

The Origin and Evolution of Topsoil Ownership in Suzhou, Jiangsu Province

Yang Phil-seung*

The prevalence of topsoil ownership (*tianmianquan*) or dual ownership (*yitian liangzhu*) complicated the landlord-tenant relationship in Suzhou.¹⁾ It ensured not only a tenant's permanent tenure but also some prerogatives that he, as a proprietor, could exercise without the intervention of the landlord; the tenant could freely sell, mortgage, bequeath, and sublease his topsoil rights. Yet the possession of topsoil rights did not affect the tenant's obligation to pay rent. These complicated land relations under the dual ownership system could be attributed to a long and complex process through which an ordinary form of tenancy evolved into such a unique form of peasant proprietorship. Although the division between topsoil and subsoil rights might have emerged in the Song, the

* Ph. D. Candidate, Department of History University of California, Los Angeles

1) In the 1930s, 90% of the rental land in the area was occupied by the tenants who possessed topsoil ownership, which was also popularly known as the right of permanent tenancy, *yongdian*(SSD,45). Here Suzhou refers to present Wu County in Jiangsu Province, which was divided into three county jurisdictions during the Qing, namely, Wu County, Yuanhe County, and Changzhou County.

institution of dual ownership was not firmly established until the Ming-Qing transition period. During this dynastic transition, a number of major socioeconomic changes occurred in Suzhou and elsewhere in China, and each of the changes contributed to the establishment of topsoil ownership in its own peculiar way.

By tracing the establishment of its three main types, I will prove that the peasantry's acquisition of topsoil ownership resulted from some historical conditions that had enhanced their independent status as well as their economic well-being during the Ming-Qing transition period. Indeed, it is extremely difficult to explore the origin of a customary law like topsoil ownership on the basis of historical documents alone. Some conjectures will be inevitably used, and the approach of typology will also be employed in order to fill in empirical gaps. From the twentieth-century data, the three types of topsoil ownership will be established in terms of their origins: namely, "purchased," "retained," and "granted" topsoil rights. With this typology, I will attempt to explain how each of the three types was linked with those historical changes spurred during the dynastic transition.

Since Ch'en Han-seng's [Chen Hansheng] pioneering study in *Zhongguo jingji nianjian* of 1934, many historians have discussed the social and economic conditions necessary for the establishment of multiple ownership (Shiyebu ed., 1934: G77~81). However, there has been a tendency to either single out one condition for emphasis while rejecting the others or

emphasize regional peculiarities while ignoring the broader social and economic issues behind them (for a survey of past scholarship, see Chang, 1984; Rawski, 1972 : 189~191; Kataoka, 1964).

In contrast to the approaches of past scholarship, I will employ an "integrated" analysis to show how the socioeconomic conditions of the area at the time affected the three different evolutionary paths of topsoil ownership and how they were interlinked with each other in a broader context. In particular, I will attempt to incorporate the dimension of class conflict that the Chinese historians have emphasized. From their Marxist perspective, the elevation of the status from ordinary tenants to partial owners inevitably involved the conflict between the cultivators and the landed elite; the former's struggle for land virtually brought about the latter's concession in terms of proprietorship (Fu, 1961; Han, 1979; Fan, 1983). In effect, several studies have already demonstrated such linkages in other agrarian societies. Conceiving class conflict as an autonomous process, Robert Brenner argues that the French peasantry succeeded in maintaining peasant proprietorship through their struggle against the aristocracy's encroachment (Brenner, 1982). In her study of the contemporary Mexican Peasantry, Ann Lucas de Rouffignac convincingly reveals how the peasantry "have survived, have struggled, and have refused to be eliminated" (De Rouffignac, 1985: xv-xvi). Indeed, there is no reason to refute wholesale the connection between the prevalence of peasant proprietorship

and their struggle for land.

