. Villagers are more free to cut construction timber, firewood and fence wood in the timber forest under the jurisdiction of the village, but these can only be used for their own consumption and cannot be used for any form of exchange of goods.

In recent years, because only cut no species, some tree species in large demand more and more unable to meet the needs of villagers need to buy elsewhere. Therefore, in recent years, the village committee, at the suggestion of the elderly, demanded that the villagers cut down and go through the approval of the village chief and the elderly. In order to meet the firewood needs of Dai people, firewood forest is usually planted around the village or on both sides of the road. Due to its rapid growth and high calorific value, it can fully meet the needs of local

villagers while avoiding tree felling and destroy the ecological environment. The garden plants are distributed around villagers' houses. They are mainly used for planting villagers' everyday necessities such as vegetables, fruits, herbs and so on. On the one hand, these garden plants can meet the needs of family consumption and at the same time form part of the community forests, beautifying the environment and maintaining the ecological environment.

For thousands of years, forests in the Dai area have been thriving and have, for a long time, relied on traditional beliefs to form a set of community rules that are strictly forbidden. According to the records, a long time ago in Xishuangbanna Dai villages in the village dedicated to mountain officials "call", its main responsibility is to protect the mountain forests and the "Longshan", "Dragon Tree", etc., is strictly prohibited indiscriminate deforestation. In addition feudal lords also increased tax revenue and other means to limit the public open new wasteland to protect the forest, of which the most severe punishment is to protect the Buddha made the "deforestation Linde sentenced to death, the children sentenced to Temple slave" rules. So far, there are still many villager rules that restrict the behavior of villagers. Although some of the provisions are outdated, some basic rules of villagers are still adhered to by the community and some flexible changes.

In the long-term practice and exploration, the Dai people have formed a unique set of resource management system. Factors such as religious beliefs, traditional customs and regulations of towns and villages become important factors that affect the management style and classification of forests in the Dai area.

5.3 Land use at Farmland

Farmland is mainly refers paddy land, Dai people only use green fertilizer to cultivated, and not overuse land, it can keep land use is sustainable.

Dai has a long history of rice cultivation and rich experience, with a complete set of paddy farming methods. Dai people used to paddy fields according to the conditions of water and fertilizer to divide into high, middle and low three level fields. Dai never used animal manure as a fertilizer in Tianzhong, and thought that such crops grown for sacrifice would be detrimental to gods. The fertility of paddy

fields is mainly maintained by long-term leisure without rotation. Rice is planted from May to October every year, leaving natural abandonment for the rest of the year. The tropical hot and rainy climate makes the fields overgrown with weeds and the next year when the fields are plowed, the green manure is cut off. When the rice is harvested, the upper part is cut off and the lower part is turned into the field Green manure; buffalo, cattle and other leisure time will enter the Tanaka, after repeated herding by the herd of weeds, stubble into the soil into the paddy field to provide adequate nourishment.

Dai traditional rice farming practice is only one season each year in the winter to drain the water, the implementation of leisure farming land system, which is conducive to soil fertility recovery.

5.4 Traditional land use in agroforestry

Agroforestry is come from traditional experience wisdom, it can sufficiency land use, in the same time and same place, mixed planted differences species, can promote land use and utilize different species plant to raise yield and reduce labor and adjust climate.

Agroforestry is a new concept of land use system proposed after 1970. It refers to the combination of agriculture, forestry and animal husbandry on the same land, and combines the different requirements of various species in time and space to form a composite of an ecosystems, to make full use of light energy, water and soil, to obtain a variety of products and higher output. At the same time, the soil erosion is reduced, thus stabilizing the productivity of the land.

Before the concept of agroforestry was put forward, the Dai area had always had the tradition of mixing different varieties of plants to improve the efficiency of land use, such as mixed planting of *Cinnamomum Porrectum* and tea trees, planting *Baphicacanthus Cusia* under tropical rain forest, and mixed planting of *Cassia Sisme* trees, and planting in the home garden, these methods can make the land fully utilized in time and space, and thus become a tropical land and subtropical mountainous area is an important land use method.

The Dai people have long been engaged in the tradition of mixing *Cinnamomum Porrectum* and tea trees. The early camphor of the sassafras is an important economic product in the Dai area. Tea leaves grown in the *Cinnamomum Porrectum* forest are not only high in yield but also better in quality. In general, 100 *Cinnamomum Porrectum* trees and 5,000 tea trees are planted per hectare. The compound planting of *Cinnamomum Porrectum* and tea trees has brought good economic benefits to the Dai people, and also brought good ecological benefits, effectively reducing soil erosion, increasing soil temperature and increasing the organic matter of the soil surface. Two crops are produced on a piece of land, with significant stability and improved land productivity.

There are only a few ethnic groups in the world that have a tradition of cultivating fuel-wood. The Dai people have always had the tradition of growing *Cassia Sismea* as a renewable energy source.

Planted by traditional methods, slash-and-burn method is used to clean up the woodland, and then the *Cassia Sismea* and the upland rice seeds are mixed at a ratio of about 1:40, and then planted in the rainy season. The density distribution of the *Cassia sismea* is random, about every hectare. There are 10,000 seedlings, people adopt farming instead of tending, that is, while managing upland rice, they also raise *Cassia sismea* saplings. After harvesting, the saplings get more sunshine and grow rapidly. By the end of the first year, they can grow to 50cm. In this land, as much as the same amount of upland rice can be harvested, in the second year, peanuts, soybeans and other crops can be planted in this new forest. These crops have root nodule nitrogen fixation, which can help the growth of *Cassia sismea* while cultivating crops. At the beginning of the third year, after the iron-knife trees reached 1.5 m, the intercropping was no longer carried out in the forest. In the fourth year, the trees grew to 4-6 m, and people began to harvest fuel-wood, and this fuel-wood can output 50 years.

The cultivation of *Cassia sismea* is one of the best traditional land use methods of the Dai people. It not only provides the living energy of the home, but also protects the natural forest from deforestation.

Planting in the courtyard is a very common phenomenon in Dai village. Planting a wide variety, using scattered land, planting the layers together, forming a rich plant community, which is a multi-functional, multi-production traditional land use methods for products. According to statistics, there are more than 300 kinds of plants planted in the Dai courtyard. According to the planting purposes, they can be divided into: fruit trees, vegetables, plants, spices, fiber plants, dyes, feed, religious plants, flowers, fuel-wood and fence plants. The size of the courtyard ranges from a quarter of a hectare to a small one is only 100m², with at least 30-60 plants per courtyard. Products grown in the courtyard provide the daily needs of the family, and some products can also be sold on the market to increase economic income.

The traditional method of planting land in the Dai nationality is a complex land use system. In addition to the above functions, it also creates a good ecological environment for the village. Summer tree shading can lower the temperature, dry season increases the humidity in the air, and fence plants can also prevent soil erosion.

6. Land tenure management system operation mechanism

6.1 Organizational structure of the Dai village council

The Dai village community is called "Mon". Generally village has big power for management. There are usually 30-50 households in a stockade, 70-80 households, and more than 100 households. Each village has a strict boundary formed in history. The villagers are very clear about the geographical boundaries. The land and all natural objects in the boundary are jointly owned by the village members.

According to the traditional system, all powers to deal with village community land are collectives of village communities, not individual members of a village community. The rural communes of the Dai society have a relatively complete set of administrative organizations that maintain their own operations and the social division of labor within the villages that guarantee the self-sufficiency of the village community. Members of the village community voluntarily share various social divisions of labor according to their ability and ability, personal preference and interest.

The form of village management organization in the Dai village community, the village society has preserved "village council" and "village community public meeting".

Village council is the management organization of system operation. The village council consists of 5 people, each one responsible for different management tasks. And their respective powers are mutually restrictive.

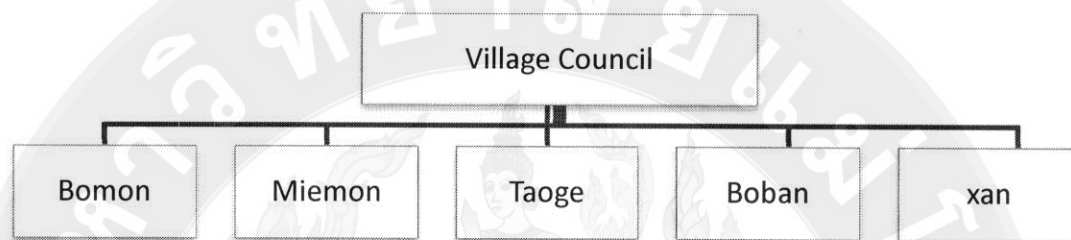


Figure 10 Organizational structure of the Dai village council

"Bomon" (that is, the father of the village), is appointed by the upper management, which is equivalent to the village head. "Miemon" and other members are elected by the villagers. "Miemon" (that is, the mother of the village, male) is equivalent to the deputy head. "Taoge" is the most prestigious person in the village. He is responsible for supervising the actions of the village council. "Boban" is responsible for Communication, Xan is a villager representative.

The village has a variety of social divisions to maintain its own functioning administrative organization and to ensure the self-sufficiency of the village community.

They have set up village daily affairs together. The village council meeting was convened by "Miemon" and held at his home. "Bomon" did not need attend the meeting, but "Miemon" needed to ask and report to him before and after the meeting.

"Village community public meeting" is the highest policy-making body of Dai community. It is consists of members of the village community, the meeting hosted by "Bobmon". The major problems of village clubs, such as distributing feudal

burdens, allocating land for adjustment, water conservancy construction, electing or replacing heads of state, receiving new members, approving members to retire from society, etc., must be resolved through the convening of a meeting of village residents.

The village heads are elected through primitive democracy. The chief heads of the village community are elected among the members of the village community. Candidates have the working capacity recognized by everyone. They are fair and reasonable in handling matters and have a good reputation among the members of the village community.

The villagers with improper management and poor management performance are entitled to discuss and recall. "Taoge" is the most trusted person in the community village. All meetings in the village community should invite him to participate and request an opinion. If "Taoge" did not agree, the decisions made at the meeting would often encounter difficulties in implementing them and would have an impact on implementation.

6.2 Basic management system

Usually, in the organization management of Dai, it based three systems. "Huo Xi" system is political authority, it's a top to down regime. "Meng Man" system is a kind of political and administrative organization system. "Bo Lang" system is a supervision system in community.

"Huoxi" system

Set on top of grassroots units in the village, they usually form a high-level regime consisting of seven or eight villages of the same rank but not the boundary, it is called "Huoxi" . This unit have the function of allocate the villages land and burdens, but also it is a local administrative organizations in the political power.

"Huoxi" means "the leader of 10 people", which was originally the military organization. It is a military and democratic system. "Huoxi" is the leader of the smallest grassroots units, that is, leaders of 10 individuals and 5 Huoxi claims to have a "Haxi," or "leader of 50", as the leader of "HuoHuai" or "Hundred People," "Huoban" First "is the leader of one thousand people", "Huomen" is the leader of ten

thousand people, "Huoxian" is the leader of one hundred thousand people. However, with the development of history, it gradually turned into a first-class political authority in the Dai community

Above "Huoxi", each level to form a higher level of power, the tribal chief of people called "Balong", the council are called "Guan", for example, since the Yuan Dynasty, Xishuangbanna's highest governing body for "chelixuanweisishu", the supreme ruler known as "zhaopianling", he was canonized by the central dynasty, known as the "chelixuanwei" officials, which has the jurisdiction of more than 30 Meng, respectively, formed into 12 "Banna", has been extended to modern times. Through a top-down set of regimes, the people in the Dai area have been strictly ruled.

"Mengman" system

"Mengman" system is historically a kind of political and administrative organization system typical of Dai in China and Southeast Asia. "Meng" is Dai language. Meaning is a feudal administrative area. At the same time, there is also have a city, a town, and a feudal and sub-district. "Man" is the meaning of the village and is a relatively independent political, economic, military and social entity. Politically, the chief executive of "Meng" comes from above leader appointments, while the "Man" chief executive is elected by the village vote.

There are also common economic systems in both Meng and Man. The land is publicly owned and distributed by villages and families. Each member of Meng and Man has the possibility of field cultivation and equal opportunities for survival. At the same time, also have to undertake a clear obligation, these obligations such as: the higher level of feudal lord is responsible for the payment of taxes, military expeditions and feudal lord to undertake various feudal obligations and so on. In different "Meng" and "Man" system, the formation of a large feudal entity, and eventually become a feudal kingdom. In the areas of "Meng" and "Man", there will be their own gods, which will bring a spiritual cohesion to the interior of Meng and Man. Therefore, this is a set of political system. For those who are from Dai ancestors to different regions Migration and settlement have played a positive role in enabling the ancestors of the Dai people to take root in the new immigrant areas and develop

rapidly.

“Bolang” system

In addition to the vertical administrative system from the village council to the “Xuanweisuan” court, there is also a “Bolang system” between the councils at various levels and the local government. Officers at all levels of the council will be Appointed to each of the “Meng” offices as “Bolang”, who are politically nominated and supervise the work of leaders at all levels in each “Meng” area under their jurisdiction. According to the rank of their positions, the summons have been given a different amount of land, “Bolangtian”, as their salary to enable them to charge rent as the economic income in their posts. The same method was used at the “Meng” level to call the clergymen below various levels of agencies, so that strict control and management of the general public could be realized.

The “Bolang” system is essentially a system of supervision. Therefore, in the traditional management of Dai people, not only the institutions implementing the rights but also the supervisory bodies that restrict the implementation of the rights, thus, avoiding many problems in the implementation of the rights and making the management of the Dai community more efficient.

7. Conclusion

In the operation of the traditional land system, it has played a good social and economic function in the Dai community.

1. As a factor that plays a decisive role in social development, the land system is an important symbol of social formation and economic structure. In the early Dai society, the land system was “collectively-owned and individual-owned” by village and village communities. In addition, the periodic distribution system of cultivated land was realized by individuals and families, including forests and rivers.

With the development and changes of society, the emergence of social feudal lords changed the nature of the land ownership of the village community, and the village community lost ownership of the land as the “custodian” in possession and use rights, but the village community Still in accordance with the ancient habits to allocate the management of land, distribution of labor products,

collection of government rent. This traditional land management system has played a positive role in meeting the needs of village community members in their production and life, promoting social stability and harmony, and maintaining the sound development of the ecological environment in the development of the Dai community.

2. Land is the foundation of agricultural production. As a traditional farming agriculture, land is the pillar and whole of people's economic life for the whole society. The smooth operation of the Dai traditional land tenure management system can meet the needs of village members' production and life.

3. Society is a group of people. Correctly handling the relationship between individuals and groups is a necessary condition for promoting harmony between people and society. The rural communes in the Dai society are rural communes belonging to the oriental form. The village community has the nature of "collectively being the entity". The organizational form of the village community is not only "maintained the strongest and the longest", but also the economic life between the village and the individual. The relationship with social life is also extremely close. The implementation of the traditional land system promoted the stability and harmony of the Dai society.

4. Under the traditional land tenure management system of the Dai people, the land of the whole community is divided according to the characteristics and uses of the land, and the functions of forest land, paddy fields, dry land and residential areas are strictly divided, and effective management is carried out to fully protect and utilize the land resources of the village community. Each village has passed the tradition of afforestation from generation to generation, planting a landscaped environment around the houses inhabited, and planting iron knives in the vicinity of the village as a traditional practice of firewood forests, which has better protected the ecological environment of the Dai community.

The Comparative Analysis of Dai Traditional Land Tenure System and the Modern Land Tenure System

1. Analysis of modern land tenure management system

1.1 The land tenure system change in China

In order to meet the requirements of the development of the productive forces and promote the economic and social development, since the founding of New China, the state has carried out a series of changes in the system of land ownership, the system of land use and the state administration of land. In the past 70 years, China has released a series of policies and regulations that regulate the management of land and deepened the reform of the land system, and promoted the changes in the land system.

In accordance with the theme of adjustment of land policy and the historical stage of social development, the reform of China's land system can be divided into stages of land reform, agricultural cooperation and household contract responsibility system. According to the ownership of land rights, the model has experienced three major historical stages, including ownership of land peasants, collective management of all land collectives, and ownership of land collectively owned by peasants. Each stage shows different goals and system performance. Can be divided into three stages (Figure 11).

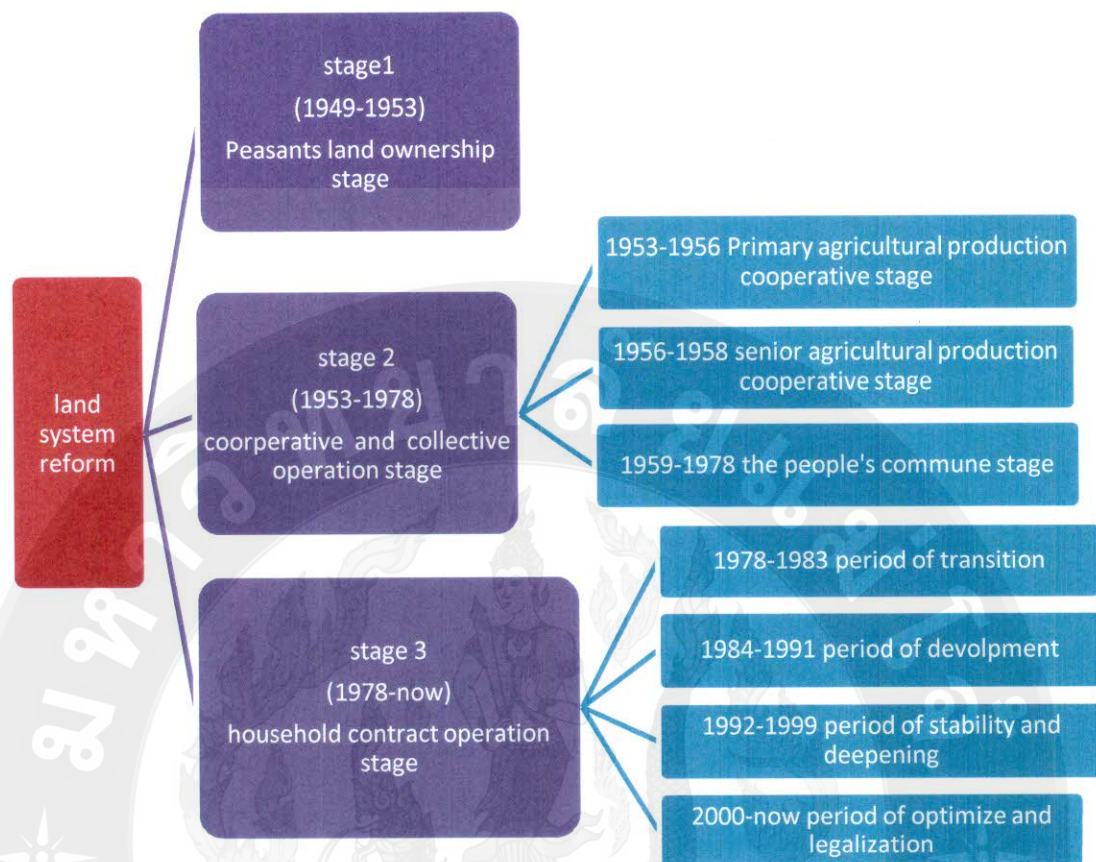


Figure 11 The stage of land reform in china

The first stage: 1949-1953, farmers land ownership stage. June 1950 promulgated the "Land Reform Law of the People's Republic of China, abolished the feudal land system, the implementation of peasants' land ownership. Early 1953, the country basically completed the first land reform.

The second stage: 1953-1978, cooperation and collective management stage. Start the implementation of land shares, unified management, at this stage, the evolution of land policy can be divided into three periods. (1) 1953-1956, primary society stage, the land is privately owned by peasants, and pay a certain amount of land compensation. In March 1956, the "Model Bylaws for Agricultural Production Cooperatives" implemented the primary agricultural market cooperatives. Farmers still own the land ownership. However, the land is taken as a share-holding cooperative and the unified management by the cooperatives results in the

separation of land management rights and ownership. (2) 1956-1958, senior society stage. Private-owned land of peasants, livestock, large-scale farming tools and other means of production, as well as private reservoirs and well water conservancy facilities on the land were all transformed into collectively-owned cooperatives, land compensation was abolished and rural land was transformed from individual peasants to collective ownership. In the meantime, in order to expand the scale of operation, the system of people's commune, which started in 1958, started implementing "small cooperatives and large corporations" and "political and social unity." In August 1958 promulgated and implemented the "Resolution on Establishing a People's Commune in Rural Areas," it stipulated that in the process of committing the law, privately-owned land, sporadic fruit trees, etc. gradually became "naturally public" and within one month the peasants' private ownership of land, ownership and management rights were ended Uniformly attributed to cooperatives, farmers' family management status was replaced by grass-roots grassroots management organizations and basic business units. (3) 1959-1978, people commune stage. From 1959 onwards, it entered the stage of the people's communes and implemented a "three-level all-team-based" system. It established a system in which all the units in the rural areas are based on the production team and restored the system of the people's rights to retain land. Further clarified in 1962: Production team-wide land belongs to the production team. In 1963, members' homesteads were stipulated. The members' homesteads were collectively owned by the production teams and should not be allowed to be let for sale or for sale for a long time. Attachments on the homestead are always owned by the members, but the ownership of the homestead still belongs to the production team.

The third stage, 1978-present, family contract management stage. All the people's communes at the three levels, the team-based management system completely disintegrated, the new "to produce breadth of household, breadwinner to households" as the symbol of the family business management system established.

1. From 1978 to 1983, the people's commune system ended and the transitional period of the household contract responsibility system was established.

In 1978, members were allowed to keep their own plots of land and the collective land management mode still adopted the responsibility system of "contract workers to work groups to calculate labor remuneration in connection with output"; however, they still stipulated that "they should not be allowed to be produced at their own homes and no single plots should be allowed." By 1979, the policy had been changed. The approach of "producing all at home" was tentatively affirmed, and the special needs of some sideline production and the remote areas and single-family households with inconvenient transportation could be delivered to every household but still. In September 1980, the Central Government affirmed the system of contract responsibility for the generation of land under the contract of production. In December 1982, the amended Constitution clearly stipulated: "The land in a city belongs to the state, and the land in rural areas and urban suburbs, except by law, belongs to the state, Belong to the collective ownership. "At the same time, the provisions of the restoration of the original township, town and village system, the people's communes began to disintegrate.

2. 1984-1991, period of stability and development. In order to encourage farmers to increase their investment in land, it is stipulated that the land contracting period should generally be over 15 years. The April 1988 amendment to the Constitution states: "No organization or individual may occupy, trade or otherwise illegally transfer land. The right to use land may be transferred in accordance with the law."

3. 1992-1999, period of stabilization and deepening. Once again amend the "Constitution", "family contract management" into the "Constitution" to make it a basic national economic system, further stipulates that "in the original contract expires after the expiration of a further 30 years unchanged".

4. 2000-present, perfect and legalized period. 2000 put forward the strict land management and cultivated land protection system. In August 2002, "The People's Republic of China Rural Land Contract Law," promulgated clearly stipulates that rural land should be contracted to take the form of household contract within rural collective economic organizations. The state protects the contractual relationship of rural land according to law Long-term stability. Since 2005, the most

stringent arable land protection system has been firmly implemented, the basic farmland has been effectively protected and the peasants' rights to contract and lease land have been strengthened. The planning and management of housing sites has been strengthened, and the land for village construction has been vigorously conserved

1.2 Analysis of the Status of Modern Chinese Land Property System

1.2.1 The general situation of modern land tenure system

From June 30, 1956, the National People's Congress passed the "Model Regulations of High-level Rural Production Cooperatives" to implement the collective ownership of rural land. By 1982, the Constitution was amended to establish a system of land ownership owned collectively by landowners and peasants. The promulgation of the Land Management Law of 1986 and the Rural Land Contract Law of 2002 clearly defined the right of collective ownership of all construction land and the right of rural collective land to contract and contract. At this point, the peasants' ownership of collectively owned land formed the "three sets of carriage" structure of peasants' ownership of collectively owned land, the right to use all the construction land for collective ownership of peasants, and the rural collective land contractual management right. At the same time, it formed the collective ownership of agricultural land at the present stage, (Household) contractual management rights and the right to contractual management of the transfer of succession rights as the main part of the structure of agricultural land ownership.

Increasing private use rights—For the last 20 years, the government has taken steps toward increasing the security of use rights with the intent of increasing agricultural productivity and improving peasants' livelihoods. In 1993, the State gave managers of collective lands the option (though not the requirement) of granting farmers 30-year use rights (Figure 2-7). In 1998, the Land Administration Law actually required the granting of 30-year use rights through written contracts. The Rural Land Contracting Law (2002) further delineated farmers' rights, the contents for written contracts, and dispute resolution procedures. It also reiterated farmers' ability to circulate land use rights to third parties, through "subcontract, lease, exchange, or

swap.” In 2008, the “new” rural reform policy reiterated the principles laid out in the 2002 law, though it received much greater publicity

Together, the Land Administration Law, the Property Law, and the Rural Land Contract Law describe rights and obligations associated with use right certificates and contracts. These provisions pertain to all land uses including but not limited to cultivated lands, forests, and grasslands.¹ The obligations and land use rights with the greatest relevance to land protection efforts include the following:

1) Right to make decisions—An owner of use rights has the right to independently make decisions about “production and operation” of the land² in conformance with the contract.

2) Right to make a profit—An owner of use rights can “possess, utilize, and obtain profits” from the land and its natural resources in accordance with the provisions of the contract.³

3) Right to mortgage “barren land”—An owner of use rights can mortgage “barren land” that is contracted through “bidding, auction, and discussion.”⁴ In general, however, it is not permissible to mortgage collective land.⁵

4) Right to circulate the rights to other parties— An owner of use rights can transfer them to another party or parties through means such as subcontracting, leasing, exchange, transfer, inheritance, and pooling of rights as shares.⁶ Certain restrictions apply. For example, outright purchase or sale of use rights is not possible —the original “owner” of the use rights continues to own them even upon circulation. Furthermore, the term of circulation must be within the original contract term.⁷ In other words, if someone has already used 20 years of forest use rights under a 70-year contract, the contract for the circulation must be

¹ The Rural Land Contract Law applies to “arable land, forestlands and grasslands owned collectively by the peasants and by the State and used collectively by the peasants according to law, as well as other lands used for agriculture according to law.” The other two laws have broader application to other lands, such as construction lands.

² Rural Land Contract Law Article 16

³ Property Law Articles 117, 118, and 125

⁴ Property Law Article 180

⁵ The Property Law Article 184 states, “The following property may not be mortgaged: Land use right to the land owned by the collectives such as cultivated land, house sites, private plots, and private hills, with the exception of those provided by law.”

⁶ Rural Land Contract Law Articles 31, 32 and 49

⁷ Rural Land Contract Law Article 33, Grassland Law Article 15, Property Law Article 161

less than or equal to 50 years. As another example, if a collective wants to circulate use rights to an entity outside of the collective, the transfer requires consent from more than a “two-thirds majority vote” of the villagers’ congress or villagers’

1.2.2 Dualistic land tenure system in China

Land tenure dualism is not unique to China, but China’s land tenure dualism is unusual: two forms of public land, state-owned land and land owned by rural collectives. Rural land can inheritable use rights of 30 to 70 years, depending on land use type, with marketability tightly restricted.

According to the Constitution of the People's Republic of China, what is practiced in our country is public ownership of socialist land, that is, ownership by the whole people and collective ownership by working people. All urban land owned by the state is owned by the whole people, and the rural land belongs to rural collective economic organizations. Population household registration is divided into urban population and rural population, the land is also divided into urban land and rural land, therefore, in theory, called the binary structure.

Collective ownership of rural land originated in the 1950s people's commune system. After the founding of the People's Commune, the private ownership of land, which lasted for thousands of years, was completely abandoned and the collective ownership of the working people was implemented. The means of production belong to the collective, the members of collective economic organizations work together, and the common distribution of labor is the three major characteristics of the collective economy.

After the dissolution of the people's commune in the 1980s, the vast majority of the other communes, except for a handful of rural areas such as Huaxi Village in Jiangsu Province and Nanjie Village in Henan Province, still retained collective economic organizations. The communes and communes are the communes and communes. After the demobilization, the first-class organs of communes have become township people's governments, the production brigades have been replaced by villagers' autonomous organizations, and the production teams have been changed to villager groups. The distribution of productive assets or collective assets to collective members and the contracting of land by peasants

have made it hard to find the shadow of the collective economy in many places or only the outer shell of collective economic organizations.

The constitution stipulates that the ownership of rural land belongs to the collective and, since there is no existing collective economic organization, it has been transformed into a collective ownership by the collective members, that is, from public ownership to "communal ownership." The major difference between the latter and the former lies in that collective members only enjoy common ownership of a certain property without joint labor and common distribution.

The rural collective land is owned by both the township (town) and the village and villager groups. If the land is expropriated or acquired, the division of the land compensation fee will benefit all three levels. However, although the farmers who contracted the land have lost the cultivated land, but because it is not the owner, therefore, is not a statutory object of negotiation, so there is not much right to speak, only a small amount of compensation

1.3 The problems existing in the operation of modern land tenure system

The management of tenure of rural land is the responsibility of the government and its functional departments to clarify the ownership of the rural land and the ownership of the right to use and to solve the disputes over tenure arising from certain causes such as investigation, mediation, confirmation, registration, filing and other land management activities. China's rural land ownership management is generally good, maintaining the stability of rural land relations, rural land resources have been effectively used. However, with the rapid economic development in our country and the further adjustment of rural policies, land has become the focus of attention. Ownership disputes arising from the unknown ownership of land have occurred from time to time, and conflicts and conflicts have been escalating, which brings new challenges to the management of rural land tenure

1.3.1 The boundary of farmland ownership is not clear

From the perspective of property economics, China's rural land is owned by collective economic organizations, has the property of public property, and is opposed to private property. The boundary of private property is clear, the ownership is clear and the exclusivity is strong. Therefore, the ownership form tends to be more efficient. Collective public property, on the other hand, is more conducive to social fairness and allows farmers to enjoy the complete land rights, which is conducive to promoting the optimal allocation of land and its rational utilization.

However, the theory of property rights also shows that as a special natural resource, land resources have complicated relations with rural communities. The complete arrangement of private property rights may lead to the conflict between the limited resources' possession and the uneven distribution within rural areas due to "market failure". Therefore, the bottom line of the reform of China's rural land system is the public ownership of land. To improve the economic efficiency of land property rights, we can only seek a breakthrough in the division of land property rights. In practice, the issue of land is chaotic and complicated, which is directly related to the obscure theory and has an impact on the operation of China's land system.

1) As a collective owner of rural land as the owner of rural land, it is difficult to fully exercise the ownership of the land during the operation and the rights and interests of the land are eroded in many ways. Clear definition of land property rights, farmers lack the legal weapon to defend their land interests. The so-called definition of land property rights is the land as a material asset, its ownership, use rights, proceeds of the right and the right to dispose of the distribution and positioning of property rights among the main. The current system of rural land there is a clear lack of property rights. The rural land belongs to the peasant collective, which is stipulated in such laws as the Constitution, the General Principles of Civil Law, the Land Administration Law, the Agricultural Law and the Organic Law of the Villagers' Committees (for Trial Implementation). However, there are two outstanding problems. First, it is not clear whether the ownership of land is

unclear or which range belongs to the farmer collective. Second, it is unclear who is to exercise and how to exercise the collective ownership of the land. As defined in the Constitution, they are generally defined as collectively owned, defined as township and village levels in the General Principles of Civil Law, Townships and Townships in the Agricultural Law and Land Administration Law, Village or village agricultural collective economic organization.

China's long-term implementation of all three, team-based rural collective ownership. At that time, the ownership of agricultural land (including other means of production) was enjoyed by communes, production brigades and production teams. However, in fact, before the reform of the rural economic system combining politics with socialism, the commune and brigade in many parts of rural China did not form a real economic entity at all levels, but an administrative organ at the first level. According to the statistics released by the National Bureau of Statistics in 1981, more than 99% of the rural population in our country is the basic accounting unit of the production team and over 90% of the land belongs to the production team. When the people's commune was revoked in 1983, production brigades and production brigades were also replaced by village committees and villager groups. Although part of them were adjusted in scope and scale, they generally maintained land ownership under the original system. As a result, the Land Administration Law and the Agriculture Law changed the collective ownership of peasants at the village and township (town) levels specified in the General Principles of Civil Law into three levels, namely, the ownership of agricultural land consists of townships (towns), townships Village and village peasant collective enjoy the current structure of the ownership of agricultural land structure. However, the question is whether it is not clear whether "two or more agricultural collective economic organizations in the village" prescribed in the Land Administration Law and the "Agricultural Law" are the villager groups after the production team has been dissolved. In fact, the vast majority of village groups do not have an independent collective economic organization at all. Even so, China's "Constitution", "General Principles of Civil Law" and "Land Administration Law" and other laws still make such a fictitious ownership of the restrictions, resulting in "peasant collective" ownership of the land become a

display and not play their own function.

As a result, there are many legal entities in the collectively-owned land of peasants: administrative villages, administrative villages and towns and rural collective economic organizations. However, the village belongs to the dispatched office of the township (town) government and the village committee is an autonomous organization of villagers and does not have the legal personality as the main body of property rights. The ownership of land owned by peasant individuals in rural collective economic organizations has not been quantified, It is difficult for such economic organizations to exercise their rights as owners. In addition to the responsibility of local farmers, the remaining land in rural areas is still owned by the village committees. Villagers also have no right to interfere with their rights to use land, especially with regard to land ownership changes, to a certain extent, the rights of the peasantry as a member of the owner are not reflected. This is a flaw in the ownership of collectively owned land.

Table 2 Change in names of collective land administration

| Collectivization (mid/late 1950s/late 1970s/early 1980s) | Decollectivization (late 1970s/early 1980s-present) |
|---|--|
| People's Commune | Town/township |
| Production brigade | Administrative village |
| Production team | Natural village and villagers' group |

source: Liu (2001); Ho (2001)

2) The management of rural land reflects the state's ownership of rural land as a representative of the interests of all, but the state has not become the mainstay of rural land ownership.

The current law of our country stipulates the ownership of farmland very clearly, that is, the farmland belongs to the rural collective except the law which belongs to the state. According to relevant scholars 'survey results of 10

provinces and cities nationwide, farmers' understanding of the status of ownership of agricultural land is rather vague or even chaotic, and the regional differences are quite different. As far as the overall situation in the whole country is concerned, in the face of "Who do you think the ownership of your contracted land is?", 41.91% of the surveyed households chose "the state" and 29.57% chose "village collective ", 3.56% chose " township (town) collective", 6.23% chose " village group ", but also 17.62% chose " individual " (Chen, 2012).

According to a survey of 1,080 farmers, the majority of farmers (57%) consider the government to own rural land; others think the village owns land (16%); 13% consider it owned by village groups; Only 9% of individuals own, and 2% of townships

Farmers in quite a few places are rather unfamiliar with the concept of "agricultural land ownership", believing that the land contractual management right is the ownership and confusing the connotation of ownership by the state and collective ownership. As can be seen from the above survey results, a considerable portion of farmers believe that the subject of the ownership of the contracted land is the state. The reason why this happens is mainly because: (1) peasants generally think that the village collective represents the state, or even equate it with state organs; (2) the strong involvement of state public power in the operation of the rights of agricultural land makes the village collective more Difficult to play its own role.

There are two reasons why peasants in different provinces have different cognitions about the "collective ownership" of contracted land ownership: (1) The imbalance in economic, political and cultural development across the country leads to differences in demand for law among peasants, thus affecting their (2) The role played by the village collective in different regions and the different functions exercised by the village collective lead to the differences in the farmers' cognition of the village collective.

3) Linkage with rural household registration According to the distribution and adjustment of land rights and interests per capita, it brings about the unreasonable translocation of land ownership

From the founding process of the collective ownership system of rural land after the founding of the People's Republic of China, the collective land of the peasants returned the land owned by the original peasants. Therefore, the subject and boundaries of the ownership of the collective land were initially clear. However, since the land contractual management right is obtained on the basis of per capita contractual contract for rural household registration, the collective peasants actually have no right to freely choose collective members and no longer become dependent on the level of development of agricultural productive forces and the need for the socialization of agricultural production. The joint form of information.

The peasant collective, the subject of land ownership, only changes as the rural population changes. This change is unreasonable, mainly in several aspects: First, the cyclical adjustment of the land led to the lack of exclusivity of contracted management of land, farmers cannot form long-term and stable expectation of the land rights of specific plots, which is not conducive to stimulate Farmers' enthusiasm in investing in land has led to a weak awareness of protecting the land, free occupation of the land, and abandonment and destruction of land.

4) The social security system in rural areas is not perfect and the land rights enjoyed by peasants bear the function of social security. However, the contradiction between the increase of population and limited land resources makes it difficult to adjust land contracting rights, making the fairness and efficiency of land distribution contradictory.

As an alternative, the government has tried to provide basic livelihood security to peasants by ensuring that peasants have a certain amount of land-use rights. For example, the average egalitarianism of peasants for thousands of years makes the most permissive reasonable. The real contradiction is that if each of the peasants given to the collective has relatively more adequate employment security and basic livelihood protection and equates the need to ensure that the average distribution of land rights and interests in rural areas is simple, if the population changes constantly, Way adjustment of land rights and interests, then the

development of agriculture objectively require farmers to long-term stability of land rights and interests of the contradiction will never be solved.

This is because: first, different peasant families have different rates of labor force population at different stages of their family life and thus have different demands on the distribution of land; and secondly, the ever-changing population is regarded as land allotment the basis of the right to use, in any case cannot get a stable boundary of property rights.

5) When peasants use rural land for no consideration or for a fee, the ownership of the land cannot be economically realized.

Land rent is the economic realization of land ownership. However, in our country, no matter whether the agricultural products were levied at a low price before the reform, the agricultural tax was paid by the peasants, or after the tax and fee reform in the rural areas, neither the theoretical problem nor the trend of confusing this problem with that of peasants was confused. Farmers' access to land use rights is low-paid or unpaid, and land-use rights actually become a kind of welfare goods that farmers obtain from the country, which brings about many problems.

1.3.2 Land contractual management rights issues

1) There is a difference in the autonomy of contracting management. Farmers have different uses of land after contracting, and their autonomy is affected differently. When choosing to grow food crops or cash crops, autonomy is stronger. However, if the purpose is changed, such as changing the contracted land from farming to aquaculture or fishery production, it must be approved by the village collective or the government, and its autonomy is weak. To a certain extent, affect the enthusiasm of the contractor.

2) Contracted land regulation is not in place. In recent years, due to the weak awareness of arable land protection and the economic interests of peasants, there have been many phenomena of establishing kilns, building graves and building houses in cultivated land. In addition, sand dredging, quarrying, mining and borrowing the phenomenon also occupies a certain proportion. Due to the lack of supervision or poor supervision on the unauthorized use of contracted land by

relevant government departments, implicit abandonment of land in some areas has occurred. In some quarters, contracted land is planted in idle quarters in a quarter, and in disguised forms of wasteland, trees are planted on contracted land, resulting in no further cultivation of contracted land phenomenon. In addition, because of the rapid development of urbanization and industrialization, the cultivated land is seriously polluted, and the reduction of arable land and the lack of utilization and protection are becoming more and more contradictions among people and land in rural areas.

3) Lack of land adjustment policy implementation. In the rural land readjustment, some rural areas have strictly implemented the relevant policies and laws, and many rural areas have made some policy changes in different ways (such as queuing and mobility) according to local conditions Variants. According to relevant scholars' survey, the problem of land adjustment has become a focal point in some areas. Many families occupy more farmland due to the decrease of population, but more farmers do not receive a corresponding increase due to the increase of population, thus triggering the issue of land tenure imbalance. This runs counter to the simple concept of fairness of peasants and leads many villagers to feel dissatisfied or even to blame. In Guizhou Province, even small-scale farmers can accept slight adjustments. Therefore, many peasants and even grassroots cadres think that this policy is out of reality in the countryside and should be revised

1.3.3 The current legal system of land system match is not perfect

1) Farmers lack the legal guarantee of land management rights, many contracting disputes and infringements have occurred from time to time. Long-term investment of operators in terms of capital, technology and labor lacks stable expectation, which leads to the decrease of enthusiasm of managers.

2) The provisions of the Constitution, the General Principles of Civil Law, the Land Administration Law, and the Agricultural Law are too general for peasants' land management rights. The arrangements for relevant contents and procedures for implementation are not sufficiently specific and specific, Therefore, in some places there has been a phenomenon of "law does not depend on"

3) Women's rights are hard to be effectively protected. It is very rare for married women to contract more often by their families and by village groups in a few areas, with the women themselves continuing their contracts. Even if the woman is nominally contracted by the woman, in most cases, she cannot exercise her rights effectively. According to Article 30 of the Law on Rural Land Contracts, if the married women get the contract land in the village where the new place of residence is, that is to say, even the loss of the land contractual management right in the village where the nurse lives does not affect the enjoyment of Land rights and interests, but in fact marry the wife in the village will not be assigned to the basic contract, only a very few cases, married wife in the village will be assigned to the contracted land, but usually, is the original woman Of the land under the conditions of recovery can be assigned to the contracted land, otherwise it is not divided.

1.3.4 Land transfer system and the lack of rural social security system

According to Huang Zuhui (2015), land has five major functions: production function, security function, asset function, ecological function and public welfare function. Among them, the safeguard function is unique in China, and the land plays a safeguard role for farmers. The main reason for the low compensation for land expropriated by peasants is the lack of a correct understanding of the functions of land and the peasants' interests. Therefore, compensation for the land's production function is often given, but the functions of land protection, asset function Compensation is too low. From the perspective of the pattern of interests, the overall land allocation in China is at the expense of farmers' interests, and the market mechanism basically has no effect. Therefore, the five major functions of land should be the starting point and distribution basis for the reform of the rural land system in China or the restructuring of the distribution of benefits

Since the implementation of household contract management, under the precondition of stabilizing the rural land contractual relationship, the policy has also always allowed and encouraged the transfer of land use rights during the contract period. Because at present our country has not yet formed a market intermediary and a financial impetus to initiate the circulation of land use rights,

normative, market-oriented and legalized circulation of the right to use collective land cannot be realized, resulting in blindness and irregularities in the market of land transfer and seriously damaging the relevant Farmers' rights and interests.

Due to the lack of social security system in rural areas of our country, for most peasant families, contracted land is their lifeblood and their most reliable social security. Therefore, while some peasants leave the land to engage in non-agricultural operations, they will still pay for preserving the land, resulting in the wasteful or inefficient use of land resources. However, less agricultural land, even if the labor force is abundant, can only be intensively cultivated and cannot gain the benefits of large-scale management. This has caused the contradiction between the shortage of land resources and the abandonment and plowing (Zhang Liping, 2010).

2. Land allocation comparison

2.1 The comparison Land tenure system

The Dai traditional land system and the modern land system belong to the form of public ownership in the form of ownership. Members of this village share the land of this village, but the members of the village have the right to use the land and cannot buy or sell the cultivated land.

The manifestations and contents are different: The Dai traditional land system is a kind of village-owned land ownership with the color of the public ownership of the original land. It is characterized by the fact that the land belongs to the village community and that the members of the village community use the individual as the unit of distribution. The village community usually consists of the local community composed of the villages inhabited by the village. Members of the village are formed by the combination of kinship and geography. Land and other resources, such as forests and water sources, are owned by village collectives. Each member of the village community can obtain the land, arable land, vegetable gardens and dwelling houses that are necessary for the survival of themselves and their family members, grasslands, hunting grounds, woodland Common use by village clubs.

The current system of rural land is a system of collective ownership characterized by the common ownership of land by members united in the

formation of collective economic organizations and the distribution of income on a labor-scale basis. Article 9 of the Constitution stipulates that "natural resources such as mineral deposits, water currents, forests, mountains, grasslands, wastelands and tidal flats belong to the state and are owned by the whole people; forests and mountains, grasslands, wasteland and tidal flats which are collectively owned by law Except. Article 10 "The land in urban areas belongs to the state, and the land in rural areas and suburbs of cities belongs to the collective except land owned by the state as prescribed by law, and the land for homestead and private plots and self-retaining hills belong to the collective ownership. If necessary, land can be requisitioned or requisitioned and compensated according to the law, and no organization or individual may occupy, trade or otherwise illegally transfer the land, and the land use rights may be transferred in accordance with the law.

The main body of the exercise of power and power institutions are different: the traditional system of management is the head of the village and the villagers assembly; the management of the modern system, according to the "Land Management Law" in 1998 amended Article 10: collectively owned land peasants belong to All collectively owned by peasant farmers shall be run and managed by village collective economic organizations or village committees. Peasants who belong to more than two rural collective economic organizations that belong to the village shall be collectively owned by each of the rural collective economic organizations or village groups in the village. Those already belonging to the peasants in the township (town) are collectively owned and managed by the rural collective economic organizations in the township (town). According to this regulation, there are three main bodies of rural collective land ownership: village collective economic organizations, village collective economic organizations (village groups) and township (town collective economic organizations.) Village collective economic organizations are the executive bodies of villagers' committees. As for the village At present, the law of collective economic organizations and collective economic organizations of townships and towns is not yet clearly defined.

Table 3 The Ownership right types compare of TLTS and MLTS

| Ownership right types | Traditional land tenure system | Modern land tenure system | | | |
|-------------------------------------|--------------------------------|---------------------------|---|-----------------------------|--|
| | | 1949-1953 | 1953-1978 | 1978-2002 | 2002-current |
| The nature of land ownership holder | Public ownership collective | Private ownership peasant | From private to public ownership Peasant change to collective | Public ownership Collective | Public ownership Collective |
| Peasants Owned right | Use right | Ownership | Changes from ownership becomes use rights | Use right | Use right (management right, contract right) |
| transfer sale | Can't Can't | can can | Can't Can't | Can't Can't | can Can't |

The nature of land ownership is different: the traditional land system ownership of land belongs to the public, but after 1949, the nature of land ownership experienced a change from the private to the public; 1949-1953 owned by peasant individuals, farmers operate their own; 1953-1978 agricultural land Owned by the collective, the implementation of collective management; 1978-2002 owned by the collective owned collective, the implementation of independent management of farmers; 2002 - now, owned by the collective owned by the collective, owned by the farmers themselves, the implementation of large-scale operation

Holders' changes: Holders of land under the traditional land system are collectively owned; after 1949, the holders are peasants and have collectively held them since the change from private ownership of peasants to collective ownership from 1953 to 1978;

Peasants have the right: Under the traditional land system, peasants only have the right to use under the condition of having the membership of the village, and they will be returned to the village if they leave the land of the village. Under the modern system, peasants owned the ownership, the right to use, the right to operate and the usufructuary from 1949 to 1953. Since 1953-1978, peasants entered the co-operatives by way of land ownership and worked together to divide their profits, thus the land could not be circulated or sold. It is not until after the implementation of the household contract responsibility system that property is delivered to every household. In order to encourage farmers' enthusiasm for production, land circulation can only be carried out after 2002, but it cannot be sold.

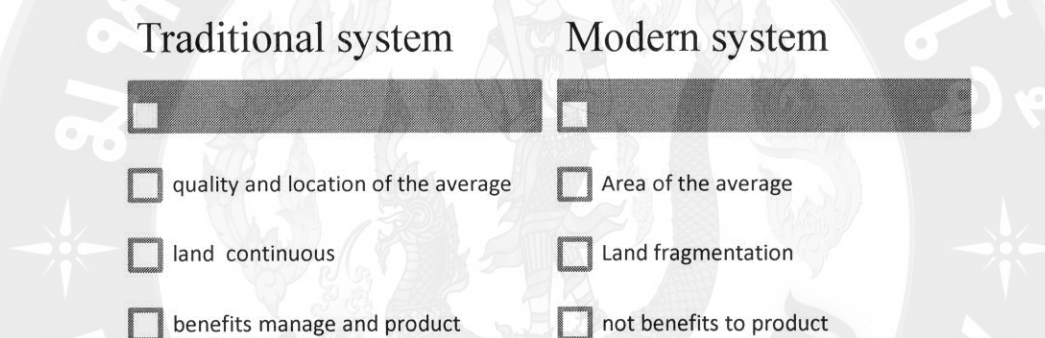


Figure 12 Land allocation comparison

2.2 The comparison of Land use right Allocation

In the Dai traditional land tenure management system and the modern land tenure management system, the ownership of the land is subdivided, and both the common points is ownership of the land were by collective hold . Therefore, the distribution of land is concentrated only on the right to use and operate the land. In the distribution of rights, both forms of distribution are based on the principle of fair distribution, but the distribution methods and forms used are quite different.

| Traditional System | Modern System |
|---|---|
| <input type="checkbox"/> | <input type="checkbox"/> |
| <input type="checkbox"/> land distriution | <input type="checkbox"/> land contracting |
| <input type="checkbox"/> distriut to Individual | <input type="checkbox"/> Contracting on a household basis |
| <input type="checkbox"/> Distribution basised on the Land Yield | <input type="checkbox"/> dirtribution basised on the area of land |
| <input type="checkbox"/> adjustment ever year | <input type="checkbox"/> after 1978 adjusted twice |

Figure 13 Comparison of Land use right allocation

Tradition land tenure management system have village membership, household as unit, According to the output roughly equal to the division of land, the annual spring before the village by the head of the distribution; Regularly adjust the distribution, held every year to discuss the distribution of whether the satisfaction, whether there is a new home requirements sub-field. Welcome to attract new members, not enough time to even rent other villages to solve the land; can be free to return to the land exit the village.

In the modern land use right management system, the distribution of land is based on the place of household registration, and the household registration is rural household registration. According to the household contract responsibility system policy, the family is the unit and the collectively owned land is contracted. When collectively allocating land, the land is divided into small blocks according to the land fertility and area, and then the family is used as the unit. According to the number of households, the total area of land that can be contracted is calculated. Finally, land contracting is carried out on a household basis. Land use management rights. In the operation of the modern system, the land has undergone two contract adjustments. Most of the areas will not be adjusted after 1985. they will adopt "for contract land, if the newborns increase the family population but not increase the land, the death population also the not reducing land reduction. this is aimed at stabilizing the use and investment of land .

2.3 Inheritance of assigned land

In the Dai tradition land tenure management system, the right to use is stable, although adjusted every year, but will not lose its power. Can inherit, men and women have equal power, son-in-law can be divided into the land. If you are always village members and bear abunds, the use right is safety.

In the Modern land tenure management system, the right to use cannot inherit, son-in-law does not allocate land. The villager through the identity of village to contract land, it has time limited, at now (according to new policy at 2018) that villager can postpone contract time to 30 years based on last time had contracted.

2.4 Obligation to obtain land distribution rights

In the Dai tradition land tenure management system, to the village as a unit, according to the share of the kind, the burden to the chieftain. With village membership, in individuals, according to the production is roughly equal to the plot, each spring before the village chief presided over the distribution, where 13-18 years by 1/4 to points, 18 years of age by the complete A point, 50 years old by 1/3 to points. ; Adjust the distribution on a regular basis, hold a sub-field meeting each year to discuss whether the distribution is satisfactory, whether there is a new household sub-fields. Welcome to attract new members, not enough time to sub-lease or even rent the land of other villages to solve; be free to return the land out of the village,

In the Modern land tenure management system, Land does not pay the cost, but the village's public affairs need to share, investment and labor. In accordance with the household registration system, according to the population, according to the size of the average distribution (by family unit contract). The right to use can not be returned to the collective. There are mainly seven types of adjustment and management: (1) major stability and small adjustment and members' pursuit of fairness, but it is still difficult to solve the regional differences in land adjustment; (2) (3) the model, production and distribution mode characterized by mechanized collective farming approximate the land shareholding system. However, in the process of members enjoying equal land use rights and centralized land management Conflict and difficult to adjust. (4) "four shortage" auction of the right to

use. Since the 1990s, the central and western parts of China started to auction the right to use barren hills, barren slopes, waste ditches and waste land. The auctioned land broke the boundary of administrative division and allowed different economic entities to buy them. (5) Students do not increase, die unabated. (6) Wenzhou model, collective management (7) Land shares cooperation system.

2.5 The condition of access to land

Under the traditional land system, the village community is the unit, and (Zhaigongtian) does not pay the official rent, but it needs to bear the burden of public affairs such as water conservancy construction, military service, and road construction.

Under the modern land system, land does not pay fees, but public affairs in the village need to be shared, and work and labor. Traditional systems use land to pay the burden, while under the modern system, farmers obtain land without compensation and do not need to pay land rent.

2.6 Conclusion

Both systems are collectively owned, and the collective status of the traditional system refers to the natural village level, and the corresponding power boundary is also clear; and the collective boundaries of the modern system are unclear and there is no relevant legal or policy description of the collective status,

With the development of village collective, collective ownership has been completely transformed into geo-ownership, or household ownership, as long as the village collective community resident population qualifications, regardless of whether the collective property rights to do the contribution, are the owner of the property one.

It is now even that people have moved to the city to work with permanency, but still have the collective land of the village, and they may not have more consideration of collective interests when driving their own power.

According to the survey, due to several changes in the modern system, the system and boundary of the villagers in China's rural areas that belong to their own village are not clear. As a result, the enthusiasm of the peasants in the modern system is not high and the efficiency of the land system is low.