I. Three Types of Topsoil Ownership

Three main types of topsoil ownership can be distinguished in accordance with the manners in which the topsoil and subsoil became divided. First, a peasant could acquire the topsoil right by purchasing it from the landlord. This type of the topsoil right may be termed the "purchased topsoil right." Second, when a peasant sold his farm, he could retain its topsoil right while surrendering its subsoil right. This occurred especially when a peasant was compelled to sell his landed property in order to get urgent credits but the buyer was not interested in farming. A price of the topsoil land was accordingly deducted from the sum which the peasant would otherwise have received. This type may be designated the "retained topsoil right." Finally, a long tenure or tenants' contribution to land reclamation may have led the landlords to grant them the rights of permanent use which eventually developed into an independent proprietorship. The result may be termed the "granted topsoil right."

The emergence of purchased topsoil ownership was closely associated with the rural custom of rent deposit, *yazu*.²⁾ Rent

2) Kusano Yasushi denies the linkage between the establishment of topsoil ownership and the customary law of rent deposit. He argues that the payment of rent deposit did not necessarily result as a consequence of increased rent deposits, a tenant could obtain what he terms the "pseudo-topsoil rights", with prerogatives identical to those of topsoil rights. His distinction between topsoil rights and "pseudo-topsoil rights" seems unclear and unnecessary. It

deposits could have a dual function: "the pledge of rent payments" and "the bid for tenancy." Under circumstances where a landlord's supervision was troublesome, "the pledge of rent payments" tended to secure his control over the tenant. In particular, absentee landlords desired to have rent deposits so as to prevent the default of rents. On the other hand, "the bid for tenancy" served to eliminate poorer competitors from a contest for tenancy because landlords tended to select tenants who would offer the highest down-payments. This situation took place especially when population pressure made the contest for tenancy very competitive. For example, in twentieth-century Heilongjiang, which was sparsely settled, no rent deposits were required; some landlords even provided their tenants with money, grains, farm implements, and seeds (Kusano, 1977 : 3).

Rent deposits not only ensured rent collections but also enabled landlords to exploit the competition for land among tenant hopefuls by raising the required sums. The poorer bidders were forced to leave the land, or, if lucky, to rent sublet land, although they had to pay an additional rent for this. The accumulated increments of rent deposits, however,

serves only to justify his theory that all the topsoil rights were of a single origin, that is, without exception, they originated in the landlord's compensation for the tenant's investment in land improvement or reclamation (Kusano, 1977 : 6~10). Kusano's position has been attacked by Fujii Hiroi, and the two scholars have engaged in such a hot debate that they have come to question each other's academic sincerity (Fujii, 1984). To me, both of them appear too theoretical in dealing with issues concerning topsoil ownership. We must keep in mind that it was part of the customary law system, which did not necessarily emerge and function in a systematic and unilinear way.

could reach a point at which the landlords themselves could not afford to redeem tenancy contracts. Contrary to the landlords' original intent, rent deposits came to serve the security of tenancy, threatening the landlord's control over his tenants (Kusano, 1977 : 6~8). In this way, the practice of requiring rent deposits brought about the establishment of the topsoil price.

Although the words, "rent deposit", were used in the contract, the amount of money in some transactions actually meant a topsoil price. Unless the contract specified tenure and penalties incurred by rent defaults, it should be considered as a contract for the purchase of the topsoil rights from the subsoil owner. For instance, Zhou Yujin and Tao Aying of Fengqiaozhen concluded a contract with Yin Shou, a Buddhist monk of Sunjiaxiang.³⁾ The contract looks like an ordinary tenancy contract for Zhou and Tao to rent the monk's land with rent deposits. But a careful scrutiny reveals that the contract was drawn for the purchase of the topsoil rights from the subsoil owner. First, the contract reads that tenure is permanent. Second, the contract does not stipulate any penalties against the default of rent. If it were an ordinary tenancy contract, it should state that the amount of defaulted rent is deducted from the rent deposits(CNS, 164~6).

3) Sunjiaxiang is a Suzhou village located southwest to Suzhou City. During the Japanese occupation (1937~1945), Hayashi Megumi, who was a Tokyo University professor, conducted a three-year long survey on the village, whose results have been published in *CNS* and his other articles (1954 & 1949). Fengqiaozhen is the village's nearby marketing town.