Due to the traditional impact, the collective ownership of peasants in the Dai area is stronger and their collective boundaries are clearer, which helps to better manage and utilize the collective land.

Clarifying the boundaries of the collective and empowering the rural collective villagers 'group to give play to the cohesive power of the village collective can enhance farmers' sense of belonging to the collective ownership and increase their enthusiasm.

3. Comparison of Land Use

3.1 Difference on land use type

There are two types of land use in the modern land system: the first category is agricultural land, including cultivated land, woodland, and grassland. The second category is non-agricultural land, that is, construction land. The small scale and large quantity of land used in farmland utilization is one of the most basic characteristics of land use under the modern land system. The scale of Chinese family farms is small, Due to the distribution of land, the land fertility and the location difference of the land have to be matched and matched, and the farmland is severely fragmented. On average, each Chinese peasant family has about 8 mu of land, but each family's land is often divided into at least five piece. Not only is the ridge and some unused land idle, but it is also not conducive to the construction of farmland water conservancy infrastructure.

The land of each village of the Dai people has been detailedly planned for use. The types of land use in villages can be roughly divided into villages, Longshan forests, grave mountain forests, dry-crop farmland and natural forests. In traditional land use, people attach great importance to the choice of resource utilization in harmony with nature, and use it as much as possible in accordance with the state of the Ministry of Natural Resources, without claiming excessive use and changing the

state of nature. According to the advantages of resource distribution, People usually open up some natural irrigated land along the river to make rice, planting rice in the spring, planting autumn harvest according to the season, no fertilizer, no medicine, less production input, only seed and labor; on the higher riverside Terraces, usually used to sow dry valleys and corn; some open spaces on the side of the fields are used to grow bamboo for construction, fences and bamboo shoots.

3.2 Difference on land use method

The Dai community has had a traditional order of utilizing natural resources since ancient times: forest-water-farm land-food-human. In the use of land, the Dai people also use land resources in accordance with this tradition. Forest land is seen as important, and human settlement land needs are placed in a secondary position. Therefore, in the process of land use, the Dai people have accumulated a lot of useful experience, through a variety of methods such as agroforestry cultivation, garden planting, etc., to fully utilize the land without destroying nature, but it is not overexploitation and utilization. While increasing production, it also protects the natural ecology.

Under the modern system, China has a large rural population, small per capita land area, desertification, soil erosion, declining soil fertility and urbanization. Improving land use efficiency, increasing land output, and increasing farmers' income have become the primary issues. Therefore, in the land use method, through industrial selection, scale development, and modern agricultural roads, although the construction of dams has increased the area of land irrigated, urbanization has improved road traffic and promoted rural development, but at the same time, it has also broken. The original ecosystem balance.

| Traditional | Modern |
|---|--|
| <ul style="list-style-type: none"> • Mixed agriculture and forestry and Garden planting • Make full use of natural resources • Improve space utilization | <ul style="list-style-type: none"> • Planting high economically efficient crops • Improved agricultural infrastructure implementation • Increase productivity and land output |

Figure 14 Land use method compare

3.3 Difference on land use purpose

The starting point of land use is different, and the results are different. Traditional land use emphasizes ecological sustainable development, and modern land use pays more attention to the economic benefits of land.

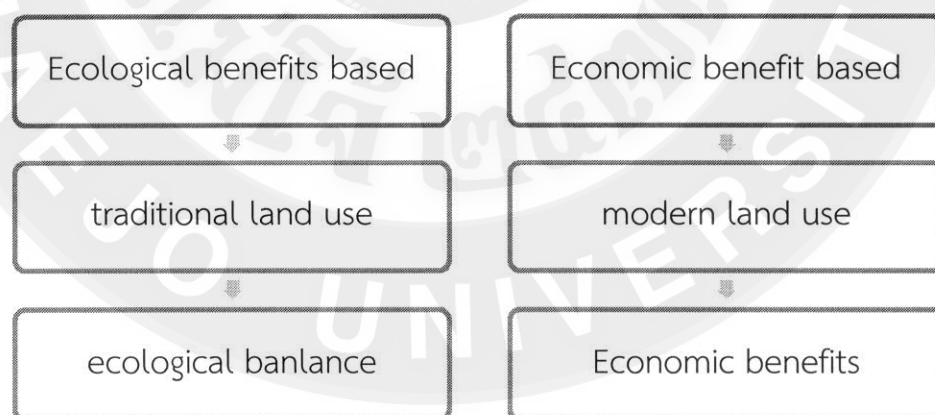


Figure 15 Land use purpose compare

In the traditional land use of the Dai people, under the condition of low productivity level, placing human beings in the natural whole and attaching to the natural status has promoted the harmony between man and nature. Whether planting, collecting or hunting, it can be done properly. Achieve the dynamic balance of nature, economy and society. The starting point of such land use may lead to relatively slow development of the community, but in the long run, it is conducive to the sustainable use of land and brings long-term benefits of community development.

In modern land use, the government pays more attention to increasing farmers' income, in order to helping farmers to get rid of poverty, and finally the rural economy is developed, and the living standards of farmers are raised. Land use based on economic income improvement, production methods focus on input and output, in order to increase production, more use of fertilizers and pesticides; in order to increase economic income, encourage more than one year of cultivation of land, although farmers have gained more income However, it has also brought about problems such as excessive residues of pesticides and chemical fertilizers on agricultural products, and degraded soil quality of the land, thus damaging the long-term interests of community development.

3.4 Difference on efficiency of land use

In traditional land use, the classification of land types is based on the natural conditions of the land, including water, fertilizer, altitude, temperature, etc. The Dai people have accumulated rich experience in long-term practice. In the cultivation of rice, because no fertilizers or medicines are used, no more fields are cleared by deforestation, and only one season is planted a year. Therefore, the total rice output is very low, although the survival is not affected, but the economic income is difficult improve. However, in forest management, due to the dependence of human survival on the natural environment, it has gradually transformed into a cultural tradition and played an important role in the protection of forests. In addition, the planting of fruit trees in the courtyard makes the land available in space, and the green area is increased, which brings a good ecological environment for the Dai village.

Under the modern land tenure management system, land use emphasizes increasing agricultural production output, increasing farmers' economic income, introducing mechanization and modernization development concepts, expanding production scale, selecting improved new varieties, using fertilizers and pesticides to increase farmland yield, and making agricultural production. The economic benefits have been significantly improved. However, under the modern land use mode, traditional rice planting varieties are facing disappearance due to low yield; farmers are using excessive pesticides and fertilizers in pursuit of maximum output benefits; over-cultivation of land, deforestation and high economic efficiency of rubber planting, etc. The ecological benefits under modern land use are reduced.

| Traditional | Modern |
|---|---|
| <ul style="list-style-type: none"> • Low economic efficiency • High ecological benefits | <ul style="list-style-type: none"> • High economic efficiency • Low ecological benefits |

Figure 16 Efficiency of land use compare

The comparison between traditional land use and modern land use benefits shows that the two have different advantages in improving economic benefits and improving ecological benefits.

4. Comparison of operating mechanism

4.1 Supporting legal system compare

In Dai traditional land tenure management system, There are provisions on the destruction of public property, social order, traffic rules and other provisions in the before time. There is a perfect legal system for the use and disposal of land. There are regulations on civil cases such as family marriages, inheritance, and debt relations. There are regulations on the handling of land, private houses, gardens, destruction of agricultural production and water pollution control.

Promulgated and implemented the "Preparatory President's Water Conservancy Order", "Regulations on the Management of Farmland Water Conservancy Irrigation", "Ceremony Regulations", "Meng Regulations", "Village Rules" and other regulations involving land relations, water management, family marriage, The land practices formed by various aspects such as property inheritance and debt relations have played a regulatory role in social and economic relations and have played a role in safeguarding and protecting agricultural production activities and ecological environment. (National committee, 2007)

For example:

The regulations on built of the public infrastructure: "On the village head or the people, those who do not participate in the ditches or do not perform their duties will be punished.

The regulations on land are not allowed to be idle: "The farmer's field, or the fiefdom land are not allowed to be idle; if due to the person performing the ditch obligation make the land cannot be cultivated, or make the water cannot flow to the land, and the idler's land person liability is waived. The responsibility is the person who is responsible for the construction of the ditch and the person in charge of water management.

The regulations on the protection of land boundaries: "It is not allowed to occupy for land allocated to others. The boundaries of each household's land are marked by trees. If someone dismantles it privately, the demolition party should be punished.

The regulations on damage to land and crops: "Where horses, cows, donkeys, etc. are trampling on the fields, damage to the land to be planted, and the land that has already been grained, will be punished for damages.

It can be seen that the provisions of the law are very specific, the responsibilities are clear, and solutions can be found for the actual situation. In the long run, it has a great influence on regulating the behaviors and concepts in the use

of land by villagers.

In the modern, there have some supporting legal system, "Constitution", "land contract law" and other legal systems, but the executive department is not uniform, there is a certain conflict between the terms.

In the operation of the modern land tenure management system, the supporting policies formulated by the state include: the Constitution, the Land Administration Law, the Property Law, and the Rural Land Contract Law.

However, in reality, because policy propaganda is not in place, farmers do not understand the policies and laws related to land ownership. In some places, farmers privately buy and sell land, which damages collective ownership, and also makes the illegal behavior of buyers unprotected by law. Forming disputes and causing difficulties in collective land management;

In addition, in the process of rural land system reform, laws and policies lack coherence, and some of the articles even have contradictory situations. This has led to a situation in which the executive and the judiciary oppose each other in the application of the law. Although there are perfect laws and regulations, but some specific problems cannot be solved by implementation, which is very unfavorable for the correct settlement of land ownership disputes, which hinders the normal operation of the modern land tenure management system.

4.2 Management organization compare

In the operation of the traditional land system, the land management agency in the village is the Village Council. The Village Council is composed of 5 village heads, elected by the villagers, and the feudal lords decide to appoint. The heads of the villages are the same as the masses in the village. They need cultivate the land themselves and share the burden of the collective.

In the modern land system, the governing body is the village self-governing committee. The members are composed of the directors, deputy directors and members of the village committee. Usually, they are also 3-5. They are democratically elected by the villagers and elected once every four years.

Under the modern system, the village committee is the most basic organization at the village level, and it is the department that communicates and coordinates between the village and the superior management department. According to Article 5, paragraph 3, of the Organic Law of Villagers' Committees, the village committee has the right to manage the property of the collective.

According to the provisions of the Constitution and the Land Administration Law, rural land belongs to rural collective, land as collective assets, and management organization is village Collective Economic Organization. However, in actual situations, since most areas do not have collectively operated land and enterprises, the functions of collective economic organizations are weakened, and the village committees actually replace the functions of collective land ownership. However, under normal circumstances, the administrative functions of the village committee have weakened the rights and attributes of collective assets. The village collective economic organization and the village committee have formed a coincident organization. The village collective economic organization basically does not separate from the village committee. Therefore, The identification of class members has become another important issue. Since the identity of class members is not clear, the rights and obligations of class members cannot be enjoyed and fulfilled.

At present, most of China's rural areas adopt the user registration system as the standard for collective membership identification. However, due to limited land resources, land allocation is not adjusted. Many newly-entered collective members do not enjoy the rights as members of collective economic organizations. Many village committees have problems in the management of land tenure. However, in the Dai area, according to the marital relationship and the discussion and approval of the village committee, the identity of the members can be determined, and the reserved land and the redistribution of the collective economic benefits of the unified operation make the relationship between the collective property and the owner clear. Members who newly join the collective organization have the same rights and can enjoy the benefits of the collective economic organization.

Under the modern system, the separation of the polity and the economy is the progress of social management. The collective economic organization is responsible for the specific management functions such as the distribution and operation of the land. The village committee is responsible for the driving supervision. However, in actual operation, the decentralization of village committees and collective economic organizations is not thorough enough to play a good role in supervision and implementation.

In the Dai area, most villages have a tradition of reserving part of the land without distribution. In the ancient Dai villages, the purpose of doing this is, on the one hand, because it can attract more people to join the village to strengthen the village; on the other hand, the Dai people have religious beliefs, and each village uses public land to build temples, and the proceeds from the operation of some public land are used to meet the funding needs of the temples. Therefore, the village collective will leave some land not to distribution, these land will conduct unified management for the purpose of get fund for collective activities and the worship of temples. For a long time, the formation of the collective economy has a substantial content. In addition, in order to maintain internal harmony, the informal management organization consisting of the elderly who have withdrawn from farming and then entered the temple management, has evolved into an informal management method that has make up for the lack of collective economic organizations in the modern system.

4.3 Restriction mechanism compare

In the tradition land tenure management system, with the development of Dai society, the construction of public affairs has become the driving force and binding force of collective cohesion. From the constraints of responsibility as a collective member, from the social and psychological constraints of moral and social values, the relationship between village members is closer. Based on all the nature of village community, the relationship between people and land not only occupies the relationship, but does not exist in the village community. There is also no individual possession. Therefore, each village member attaches great importance to

his identity as a member of the village community and actively undertakes public affairs in the village as a prerequisite for acquiring the membership of the village community and occupying the land.

In many ancient Dai villages, members of the village community "Dai Meng" have always assumed the commitment to public affairs in the village as "the ancient rule," as their obligation. There are also various activities that are of mutual assistance nature, such as: helping the new household to pay the bill (the new household will not be able to provide the first three years Burden), to help the village members to build new houses (Quanzhai to be moved), for the deceased's funeral (dead funeral, Quanzhai must stop working) and other activities. As for military service, sacrifice Meng God, vegetarian monk Buddha, but also each Dai Meng due diligence. And in ancient times, the war was also a major public affairs, not only to protect themselves, but also to have access to property. The war strengthened the internal relations within the village community, the concentration of power, and even the seizure of some lands that could only belong to the village community and were generally not owned by individual families. This became a driving force for the consolidation and development of the rural communes.

In the modern system, the constraints mainly come from various legal systems, but there are often phenomena of failure and insufficient binding force.

| Comparison of the content | Traditional | Modern |
|---------------------------|---|--|
| Supporting legal system | <ul style="list-style-type: none"> • Detailed and comprehensive rules | <ul style="list-style-type: none"> • Macro laws: Constitution, land contract law |
| Management organization | <ul style="list-style-type: none"> • village council | <ul style="list-style-type: none"> • village committee (collective economic organization) |
| Restriction mechanism | <ul style="list-style-type: none"> • Moral restrict, the interdependence between villagers and village collectives | <ul style="list-style-type: none"> • legal restrict, land law revised delay. publicity not enough |

Figure 17 Management mechanism compare

5. Comparison of social relations regulation function

5.1 Dispute settlement mediation methods and institutions compare

In tradition, the regulation of disputes in traditional villages and the adjustment of social relations are the main functions of the village headmen. In the meantime, there are village councils that perform the same functions.

In modern, the resolution of disputes is one of the functions of the village committee secretary and village party secretary. According to Article 11 of the Law of the People's Republic of China on Villagers' Organization, the director, deputy director and members of the villagers' committee shall be directly elected by the villagers, and no organization or individual may appoint, appoint or dismiss members of the villagers' committee. Each term of the villagers' committee shall be three years, The expiration of the general election should be held in time .Village committee members can be re-elected ". The village chief is the common name of the director of the village committee and is the customary term for rural areas. One of the functions of the village director is to handle the village public affairs and foreign disputes. However, when the problem can not be solved, it is usually handled by informal forces such as the respected elderly in the village.

5.2 Social order adjustment compare

In tradition, the ancient rules handed down by the village, public affairs and personal affairs For example, when building houses, harvesting, etc., the members of the same village need to help each other. The stability of social order comes from the interdependence between village members. It is therefore a good law and order in the community. According to the historical data, there is no theft in the Dai villages and no need to lock the houses at night. Until now, some houses built by peasant households can see that there is no door to be built. Villages have very independent power in the management of their own villages. The formulation of the legal system is closely linked with the land system

In modernity: Members do not have the necessary interdependence and therefore do not have the obligation to help each other, except for well-to-do farmers who help each other and need more assistance for public affairs that need

to be shared between villagers Regulation; villages can develop their own economy, but there is no punishment for the wrong members of the power.

6. Comparison of ecological environment

Tradition: have a sound resource management system: water resources, land resources management; mountain forest classification management, that water source and the cemetery is separately, water source is the largest at the forest area of village, in order to ensure adequate agricultural production water and life. And now it has been a continuation system of the tradition. High forest coverage, rich species, climate regulation. Do not use livestock fertilizer, only the use of environmentally friendly green manure, the traditional continuation to the modern.

Modern: Increased residence, due to the development of urbanization land acquisition of a large number of lands, occupied a large number of arable lands. But in Dai area the forest management and water resources management more use of traditional management methods, so that the forest area has been reduced, but only little change, the basic water resources

Analyze the impact of implementation of the modern land tenure management system on the Dai community

1. General situation of study site

1.1 General situation of DeHong Dai and JingPo autonomous prefecture

The Dehong Dai and Jingpo Autonomous Prefecture is located on the border between China and Myanmar in the western part of Yunnan Province. It is located between 97° 31' 983 43E and 23° 50' 25 0 20 'north latitude, One of 8 Yunnan's minority autonomous prefectures. The maximum horizontal distance between north and south is 122 km and the maximum longitudinal distance between east and west is 170 km, with total area of 11,526 square kilometers.

The prefectural government is located in Mangshi town, Luxi City. The urban planning area of the town is 14 square kilometers. Dehong, in Dai language means "the downstream of the Nujiang River", east and northeast adjacent to Baoshan City,

Longling and Tengchong. The Union of Myanmar bordering from the south, west and northwest, except Lianghe County, most counties and cities of Dehong have national border, total length of border line is up to 503.8 kilometers.

Dehong is a typical remote mountainous areas Minority Autonomous Prefecture. According to national data updated on unified time point, in year 2014, total land area of Dehong is 11172.24 square kilometers, accounting for 2.92 percent of the total land area of Yunnan Province. 184,413.33 hectares of arable land resources, accounting for 16.51% of the total land area of Dehong. Among which, 115,693.33 hectares are sloping land (gradient > 2% d), accounting for 61.11%; 3126.27 hectares are steep sloping land (gradient > 25%) accounting for 1.70%. The overall quality of Dehong's arable land can't be considered as good, and it is also an area where the frequency of natural disasters is high.

1.2 Socioeconomic Profile

In 2017, Dehong Prefecture has a total population of 1.22 million and lives in a number of ethnic minorities such as Dai, Jingpo, De'ang, Lisu, Achang, Wa, etc.

Dehong autonomous prefecture has jurisdiction over Mangshi city, Ruili city, Longchuan county, Daingjiang county and Lianghe county. Composed of 50 towns, 1 subdistrict office, 336 village committees, 40 neighborhood committees and 3764 village groups. Prefectural capital is located in Mangshi, where is 649 kilometers from provincial capital Kunming.

Per capita disposable income of urban residents is 24943 Yuan, and it is 8659 Yuan of rural residents.

According to Yunnan Yearbook data 2014, there are 481,800 Urban population, accounting for 38.7% of the total population. Ethnic minorities population is 598,600, accounting for 48.08% of total. Ethnic minorities population is composed by Dai (358,900), Jingpo (137,700), Achang (31,200), Lisu (32,400), DeAng (14,800) and other minorities (23,600).

The total output value of farming, forestry, animal husbandry, fishery and service industries in the entire prefecture reached 10.778 billion Yuan. Among which, 6.419 billion Yuan is from agriculture, 1.474 billion Yuan from forestry, 2.239 billion

Yuan from animal husbandry, 354 million Yuan from fishery and 292 million Yuan from service industries.

The total annual sown area of 276,300 hectares of crops, which include 154,400 hectares of cereals, 10,500 hectares of oil crops, 56,000 hectares of sugarcane, 13,800 hectares of vegetables, 13,600 hectares of tobaccos.

Major agricultural products and output: 752,700 tons of cereals, 14,000 tons of oil crops, 4,312,800 tons of sugarcane, 30,500 tons of tobaccos, 167,000 tons of vegetables, 18,000 tons of tealeaves, 6,591 tons of rubber, 19,700 tons of coffee beans, 1,800 tons of Macabasinia, 99,000 of meat.

Due to its special location and historical origins, Dehong Prefecture has been an important gateway for economic exchanges between southwestern China and Southeast Asia and South Asia, especially with Burma since ancient times. Border trade has a history of more than 2,000 years.

At present, Dehong Prefecture has two state-level ports of Wanding, Ruili, two provincial-level ports of Zhangfeng and Daingjiang, as well as the state-level Mujie border trade zone which is only port that implement "territory outside the customs" management mode, with these outstanding advantages, Dehong prefecture made it the most convenient route to Southeast Asia and South Asia, and the best frontier for China to open to the southwest.

During 1996-2015, arable land in Dehong Prefecture was in a state of declining, totally reducing the area of cultivated land to 5,468.92 hectares with an average annual decrease of 455.74 hectares. Among them, the area of paddy fields decreased by 1257.73 hectares, with an average annual decrease of 104.81 hectares; the area of irrigated land decreased by 52.97 hectares with an average annual decrease of 4.41 hectares; the dry land area decreased by 4158.22 hectares with an average annual decrease of 346.52 hectares. The largest decrease is dry land area, followed by paddy field area and the smallest is irrigated land. Dehong prefecture is a typical mountainous area with a low quality of arable land and frequent natural disasters. Coupled with the implementation of the project of returning farmland to forestry and the adjustment of construction occupancy and agricultural structure, a large area of cultivated land in Dehong prefecture is reduced. According to the

statistics, from 1996 to 2015, the total area of ecological restoration and disaster of arable land reached 6657.57 hectares and 5964.83 hectares respectively, accounting for 78.08% of the total amount of arable land reduction in the same period. In the same period, construction occupation and agricultural structure adjustment accounted for 21.92% of the total amount of arable land reduction.

According to national data updated on unified time point, the total area of arable land in Dehong Prefecture in 2009 was 184,413.33 hectares, with orchard area of 41,406.76 hectares, woodland area of 766,293.33 hectares and grass area of 420,000 hectares. From cultivated land structure, cultivated land can be divided into paddy fields, irrigated fields and dry land, of which paddy fields 104713.33 hectares irrigated 713.33 hectares, dry land 78986.67 hectares. The paddy field is the largest area, followed by the dry land and the least irrigated land, accounting for 56.78%, 0.39% and 42.83% of the total area of the entire prefecture.

In 2016, all five counties and cities in the prefecture have carried out the certification of rural land contractual management right registration and certification, involving 9 towns, 40 village committees, 442 villagers groups, 3.12 million farmers, 377,000 Mu (666 square meters) of arable land. There are 5 towns, 28 village committees, 276 villagers group, 20365 households fully completed the process, involved 311500 Mu of arable land;

Table 4 Table of cultivated land area and composition of various counties and cities in Dehong Prefecture in 2008

| Classification | agricultural acreage | | | | | | Proportion of cultivated land (%) |
|--------------------|----------------------------|------------------|-----------------------------------|------------------|-----------------------------------|---------------|-----------------------------------|
| | Total cultivated land area | Paddy field (mu) | Proportion of cultivated land (%) | Basic field (mu) | Proportion of cultivated land (%) | Dry land (mu) | |
| De hong prefecture | 184432.78 | 104709.2 | 56.77 | 712.77 | 0.39 | 79011.14 | 42.84 |
| Mang city | 54483.08 | 27980.52 | 51.36 | 118.64 | 0.22 | 26383.92 | 48.43 |
| Ruili city | 17230.07 | 11351.37 | 65.88 | 100.05 | 0.58 | 5778.65 | 33.54 |
| Yingjiang county | 46719.75 | 31025.47 | 66.41 | 255.09 | 0.55 | 15439.19 | 33.05 |
| Lianghe county | 21996.95 | 11940.38 | 54.28 | 23.85 | 0.11 | 10032.72 | 45.61 |
| Longchuan county | 44002.93 | 22411.46 | 50.93 | 214.81 | 0.49 | 21376.66 | 48.58 |

Source: Dehong State Bureau of Statistics data

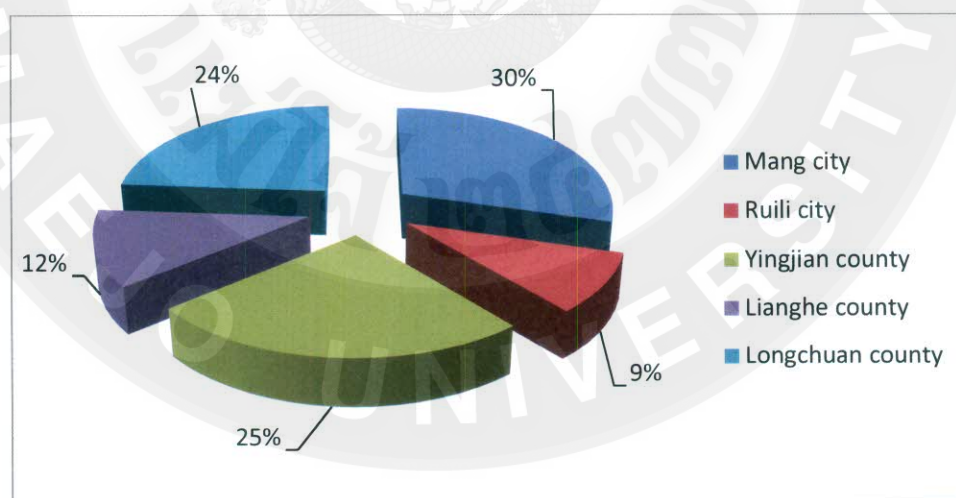


Figure 18 Dehong prefecture is composed by Mangshi city, ruili city, longchuan county, Daingjiang county and lianghe county

Among them, according to the second land survey in 2008 (according to the "Land Survey Regulations" promulgated by the Ministry of Land and Resources, the state conducts a national land survey every 10 years in accordance with the needs of national economy and social development) Mangshi cultivated land area of 4483.08 hectares, accounting for 29.54% of the total area of Dehong Prefecture arable land; Ruili City, arable land area of 17230.07 hectares, accounting for 9.34% of the total area of Dehong arable land; Daingjiang County, 46719.75 hectares of arable land, accounting for 25.33% of the total area of Dehong Prefecture arable land; Lianghe County, 21,996.95 hectares of arable land, accounting for 11.93% of the total arable land in Dehong Prefecture; Longchuan County, 44002.93 hectares of arable land, accounting for 23.86% of the total arable land in Dehong Prefecture. Mangshi is the most cultivated area, followed by Daingjiang and Longchuan counties. then followed by Lianghe County, with Ruili at the least, with only 17,230.07 hectares, accounting for 9.34% of the total arable land in Dehong Prefecture. As shown in Table 4 and Figure 18

According to the statistics of the second land survey in 2008, the basic farmland area of Dehong Prefecture in 2008 was 155397.49 hectares. Among them, the basic farmland in Mangshi City is 45168.04 hectares, the basic farmland in Ruili City is 14230.57 hectares, the basic farmland in Daingjiang County is 42427.03 hectares, the basic farmland in Lianghe County is 18017.26 hectares, and the basic farmland in Longchuan County is 35554.59 hectares.

There are different forest distribution belts in different altitudes of Dehong, which are mainly divided into 4 types. Among them, tropical forests: 5.4% of the total forest area; sub-tropical forests: 57.2% of the total forest area; warm temperate forests, 36.1% of the total forest area; temperate forests: 1.3% of the total forest area; statewide forest coverage in 2003 reached 62%

1.3 General situation of Man city

The total land area of Mangshi is 2987 square kilometers (of which 74% of the mountains, basin area 26%), east-west distance of 71 km, 62 km north-south distance, and urban built-up area of 18.66 square kilometers. There are 6 townships and 5

towns and 1 sub-district offices, 1 farm management committee, 80 village committees, 15 community committees, 1022 villagers' groups and 536 resident groups with a total population of 41.0426 million. Minority population consisting mainly of Dai, Jingpo, De'ang, Achang and Lisu ethnic groups accounts for 49% of the total population. South border with Myanmar, length of the border is 68.23 kilometers, 679 kilometers from the provincial capital Kunming, 427 kilometers via air.

1.4 General situation of Fengping town

Fengping town is located in the middle of Mangshi dam, the highest elevation of 2890 meters, the lowest elevation of 835 meters, is a low latitude subtropical monsoon climate. The town covers an area of 381 square kilometers, a total of 12 village (neighborhood committees) (of which 2 mountain village committees, 1 neighborhood), 100 villages, 192 villages (residents) group, 14,900 households with a total population of 70,100 (of which 66,700 are agricultural population). The town has a total area of 119,600 mu of arable land and 1.79 mu of arable land per capita. The main ethnics are Dai, De'ang, Lisu, Jingpo and Achang, it's a typical Dai-majority mountain-basin combination minority townships. At the end of 2016, the town achieved a total income of 1.421 billion yuan of rural economy, rural per capita net income of 9809 yuan, the completion of public finance gross income 23.5 million yuan, fixed assets investment of 841 million yuan.

Fengping Town accounting for two-thirds of Mangshi basin, with rich land, mineral resources and a large amount of forest reserves, with a pleasant climate. The basin area has a fertile paddy field of nearly 100,000 Mu and a large number of sloping land, paddy field area accounts for 40% of the city, it is important "granary base" of Mangshi and Dehong prefecture, the mountains have a large amount of forest reserves and dry land resources.

1.5 General situation of Huyun village

Huyun villagers group (Fapa villagers committee, Fengping town), located in suburb area of the Mangshi City, is a Dai inhabited village. The village has a total of 173 households, 837 people (including 435 males and 402 females), of which

agricultural population of 822 people, labor force of 534 people (including 341 males and 193 females); total area of the village is 3158 mu, woodland 916.8 mu, 557.3 mu of cultivated land (including 553.5 mu of paddy field and 4 mu of dry land) and 0.68 mu of cultivated land per capita.

By the end of 2016, the total rural economy income of Huyun Village was 12.41 million yuan, of which, the primary industry was 9.2 million yuan, the secondary industry was 290,000 yuan, the tertiary industry was 2.92 million yuan; the village per capita net income was 8,282 yuan; the grain output was 451 tons, Per capita rations 433 kg. Villagers mainly gain their income from farming, planting, land rental, catering services and temporary working in cities.

2. The impact of the operation of the modern system on the Dai area

For more than 500 years before the founding of the People's Republic of China, Mangshi City of Dehong Prefecture was the territory of the Tusi. The land management system has always maintained the ownership of the feudal lords, and all the land belongs to the lord. After the founding of the People's Republic of China, the state was very cautious about the land reform policy in ethnic areas. In the Dai area, according to the spirit of the central government and the wishes of the local people, the Dehong Prefecture Autonomous People's Committee drafted and revised the Dehong Autonomous Prefecture Peace Negotiation Land Reform Regulations (After the approval of the Yunnan Provincial People's Committee and the approval of the Central People's Committee, the land reform began in 1955, and the land tenure system reform of the feudal lords and feudal landlords was officially abolished, and the reform of the modern land tenure system was implemented.

After the modern land tenure management system replaced the traditional land tenure management system, in the implementation of the Dai area, the Dai area also experienced a series of changes in the adaptation of the new system. Through the field investigation of Huyun Village, this study found that the modern land tenure management system was also affected by the tradition of the Dai nationality in the operation of the Dai area. It is these changes that make the modern system more smoothly implemented in operation than in other parts of China. Analysis of the

impact of these changes, the author found that this change mainly comes in combination with the implementation of modern institutions, some methods of the traditional land tenure management system of the Dai people, the traditional land tenure system of the Dai people as an informal system to play a role in making up for the modern system. There are deficiencies in the operation.

In the process of modern system implementation, this study selected 45 villagers as the sample for research and analysis, selected 45 villagers for in-depth interviews, and played different roles for families in different situations and in land tenure management. The key figures conduct focus group interviews, and the research proves the impact of the implementation of the modern system on the Dai area, and analyzes the deep-seated causes of these changes. Through the analysis of the changes brought about by the internal and external village organizations in the Dai area, find the way they are affected, thus prove the possibility of the integration of the two systems, and find a model of the integration of the two systems to further implement, Provide reference for further implementation of land reform in other parts of China.

2.1 Changes in the local impact of the modern land tenure management system

2.1.1 Changes in land allocation at each stage

Since Dehong Prefecture is located in the ethnic minority area on the southwestern border of China, the land system reform implements peace negotiation reforms while respecting the wishes and history of ethnic minorities. The reform period is later than the rest of China for four to five years.

The first stage: In 1955, the modern land system was implemented. After the land of the lord and the landlord was confiscated, the average distribution of all members was carried out, and the peasant land ownership system was implemented.

During the period, the original use of Buddhist temples and churches was unchanged, and the "Youth Field" for youth activities was unchanged. The original village public land (the village as a public expenditure field) and the school field (the field used by the village school) were all the expropriation, the average distribution

among the farmers was carried out (Luxi County, 1993: 93-99). After the land reform, taking Huyun Village as an example, the farmer's per capita land was 2.55 mu.

The second stage: In 1956, as the national land system reform entered the period of mutual assistance in agricultural production, Dehong Prefecture followed closely and entered the second period of China's land reform. Farmers voluntarily entered cooperatives, according to the land quantity that farmers invested in mutual aid cooperative. In the end, can get dividends on land income. As a national area, Dehong Prefecture has adopted special policies. For example, according to the living habits of the Dai people, the Dai farmers are allowed to reserve the land for planting vegetables.

In the early stage of the establishment of mutual aid cooperatives, Farmers are not very motivated. The main reason was that although people joined the labor and shared the distribution of benefits, the mutual aid cooperative only considered the quantity of the land invested by the farmers, but did not consider the quality of the land. Factors such as the level of output and the different labor input of farmers have made farmers less satisfied with the reform.

By 1958, the development of Agricultural mutual aid cooperative was synchronized with the other area of China, and it had experienced the development from primary to intermediate to senior Mutual Aid Cooperation. However, farmers were not satisfied with the attitude of this period because the land owned by farmers was different, but the benefits enjoyed are same, that which makes farmers' production enthusiasm lower.

The third stage: In 1969, during the second people's commune period, in the process of communalization in Dehong Prefecture, the land of the members, the livestock, and the fruit trees behind the house were all attached to the society, paDaing the members' price, and the land ownership changed. Publicly owned by the people's communes. However, the discount is generally lower than the market price, and the management has also changed from the original production pair to the brigade. The egalitarianism is not distributed according to work, and the enthusiasm of the members is contused.

The fourth stage: In 1978, during the period of household contract responsibility system, the main form of responsibility system for household production contracting was established, and production management resumed some original methods. Because of the link between labor and economic interests, farmers' enthusiasm has been mobilized. Farmers contracted and operated collectively owned land by households. Farmers switched from contracting original cultivated land to open production contracting, developing wasteland for production, planting fruit trees and bamboo.

At the same time, more emphasis is placed on the use and protection of land and voluntary increases in investment in land. In land contracting, the land is collectively owned and based on the production team. The members have the right to contract the land. The Dai area divides the land according to the output and quality in a traditional way, rather than in other regions. The areas of good, medium, and poor grades are equally divided. The problems of household contract responsibility system in other areas, such as the problem that the land is sporadic and inconvenient for agricultural production, are avoided.

2.1.2 Villagers' attitude towards the fairness of land allocation

According to the survey data of Huyun Village, there is a big difference in the area of land allocated by the farmers in Huyun Village in the land allocation. According to interviews with villagers, paddy fields can be divided into three grades according to their output, high Daield, medium Daield, and low Daield. According to the villagers who planted different grades of paddy fields, the situation of three typical household contracted land was compared (see Table 2). It was found through qualitative interviews that under the seemingly unfair land holding amount, it is actually a kind of taking into account the characteristics of agricultural production and fairness.

Table 5 Paddy field allocation based on production grade

| Typical family (householder name) | per capita (mu) | population size | Daield type | Should allocated (mu) | Actually allocated (mu) |
|---|-----------------------|--------------------|----------------|-----------------------------|----------------------------|
| Shabo Yeyanguo | 0.95 | 4 | high | 8 | 3.8 |
| Lang Tuanfu | 2 | 5 | middle | 10 | 10 |
| Jingmie Yeping | 2.85 | 7 | low | 14 | 20 |

Source: According to the survey data

According to the interviews with the villagers, Huyun Village began to implement the production of households in 1982, and divided the fields according to the population size of family. In 1994, due to the large increase in population, the village made a major adjustment to the original distribution, at this time village people expressed satisfaction with the distribution of land.

“...There are 4 people in my family, my wife and two daughters. According to the average area allocation, I should be able to divide it into 8 mu of land. However, because my paddy field is close to home, the field is high, and the actual amount is less than four mu. Maybe it's less, but the output is high, and the family is enough to eat. I think it fairness...”. (Huyun Villager, Shabo Yeyanguo, male, 76 years old, Interview, July, 2017)

According to the villagers Shabo Yeyanguo expression, although land is assigned to the area of less, but due to high quality and high grain yield, compared with the other farmers land, although the area is large but not enough fertile land, land output may be because the area is large and more than their own land, but a her family was less labor, therefore, for such a distribution she is satisfactory.

“...My family of 5 people, divided into 10 mu of land, not too far from the location, the land fertility is moderate. There is no opinion on the distribution of the land, better than the relatives of other villages (villages of other ethnic groups), and the land is also good, my family satisfied both...”. (Huyun Villager, Lang Tuanfu, male, 64 years old, Interview, July, 2017)

On the other hand, Lang tuanfu thinks that although the land allocated to his family is not the best land in the village, the advantage is that it has a large area of land and it is close to his home. Compared with other villages, the land is distributed too evenly, without considering the actual situation of the family. Later, dissatisfaction with the distribution causes disputes. However, in Huyun village, since this distribution method has been used for a long time, the villagers have the right to participate in the discussion and choose freely, and basically every household is satisfied with the land they have been allocated.

“...My family has a population of 7 people. A child was born and the village also gave him a land. My paddy field is at the foot of the mountain far away from home, and the output is medium, with a total of 20 acres. It takes more than 40 minutes to get from home to the field. We all go out early in the morning and can't back to home have lunch. Actually other families don't want this land, because it's too far from village. But my family is afraid of not eating enough, so I am willing to. There is no opinion on allocate the land mothed...”. (Huyun Villager, Jingmie Yeping, female, 65 years old, July, 2017)

Jingmie Yeping said that the land in her home is actually a land that the villagers don't like, but there are many people in the family. The land area is larger and can satisfy their own needs. there is not the perfect thing in the world, although it is very hard to cultivate this land, But this land feeds the whole her family. So she is very satisfied with the allocation.

In the modern land tenure management system, the equitable distribution is principle of land allocation. In order to reflect the fairness, the distribution of land is usually divided according to the land grade, and then the average distribution according to the number of the population in the village. Although this practice has achieved the maximization of fairness, it will cause the land block to be too fragmentary, which is not conducive to the farming and land transfer.

Under the influence of traditional farming methods of Dai area, Hu Yun Village in the distribution of land, in addition to the fair distribution according to the requirements of the state, but also consider the land fragmentary is not conducive to production, therefore, in the actual distribution, in combination with the traditional way, which according to the annual production of land, as an important standard of land division, but also consider the soil, the fertility of the land, the distance between the land and the village, and the average distribution of the land of the village, land according to the quantity of the productive population, rather than the average distribution according to the area and the land quality standard.

This distribution method is a creative method of distribution compared with the traditional distribution method and the distribution method of modern system in other areas. Although it seems to have a lot of areas and some areas are small, it is in fact more conducive to the balance of fairness and production efficiency.

But through the above investigation, it can be proved that in order to implement the fairness of land distribution and to combine some traditional methods of distribution accepted by local villagers, it can ensure the efficiency of agricultural production when considering fairness.

The modern land tenure management system has changed the ownership of the land in the Dai area, which makes the collective organizations of the Dai Village really have the right to land, but in the process of the implementation of the modern land tenure management system, combined with the traditional methods which are favorable for agricultural production and the common recognition by the farmers.

The efficiency of the line is more effective. At the same time, this change also proves to a certain extent that the modern land system and the traditional land system in the Dai area of organic integration.

2.2 Changes in land use

2.2.1 The change of land use type structure

The main traditional land use types of the Dai are: paddy fields, dry land, economic plant plantations, artificial firewood forests, settlements and natural forests. The traditional land resource management of the Dai is in the form of traditional land use structure.

The change of land use structure can reflect the efficiency of the operation of the land management system. Therefore, this paper illustrates the changes in the land use type structure in the Dai area as an example. The impact of the land management system on the land use formation in the Dai area.

The following is an example of the traditional land use structure of Hu Yun Village to illustrate the impact and changes of the traditional land resource management of the Dai people under the operation of the modern land system. In 1955, there were about 1,730 mu of paddy fields in Huyun Village, and 70%-80% of the cultivated land in the dam area was rice. In the Dai area, there was a saying that “cultivate rice 1 year could be eaten for three years”, that is meaning the yield was very large in dam area of Dai area.

There are about 500mu of dry land, including wheel rest, fixed dry land and vegetable fields. Wheat, beans and corn are mainly grown in wheel rest and fixed dry land. Vegetable fields are used to grow a variety of vegetables for family. Economic plants are traditional economic plants, mainly planted on sloping fields, such as tea, mango and pineapple, with an area of about 550mu.

A small amount of tea is used for sale, and the other is mainly for home consumption. There are about 260mu of residential areas, and there is a garden of different sizes around each house. The natural protection forest covers an area of 900mu, including Longshan Forest and Tomb Mountain Forest. It is the source of Buddha's house and residential building materials, fuelwood and other non-timber

forest products. The traditional land use structure of Hu Yun Village is shown in Figure 19.

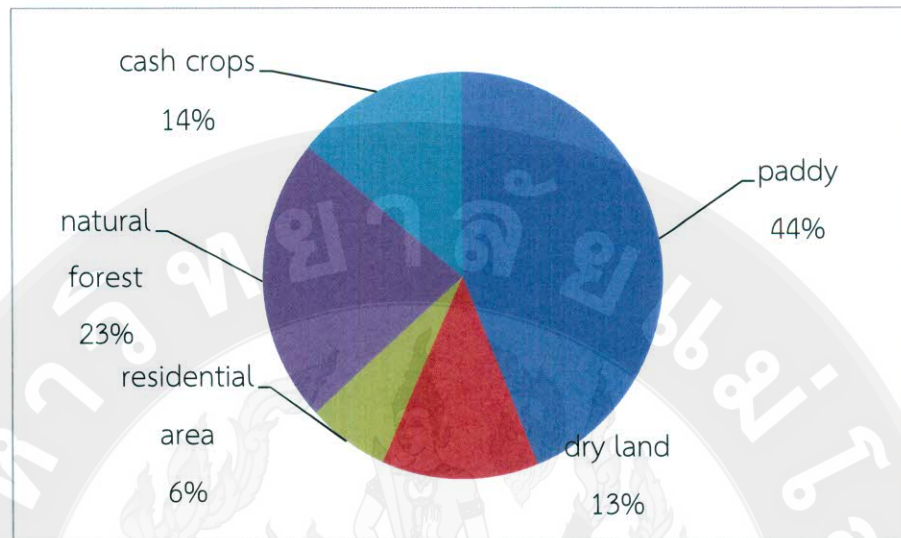


Figure 19 Traditional Structure of land use type in Hu Yun village

Before 1955, the traditional land tenure management system was implemented in the Dai area. Due to the superior natural conditions such as soil and climate, and the sparse population, rice was planted only once a year. In the winter, peas, broad beans, soybeans, and barley were planted sporadically to sowing. The area only accounts for less than 30% of the cultivated land area.

Otherwise, under the feudal lord system background, the gain in the land have 40%-60% belonged feudal lord, so famer not have motivation. In the winter and early spring the land has 70% were rest. Due to the management of the field is not enough, agriculture cultivation is extensive management, there is the reason of rice Daiield very lower in the Dai area before.

After land reform through peaceful consultation, land private and the policy of encourage about open up wasteland for farming, promoted motivation of agriculture producing, it can be watched from De Hong prefecture rice land mu Daiield of different years (Figure 20).

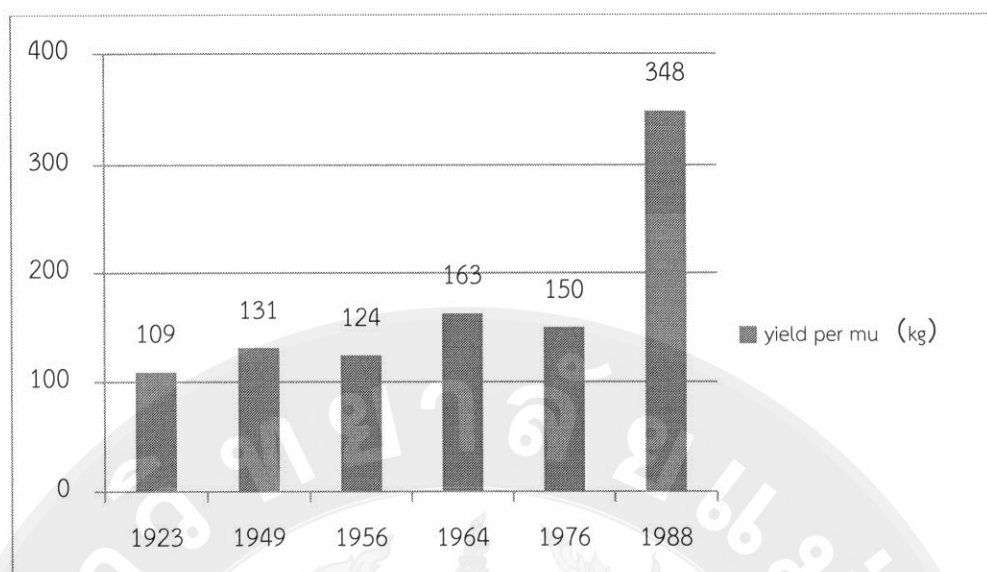


Figure 20 1923-1988 the change of rice yield average per mu

In 1964, agricultural cooperation was carried out. As a result of the change of production relations, the manpower and material resources needed for agricultural production were centrally organized to build water conservancy facilities, which increased the irrigated area of cultivated land and created favorable conditions for agricultural production. At the same time, the government's emphasis on agricultural production technology and the promotion of varieties have changed the traditional way of farming in terms of technology. Advanced technologies such as deep tillage and reasonable dense planting have been adopted to promote early and medium-ripe varieties on varieties and introduce high-quality varieties from other places, thus improving the grain Daiield per unit mu.

In 1978, Family-contract responsibility system carry out, the land through contract to household, the policy of encourages science and technology staff go to the countryside, extension excellent species of rice, scientific application of fertilizer, transform low-Daiielding field, and so on. After 10 years of promote in the Dai area, the field Daiield increased about more than twofold that compared before. After meet owe needs of living, peasants sale the surplus rice, got more benefit.

The researcher has compiled the data through the investigation of Hu Yun village, since the implement of modern land tenure management, the land use situation has also changed greatly (Table 5)

Table 6. Changes in the traditional land use structure of Huyun Village

| Land use types | 1955 | | 1978 | | 2016 | |
|------------------|----------|----------------|----------|----------------|----------|----------------|
| | Area(mu) | Percentage (%) | Area(mu) | Percentage (%) | Area(mu) | Percentage (%) |
| Natural forest | 900 | 23% | 800 | 23% | 917 | 35% |
| Paddy | 1730 | 44% | 830 | 24% | 550 | 21% |
| Dry land | 500 | 13% | 1000 | 29% | 74 | 3% |
| Residential area | 260 | 7% | 300 | 9% | 520 | 20% |
| Cash crops | 550 | 14% | 550 | 16% | 550 | 21% |

Data sources: Collating From Fen Ping County Official Sources and Interview Sources

From above table data, it shown:

1. The ever-decreasing change in the area of paddy fields. The reason for the decrease was mainly due to: the 400 mu of land acquired for the construction of the reservoir in 1958. In 1967, the government built 500 mu of overseas Chinese farms, and in 2012, the government acquired 200 mu of land for public rental housing. The construction of the reservoir is very beneficial to the cultivation of cultivated land.

Although the area of paddy fields is reduced, the increase in production has made up for the lack of production. In addition, in addition to the construction of overseas Chinese farms, land acquisition compensation was not granted, and the other two land acquisitions received reasonable land acquisition compensation. With the environmental changes around the village after land acquisition, the land market leasing price of Huyun Village has been continuously improved. Although local villagers have been affected by the reduced paddy area, they have no impact on life security.

2. The dramatic increase in the area of dry-lands has seen a sharp drop in sharp declines. Traditional farming management of dry land is very extensive. For example like shifting field, the long-term abandonment can reach 6-7 years. After 1955, due to the policy to encourage land reclamation, until 1978, the total area of dry land in Hu Yun Village was doubled. It is seen that farmers' production has been positively improved. However, in the past 40 years, due to various reasons, the government has acquired 400 mu of land for military construction, 260 mu of government agency, and 300 mu of public facilities and residential areas, which has greatly reduced the dry land of Hu Yun Village.

3. Expansion of residential areas. More than 90% of the villagers have built new homes, expanded their living space and improved their living conditions. The village collectives have re-designed public utilities, such as rebuilding the temple in 2012 and expanding the area. Expansion of village collective public fish ponds, as well as environmental conditions such as improvement of transportation facilities, expansion of village roads, construction of bus station, etc.

4. The area of natural and economic forests remains essentially unchanged. Due to traditional customs, the Dai traditional culture played an important role in the protection of forest land. The forest land was basically not distributed, but was agreed to be used by the village community. No one can cut and use it by himself without permission.

According to the interviews of the villagers, Hu Yun Village was affected by the outside world, and the land use structure changed. Some changes have also taken place in the traditional agricultural production methods. This change has alleviated the impact of external changes.

2.2.2 Transformation of land use patterns

According to the data collected from the Participatory Observation and Qualitative Interviews of Huyun Village, the land use pattern has changed in the Dai village with the operation of the modern land tenure management system. Land management and farming have changed the original extensive management and management methods. Under the implementation of the modern land tenure management system, it is more conducive to the government to bring advanced

agricultural science and technology and advanced management experience from other regions to the Dai area. Therefore, it is more fully utilized.

Although the villagers still maintain the tradition, they only use green manure without using chemical fertilizers. However, for the cultivation time, the habit of planting only one season has been changed. Although the output has increased, it still cannot catch up with the areas where fertilizers are used. However, with the changes in the external environment, the market demand for ecological agricultural products is rising. The tradition of the Dai people who never use chemical fertilizers has made the rice, vegetables and fruits planted by the villagers popular, so that agricultural products can also buy higher prices. At the same time, due to the focus on extension farming and management, high prices have been obtained through the improvement of quality, which has made up for the shortage of production due to limited land. While meeting the needs of their own lives, the villagers also increase the family's economic income.

“...In the past, when paddy fields were planted for one season. Nowadays, planting a season of rice in paddy fields can ensure sufficient food. After harvesting two seasons of vegetables, it can increase income. My family grows cucumbers, peppers, tomatoes, and beans. The other villager also produces a variety of specialty vegetables and fruits. Nowadays, the paddy fields are called “10,000 yuan field” (that is, the annual output value per mu of paddy fields is more than 10,000 yuan). The annual income of each household in La Lao Village is basically more than 50,000 yuan. Due to the lack of land in our village, the planting scale is small and the income is less...”
(Hua Yun Village, Mobo Yangui, male, 50 years old, 2 July, 2017)



Figure 21 Farmer planting *Lycium Chinensis*

The Dai village has always had the tradition of garden planting. On the one hand, it can make full use of irregular land resources. On the other hand, it can increase the greening of the village and coexist harmoniously with nature.

Under the influence of the modern land tenure management system, due to land acquisition and other reasons, the number of land is reduced, and the traditional garden cultivation habits of the Dai people can better solve the needs of the villagers' lives. People accept to plant the land on the side of houses, public roads, and dams. And make full use of them to grow vegetables and fruit trees (see Figure 22).



Figure 22 Planting mango trees in the temple and planting fruits and vegetables along the public roads in the village

The trust between the villagers is very high. They all recognize that the land is of a public nature. Therefore, the vegetables grown on the land generally meet the needs of the family. No one will pick the vegetables grown by others, but the fruit trees are publicly owned. No matter who is planted, it is shared by all of villagers. There are collective Buddhist activities or other collective activities in the village, which can be picked off for use.

2.3 changes in operating mechanism

2.3.1 Changes in the authority of the management organization

In the operation of the modern land tenure management system, the management organization of Huyun Village has changed. In the traditional land tenure management system, the authority for the management, distribution and adjustment of land is the head of the village, and the head person is appointed by the lord. Including the village father, the village mother, the distribution adjustment once a year held the entire village meeting.

In the modern land tenure management system, the traditional management organization have changed and become the village self-government committee elected by all the villagers. The power organization is more democratic. However, in the actual management power implement, the researchers find informal power. The agency also plays a role in it.

The management organization and members, under the implementation of the modern land tenure management system, the land is collectively owned, and the village self-government committee is an agency. The members of the organization include: director, deputy director, and members of three to seven members. According to Article 11 of the Organic Law of Villagers' Committee: "The director, deputy director and members of the villagers committee shall be directly elected by the villagers. No organization or individual may designate, appoint or replace village committees." The village director is often called the village head.