The second type, retained topsoil ownership, essentially evolved from cultivators' partial surrender of property rights which still allowed for their continuous cultivation. A transaction involving a 7.8 mu rice paddy in Sunjiaxiang is a good example of how retained topsoil ownership came into being (CNS, 150~6). The plot concerned appears to have been reclaimed after the end of the Taiping Peasant War. By around 1878, Gao Yongfeng owned and cultivated it, but he did not have to pay a tax on it because the land had been officially declared as wasteland. However, once land taxes were imposed, Gao seems to have had difficulty maintaining his family farm. In the end, he sold it to a neighbor, Zhou Fubao, for 28 yuan. Later Zhou's son, Zhou Jinbao, inherited the land. In 1903, Zhou Jinbao sold off its subsoil rights to Lu Baobao's father at 76 silver taels plus 5 copper taels, but Zhou retained the topsoil rights for his continuous cultivation. At this point, the topsoil and subsoil became divided and their respective rights were now in the possession of the two different individuals. While Zhou Jinbao's son, Zhou Baobao continued to keep the topsoil land, the subsoil land was bequeathed to Lu's son, then purchased by a Mr. Peng of Suzhou City in 1926, and finally taken over by Wang Aquan of the village.

Tracing a concrete example of granted topsoil ownership, the third type, is somewhat difficult. Pan Guangdan and his associate argue that the period following the Taiping war saw a massive scale of reclamation and the consequent esta-

blishment of topsoil ownership in southern Jiangsu (Pan & Quan, 1952 : 37~44). But the rush for reclamation resulted in the short-lived proliferation of owner-cultivators in Suzhou, for the local government granted complete proprietorship to those who had transformed wastelands into fertile fields. Gao Yongfeng of Sunjiaxiang (mentioned earlier), for example, did not obtain the status of a topsoil owner but rather that of a owner-cultivator. In fact, Hayashi Megumi claims that there is no evidence to support the existence of such a case in Suzhou (CNS, 172~4). Moreover, old peasants of Sunji-axiang testified from their memory that no topsoil rights evolved from a long tenure in Suzhou (CNS, 173).

However, the following historical analysis will strongly suggest that the third type of topsoil ownership also existed in Suzhou. In the lower Yangzi valley, the construction of waterways and polders had already started in Song times. Although the state initiated their construction, the Southern Song period witnessed the collapse of government control over the network of waterways and embankments which constituted an important part of the polder farming system. From that time on, the construction of embankments in particular was left to the populace. Despite its lucrative returns, the construction of embankments required an enormous amount of labor and capital investment. Except for some Buddhist temples that still could mobilize huge offerings by their congregation, few landlords could afford to carry them out. Naturally many landlords saw some economic incentive in

granting tenants the rights to receive the compensation for their labor and capital investments in return for their building new embankments on the landlords' swamps. The government also encouraged such an arrangement because the construction of new embankments would not only contribute to the development of virgin land in the lower Yangzi but also increase its tax revenues. In 1069, the government thus issued regulations ensuring tenant's rights to demand the compensation for their investments (Kusano, 1970 : 47).

Despite the dearth of information from those of Suzhou, the local gazetteer of Chongming County, another southern Jiangsu county, clearly reveals the linkage between topsoil ownership and polder construction (Wang comp., 1924 : 6. 18~24). In that area, topsoil prices were called the costs of polder construction, *yutian gongben*. The costs originally consisted of all the expenses for the construction of embankments, including labor costs. Apart from construction costs, landlords also had to pay land taxes. All these costs amounted to such a huge sum of capital that few individual landlords could afford to assume. Nevertheless, handsome returns from reclamation induced some landlords to recruit tenants for building embankments and in return recognize those tenants' rights to the compensation for their capital and labor investments in the construction. As a result, the topsoil rights emerged in Chongming by the thirteenth century (Kusano, 1970 : 50).

Perhaps through the same kind of process, other parts of southern Jiangsu saw the emergence of topsoil ownership. In

the region including Suzhou, the topsoil land was referred to in various ways: *huifeitian* (literally meaning the land of ashes and fertilizers), *feitutianmian* (fertile topsoil), *guotoudi* (invested land), and *gongbentian* (land with expenses). All these terms might indicate that tenants obtained their topsoil rights in return for their labor and capital investments in land reclamation and improvement (Amano, 1940 : 506~9).

As time went on, the recognition of tenants' rights to compensation by landlords developed into the customary practice of *gongben sichou*, namely, the payment of labor and capital between peasants without the interference of the landlords. In addition to the direct granting of the topsoil rights, the landlords allowed their tenants to receive some payment from those who were to succeed to their tenure (Kusano, 1975 : 65). This system thus assured that the tenants could receive compensation for their capital and labor investments, especially their fertilizer inputs which had long-term effects on land productivity. As a result, "long tenancy becomes property" (Elvin, 1973 : 254).

II. The Establishment of Topsoil Ownership

Although Suzhou's topsoil rights might have emerged in Song times as a byproduct of polder construction, I would suggest that the institution of topsoil ownership was not firmly established until the seventeenth century. Like other customary laws, it took a long time for topsoil ownership to

become established as an institution. More importantly, the institutionalization of topsoil ownership entailed the development of certain social and economic conditions. In other words, the sort of topsoil rights that had existed in the Song period should be considered a prototype whose prerogatives were limited in comparison with the topsoil rights that prevailed from the seventeenth century on.

Dong Caishi of Jiangsu Shifan-xueyuan, now Suzhou College, reports that his institute has collected a sales contract of topsoil land which dates from 1853 (Dong, 1981 : 10). On the basis of this evidence, he estimates that topsoil ownership was not institutionalized in Suzhou until as late as the Daoguang period (1821~1850). To my knowledge, the land contract at Suzhou College may be the oldest land contract of its kind available today.

However, the late Niida Noburo collected two land contracts proving the earlier existence of topsoil-subsoil division in Suzhou. They are dated 1802 and 1806. One is entitled "A contract for the exchange of the subsoil land," *huhuan tiandi*; the other, "A contract for the permanent sale of the subsoil and topsoil lands," *yongyuan juemai tiandimian*. Unfortunately, the contracts were destroyed by a fire which burned Niida's house in 1950. Still we have access to handwritten copies that Niida made before the fire (Niida, 1962 : 192~3). From this evidence, it is clear that topsoil ownership was established before the nineteenth century.

In addition to those land contracts that directly reveal the

existence of topsoil ownership as an institution, there is a rescript for capital punishment which, to date, demonstrates the earliest existence of topsoil ownership in Suzhou. Issued for imperial ratification in 1746 by the Three Judicial Offices (*Sanfasi*), the Qing's supreme judicial organ, the rescript reads that a Suzhou peasant now facing execution committed a murder during a dispute pertaining to topsoil ownership. The dispute started when his father sublet 8.5 mu of topsoil land from a cousin of the victim's grandfather in 1719. The rescript frequently uses the words "topsoil land," *tianmian*, and "topsoil prices," *dingjia*. It also shows that the sale and inheritance of topsoil rights had already been practiced in Suzhou's countryside (Zhongguo diyi lishi danganguan, eds., 1982 : 509~11). Another rescript of 1784 reveals the existence of the topsoil and subsoil division in eighteenth-century Suzhou (Zhongguo diyi lishi danganguan, eds., 1982 : 595~6). Hence, we can trace the establishment of Suzhou's topsoil ownership all the way back to the Kangxi period(1661~1722).

The above data indicate that the institution of topsoil ownership might have been established during the Ming-Qing transition or in the course of the "seventeenth-century general crisis," which lasted from the middle of the Wanli period in the 1590s to the middle of the Yungzheng period, around 1730.⁴⁾ In other parts of the country like Fujian, the establishment of multiple ownership could be dated back to a

4) This broader periodization beyond the span of the seventeenth century comes from the view of Jonathan D. Spence and John E. Wills, Jr. (Spence & Wills, 1979 : Preface).