However, in many Dai villages, there are always formal and informal management authorities, which have different management functions. The village self-government committee is responsible for managing the administrative affairs of the village and liaising with the government. The public affairs in the village, such as the collective capital expenditure of the village, the organization of Buddhist activities, the care of the temple, and the arrangement of taking care of the water source forests, are managed Implemented by the informal management agency.

In interviews with villagers, it can be seen that the informal management agency assumes the functions of some formal management agencies, such as the use and supervision of collective funds.

"...The big things in the village, such as building village gates, festival activities, building temples in the village, etc., the government has made some money, and the village has a part of it. The five elders who were previously selected by the village are responsible for management. They will write Dai language and understand Chinese, usually responsible for doing things, everyone is elected, if we have something can't solve, we usually find for help to them, everyone trusts them..." (village, Lang Er, male, 46 years old, 8, 2016)

In the interview with the village head, it can be seen that the formal management respects and identity with the public affairs activities of the informal management agency.

“...On the first day of the village head, the three old people in the village's management “Zhuanfang” (temple) will take me to walk around our village, and pointing to the village's land boundary, the (villager) family and the family's land, go from house to house of villager. This is the case for every change time, and it will be passed by generation to generation. Of course then, old people will also teach us some management experience. Sometimes there is a land dispute between the villagers and the family, and the elderly in the village should be asked to mediate...” (Huyun Village, King Cun, male, 42 years old, January, 2015)

The village committee has a special office in the village. The functions of the village committee mainly include: handling the daily public management affairs of the village, as well as communicating with the outside and managing village-level land and public property. A schematic diagram (see Figure 17) is hung on the wall of the village committee office. The function of the office is introduced, but usually many things are not carried out in the place of this formal management agency. As can be seen in

Figure 23, there are many awards on the office table, all of which are issued by the government for awards for excellent management organizations. But the dust inside the office is accumulated. Hygiene is neglected.



Figure 23 Dehong prefecture is composed by Mangshi city, ruili city, longchuan county, Daingjiang county and lianghe county.

However, in the survey of participatory observations in Huyun Village, the researchers found that “Zhangfang” in the village is often an important place for villagers to discuss and relax. In addition to being a place for religious activities, there are also many other kinds functions, such as publicity, gatherings, dispute resolution, education, etc.

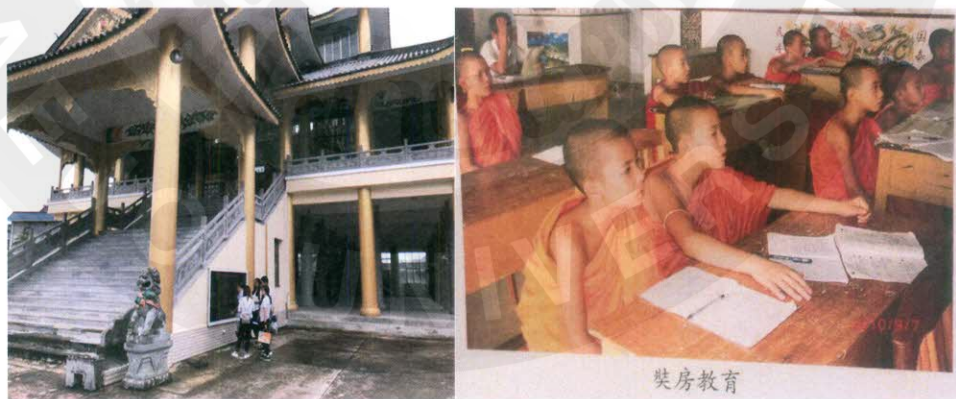


Figure 24 “Zhuanfang” and “zhuanfang” education

In addition, information should be posted in the office building of the village committee, such as the notice of the village collective economic dividend, the notice of the village assembly, etc., have been posted on “Zhuanfang” here.

However, if the following situations are involved: the inspection of the higher-level department, the signing of the economic contract by the village collective, and the activities of the party branch meeting are carried out in the office building of the village committee.

From the above situation, it can be explained that in the same village, two places that should be completely different in function are the places where the public affairs management activities of the whole village are carried out. There is no conflict between the two, and the function is still can complement each other, thus promoting the harmony of the social relations of Huyun Village.

2.3.2 Changes in land function

In the traditional land system, land is the means of production for the farmers to survive, and is the status symbol of the members of the village. The function of the land under the operation of the traditional land system is to maintain survival, bear the burden, and the relationship between people is more dependent on each other.

Under the implementation of the modern land management system, land functions in the Dai area have undergone some changes. Land not only maintains survival, social security functions, and economic functions, such as compensation for land acquisition (attachment of land and ground) and subsidies for national policies.

Under the modern system, the social security function of household contracted cultivated land has changed: in the past 30 years, the average farmland contracted farmland in China has fluctuated slightly, and the overall change has not been large. It is basically maintained at 8 mu per capita and 2.5 mu per capita. For the rural households, the livelihood security function of this part of the assets mainly has three aspects:

- 1) As the production materials for farming, which has the role of employment security;
- 2) The old-age security, that is, when the farmers are retired or older, they cannot manage agriculture. , transfer the cultivated land to obtain rent to maintain the daily life of the elderly;

3) Financial mortgage function, that is, the use of farmland as a collateral to the financial institutions to apply for a mortgage loan.



Figure 25 Land function compare

The land is fully utilized, only on the basis of land income, “peasant social security”; “increasing people without increasing land” is intended to improve the utilization efficiency of cultivated land in that place: reduce fragmentation, stabilize farming expectations, and enhance the cultivation of cultivated land. Willingness to invest. What is more important is to channel the population pressure of traditional agricultural areas to the development of non-cultivated land resources and to open up space for survival and development.

Under any circumstance, it is not the resources and assets (including the land) itself that can protect people's lives, but the "income" generated from resources and assets, that is, those economic items that can bring enjoyment. If the land has no output, what does it take to undertake the social security function? If land output is low or low, the level of social security it can afford is low or low. Logically, the way in which land is used determines its level and ability to undertake social security functions.

3. Internal cause impact analysis

Based on the above-mentioned changes in the operation of the modern land tenure management system in the Dai area, this study combines relevant theories to analyze the reasons and finds that the implementation of the new system will

inevitably change the balance within the original organization.

To restore the balance in the social structure, it is necessary. Mutual adjustment and adaptation, through the organization's own adjustment and the active change and adaptation in the implementation of the new system, is conducive to restoring the balance of the entire system operation.

The Dai community organizations are constantly adapting to the changes brought by the outside world, and actively adapting themselves to adapt to them. This regulation can be changed from the development of traditional culture in the organization, the development and changes of people's internalization values, and the development of internal relations.

The basis for the change is found. At the same time, due to the country's respect for the particularity of the ethnic areas, the modern land management system is also self-adjusting and adapting to the local area in the implementation of the Dai area. This adjustment is manifested as a traditional system as an informal the system complements the debugging of the modern system's discomfort in the implementation of the Dai area.

Therefore, under the influence of traditional culture and values, the traditional land tenure management system as an informal system compensates for the limitations of the modern land tenure management system in its operation.

Through the mutual adjustment and adaptation of the two sides, the Dai area can be compared with other regions, and the modern land tenure management system can be Smooth implementation, so that the Dai community shows a higher utilization of land resources, stable and harmonious community relations, and a good ecological environment.

The smooth replacement of the old and new systems has also provided the basis for a harmonious change in the series of land system reforms that China has carried out in recent years.

Analysis of its deep-seated reasons, the researcher found that the adjustment and adaptation of the modern system in the implementation of the Dai area and the local influence on the Dai community, in addition to the limitations of the modern system itself cannot fully play its institutional functions, but also from the influences

within the Dai community are mainly derived from: traditional culture, shared values shared by the community, and long-standing interdependent social relationships formed by community members. The following will be analyzed and discussed from the above aspects.

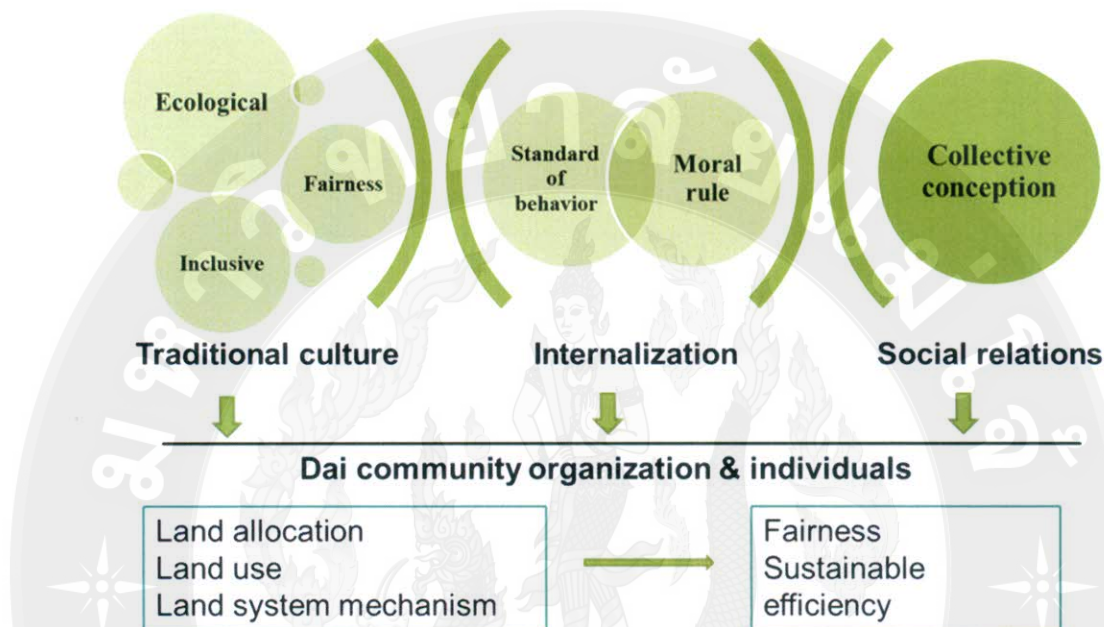


Figure 26 Internal cause impact analysis

3.1 Analysis of the impact of traditional culture

Youngd (2002) Institutions are both the makers of problems and the solvers of problems in the interaction between people and the environment. The new institutional economics interprets the system as a diverse set of rights, rules, and decision-making processes.

The cultural ecology theory founded by American anthropologist Julian Stewart believes that "environment and culture are inseparable." Cultural anthropology mainly uses the argument of "vicissitude are due to changes" about cultural change. The formulation and implementation of the system will inevitably exist in a certain environment. Then, the culture in this environment will become an important factor affecting the implementation effect of the system in a specific environment.

The Dai people are one of the local indigenous in Yunnan Province. They have a long history and have been engaged in farming and rice cultivation for a long time. They have long formed the unique traditional culture of the Dai. The traditional culture of the Dai nationality is come from a farming culture. Among them, Pattra-leaf culture, Longshan forest culture and water culture are the most famous.

Pattra-leaf culture represents a kind of religious culture. It can be seen from the traditional dual religious culture that the Dai people have the tolerance of foreign things.

Longshan forest culture represents an ecological culture, "following ancestral rule, awe and adapting to nature, and conducive to resettlement and farming". The traditional concept of forest management in the Dai nationality has a very positive effect on ecological environment protection, and at the same time guarantees plays an essential role in agricultural production.

Water culture represents a fair cultural, like as "thunder field", "paomashui" irrigation method, is a fair, a scientific and a reasonable, that is " More vertical directions, more in the south " irrigation water quantitative water separator invention and creation, and strict The "stubborn" management system has shaped the traditional culture of the Dai people's fairness and justice, and also embodies the masterpiece of harmonious coexistence between man and nature.

According to historical literature research, in the traditional culture of the Dai people, it pays great attention to the harmonious coexistence between man and nature. The order of human and nature is: forest, water, field, mountain, and human.

In the investigation of Huyun Village, the researcher conducted an experiment, which divided the participants according to age by the way of the game: the first group (over 50 years old), the second group (35-49 years old), and the third group 6-14 years old, the participants are asked to sort the importance of the forest, water resources, land and people to the village.

The order of the relationship between human and nature is verified, and the results (see Table 6) are no matter which age group. The villagers all have a high degree of recognition for the rankings, thus showing the inheritance of the traditional culture of the Dai people in the modern Dai people's minds. For almost 100%

recognition of children, the traditional culture of the future will continue to be passed down well, thus the Dai people.

The choice of social action in community humans has an impact. In addition, according to the description of the villagers in Huyun Village, there is a well-known saying among the Dai area “when there is a forest, there will be water. If there is water, there will be a field. If there is a field, there will be food. If there is food, there will be human beings.” It can be seen that the traditional culture of the Dai people has been continuation from generation to generation and guides people's behavior.

Table 7 The order of humans and nature

| Classification | Number of participant | first | second | third | fourth |
|-------------------------------------|-----------------------|-----------|-----------|-----------|-----------|
| | | Forest | Water | Land | Humans |
| The first group (over 50 years old) | 6 | 6 | 6 | 6 | 6 |
| The second group (35-49years old) | 10 | 10 | 9 | 9 | 10 |
| The third group (6-14 years old) | 16 | 16 | 16 | 14 | 14 |
| Total | 32 | 32 | 32 | 30 | 30 |

Source: Huyun Village Participatory Survey Data

The Dai villages are usually located in low latitudes. In the dam area below 1000 meters above sea level, the site layout of the villages follows the traditional rules and follows the ancient rules of the mountains and rivers left by their ancestors. As in the in-depth interview with Hu Yuncun, the villagers have many narratives on this aspect that are sufficient to prove the inheritance and influence of traditional culture.

“...Listening to the old man at home said: When our ancestors chose to build a stockade, we should consider mountains, rivers, sunny and convenient roads, flat and fertile land, etc. The most important three factors are: mountain forest, river water and peaceful dam...”

(Hou Yun villagers, Jingbo Pinwang, male, 60 years old, 10, 2017)

The first element to be considered for the Dai people to build a village is to

have mountains and large forests. According to the villagers, the slang about the location of Jianzhai is known from the elderly to the children, such as:

"Fishing before the village, hunting after the village,
depending on the mountains and waters."

"No mountains, no hunting, no rivers, no villages."

These are the ancient teachings that the Dai ancestors passed down from generation to generation, and everyone knows.

According to the interview of Huyun Village, the establishment of the stockade in Huyun Village has a history of 200 to 300 years. From the photos taken over the village of Huyun, it can be seen that the village structure of Huyun Village is in accordance with the traditional ancient culture of the Dai people's ancestors, with mountains and large forests behind it. There are rivers passing through the village. There are rich land around the village. The site selection of the village conforms to the inheritance culture of the ancestors of the Dai people, which makes the village rich in resources and superior in agricultural production conditions and living environment (Figure 27).



Figure 27 Taking pictures over Hu Yun Village (August 2016)

In addition, in the past ten years, under the influence of the modern land system, the change in the land use structure of Hu Yun Village has caused a sharp decline in the area of paddy fields. In order to protect the needs of life and avoid the idle land caused by labor transfer, the village is also actively involved in land transfer.

However, under the influence of traditional culture, Hu Yun Village did not transfer land to large enterprises to grow greenhouse vegetables as in other places. The villagers spontaneously voluntarily transferred the contractual management rights to small families and only fish. At present, nearly 70% of the land in the entire village has been transferred, and the land used for transfer is very consistent in the fishponds.

According to the "Land Management Law of the People's Republic of China", agricultural land is divided into cultivated land, forest land, pasture grassland, farmland water use land, aquaculture water surface, etc., and agricultural land cannot be converted. Moreover, Article 17 of the Basic Farmland Protection Regulations stipulates that "any unit or individual shall be prohibited from occupy basic farmland to develop forestry and fruit industry and digging ponds to raise fish".

From the law point of view, it is illegal for Huyun Village to change farmland into fishponds. However, from the perspective of the traditional culture of the Dai people, the "one season of rice in one season", "fish farming in rice fields" and "watering in the winter" The tradition of fish, fertile soil in the coming year, the villagers do not think it is illegal. In addition, since fish farming in the fish ponds does not cause permanent damage to the land, it can also increase the income of farmers, and the local government has not given penalties because the local villagers' self-governing committee opened the villagers' assembly for consultation.

"...The situation of dig land to breed fish in the Dai village, it's the largest of Huyun Village. Because the government has more land for land acquisition, there are not many land for each family, and the young people go out to work more. The Dai people usually do not go to the ground at the age of 50. Now, young people go out to work, and the land in their homes is mainly planted by the elderly at home. Some elderly families do not farm until they are 55 years old. However, if the land is not planted for a long time, it will be abandoned. The state will not allow the contracting land to be ridiculous. All governments will not interfere with their practices. As long as they do not destroy the cultivated land, it is acceptable..."

(Mang Citizens Bureau, Deputy Director Li, Han, July, 2017)

In summary, influenced by the traditional culture of the Dai people, the acceptance and implementation efficiency of the modern land tenure management system in the Dai area is quite different from that in other parts of China.

First, the replacement of modern institutions has been actively coordinated, including feudal landlords who have been confiscated land, and the transition mode is smoother than other regions;

Second, in the reform of the modern system, the Dai nationality has strong adaptability to the new system. The reason is that the traditional land system and the modern system of the Dai people have similar foundations of public ownership, and more are influenced by the traditional farming culture of the Dai people. Influenced by the concept of survival of "harmony between man and nature", the Dai area has a higher tolerance for the new system; while the concept of fairness in traditional culture coincides with the purpose of the modern land system; and the ecology of traditional culture The concept is more conducive to the sustainable development of agricultural production and community ecological environment.

3.2 Changes in internalization values

Internalization values are values advocated by psychology analysis in Western psychology. S. Freud believes that the id that follows the principle of happiness and the self that conforms to the principle of reality are unethical, while the super-ego that follows the principle of perfection is the value of society through parents and teachers. And the result of internalization of social education channels. Since the teachings of the family and the school or the norms of society come from long-standing cultural traditions, the superego is essentially the internalization of the racial value tradition.

Marx said that "people create the environment, the same environment also creates people." "Every event occurs in a certain environment, and the formation of individual values is no exception. The environment in which individual values are formed refers to the direct or indirect influence of the formation of individual values.

The sum total of all external conditions. "The so-called internalization means that the educated person accepts the political views, ideology, and ethics required by the society with the help of the educator or other social education factors, and translates into Own individual consciousness, that is, the process in which individuals not only truly believe, accept and abide by the political thoughts and moral

requirements of society, but also voluntarily use these requirements as their own value norms and behaviors.

Greif (2006) argues that institutions are a system of elements such as beliefs, values, expectations, and social norms that collectively generate a set of regular human behaviors in society. This concept incorporates people as actors into the system: human behavior forms the system, which in turn strengthens the behavior of the person by influencing the person's expectations of others' behavior.

Therefore, Greif (2006) proposed a theory of endogenous institutional change. They believe that there are elements in the social system that have little impact on the system in the short term, but have an impact in the long run.

For example, the impact of the existing system on the distribution of wealth, the accumulation of knowledge, and the formation of values can only be reflected in the long run. And some changes that have occurred in the short term can only be seen in the long run. People observe, realize, or fully understand – then even if these elements do have a positive effect on the system, they can only be a long-term effect.

In the operation of the modern land tenure management system, under the influence of environmental changes from the outside of the community, the values of the internalization of the villagers in Huyun Village have played a role in alleviating the impact.

Through the internalized values of the Code of Conduct and ethics recognized and followed by the Dai people, the distribution and use of land have been influenced, bringing innovation, which has enabled the modern system to integrate in the operation of the Dai area. The beneficial aspects of the traditional land system solve the real problems and promote the efficiency of the implementation of modern institutions and make up for the shortcomings of modern systems.

Since ancient times, the Dai people have attached importance to the tradition of the legal system. The Dai people's proverbs have "there is no way to walk and ridiculous, and there are laws that do not obey the will to destroy the family." "The green cloth is all dyed in human beings, and the jurisprudence is based on the masters." In the modern times, the Dai people's primitive habits and ethics still play a

role in adjusting social relations. They have long formed stable values in people's minds, guiding and restraining people's behavior.

In the modern social environment, people still follow the ancient rules handed down by the village community to look at problems and solve problems as a criterion for social behavior. Among them, a number of codes of conduct with legal norms have been formed around the land system. For example: "There is a land of divide equally to plant, there is a burden of divide equally to bear ", which is the origin of the Dai people's traditional culture of fairness.

According to the study of historical documents, although in the traditional land system, "Zhaigongtian" (public land of village) accounts for 80% of the total land in the village, its land rights attribute is the ownership of the lord, and the collective possession is used. Collective members are divided equally, cultivated, and harvested by themselves. They do not need to pay rent, but they must bear the burden. This kind of burden is usually replaced by various taxes, apportionments, and miscellaneous duties.

The rules at the time of land separation are in fact very fair and considerate. The villagers under the age of 18 and over 50 have a clear division of the amount of land allocated due to limited labor capacity. However, the reason for this fairness in the distribution of land is in fact more due to the fair distribution that the "burden" can obtain.

The rule that land cannot be bought and sold in the traditional land system of the Dai people and the fair distribution of water in rice paddy irrigation can prove this point.

With the development of society, the fairness of the distribution of land and water has become a typical representative of social justice. The rules formed by people themselves have become a deeply rooted concept in people's consciousness, and this concept of fairness is in people's ideology. The internalization function makes the modern land system of Huiyun Village operate, and combines the fair mechanism in the traditional land system, thus making the modern system play the fairness of land distribution in the operation of the Dai area.

In addition, in the ancient regulations on land management, the importance of

land cultivation is emphasized. According to the regulations, whether it is the “Zhaigongtian” where the farmers are divided, or the “Xuanweitian” and the “headfield” with the hereditary rights, all it must not be go out of cultivation.

To explore the reasons, or to "burden" can be smoothly and fairly shared by all members. However, after the long-term development of the traditional concept of not letting the land ridiculous, in the consciousness of passing the generation of the Dai people, it promoted the deepening of the love of the land and formed a high recognition of the value of the land. Over time, it formed a valuable internalization values.

Therefore, under the operation of the modern land system, young laborers flowed to the cities in large numbers, and “hollow village”⁸ appeared in many places in China, causing a large amount of land to be idle. According to a survey, in 2015, a sample survey of arable land in 235 administrative villages in 142 mountainous counties across the country found that 78.3% of the villages were in a state of abandonment, and the national abandonment rate of mountain farmland was 14.3%.

Due to the high recognition of the value of land resources by the Dai people, there is no land abandonment in the land of Huyun Village, and the land resources are more fully utilized in other areas. People love every inch of land, including crops in the fields, and researchers can see it everywhere in the participatory observation survey in Huyun Village (Figure 28).

In addition, influenced by the concept of the Dai people, in the Mang city, where the village of Hu Yun is located, all kinds of fruits planted in the streets of the whole city not only beautiful the streets, but also increase the green area (Figure 22); at the same time, the fruits mature after the unified picking, it will be given free to various social welfare institutions, such as elderly homes and orphanages.

This special land use method will improve the utilization rate of the land

⁸ Hollow village refers to a rural village. Since most farmers go to work in the city, the number of farmers living in the village has become very small, but the people who go out to work still occupy a lot of land, which makes the land a large area waste and vacant status.

while taking into account the ecological environment and society harmonious. The internalization of the Dai people's ecological concept not only played a good role in the Dai area, but also played a positive role in the surrounding areas.



Figure 28 Papaya and vegetables planted in the fish pond of Huyun Village and Longan tree planted on the streets of Mangshi city

Another manifestation of internalized values can be demonstrated by the internalization of traditional ecological concepts of forest protection.

In the previous section, the area of natural forests in Huyun Village was implemented. Since 1955, the modern land system has been implemented, and no changes have taken place until now. During this period, many scholars in China have shown that due to the increase in population and economic development, land use has undergone tremendous changes, causing large-scale destruction of other crops grown in forests in many areas, resulting in a rapid decline in forest area and ecological environment destroyed.

Influenced by the traditional ecological concept of the Dai people, the inheritance of ideas and technologies such as “Shenshan” forest, water source forest and garden planting played a positive role in resource conservation and sustainable development of the ecological environment.

“...Not many people will now discuss these things about the village god and the god tree. But we have been obeying the rules since we were young, we can't throw things into the river. The big mountain behind the village (referring to Longshan Forest in Huyun Village) can't cut trees. Of course, now we all know why forests and water are important to everyone, and we will not cut down trees and pollute water. We also teach children like this...” (Villager, Xiang Xing'an, male, 48 years old, July, 2017)

“...I have heard about the legend of the goddess of village, but nowadays young people do not believe this. It's just that everyone will not go into the mountains to cut trees. Why is it not really important? The rules of the village are all observed...” (villager, Xiaoye, female, 24 years old, 7, 2017)

As can be seen from the above interviews, this ecological concept has penetrated into the hearts of everyone in the Dai village, becoming a kind of internalized value, automatically restraining people's behavior, so that under the modern system operation, Huyun Village for land resources The management utilization is not only driven by economic interests, but by the internalization values and the needs of sustainable development.

3.3 Impact of organizational relationships

The collective concept of the Dai people is extremely strong. Although the family is important to the Dai people, the importance of the family is far less than that of the village collective. When studying the Dai villages, Tian (1941) believed that the family concept of the Dai people was very weak, and the most intimate connection

between the villages was the relationship formed by the youth groups with the same age.⁹

4. External cause impact analysis

In the Dai area, the modern system operation, like other areas, will be affected by urbanization and other national policy changes. On the one hand, in the operation of modern systems, traditional land allocation and land use methods have alleviated changes effect from outside environmental. The integration of traditional systems can optimize the modern system. On the other hand, the modern system get through the Dai community can be to adapt the traditional system, and then the traditional land allocation and land use methods can play a role in the modern system.