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century earlier (Fujii, 1985). So far there has existed little evidence to support that it was established as a rural institution in Suzhou far earlier than the seventeenth century. In fact, the Ming-Qing transition period marked one of the major turning points in Chinese history. As we shall see, Suzhou did not escape some major changes of the period, and its historical conditions could effectively account for the establishment of topsoil ownership.

III. The Improvement of Land Use

A part of the agricultural intensification which culminated in the Ming-Qing transition period, the massive construction of new polders ultimately led the peasants of Suzhou to obtain their topsoil rights. Although it was no doubt connected with the expansion of a global monetary system in one way or another, the changes of seventeenth-century China could not be understood only in terms of such an external stimulus (Atwell, 1982 and 1986; Wakeman, 1986).⁵⁾ Behind it existed some changes that had already been internally generated. Above all, the rise of population propelled

5) Although Atwell seems to overestimate the extent of prosperity in the Japanese economy that resulted from the booming trade with China, I still believe that his thesis is basically true. For instance, the Sengoku daimyo, despite their vigorous efforts, failed to install the *kandaka* system, a taxation in cash, in place of the *koku* system, a taxation in grain (Nagahara, 1981). Although Keiji Nagahara has interpreted this phenomenon as a consequence of underdevelopment of the Sengoku monetary economy, it is possible to regard it as the outcome of a massive drainage of silver which flowed out of Japan into China through overseas trade, especially in the silk trade.

the intensification of agriculture. From the fourteenth through the sixteenth centuries, the Chinese population steadily increased. It rose from a total of about 65 to 80 million in 1393 to an estimated 120 to 200 million in 1600 (Ho, 1959 : 264; Perkins, 1963 : 216; Wang, 1973 : 7). This tremendous expansion of population resulted in the dynamic development of the Chinese agriculture. According to Ester Boserup, population growth was the major engine of development (or intensification) in traditional agriculture (Boserup, 1965). As a matter of fact, the country did not only witness the expansion of cultivated acreage from 370 million to around 500~650 million mu but also the substantial increase of average output per unit area (Perkins, 1969 : 14~7 & 240; Wang, 1973 : 7). This phenomenon was particularly pronounced in the Jiangnan region (Rawski, 1972).

In Suzhou, the major form of intensification in land use was the division of the existing polders (*fenyu*). Now that virgin land was no longer available, the peasants of the area had no choice but optimize the lands that had already been reclaimed before the sixteenth century. Problems with water control, however, posed the most serious obstacle to the dramatic increase of land utilization in the delta area. First of all, the problem of waterlogging in the center of the polderland could not be completely removed with the hydraulic technology of the pre-modern era. Second, it was extremely difficult to fetch water to every marginal portion of the land without causing the congestion of run-off water. Finally, the

dykes of the large polders were more likely to collapse and were more difficult to repair than those of the small polders (Hamashima, 1982 : 106~21).

In order to carry out the most efficient water control at a given level of irrigation technology, the peasants of Suzhou divided the existing polders into parcels as small as possible. To a great degree, reducing the size of a polderland could prevent waterlogging at the center. Moreover, constructing new waterways inside the pre-existing polder could facilitate water distribution. As a result, the average sizes of polders in the Jianan region were ultimately reduced to approximately 200 mu per unit, which remained the standard size of the area until the eve of the revolution (Fei, 1939 : 18; Morita, 1967 : 47). In the lower Yangzi, the boom of polder division began during the Xuande reign (1425~1435), but it culminated during the Ming-Qing transition period.⁶⁾

Constituting part of the agricultural intensification, the division of polders demanded not only enormous labor inputs but also a substantial investment of capital, especially for

6) Hamashima Atsutoshi links the division of polders solely with the alteration of the agrarian social structure. According to him, the end of the Ming witnessed the differentiation of peasant classes and the proliferation of absentee landlords; these dramatic social changes drove village communities to give up their indigenous system of hydraulic cooperation, and they eventually accelerated the collapse of the existing polder's topography. However, I believe that Hamashima has yet to present the evidence that the efficiency of water control actually declined during the Ming-Qing transition period and that as a result, land productivity declined. Contrary to his argument, my data indicate the improvement of water control and a significant increase in land productivity. By the beginning of the Qing, Suzhou's peasantry achieved an average (husked) rice yield of 2 shi per mu, which may have been a plateau for the traditional agriculture of the area (Gu, 1956 : 2b. 56; SSD, 21).

the construction of new embankments. As pointed out previously, few of the landlords or the de jure owners could afford the necessary capital. In this case, they would usually encourage their tenants to build embankments. In return, the tenants would be granted the right to compensation for all the costs they had assumed. These costs, called *yutian gongben*, eventually become the topsoil prices.