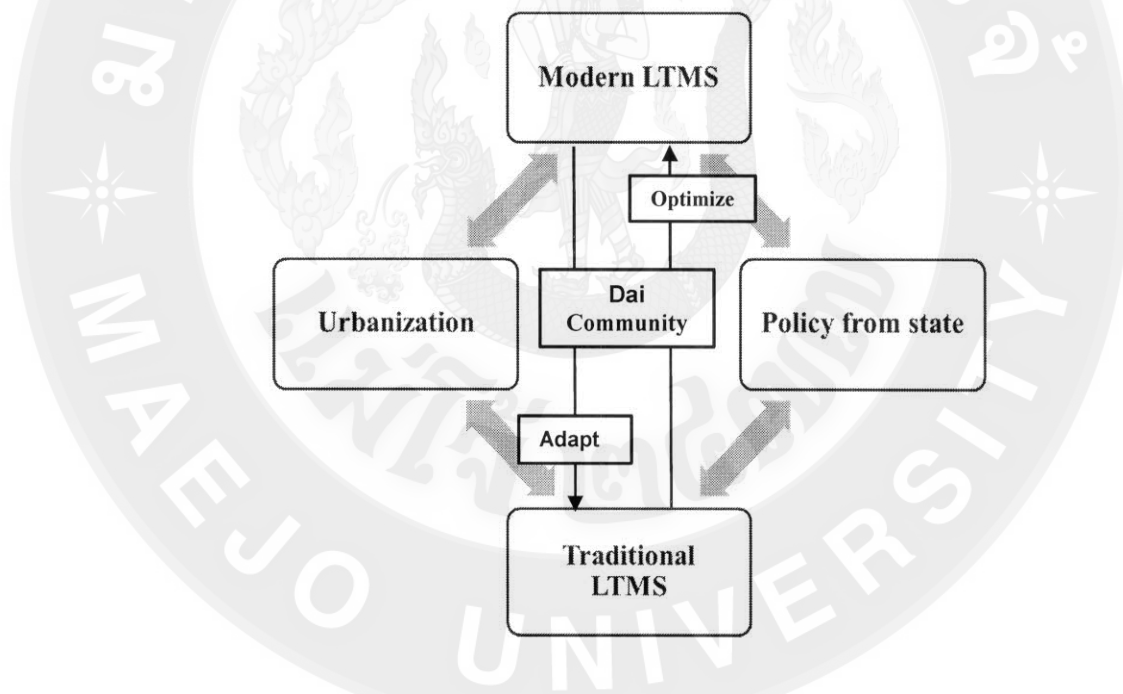


Figure 29 External cause impact analysis

⁹ Tian Rukang discussed the "age of society" and pointed out that the social structure of the Dai is based on the age of society. It represents a social identity, has different rights and obligations, and forms different social groups. In the village activities, the difference between family and family is divided into the difference between group and group, and each group is divided by the principle of "age of society".

4.1 Policy cause impact

The operation of the system will be affected by the external national policy environment. In the process of implementing the modern institutional land management system, the external policy environment will directly affect whether the system can be implemented smoothly and the efficiency in implementation.

4.1.1 Protection policy for the replacement of old and new systems

At the beginning of the national land reform, the national government respected the traditions and customs of ethnic minorities, adopted different strategies for different ethnic characteristics and economic and social relations in ethnic areas, and proceeded from the actual situation of ethnic areas in accordance with the principle of prudent and steady progress. The effective land reform policy has successfully implemented this social change.

In the 1950s, the national government in the Dai nationality of Dehong Dai and Jingpo Autonomous Prefecture in Yunnan Province carried out land reforms through peaceful consultations according to local ethnic characteristics and economic and social conditions, and abolished the long-standing feudal lords and landlords' land tenure system in ethnic areas. This modest reform has avoided ethnic barriers and religious disputes, reduced the resistance to democratic reforms, better protected productivity, and contributed to the economic development of the region. At the same time, it maintained the stability of ethnic regions and frontiers and promoted ethnic groups develop harmoniously.

The implementation of the peace negotiation and agrarian reform policy is a respect for the particularity of ethnic minority areas.

First of all, the state's implementation of ethnic areas is very cautious. After repeated research, land reform is later than other provinces and regions in China. Other regions have started land reform since 1949, while Dehong Prefecture has only been in 1955. The implementation of the land system reform began. In the meantime, it borrowed the experience of other regions and formulated a local reform method. Through extensive and extensive publicity, the new and old systems were replaced, the feudal lord land system was officially abolished, and the modern system was implemented.

Second, in the implementation of reforms, we fully respect the religious beliefs and customs of ethnic areas. For example, in the reform, the land is distributed to the peasants in different levels, and the land of the feudal lords is confiscated, and the public land in the village. It is levied with the school, but it remains unchanged for the fields, the church fields and the youth fields of the Buddhist activities in the village. The reform of the new system was supported by the local people and the reform process was smoothly transitioned.

Third, the enthusiasm for agricultural production has been improved after the reform. According to the data, in 1956, the grain output of Dehong Prefecture increased by 15% compared with 1955, and the grain of the Agrarian Reform Area was 20%, and the Productivity was significantly improved.

4.1.2 Impact of external policies on the efficiency of modern system implementation

Due to the dual system of urban and rural areas, the land has a social security function for farmers in addition to economic functions. With the reform of the modern system, since the implementation of the household contract responsibility system, farmers' enthusiasm for production has been greatly improved, and production efficiency has also been greatly improved. However, with the weakening of the collective function, the rural social security relying on the collective economy is also weakened, so that farmers' protection can only rely on land.

In the operation of the modern land management system, some policies promulgated by the state have affected the operation of the modern land system in the Dai area, the distribution and utilization of land, and the operational mechanism of the land system. These effects are mainly concentrated in the following aspects:

1. After the abolition of the agricultural tax, the relationship between the state and the grassroots village collectives weakened, the function of the collective was weakened, and the social security function of relying on the collective economy almost disappeared;
2. The state has repeatedly issued a policy of stabilizing land contracting rights, so that there is no longer any adjustment opportunity for

distribution, so that newly-born villagers do not have an opportunity to distribute land fairly.

Affected by external policies, there have been influences in many places. However, in the investigation of Huyun Village, it was found that the village collective actively adjusted and adapted. This adjustment and adaptation combined with some methods in the traditional land management system to make up for the impact of the national macro policy in the implementation of modern systems.

After the land contracting operation, the village collective function in many places was weakened. However, in the village of Huyun, from the interviews of the villagers, it was seen that the village collective still played an important role in the management of the land.

“...My family's land was transferred to foreigners. No contract was signed, but it was registered in the village. The village has reserved 40 yuan for one mu (rent is 2,000 yuan/mu). Once the leaser built a chicken house in my land, I don't allow him to build, he doesn't care, I can't solve it. Later, the village committee came forward to help my family solve...” (Daobo Yunyatuan, male, 54 years old, July, 2017)

In the above statement, the village collective played a role in the strict management of land use, so that the use of cultivated land was not arbitrarily changed, and the power of the peasants was also maintained. The practice of collective retention strengthens its responsibilities and thus promotes the functioning of modern institutions.

In addition, Huyun Village actively encourages land transfer in the country. When each household or collective land in the village is transferred, everyone can unify the opinions and the village collectives will retain 2%. This part of the retention is mainly managed by the village committee for collective use as: the operation of the organization, the funds for collective activities, and the distribution of collective economic returns.

Due to the influence of tradition, the Dai village usually leaves part of the land as a village collective public share and does not distribute it. Therefore, the retained collective public land is decided by the villagers' committee and the collective economy is developed, so that the Dai village has basic agricultural production materials compared with the villages in other areas, and through the development of the collective economy, the households of Huyun Village Social security functions have been implemented.

For example, in the collective economic dividend of 2018, it is usually divided according to the proportion of the land owned by the farmer in the whole village, because the land allocation was not based on the area, but the land quality and distance considered. Factors such as production, so it is unfair to divide by area. In addition, due to the implementation of the method of “no increase in life, no death”, it is even more unfair to distribute according to the land area owned. Therefore, in the case of dividends, Huyun Village uses the actual population as a reference, based on the population of the land and the population without land (mainly including the newly born child, the married population, and the enrolled population). The distribution of collective economic benefits compensates for the limitations of “no growth, no death”, which makes collective interest sharing more fair, and farmers feel fair and satisfied.

For villagers who have no production capacity, or those who have lost their productive capacity, villagers who have no children, the village collectives will also pay special attention. They will distribute the land fairly, and then help them to transfer the land so that they lives has safeguard.

In the practice of other counterparts in China, the village collective has made many attempts, such as: the village collectively concentrated the land for paid contracting, and some places succeeded, but some places failed. It can be seen that in the same policy Under the influence of different collective organizations, the impact is different. The reason is whether the function of the village collective can play its role and the ability of the village collective to adapt to changes in external policies.

4.1.3 The impact of social insurance policy on the operation of the land system

Because the country's social security policy is different between urban and rural areas, the coverage of rural social security policies is not wide enough. Especially in rural old-age security, there are contradictions in the rural areas to support the elderly. However, in the Dai area, due to the tradition of retirement and respect for the elders in traditional culture, the traditional inheritance method of land distribution rights has influenced and changed the operation of the modern land system. As a kind of informal rule, the traditional rules make the modern land management system has undergone a transformation in the internal operation of the Yi community, and the Yi community has developed a creative inheritance method that effectively solves the problem of rural pension.

Because the traditional culture of the Dai people, the maintenance of the elderly for the elderly usually choose the youngest child in the family, when the parents to raise all the children, the parents also lost their ability to work, and the youngest child to live together, but the child The family has the right to inherit the land of the parents, and it is also a kind of compensation to the children who support the parents. However, in the modern system, the land is collective, after the death of parents cannot inherit, must be returned to the collective after the new distribution, thus to a certain extent, affected the traditional pension model. In the case of the village, the land for this reason, although not in line with the policy requirements, but whether it is official or land rights of other villagers, have recognized this approach, this approach across the modern system and traditional system, has become an Informal inheritance.

Modern system: In accordance with the provisions of the current law of succession in our country, the right to contractual management of farmland shall not be inherited (in essence, the flow of people from generation to generation is prohibited), to a certain extent, the flow direction of the right to use agricultural land is also limited. One explanation is that taking into account the right to contractual management of farmland based on the contract, resulting in a certain identity, but also to prevent land shortage. But in essence follows the notion that in the past it

did not respect or even did not recognize the peasants' farmland property rights in the past, and because the claim nature of the rural land contractual management right makes the claim legally perfect foot.

But now "Rural Land Contract Law" has the right to farmland contracting management rights, the contractual management right to become an independent property rights, should be in the contract period can be inherited by the original contractor's heirs, but the law is Only agricultural land contracting rights (actually "four wasteland" contracting rights) obtained from "forest land" and "other ways such as bidding, auctioning and public consultation" obtained under the "family contract method" are allowed to inherit. Such different institutional arrangements make the power of contracting management rights of agricultural land greatly restricted, which makes people have doubts about the nature and power of contracted management rights of farmland.

The acquisition of farmland contracted management rights from the household contract responsibility system is based on the family and the inheritance of property rights takes place among the natural persons. However, due to the fact that the sons and daughters who are ubiquitous in rural areas of our country are subcontracted and maintained in turn The phenomenon of the elderly, after the death of their parents, the succession of the rural land contractual management right will face great confusion: First, the contractual right to farmland cannot be inherited; second, the natural inheritance of the father's property by the children; I do not know how to adapt? To put it another way, suppose the last remaining members of the contractor (farmer) family members who are land-use holders legally assign arable land or grassland contracting rights to the specific transferee (ie, the last of the contractor's households Member's successor's farmer), what is the difference between the final actual result and the inheritance of the permitted rights to contracted management of arable land and grassland. In the meantime, the farmer who is the successor, though apparently paid the transfer fee to the transferor, according to the "Contractual income deserved to be received by the contractor according to Article 31 of the Rural Land Contract Law, inheritance according to the law of succession" After the death of the deceased (that is, the original contractor),

the contracted proceeds (including the above transfer fee) can still be obtained from the inheritance of property.

In fact, the two sides can sign only the transfer contract, ostensibly agreeing all kinds of related matters according to law, but in fact they do not have to fulfill the transfer fee of the contractual management right and how to supervise this? For another extreme case, if the contract The last remaining members of the Fang (peasant household) family shall transfer the contracted management right of the woodland or the contracted management rights of the farmland obtained by "other ways" to the non-heirs (other collectives or other members of the collective engaged in agricultural production before the death) Of farmers) will make the legislative objectives of Article 31 and Article 50 of the Law and the system design for the contractor to recover the contracted land according to law fail. Therefore, I think that the right to use farmland (agricultural land contractual management right) as an independent property right naturally should be the subject of inheritance.

4.2 Urbanization impact

Ho (2005), when studying the Chinese land system, suggested that the institutional form is not equal to the institutional function. That is to say, what matters is not the form of the system, but how the system works in society.

In the modern system operation in China, under the development trend of urbanization, the impact of the macro-environment, unclear property rights, government administrative intervention, damage to farmers' rights and interests in land acquisition, and insufficient land supervision have affected the efficiency of modern land system implementation. Therefore, solving the above problems has become the key to improving the efficiency of modern land management systems.

The land system will conform to the continuous development and changes of the social economy. Under the background of urbanization, the functional requirements for the implementation of the land management system will also change. The development of urbanization is to increase farmers' income, narrow the gap between urban and rural areas, promote urban-rural integration, promote social

harmony, and achieve sustainable ecological development. The function of the modern land management system should also change accordingly, in order to play a role in promoting social and economic development, otherwise it will hinder the development of social economy.

Due to its special geographical location, Huyun Village is very close to the urban area of Mangshi. In the process of urbanization, the area of paddy fields and dry land has changed greatly due to the impact of land acquisition. From 1955 to 2016, the paddy area decreased from 1730 mu to 550 acres, the decline rate is 69%. The area of dry land decreased from 500 mu to 74 mu in the highest period, with a drop rate of 80%.

At the same time as the change in land area, the traditional livelihood methods of the villagers in Huyun Village also had an impact. However, due to the influence of the traditional land system and the proximity of the village to the urban area, the government's investment in transportation and other infrastructure has enabled the village to actively use the favorable conditions and actively adapt to the changes brought about by urbanization.

In the qualitative interview with Huyun Village, the villagers believed that urbanization brought great changes to the rural environment. Although the land became less, the land was more valuable and people's lifestyles changed.

“...According to the location of the land, the rent is different. The transportation too far is inconvenient. It can only be rented to 800 yuan/mu, or 1000 yuan/mu. Although the land in our village is reduced, the rent can reach 3,000 yuan/mu...” (Xiang Yan Tuanwang, 71, July, 2017)

The reduction of land and the transfer of surplus labor have caused changes in traditional agricultural production methods.

“...The land rents a foreigner to raise fish. My family has opened a restaurant now. Because it is close to the city, the ingredients are fresh and ecological. People in the city often come

here for dinner and leisure. More than half of my family's annual income comes from opening a restaurant..." (Lang Er, 46, July, 2017)

The influence of urbanization in the operation of the modern land system has brought unprecedented contradictions to the utilization and distribution of land. However, due to the influence of the traditional land management system, Huyun Village borrowed from the traditional way to solve the problem of urbanization. The contradiction of land resources has played a good effect.

In the operation of the traditional land system, the Dai villages attach great importance to the management, utilization and deployment of land resources, and the village collectives attach great importance to the interests of the village. According to the historical records of the Dai people, some villages have fewer fields and no additional land is allocated to new farmers. The village collective will rent land to the village and distribute it to new households. If there are no surplus fields in the surrounding villages, and it is temporarily impossible to adjust the distribution, then the rule in the village is to let the people in the village jointly make two or thirty picks for the family. The whole village supports the wood and grass rows, and the labor force helps the new farmer builds a house, so that the new farmers can settle their lives first, and then wait for the village community to give him the land. Village collectives play a very important role in land management.

In the operation of the modern land system, under the impact of urbanization, Huyun Village adopted the method of collective collective land acquisition and unified sloping land transfer, and some farmers were recruited because they did not have labor force or unwilling to cultivate land. The economy carries out revenue sharing. By developing the collective economy, the modern land management system is in operation, avoiding contradictions caused by land reduction and land lease disputes in other areas.

For example, the Huyun Village collective negotiated a contract with a nut planting company in 2003. A total of 350 mu of land was leased for a period of 30 years, and more than 30 farmer households in the village were involved in the lease. According to the contract, the market price in 2003 was 260 yuan/mu. After the

annual rental price changes according to the market price, the farmers' income was guaranteed, and no economic disputes occurred. The villagers can also go to the company for planting and management. In addition to the income from the rental and the income from working, the villagers are very satisfied. For companies that lease land, negotiating and signing contracts with village collectives is more secure for the company's interests, avoiding the risk of disputes between other companies and farmers. The involvement of the village collective is conducive to the harmony of the relations between the parties. To a certain extent, it avoids the negative impact brought by urbanization and guarantees the smooth progress of the modern land tenure management system.

China's Constitution stipulates that rural land is owned by the collective, but the concept of collective is not clear in many places. However, the role of Huiyuan Village collectively in the process of urbanization has eased the contradiction of land acquisition and enhanced the peasants' circulation in the land. Negotiation ability.

Since the 1990s, the speed of urbanization in China has begun to accelerate. According to statistics, from 1990 to 2006, the national non-agricultural construction occupied 45.746 million mu of cultivated land (Xiong, 2008). Under the environment that the urban-rural dual system has not been completely eliminated, China's urbanization has achieved remarkable results, but it has also brought many problems. The most prominent problem is that the urbanization of land is much faster than the urbanization of population.

Urbanization and land management systems are closely related. Urbanization has a large demand for land acquisition. Accelerating urbanization is inseparable from the guarantee of land management system. However, China's land management system is constantly reforming towards marketization under the impetus of urbanization, but currently rural the operation mechanism of the land market is not perfect, and even lack of corresponding supporting measures, so that the rights and interests of farmers are not guaranteed, and the land cannot be fully utilized.

At the same time, urbanization and land management systems are also in conflict. The large-scale occupation of cultivated land due to urbanization has contradicted the principle of strict protection of cultivated land followed by the land management system. The current rural land management system is in balancing

towns. The relationship between development and sustainable use of cultivated land has not played an effective balance adjustment role.

In addition, in the process of urbanization and land acquisition, the subject of land property rights system is vague, which is a very common problem. The ambiguity of the subject of collective ownership and the unclear driving of collective ownership have brought a lot of uncertainty to the management and utilization of rural land due to the development of urbanization. The peasant collective is a collection of all peasants. It is an abstract collection group, but it is not an organization that can be legally matched. The current law does not clearly define the collective, which leads to the ambiguity of rural land property rights and the ignorance of ownership. The lack of a clear entity as a representative to safeguard the ownership of land rights hinders the clarity of land property rights, which is not conducive to the stability of land contractual management rights and the effective use of land.

In the development of urbanization, HuYun Village has also encountered many new problems, and the original balance of the village community in the management and utilization of land has been broken. Since the village is very close to the urban area, the village's land has been levied on a large scale since 2000 due to the government's need to build roads and build government public rental housing. Since then, the per capita land available for villagers has been less than 2 mu. Under the efforts of the village collective and the cooperation of the villagers, Huyun Village actively responded and used traditional land management and utilization methods to actively resolve the adverse effects brought by the outside.

1. The village collective actively seeks compensation for land acquisition from the government, and the compensation amount reaches the maximum limit within the scope of the state regulations, and protects the rights and interests of the villagers as much as possible;

Table 8 Land acquisition area and land price

| years | Land acquisition area | Land price |
|-------|-----------------------|----------------------|
| 2000 | 250 mu | 10500~20000 yuan /mu |
| 2012 | 300 mu | 78000 yuan /mu |

2. Unified coordination of land in the village for circulation.

Since 2003, Huyun Village has been transferred to the mountain to give the nut planting company a total of 350 acres of land, signed a contract, the term is 30 years, the lessor is a farmer, involving more than 30 households, the early price of 260 yuan per mu, each year The price rises at the market price;

In the past 10 years, many foreigners have come to rent land, mainly from farmers in economically backward areas. The leased use is mainly used for growing grain and raising fish, chickens, etc. The contract period is generally 3-5 years, and the rent can be produced per acre. The amount of food produced is converted at market price.

In addition, the village collective manages the land use and land disputes after the transfer in the land transfer.

3. Develop collective economy by using collective land development projects

In Huyun village, some land contractors have a high proportion of land idle because they have no working ability or their family members go out to work. The village collective proposed that, under the premise of voluntary farmers, the village will pay a certain rent to the farmers, and the right to use the contracted land of the farmers will be collected into the village collective, which will be managed and utilized by the village collective.

Some of these lands are transferred to the foreign companies in the name of the village collectives; some are operated by the village collective management development projects; some are approved by the land use planning and discussed by the villagers' assembly, and the necessary public facilities such as temples in the village are built;

At the same time, for the projects developed, the farmers in the village were given priority to work in the project, and the villagers were paid labor remuneration, which solved the difficulty for the villagers to have no income due to lack of land cultivation after land acquisition.

In addition, as villagers in the village, due to the provisions of the national land contract adjustment period, they failed to contract to the land, but as members of the village collective, they can enjoy the income distribution of the collective economy.

Since the village is very close to the city, the development of urbanization has a great impact on Huyun Village, and this impact is unpredictable and uncertain. Due to the levy of land, land resources are becoming less and less, but the value of land is also increasing. In the face of the adverse factors brought about by external factors, Huyun Village constantly adjusts itself to adapt to new changes, improves land utilization, integrates idle land, improves land utilization, and safeguards the interests of villagers. Although it is not completely resistant to external influences, efforts to adjust and adapt will help to find a new balance.

5. Conclusion

The operation of the modern land tenure management system in the Dai area replaced the traditional land tenure management system that has been used in the Dehong Dai area for more than 600 years. The operation of the new system is not static. In the nearly half a century since the implementation of the new system, modern institutions have also evolved to adapt to development needs. Modern systems have replaced traditional systems and some of the developments that have taken place in the operation of modern systems. They have affected and traditionally distributed land, used land, and managed land in the Dai area.

Under these changes, the Dai people also have some sense of discomfort. The Dai people use their own wisdom to apply the favorable methods and methods of the traditional land tenure management system to the modern land management system, so that these changes can be slowed down. It even effectively promoted the implementation of modern institutions.

Through in-depth analysis of the causes of the phenomenon, it is found that these effects can be divided into internal and external influences according to the role of the occurrence. The internal influences mainly include: the influence of the traditional culture of the Dai community, the influence of the internalization values of the villagers, and the long-term influence of the social relations between the members and the members formed in the community; and the external influences mainly include: The impact of policy changes and changes in the land market brought about by urbanization.

Due to the influence of the external environment and the internal environment, the Dai area presents the phenomenon of the coexistence of traditional and modern land management systems in the implementation of the modern land management system. The two systems complement each other in function and effectively solve many modern system operations. The existing problems have led to the integration of formal and informal institutions in the Dai area. This integration is the optimization of the modern land system, which makes the modern system make up for the shortcomings in the operation and better play the institutional function.

Due to the influence of the external environment and the internal environment, the Dai area presents the phenomenon of the coexistence of traditional and modern land management systems in the implementation of the modern land management system. The two systems complement each other in function and effectively solve many modern system operations. The existing problems have led to the integration of formal and informal institutions in the Dai area. This integration is the optimization of the modern land system, which makes the modern system make up for the shortcomings in the operation and better play the institutional function.

Develop and complete the Model of Integrating the Dai Traditional land tenure management system and modern land tenure management system

Based on the above analysis, the operation of the MLTMS in the Dai area replaced the TLTMS that has been used for more than 800 years in the Dehong Dai area. The operation of the new system is not static. In the nearly half a century since the implementation of the new system, the needs of modern system to adapt to agricultural development have also changed. Modern systems have replaced traditional systems and some of the changes that have taken place in the operation of modern institutions. They have affected the traditional ways of land allocation, land use, and management mechanism in the Dai area, causing changes.

Under these changes, the Dai people also have some sense of discomfort. The Dai people use their own wisdom to apply the favorable methods and methods of the traditional land management system to the modern land management system, so that these changes can be slowed down and compensated. The inadequacy of the modern system has even effectively promoted the implementation of modern systems.

In the case study of the Dai ethnic community, according to Parsons' AGIL theory analysis, the stable existence of a community is based on the normal operation of the community subsystem function. The shared values formed by the traditional system have made the Dai community exist as a whole. The existing challenges in the implementation of the modern land tenure system indicate, that there are deficiencies in the function of the modern land system, and the solutions in the practice of the Dai ethnic group show the value of the traditional land tenure system and can make up for the shortcomings of the modern system. Therefore, the integration of the two systems, can make the stable function of the mechanism.

In the interviews of the villagers, the villagers generally believe that the traditional system and the modern system have their own advantages and disadvantages. If integrated, they will more satisfied and can promote community development.

1. Integration Process Analysis

According to the case study of the Dai village, the integration model of these two systems analysis is based on the social behavior theory of Parsons AGIL model:

1. Adjustment: Dai community adapt to changing management system.
2. Goal attainment: peaceful community using by political power to regulate relationship within a society.
3. Integration: both of modern and traditional land tenure management had evolved together.
4. Harmony balance: traditional land tenure management system function can support modern land tenure management system.

It makes that to develop a new model integrating the Dai traditional and Modern land tenure management system will be possible.

Adjustment: community adapt to changing management system.

According to Parsons's theory, the organization's adaptation model is to effectively allocate the required resources in order to achieve organizational goals or to play an organizational role. Organizations need an effective operational mechanism to control and acquire the necessary resources and allocate resources to specific target implementation processes.

In the implementation of the modern system in the Dai community, the Dai community's adjustment and adaptation to the new system is conducive to the development of the community.

The Dai community includes internal management organizations and individual farmers. They form a whole and share a common development goal, namely the organization defined by Parsons. Under the influence of long-term common life, production and religious beliefs, the common values within the Dai community have been formed. In the operation of the modern land management system, the fairness of land distribution, the sustainability of land use, and harmonious social relations are the goals of institutional operation.

After the implementation of the new system, in order to promote the realization of the goals of the modern land system of the community, the internal implementation mechanism has changed. For example, in order to ensure the fairness of land distribution in the modern system, the Dai community will use the traditional method to reserve collective land to develop collective economy, land transfer and collective retention, and distribute dividends to villagers with and without contracted land at the end of the year. To make up for the problems caused by the limited land resources, the national land contract law, the contract period, and the lack of contract adjustment, so that new members have no fair right to land contract, but can reflect the rights of class members in the collective fund dividends. Although not fully entitled to the rights of class members, this approach compensates for the unfairness of new members in modern institutions compared to other regions.

户允村三社94年分得水田人口明细表

| 序号 | 姓名 | 现有人口 | 分田人口 | 现金 | 无田人口 | 现金 | 总计(币) |
|----|-----|------|------|--------|------|--------|--------|
| | 总合计 | 311 | 147 | 441000 | 182 | 273000 | 714000 |

2018年1月27日 三社人口

现有人口 94年分田人口 无田人口
 2018年311人 147人 183人
 94年分得田人口 $147 \times 3000 = 441000$ 元
 无田人口 $183 \times 1500 = 273000$ 元
 总合计: 714000 元

Figure 28 Collective economy year-end dividend of the third team of Huyun Village in 2018

According to the interview data of the village committee, in the collective economic dividend of January 2018, the third team of Huyun Village based on the data about the last land contract adjustment in 1994, and allocated funds to the land with and without the land of villagers, there are 147 people with land, 3,000 yuan per capita, 183 people without land, and 1,500 yuan per capita.

According to villagers said, in the allocation of land, the combination of tradition and modernity can alleviate the social injustice caused by the limited land resources.

"...Because of the increase in population, there are now more people without land than there are people with land. In the future, there will be more people without land. In order to the fairness, villagers come up with this method, and before implement, it has been approved by whole villagers. Although the issue of the fairness of land contracting of new members cannot be completely solved, but the contradiction of no land redistribution can be alleviated by running the collective economy..." (Mobo yuesuobao, village accountant, male, 46 years old, July, 2015)

"...Now the land is not adjustment, the population of the family is increasing, and the land is getting less and less..." (Xianbo Suo, male, 49 years old, July 2016).

"...There are a lot of collective land in the Dai village that is not allocated to individuals, but the income from land transfer can be dividends can make up for those who have no land..." (Jingbo Pinwang, male, 60 years old, February 2017)

Under the influence of common values, the community's common development goals and flexible implementation mechanisms have enabled the Dai community to better adapt to change.

Goal attainment: peaceful community using by political power to regulate relationship within a society.

Parsons (1951) believes that power is the central issue of the organization. The legalization of the value system to the organizational goal can only be effective through power. Power is the general ability of the organization to achieve system goals and to circulate resources. Use constitutes one of the basic coercive functions of any social system.

The supplement of the village rules and regulations is to achieve organizational goals under the framework of a large system. For example, in land use.

The development and utilization of land, combined with the traditional management system, people's behavior of land use will be more binding.

"...I don't know the country's policy of not allowing for land wasteland, but there is no wasteland in our village. In addition, cutting trees and cutting bamboo will be severely punished by the village." (Yan Xioan, Female, 66, July 2016)

"...Each piece of land has an appropriate purpose. If used improperly, it will affect the entire village, but nowadays people don't think much about it. It is a pity that land is suitable for cultivating, but people use it building a house." (Fanbo aishi, male, 49, February 2017)

Integration: both of modern and traditional land tenure management system had evolved together.

According to interviews with villagers, traditional and modern systems can achieve functional complementarity in their implementation. The integration of such systems also promotes the development and changes of institutional structures.

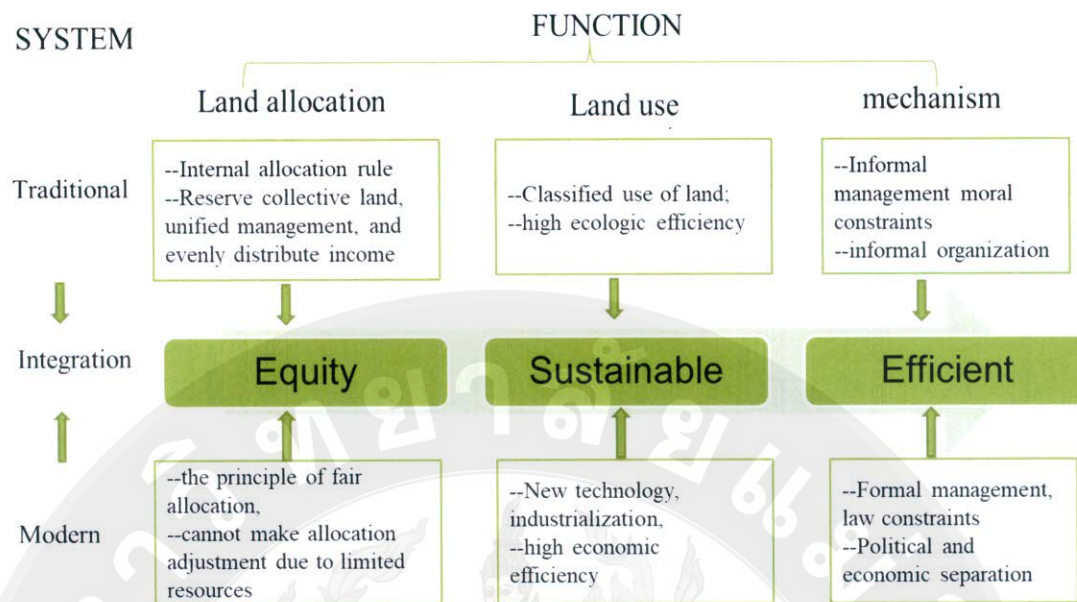


Figure 31 TLMS and MLTMS integration function

In the process of land allocation integration, the modern system attaches great importance to fair distribution and tries to protect the rights of the villagers. However, absolute fairness will inevitably lead to the dispersion of land. In addition, due to limited resources, the newly villagers cannot obtain the right to distribute land fairly. It's have become the issues is hard to be solved in many villages in China. The traditional land allocation method, as well as the reserved collective land for unified management, as an internal supplementary system in the Dai community, adjusted the interests of the villagers who later joined, and make up for the problems that the modern system could not solve.

In the integration of land use, the operation of modern systems, attach importance to the use and promotion of new technologies, it can connected between the small farmers and modern agriculture, the agriculture production has been improved, farmers can acquired more professional skills, and economic income has increased. In the Dai community, due to the traditional land use types and utilization methods, farmers not only pay attention to economic interests, but also pay attention to ecological environmental protection in the development of modern agriculture, so as to make land use sustainable.

In the system operation mechanism, the modern system restricts people's behavior through laws and guarantees the smooth operation of the system. If the traditional moral constraints are added, the binding force will be stronger, and the efficiency of modern system execution can be made higher.

Latency (Maintain balance): traditional land tenure management system can support modern land tenure management system.

Common values are the foundation of an organization's existence. Values are passed through traditional culture, and an effective complement to the organizational management system. Maintain balance mode functionality by coordinating the consistency of individual actions between organizations and within organizations.

The traditional values of the Dai community come from life and production practices, and come from the traditional wisdom of the Dai people. In the survey of Huyun Village, because the traditional culture is maintained well, the intergenerational transmission effect of traditional values is very obvious. Under the influence of the same values, people in the land use, land management and other behaviors, the traditional land system in many aspects to the modern system Forming support has alleviated the deficiencies in the modern system.

For example, the ecological values embodied in land use have affected the behavior of the Dai people in land use. In the investigation of Hunyun Village, the villagers believed that agricultural production relied on natural conditions such as climate, soil and water. If natural conditions deteriorate, it will directly affect human survival. Therefore, in land use, it is not advocated for overexploitation and use, but moderate development.

“...The Dai people only cultivate one season of rice every year. The rice has a long growth cycle, but the quality and taste are good...” (Fanbo Aishi, male, 49 years old, July, 2017)

“...In the past, rice production was low, mainly because the seeds were not good. Now the output of new varieties is several times higher. We still pay the same labor, but the harvest has increased...” (Bao Hanxin, male, 56 years old, July, 2017)

In land use, the Dai people rely more on the self-repairing ability of the land. They only cultivate one season a year, and realize the natural restoration of the land through fallow. In addition, the land is only for shallow farming, no fertilization, no weeding and other management activities. The human resources have maintained the ecological environment. In addition, due to the low input of human and material resources, although the output per unit area is not high, the input-output rate is very high. Is an efficient and rational way of using land.

The land use pattern in the traditional system alleviated the problems of insufficient labor, land waste, and soil fertility in the implementation of modern systems.

2. The integration model of the land tenure system in Dai community

Through in-depth analysis of the causes of the phenomenon, it is found that these effects can be divided into internal and external influences according to the role of the occurrence. The internal influences mainly include: the influence of the traditional culture of the Dai community, the influence of the internalization values of the villagers, and the long-term influence of the social relations between the members and the members formed in the community; and the external influences mainly include: The impact of policy changes and changes in the land market brought about by urbanization.

Due to the influence of the external environment and the internal environment, the Dai area presents the phenomenon of the coexistence of traditional and modern land management systems in the implementation of the modern land management system. The two systems complement each other in function and effectively solve many modern system operations. The existing problems have led to the integration of formal and informal institutions in the Dai

area. This integration is the optimization of the modern land system, which makes the modern system make up for the shortcomings in the operation and better play the institutional function.

Based on the analysis of the research sites, the integration mode of the traditional land tenure management system and the modern land tenure management system of the Dai people can be discussed from the following stages. The modern land tenure management system is subject to national policy changes and urbanization in the operation of the Dai nationality. The impact of changes in the land market, specific traditional culture and internalized values are the key to alleviating the incompatibility caused by external changes in the implementation of modern institutions. By reducing the uncertainty of external influences and enhancing the internal debugging ability of the community, it is conducive to the smooth operation of the modern land management system

The impact of modern land tenure system functions on the community, can be seen from the following process. In the integration of the land tenure system in the Dai area, the institutional function ultimately meets the needs of community development.

1. The current land tenure management system model and the disadvantage

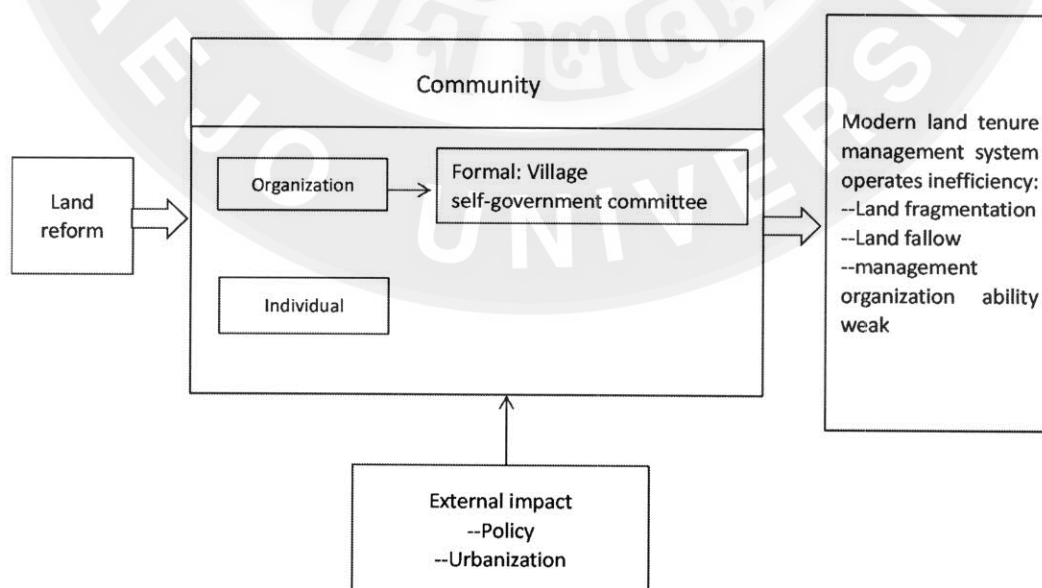


Figure 32 Land tenure management system model

After the implementation of the modern system, it has undergone many changes. In the reform of the land system, the rural community faces the uncertainty of external changes, and the community itself is difficult to adjust and adapt (Figures 32).

This is the key reason for the inefficient operation of the current land system. In the operation of the system, the problems generated by various community organizations are the same:

First, although land distribution has been fair, it has caused fragmentation of land and it is difficult to adapt to scale development and land transfer.

Second, due to urbanization, a large number of young laborers have flocked to cities. Due to family contracting, people are reluctant to return the land to the collective, but the elderly, women, and children left behind in rural areas are insufficiently employed as rural labor, resulting in a large amount of land idle and low utilization rate.

Third, due to the establishment of the urban-rural dual land system, there is no supporting law and regulation as the basis. When the collective driving power of the land, the powers and obligations are unclear, and the boundaries of management are unclear.

Therefore, it is difficult to play an important management and supervision. The role of the collective management is weakened.

2. Model of modern system operation in the Dai area

After this research, the reason comes from the fact that the Dai community organizations have strong adaptability and self-adjustment ability. In the reform of the land system, although the traditional land system has been replaced by the modern system, some of its traditional practices in land allocation and land use are still the rules of action and the basis for solving problems in the Dai community.

These people jointly recognize the rules are derived from the experience accumulated by the Dai people in the long-term production and life, and the common values that have been constantly restored and evolved over time.

This plays an important role in resisting the uncertainty of external influences and maintaining survival. This internalized value has become the basis for social action and decision-making in the community of the Dai community within the organization and within the Dai community.

The existing land management system model in the Dai area is as follows:

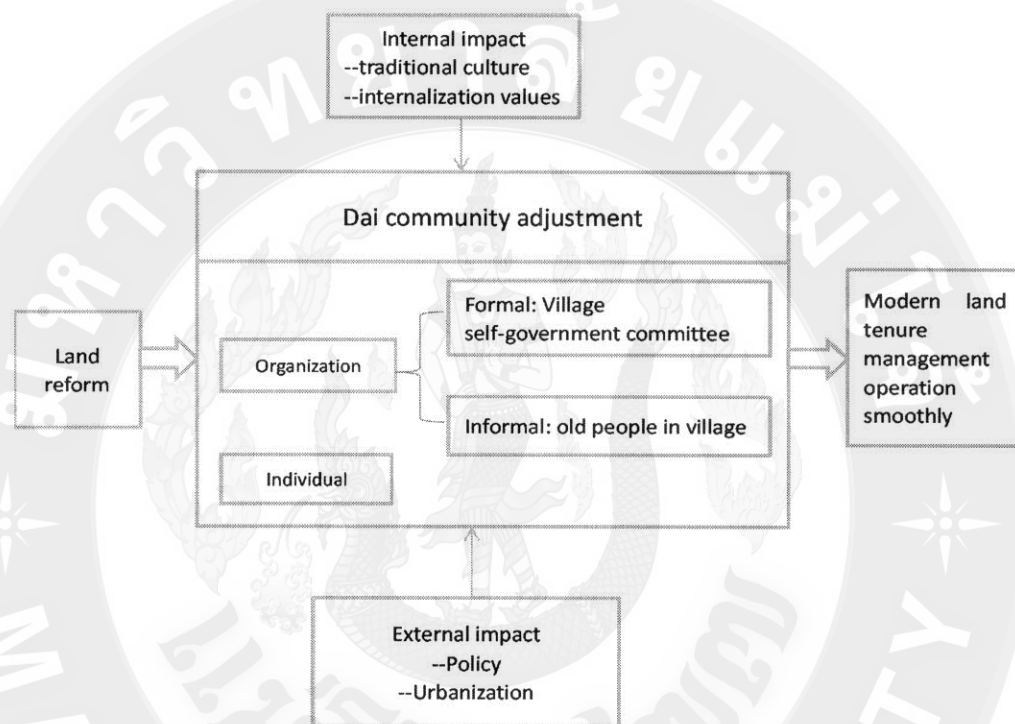


Figure 33 Land tenure management system model on Dai community

Since the implementation of the modern system, the Dai area has actively adjusted to adapt to the changes brought about by the land reform. Due to the changes in some policies at the national level and the development of urbanization, the implementation of the modern land system of the Dai community has also had a great impact, but after these effects have been applied to the Dai community, some changes have taken place in the operation of the modern system in the Dai area.

In the process of land allocation, utilization and management, some traditional methods have been added to make the land of the modern land system appear in other areas. Problems such as fragmentation, low land utilization, and land shortage have been resolved. This is mainly due to the changes in the Dai community and the internal adjustment and adaptability.

Under the influence of this ability, the Dai community has adapted to the changes brought about by the new system and the outside world, and the operation of the new system can proceed smoothly.

However, the smooth running of this modern system is temporary and unstable, because with the development of society and the assimilation of modern culture, this study found that the traditional culture of the Dai people is gradually disappearing, and those coming from the future The traditional ability to adapt and adapt within the Dai organization will gradually weaken and eventually disappear with the disappearance of traditional culture.

In addition, because the external environment changes with uncertainty, although the internal impact is positive and deterministic, the key role of internal influence comes from the influence of traditional values on people's behavior in the Dai community.

However, this positive impact will with the change of traditional culture, the balance in the operation of modern land system is broken, and the adjustment ability of the community is weakened. Then the complementary effect of traditional system on the function of modern system will be weakened, which will eventually lead to the emergence of modern system operation. The problem is not solved by the community organization itself. Therefore, if the traditional culture and values of the Dai community change, it will affect the sustainable development of the current land management system.

3. Develop and complete the model of integrate traditional and modern land tenure management system in Dai community

The development of productivity is an important measure of the progress of society as a whole. Whether it is conducive to the development of productivity is the basic criterion for the rational allocation of all factors of production. Land is the

foundation of human survival. As one of the important factors of production, land is an important factor in determining the development of productive forces.

The rational allocation of land resources is directly related to whether it promotes or hinders the development of productivity. Therefore, in the future reform of the land tenure system, it should be carried out whether it is conducive to the development of productive forces and whether it is conducive to social fairness and progress.

An efficient land tenure system (i.e. with clearly defined property rights, well enforced, and low transaction costs of implementing such rights) supports proper land management system which could in turn increase production and productivity of land, realization of social justice and generation of employment opportunities for the growing population.

Any social organization has established rules, institutions, and customary relationships governing the behavioral relations among individuals and groups, and all these create lines most of which are invisible.” (Dekker, 2003.)

In the implementation of the modern land system in the Dai area, due to the influence of traditional culture, the implementation of the system is more efficient than other areas. Through the analysis of the changes in the land distribution, land use, and land system operation mechanism during the reform of the land system in the Dai nationality, the deep-seated causes are explored to make its development sustainable.

Based on the analysis of the current land system model and the analysis of its existing defects, in order to better integrate the traditional land system and the modern land system in the future, effectively play the system function, improve the efficiency of system implementation, and achieve sustainable development, this study on the basis of theoretical research, combined with the useful findings in field research, the current model is revised to enable it to achieve sustainable development.

The developed and completed model is shown in the figure below (Figure 28):

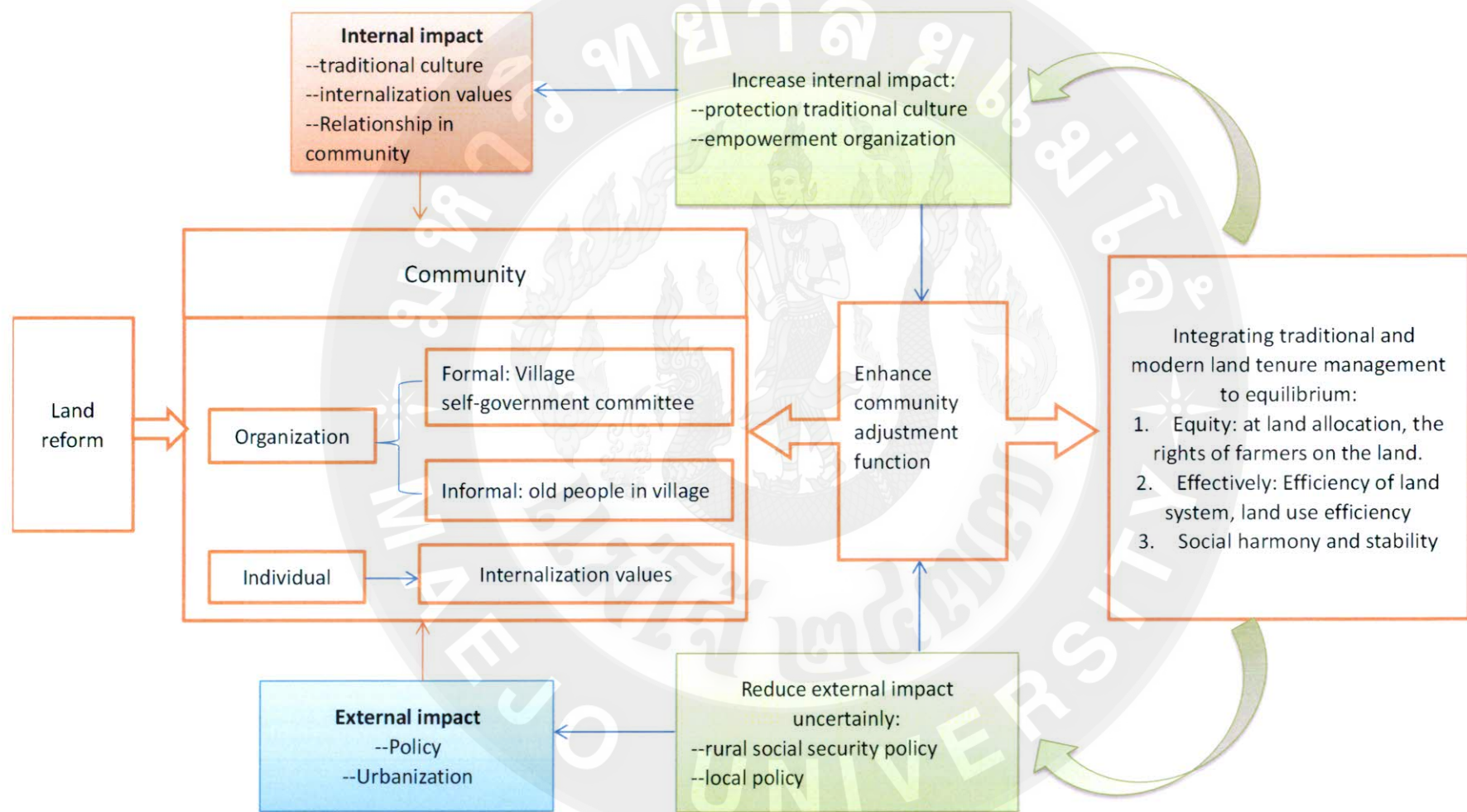


Figure 28 a new model of traditional and modern land tenure management system in Dai community

A land tenure system also consists of such invisible lines. According to Kirk and Migan (1995: 5), Land tenure fulfils different socio, economic, political, and cultural functions:

- Economic functions: ensure stable agricultural production, guarantee the effective and efficient land transaction, access to credit, etc.
- Social functions: Social status, origin of land conflicts, social interactions, etc.
- Political functions: secure power, facilitate/ disturb the government land Policy implementation, maintains the power structure, etc.
- Cultural functions: Safeguarding the existence of cultural institutions and community identity, etc.

Therefore, the design of the land tenure system model should be based on the promotion of productivity development. The efficiency of the operation of the land system should be measured by economic and social, that is, by the efficiency of land use and social equity.

The operation of the system relies on the organization to perform, and whether the Dai community organization can play an organized function depends mainly on its internal organization and individual actors.

The adaptation function corresponds to the economic system, that is, the category of rural economic cooperation organizations in the field of rural social organizations, which mainly plays the ability and means to obtain resources from the environment to survive; in the figure refer to Dai community adapt to changing management system In the Dai area, as the external environment changes, the organization within the Dai community will change accordingly.

In the process of change, because the organization and individuals have a common value model, the organization can strengthen the value model. Adjust itself to agree with changes in the external environment and adapt to the changes brought about by the new management system.

This adjustment is the key to adaptation. People's desirability comes from fairness. The fairness of land distribution in traditional land system is performance, while the internalized fairness value is the root cause, which enables the formal organization of the Dai community to integrate informally. The power of the organization adapts itself to the changes in the modern system.

CHAPTER 5

SUMMARY, DISCUSSION AND SUGGESTIONS

This chapter comprises summary, conclusion and the implication of the study. It summarizes research methodology including the findings. The final section provides implications of the study and recommendation for local government, policymakers and village community with suggestions for future research.

Summary

At present, academic research on land tenure system innovation has played a positive role in improving land use and promoting rural economic development. However, resolving contradictions between right holder, satisfying farmers' interest in land, and sustainable use of land still remained as challenges in the practice as well as academic field. This study takes the subject of system operation as the research vision, studies the land property rights from the perspective of sociology, uses the Parsons AGIL theory to analyze the social system of the Dai community, and promotes the integration of traditional and modern systems merging. This study has a positive effect on achieving sustainable land use and social equity, and resisting the failure of modern land systems in modernization.

The purpose of this study is to systematically present the historical appearance of the traditional land tenure management system of the Dai ethnic group, and then analyze and compare the differences between the traditional land tenure management system and the modern land tenure management system from the aspects of land allocation, land use and operational mechanism.

Through the analysis of the impact changes under the operation of the modern land tenure management system in the Dai area, the field investigation and research found the reasons for the role of the traditional land system.

This study uses Parsons (1951) AGIL theory to analyze the integration of traditional and modern land tenure management system, to explore how the Dai community can be integrated into modern systems. Debugging promotes community adaptation, goal achievement, and integration and maintenance functioning, thus revealing the institutional dynamics in the interaction between action and structure.

Through different dimensions analysis, the efficiency of land system operation is discussed from the land allocation, the fairness of farmers' land rights, the efficiency and sustainability of land use, the harmony and stability of social relations, and the ecological environment. The study found that the integration of traditional and modern land tenure systems is more conducive to the function of the system. By exploring this model, the effective integration of traditional and modern land use rights management systems is realized, and when the external environment changes, maintain each other balanceable, and sustainable development.

The qualitative method of research was applied in this investigation with the use of in-depth interview, participant observed and focus group discussion to collected unstructured data.

Specifically, the study was designed was to answer the following objectives:

1. To study of the Dai traditional land tenure management system.
2. To compare the differences between the Dai traditional land tenure management system and the modern land tenure management system.
3. To analyze the impact of implementation of the modern land tenure management system on the Dai community.
4. To develop a new model of integrating the Dai traditional tenure management system and the modern land tenure management system.

The documentation review method of research was utilized to answer objectives 1 and 2, which focus on the generation background and implement detail of the traditional land tenure management system, and modern land tenure management system, use comparative analysis method to achieve the goal.

The survey method of research was utilized to answer objective 3, the study was conducted in Dehong Dai and Jingbo autonomous prefecture of Yunnan province, China, elected a village in which have long history and keep better culture. The field

survey used qualitative research methods used as in-depth interviews, focus groups, and participatory observations.

The data used in this research were collected from 2014-2017, and involved a total 120 household in farming village community. Survey a random sample from community group, and conduct sixty-five household in-depth interviewers. Households were stratified into different groups, it biased on age, gender, social status and wealth status.

Qualitative interviews were held with individual key informants, including elder, director, village members (i.e. representatives of the local community at the district assembly), youth leaders, chief farmers, and other opinion leaders. In addition, interviews were held with 5 experts from international and local. Stakeholders including those at the Lands Commission, and the Bureau of Administration of ethnic and religious affairs. These interviews provided expert opinion on issues relating to land tenure management system and the Dai nationality traditional culture of community in the study areas.

To ensure content of interview data validity, this study used triangulation method to verify its correctness. Through participants in FGDs were selected based on their local knowledge of land tenure. Using FGDs provided an opportunity to triangulate some of the key issues that emerged from the in-depth interviewed survey.

Through these methods, researchers can find a suitable model, integrate traditional models and modern models, and provide a choice model for future land system reform.

Major findings of the study

The key finding of this study is that under the operation of the modern land system, the traditional land system of the Dai people still has a very profound impact on the Dai area, and played an active role in the operation of the modern land system, prompting the smooth implementation of the modern system. Land distribution is more fairness, land use efficiency is higher, community ecology is good, and social relations are harmonious. That is findings suggest that:

1. Traditional Dai land-tenure management derives from traditional wisdom and employs methods beneficial for land use, land allocation, and the ecological environment;

The traditional Dai land system is a feudal lord system; Public land is “collectively owned, privately used”, Most public land was distributed by the village heads among the village members. Land allocation followed an equal distribution approach, and allocation was regularly adjusted each year.

The traditional land use comes from the experience of the Dai people in agricultural production and in the survival, but also follows the laws of nature. It has important experience for the land use of the modern environment, especially in the global urbanization development trend. Among them, the effective use of land, moderate development, and ecological protection have important significance.

2. Traditional Dai land-tenure management differs from the modern land system in terms of land allocation, land use, and mechanisms;

2.1 Land allocation differences

Both the traditional land tenure management system and the modern system attach great importance to the principle of fair allocation in the allocation of land. In the traditional land system, the yield is oriented and comprehensively adopts multiple criteria for allocation. It not only follows the principle of fairness, but also considers whether it is conducive to agricultural production. In the modern system, the distribution of land is oriented by area. The land is divided into different grades according to the quality and then distributed equally according to the area, resulting in scattered land, which is not conducive to agricultural scale production and land transfer.

2.2 Land use differences

Traditional land system and modern system have different purpose and approaches in land use. Traditional land use methods take into more account the impact of ecology on agricultural production and survival. Therefore, land use methods pay more attention to sustainable use and have accumulated many useful experiences, such as mixed Farming and forestry, garden planting, and rice planting using natural resources. In the modern land management system, in order to help

farmers obtain better economic income in agricultural production, although the income of farmers has been increased in land use, the traditional utilization methods have been changed in land use, and some methods have damaged long-term ecological benefits.

2.3 Land management operation mechanism differences

In the land management operation mechanism, the difference between tradition and modernity is manifested in several aspects such as management organization, management system design and function. In the Dai community, some traditional methods of organizational management and constrained behavior have been used, and as a supplement to the modern land tenure management system, it has played an important role in the land management and social governance of the Dai community. And make the modern system operates more smoothly in the Dai area and the system is more efficient.

3. While implementation of the modern system has changed land-use and land-management mechanisms in the Dai area, but villagers still adopt some of traditional methods to reduce threats from that state policy change and urbanization negative;

In the process of implementing the modern land tenure management system in the Dai community, influenced by external macro factors such as urbanization development and other policies at the national level, it has brought some impacts to the Dai community. Some of these effects are positive and negative.

At the same time, in the implementation of the Dai community, the modern system is also influenced by the local traditional culture and traditional values. As the main body of the system operation, the Dai community actively adapts to the changes brought about by the modern system. On the other hand, it also tries to some changes have been made in the implementation of the modern system. This kind of attempt makes the modern system in the operation of the Dai area, the land distribution is not only more fair but also conducive to the development of agricultural production; the land is fully utilized and sustainable; and the function of the community management organization is more sound, management and operation mechanism more efficient. To

a certain extent, these attempts have effectively solved the negative impact of external macro-environmental changes on the Dai community.

4. Traditional land-tenure management compensates for shortcomings in the modern system and helps to improve land use, social equity, and sustainable development.

According to the previous chapter study, the traditional land tenure management system and the modern system of the Dai people are different. The two systems play different institutional functions in the Dai community.

The traditional land allocation method, on the principle of ensuring the fair distribution of the modern system, uses the rules recognized by everyone in the community to make the land allocated by the farmers easier to manage and carry out agricultural production; the village collectively reserves the collective land for management, making the collective economy. The organization has a specific form and economic income. In the collective economic income distribution, it helps to compensate for the unfairness of the villagers who join after the modern system due to limited land resources.

Under the modern system, the promotion of new technologies and industrialization will bring more income to farmers and the economy of the Dai community will be developed. Traditional land use can overuse the land and excessive use of chemical fertilizers and pesticides in economic development. Negative influences form an effective constraint, so that while developing the economy, the ecological environment is taken into account and the land of the Dai community is used sustainably.

In community land management and social governance, traditional moral constraints and national laws play a role together. For the subject of community land tenure management system operation, community villagers and organizations have stronger behavioral constraints, which is beneficial to the land management of the Dai community. And the management system will be works better.

For the integration of the traditional system and the modern system in the Dai nationality, the implementation of the modern system in the Dai area is more efficient, the shaping of the organizational function is strengthened, and the role of the system performer in the system is better.

The key is that the government is formulating policies, take into account the particularities of ethnic areas, and give local government more local policies, improve the rural social security system, give organizations more autonomy, and formulate systems that actively protect the traditional culture of the nation. Thus the integration of traditional and modern systems can be sustainable.

Discussion and Implication

The study of land tenure system has research methods and conclusions from different levels of economics, law, and sociology. The research content includes the connotation of land property rights, public ownership or private ownership, the change of land system, and the problems and solutions of current land system. The research content is wide-ranging. In the related research, the most economical research is focused on the impact of the tenure system incentives on land use efficiency and institutional costs. The study of jurisprudence is based on economics, so there is not much innovation in perspective. There are few studies in the sociological perspective, but a new perspective has been proposed for the study of land tenure.

Therefore, whether in terms of theoretical ideas or the actual process of China's land tenure system reform, pure economics or neoclassical economics cannot fully explain the reality of property rights proposed in reform process and theoretical issues, so, need to join the sociological analytical perspective, in order to more effectively explain the facts of experience.

China has repeatedly implemented the reform of the rural land property rights system for many years, in order to mobilize the enthusiasm of farmers' production subjects and solve the problem of farmers' income growth (Hailian and Yanan, 2017). However, the academic community believes that there are still deficiencies in the operation of the modern land system. Zhang (2018) believes that the land system

cannot be adapted whole country. Peng (2017) believes that the reform and innovation of China's land system should respect local traditions, and tapping traditional culture is conducive to land tenure management system reform. In the operation of the land tenure management system, the realization of the effective integration of rural community organization functions and community structure is the basis for reaching the community order of rural communities (Li and Wang, 2014).

This research revealed that the traditional land tenure system of the Dai ethnic has the characteristics of fairness, and efficiency. Traditional and modern land tenure systems have significant differences in land use and management. As a formal system at the national level, the modern system replaces the traditional system, but in its operation, it is affected by modernization and urbanization, showing institutional obstacles at now. In order to satisfy the holder of the multiple rights of the land, the community spontaneously supplemented the traditional system to make up for the shortcomings in the operation of the modern system and promote the harmonious development of the social and economic of the Dai community.

Institutions serve to both create and solve problems in interactions between people and the environment (Young et al., 2012). Ming (2009) based on Julian Stewart's Cultural Ecology Theory suggests that "environment and culture are inseparable", with regard to cultural change, cultural anthropology mainly adopts the "change and gestation change" argument. The formulation and implementation of a system inevitably take place in a certain environment. Thus, the culture in that environment is an important factor affecting implementation.

Therefore, in the Dai community, the values transmitted by the land system through traditional cultural practices (Han et al., 2009), affect the agricultural production (Haichao and Tingjia, 2018), and life of the Dai people, and alleviate the emerge contradiction in land management and utilization (Wei, 2005; Jian, 1984). Chang (2011) believes that in the operation of the modern land system of the Dai community, the local area can not only better develop the economy, but also maintain the harmony and stability of the Dai community, and promote the community development. Therefore, by constructing the land tenure system of the integration of

traditional and modern, the function of the land system in the Dai ethnic group can be effectively.

At present, academic research on land tenure system innovation has played a positive role in improving land use and promoting rural economic development. However, resolving contradictions between right holder, satisfying farmers' interest in land, and sustainable use of land still remained as challenges in the practice as well as academic field. This study takes the subject of system operation as the research vision, studies the land property rights from the perspective of sociology, uses the Parsons AGIL theory (1951) to analyze the social system of the Dai community, and promotes the integration of traditional and modern systems merging. This study has a positive effect on achieving sustainable land use and social equity, and resisting the failure of modern land systems in modernization.

Implication on community

1. Protection and inheritance of excellent traditional culture

According to the Parsons (1951) theory analysis, The Shared Values formed by the traditional system have made the Dai community exist as a whole, which is the community existing basic, and The Shared Value through traditional culture to delivery (Parsons, 1951). The protection and transmission of traditional culture can sustain and develop the adaptive capacity of the community. Community traditional culture is the key factor for the community to maintain adaptability. The inheritance and protection of traditional culture can enable the community to use traditional methods to solve problems when the outside world changes.

The traditional culture of the Dai people comes from the production and life of the Dai people (Yunyan, 2016). The accumulated wisdom, which has been constantly revised in the practice of the Dai people, has long formed some special and effective ways to study land dispute problems. The study found that can help the local villagers to realize the values of the traditional culture of the Dai people, pronounce ethnic pride, and ACTIVE protect and inherit the excellent ethnic traditional culture.

2. Defining the functions of formal and informal institutions

Yijie (2003) believed that the property rights of China's collective farmland should be based on the construction of the farmland rights system, and the civil law with rights as the core content should be formulated to solve the problems. Practice issues in rural China. The discussion focuses on the practice of civil law with rights as the core content in rural China. It focuses on how formal institutions affect the social structure and social organization of rural small communities.

According to the research, since the TLTMS and the MLTMS are produced under different environmental conditions, the traditional system can play a role in the modern environment, because of the traditional system can adapt to modern environmental conditions, and supplement the shortcoming of modern system's function. Therefore, through this research, can help the community to identify which functions in the TLTMS are valuable in the modern environment, thus helping to find a way to integrate the two systems.

3. Improve the flexibility of the community to adapt to changes in the environment

Through literature review, The Dai people have rich experience in the sustainable use of land and resource management, and passed through the traditional culture. In land cultivation, using natural laws and reducing agricultural production inputs is an efficient and rational production method (Haichao and Tingjia, 2018). In social management, there is a systematic and comprehensive of economic legal system, which has an important adjustment effect on social and economic activities (Ming, 1997). The operation of the modern land system in the Dai community has changed the traditional land management and land use of the Dai community. Meanwhile, with the impact of market economy development and external mainstream culture, the traditional land use and resource management methods of the Dai people are undergoing changes and declines.

In recently years, modernization and urbanization have improved the living environment and living standards of the Dai community, but have also brought about rising land prices, changing market demand for agricultural products, and some contradictions surrounding land interests. Land is a scarce resource. People hope to

obtain more economic benefits through land, and the traditional land use and management methods of the Dai community are also affected. Due to the expansion of urbanization, the area of land on which community farmers depend for survival has decreased. Facing this change in objective facts, through the study of changes in traditional systems and modern systems in land use and management, can help enhance the community's own resilience. Reducing the negative impact of urbanization modernization on rural communities is conducive to promoting community choices for land use and land management.

4. Improve community self-management ability

According to the Principal-agent Theory, the community's management and supervision of land tenure is a kind of principal-agent relationship in the social and economic field. The management ability of the community plays a very important role in the implementation of the land tenure management system. Therefore, improved the community's self-management ability is of great significance to the land use management of the community.

Through the practice of Huiyun Village, the smooth transition and implementation of the modern land system is mainly due to the strong adjustment and adaptability of the Dai community, Studying and constructing a integration model with the traditional and modern land tenure management systems in the Dai area can not only cope with and mitigate the impact of external environmental changes, but also carry out sustainable development.

In the modern system, according to the law, Land is the common property of a collective. Its management operation and supervision should be handled by different departments to realize the separation of government and enterprise functions. However, in actual situations, because most rural areas lack collective economic entities, the rural collective economic organization responsible for land management is only a name, and in fact, the village committees instead of exercising their duties (Ling, 2014). In this way, the village committee is responsible for the administrative management of the community, but also for the management of the land property of the community and lack of supervision.

Although the village self-governing committee has played an important role in management organization in the implementation of the land system, the management capacity of the village committee directly affects the efficiency of the operation of the modern land system. The elders in the Dai village have always existed as informal powers (Cao, 2006), and the existence of the two management organization in the same community organization has not conflicted, but a harmonious cooperation has emerged, which enables the community to manage and supervise the land allocation and land use. The two aspects play a role in coordinating with the state's requirements for community development, and the separation of the functions of organizing the development of the economy and the functions of supervision and management, thereby enhancing the self-management ability of the community and enhancing the ability to adjust and adapt to changes in the outside world. The existence of informal management organization provides new options for enhancing community management capabilities.

Implications on Government

In the operation of the traditional Dai land system, knowledge of land-resource use and protection according to land characteristics, as well as joint management by villagers and village elders, all reflect the characteristics of the traditional Dai public ownership management system. The Dai have accumulated rich natural resource management knowledge and have incorporated it into the entire community-management system. Township rules and religion are used to regulate social behavior. The Dai community has thus formed a common heritage where values provide the basic principles for social action. Even though the modern land-tenure management system has replaced the traditional Dai system, the traditional methods continue, to some extent, to affect local life and production as a kind of informal system.

Through the literature review, it is found that the study of the traditional land tenure management system of the Dai ethnic, and the discussion of the integration model of modern and traditional land systems, it can fill the gaps in the study of rural land system models in China, and provide new options of land reform for policy makers in the future.

1. Definite the collective ownership clearly

The land tenure system defines different stakeholders, the efficiency of the operation of the land tenure management system requires a clear division of different power subjects.

In the existing academic research of land tenure management system in China, the vacancy of collective ownership function has always been an important issue, which has led to the failure of collective organizations to play the role of land management and supervision. Li (2004) argue that land property rights were not clear, make the fragmentary land property right, land ownership, and use right usufruct and disposition between the ownership and the distribution of the fuzzy positioning, which leads to the confusion in the practice of land property rights run. Chi (2000) argues that China's collective rural land ownership boundaries are clear, is a kind of common right, each member of the collective joint possession of land property rights, exercise the ownership on behalf of the collective rural organizations at the grass-roots level. But in this representative property rights system is not in the operation of the market economy to adapt to the needs of the reality, so should be improved. Wanghuan and WangJin Zhu (2006) thinks that our country farmland collective ownership is a virtual, abstract property rights, only the collective, has no members.

In the integration of traditional and modern systems study, the organization and spontaneous management organization of the villagers' self-governing committee of the Dai community played an important role in the utilization, management and supervision of the land. This research conclusions are of great significance not only to the Dai area, for other regions, the solution to the rural collective organization cannot play its due function, and the reshaping of the collective ownership of rural land will have a positive impact.

2. Recognize the national traditional culture

The Dai people have rich experience in the sustainable use of land and resource management, and passed through the traditional culture. In land cultivation, using natural laws and reducing agricultural production inputs is an efficient and rational production method (Haichao and Tingjia, 2018). In social management, there

is a systematic and comprehensive of economic legal system, which has an important adjustment effect on social and economic activities.

China has a vast territory, numerous ethnic minorities, and rich ethnic traditional culture. A comprehensive analysis of the traditional land tenure management system of the Dai people reveals that the wisdom accumulated by the traditional culture helps solve the problems existing in the implementation of modern systems and is conducive to the future expansion of the research model of outstanding traditional culture

Meanwhile, the understanding of the traditional culture of the Dai people is conducive to the recognition and protection of traditional wisdom at the national level in the future, and is conducive to enhancing the sense of belonging and pride of the community's traditional culture.

3. Recognize and define differences between regions

Parsons believes that the ultimate goal of action comes from the value system of social culture. The value system as the irrational factor constitutes the basis and background of all rational judgments. Therefore, actions should include goals, means and values (Parsons, 1951).

The effect of modern land tenure management system is different in different regions of the country. In some areas, due to rapid economic development and abundant resources, the implementation of land tenure management system is highly efficient, while in some areas, land systems are implemented due to different conditions. Inefficient, even causing some social conflicts

The contrast between the modern system and the traditional system helps to discover the shortcomings and causes of the existence of modern systems under different conditions. Due to the different nationalities, different cultural backgrounds and different natural environments, the implementation effects of modern systems will also be different. With the help of local traditional methods, it may promote the operation of modern systems and complement each other in certain functions.

4. Comprehensive consider the formulation of policies to reduce the adverse effects of development

With the research practice in the Dai area, the land system is the basic system of a country. In the operation of the land system, any change in external factors will break the balance of the efficiency of the implementation of the internal system. Ye (2018) pointed out, "The land contract management system and the reform of the rural collective property rights system will be further promoted, and the legal amendments such as the land contract law and the property law will be speeded up.

Therefore, the policy system at the national macro level should consider the land in advance. The impact of the management system should be comprehensively considered and take into account the interests of all parties, try to maintain the stability of macro-policy at the national level, or formulate supporting measures when reforms and changes, to avoid the negative impact of changes in other policies on the implementation of the land management system. To reduce the uncertainty in policy changes, comprehensively assess from the social, economic, and ecological levels, taking into account the balance of equity, efficiency, and sustainable development, and avoid breaking the integration and stability of traditional and modern systems.

5. Supporting the establishment of a new model for the integration and development of traditional land system and modern system

Ostrom believes that the new way of managing public goods through autonomous organizations, but she does not think that this is the only way, because different things can have more than one management mechanism, the key depends on the effectiveness and effectiveness of management and fairness (Ostrom, 1990; 2000).

In the operation of the modern land tenure management system, due to the influence of the traditional land system, the Dai community can successfully resist the negative impacts of land use and sustainable development under modernization. However, due to the uncertainty of the external environment and policies, when the Dai community is affected by external factors, it may break the balance between the traditional land system and the modern land system. Giving the community more power, according to local special circumstances, the design of participation in institutional reform is conducive to the formulation of systems that meet local needs and the implementation of diversified land tenure management systems.

Suggestions

Although in the De Hong prefecture Dai area, the Dai traditional land tenure management system as an informal system compensates for the shortcomings in the operation of the modern land tenure management system and resists the adverse effects of the modern land system on the local area, but the two systems fusion development is fragile and unstable.

Due to the continuous development of the economy and society, traditional culture and values are also changing, so that the traditional land tenure management system has undergone profound changes, and these changes will continue. In the long run, with the change and disappearance of traditional culture, the ability of community organizations to adjust balance in land tenure management and land use sustainability will follow. The disappearance of traditional culture has weakened or even disappeared, which poses a huge challenge to future development policies and practices.

It can be seen that maintaining a sustainable and good regulation function of the community requires efforts from two aspects to achieve a new balance in the dynamic development of the country's social economy.

On the one hand, we must start from within the community, maintain the intergenerational inheritance of the traditional culture of the Dai people, stimulate the endogenous motivation of the inheritance of traditional culture, coordinate the conflict between social and economic development and the protection of traditional culture, and thus resist the complete assimilation of external culture;

On the other hand, for the outside of the community, the efforts of the national government level also play a very important role. At the national government level, other macroeconomic policies should be considered in relation to the implementation of the rural land tenure management system. The support and recognition of the traditional culture of ethnic minorities at the national level is conducive to enhancing the people's sense of identity and belonging to traditional culture. Thus, it truly plays a role in protecting the traditional culture of the nation.

The following development direction are recommendation for considerations by:

Suggestions for government and policy maker

1. Coordinating the contradiction between urbanization development and community traditional land use

In the rapid development of urbanization, rural land is the primary carrier for the expansion of urban development space. The sharp contradiction between land supply and demand has become a bottleneck for economic development. Protecting cultivated land and saving intensive use of land are facing challenges.

Respecting the traditional land use and management methods of the local Dai people, not the pursuit of economic interests as the sole goal, may slow down the process of urbanization, but using traditional methods to protect cultivated land and adjust land use efficiency can bring long-term benefits to community development. Sustainable use of land resources.

When formulating community development planning and land use planning, the government should respect traditional land use methods and protect the community's ecological environment. The planning and system development should be based on the local national traditional culture and values. The state cannot pursue one-sided pursuit in planning community development. Short-term benefits and quick effects.

2. Support local protection of national traditional culture and reduce the impact of modernization on traditional culture.

Protecting traditional culture only emphasizes folk protection. Without government support, it will lack support. Encouraging and promoting the protection of traditional national culture and strengthening legislation from the government level is conducive to assisting the inheritance of traditional culture within the Dai community and the continuation of values.

The government should take the initiative to participate and actively guide and learn from the practices of another countries. For example, in ethnic autonomous regions, ethnic important traditional festivals should be included in the local statutory holidays, and given certain financial support. Give more policy support and recognition,

encourage in-depth study of the traditional culture of the nation, and tap the foundation of traditional culture.

3. Empower community organization more rights and improving community supervision.

In the operation of the modern land system, rural land ownership belongs to collective ownership, but in many areas, the concept of collective concept is too vague and the boundary of exercising rights is not clear.

Although the Dai area has always recognized the natural village as the smallest unit of the collective category and exercised the right to manage the collective land management of the village, there are many departments involved in land management in the country.

The village collective lacks in the land interests and sustainable development and related departments. Negotiating ability, the interests of the village land will be damaged in some cases, and will also damage the ability of the community collective organization to adjust and adapt. Therefore, according to local conditions, giving community collective organizations more autonomy to manage, is conducive to community organizations to play a sustainable development role in land use and land management.

4. Expand policy supply to meet the specific needs of different regions

In view of the geographical, cultural and socio-economic development of different regions, there are specialties and imbalances. When formulating policies, the government should fully consider the different situations in different places and meet the needs of land use safety and efficiency in different places, instead of overemphasizing the unified institutional form, so as to avoid the imbalance of the land system in the implementation efficiency.

Therefore, from the perspective of institutional needs, it should be complemented by the development of local systems to solve problems that are not covered or unsolvable in modern management systems.

The traditional land system of the Dai people comes from practical experience, with experience and mutual benefit, and has the nature of Pareto improvement. In the Dai area, the traditional land management system of the Dai people can be

recognized and followed by the local people. Therefore, in the operation of the modern land management system, if the traditional land management system of the Dai people is supplemented, the system of implementing the modern land system in the Dai area will be reduced cost, at the same time, improve the operational efficiency of the modern land system.

Suggestions for community

The adaptability of the community's own internal environment to the operation of the system can make the system more efficient, but the precondition is that the community itself must have a strong ability to adjust and adapt.

This ability is important motivation of the integration and sustainable development of the modern and the traditional land tenure management system.

1. Coordinating the complementary functions of village regulations and formal laws

The local village regulations can reflect the true interests of local villagers and can be supported and implemented by local farmers. The formulation of village regulations should avoid duplication with national policies and laws, and should be able to effectively compensate for national laws in light of local conditions. The shortcomings of the policy and the function and role of the village rules and regulations are conducive to the improvement and expansion of the system.

Formal laws and regulations can limit the misconduct of the normative people, but the local village rules and regulations can restrain people's behavior at the moral level outside the law. The formulation of the village rules and regulations is formed by the collective discussion of the villagers.

Among them, traditional culture and traditional values will play an important role. Strengthening the villagers' democratic awareness and rationally formulating local village regulations, will help restrict villagers' land use. And the behavior in management, maintaining the traditional land use, protecting land resources, and adjusting the harmony of internal relations, thus forming a supplement to the formal legal system.

2. Maintain a balance between internal formal management and informal management

The cooperation between the formal management organization and the informal management organization within the Dai village community plays an important role in community management. Formally organizes external communication and coordination, which can bring more development opportunities and resources to the community; informal organization Responsible for the internal affairs of the group can make the internal relations of the community more united and harmonious. The management of the informal organization can make up for the shortcomings of formal organization and management in some aspects. Maintain the balance of the two forces in internal management. Functionality in different places enables the two parties to complement each other in the management of the community

3. Planning a diverse range of traditional cultural activities to engage young members participate.

The process of protecting traditional culture is also a process of spreading traditional culture. Under the background of globalization, traditional culture is threatened by the assimilation of foreign cultures, protecting traditional culture, playing the role of modern media, and focusing on the use of modern technology.

Affected by foreign culture and modernization, among the collective activities in the community that inherit traditional culture, the elderly participate actively, while young people participate less. In order to maintain the intergenerational transmission of traditional values, the Dai community should plan a variety of activities, combining the fashion that young people like, to meet the needs of the younger generation.

In accordance with the new generation of recognized media and demand methods to achieve the spread of national traditional culture, in the process of disseminating culture, traditional values have continued.

Suggestions for Dai community people

1. Strengthening the concept of legal system and enhancing the awareness of participation

The villagers are the mainstay of land use. Whether villagers actively participate in land use and land management plays a key role in the organic integration of traditional land systems and modern land systems. Strengthening the concept of villagers' legal system and enhancing the awareness of democratic rights is conducive to the villagers actively participating in community activities and management, and better protecting their legitimate rights and interests.

2. Strengthen learning and improve their ability to participate

In land management and sustainable use, the participation of community villagers will directly affect the effect of the integration of land systems. The improvement of villagers' participation ability should focus on improving the cognition and expression skills of the villagers' interests. By improving the villagers' own cultural level, production comprehensive skills, and understanding of laws and regulations, they will ultimately improve the participation of villagers in the Yi community.

3. Attach importance to family education and inherit national traditional culture

The family is the smallest unit of society and an important cultural carrier. As the footstone of the education, family education is an important way of inheriting traditional culture. In daily life, the education of traditional etiquette and customs, those were runs through the family education, which is conducive to the inheritance of the traditional culture of the Dai people, and accompanied on the traditional land use and land management methods are passed down.

Suggestions for future research

The research on the integration mode of rural traditional land system and modern land system in Dehong Dai area is a basic research stage. Future research will further deepen the research in this field. More special research needs further development.

1. Due to the particularity of the traditional system and traditional culture of the Dai people, this study has certain limitations. For the discussion of the integration mode of traditional and modern land tenure system, the conclusion of this study is currently limited to the Dai community. For other regions with different traditions, the conclusions of the study have not yet been verified.

In order to make the integration model scalable, future research will be carried out in different regions. Through further empirical research, analysis of different traditional cultural backgrounds and influencing factors will expand the scope of application of the research conclusions.

2. Due to the inadequacy of the existing literature on the traditional land system of the Dai people, the main sources of this research data come from that historical data of ethnic minority history, Dai history, poetry, etc., when collecting traditional land use data, mainly through local agricultural and forestry development research materials, and some records of traditional agricultural technology. The next step can be based on the findings of this study, to elaborate the traditional land system of the Dai people, to find out more evidence, and to form a complete and systematic research data on the traditional land tenure management system of the Dai.

3. This research on the integration of the land system of the Dai community is based on the current social, economic and environmental development. There may be new influencing factors in the future, such as the impact of technological development and global climate change. These factors will affect Land use and management methods. This is also not negligible. Further research will enrich the conclusions of this study.

4. The common values of the community are the important basis for the integration of the two systems. With the development of the Dai community, there will inevitably be immigrants entering Dai community, due to the transfer of land management rights, the entry of immigrants will bring different values and social behaviors. At present, due to the small number of immigrants, there is not going to be wrong emerging questions, for the time being, but if the immigrants in the future increased in population, that will be may affect the traditional methods of land use

and management. In the future research, the analysis of the problems brought about by immigrants will complement the existing research conclusions.



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