IV. The Expansion of a Commodity Economy

Coupled with agricultural intensification, the expanding commodity economy had two contradictory effects on the peasants of Suzhou. On the one hand, some households could make a fortune from their growing engagement in off-farm work and attain more land to cultivate. On the other hand, those who failed were threatened to be eliminated from their farms. In either case, their access to land was sustained through topsoil ownership. In the former case, they could have opportunities to "purchase" more topsoil land; in the latter case, to "retain" topsoil rights while giving up their subsoil rights to others.

During the seventeenth century, Suzhou led the country in the progress of commercialization. Buttressed by advances in transportation technology, long and short distance trade facilitated the peasantry's engagement in cash crops and handicraft industry. To begin with, fine grains became cash crops. Rice markets called *mishi* or *mihang* proliferated in

response to the expansion of a commodity economy (Fan, 1983 : 63). As a result, more and more peasants converted their plots to industrial crops in place of grains. However, this phenomenon was not confined to Suzhou; for instance, in many parts of China, acreage devoted to cotton rapidly enlarged during Ming times as cotton replaced hemp (Nishijima, 1949). With the increases in the supply of raw material, rural handicraft industry rapidly expanded. Even in North China where commercialization lagged behind that of the South, some peasant households began to give up the cultivation of food grains in order to specialize in handicraft work (Kataoka, 1959 : 178~87).

In Suzhou, a growing number of peasants engaged in sericulture and found it more lucrative than rice cultivation. According to Fan Shuzhi, during the middle of the sixteenth century, a peasant household could earn a gross income of 5.76 taels per mu from sericulture while it could make only 1.2 taels from rice cultivation; if the household combined weaving with sericulture, it could make a net profit of 15 taels, which was more than ten times as much as the income from rice cultivation (Fan, 1981 : 153). Considering the fluctuation of commodity prices at that time, it appears that Fan might have overestimated the incomes from sericulture. Nevertheless, his study clearly reveals the general trend of the time. Since the returns from sericulture were high enough, many peasants would give up the cultivation of mulberry leaves and instead buy them from the special leaf

market, called *yeshi*, in order to produce more cocoons for cash income (Fan, 1985 : 397). Responding to the growing demand of handicraft industries for raw materials, some peasants in Jiangnan even tried to abandon raising grains and began to specialize in such industrial crops as mulberry leaves (Tanaka, 1984b : 84~7).

The commercialization of the rural economy ultimately precipitated competition for land among the peasants of Suzhou. Now the peasantry were provided with the opportunity to increase off-farm income from handicraft work or from the cultivation of industrial crops. However, the combination of diverse income sources reduced not only the proportion of farm income to the total revenue of the peasant household but also that of land rent. Owing to the reduction of rent burdens, more and more peasant households bid for new tenancy contracts. Especially to those who earned a great deal of off-farm income, the smaller the proportion of rent payments to their household account, the greater their incentive to bid for land. In this situation, some of them were willing to put up higher rent deposits, *yazu*, so as to obtain new land.

As the competition for land became increasingly harsh, rent deposits rose so drastically that landlords themselves could not afford to redeem the rent deposits. In other words, the deposits came to serve the security of tenancy and only to threaten the landlord's control over his tenants. Such a tenancy contract eventually evolved into topsoil ownership;

thus, the deposits became topsoil prices.

Some peasant households even desired to rent sublet land although they had to pay an extra rent in addition to the regular rent. In fact, the sublease of topsoil land constituted an essential part of the prerogatives of its owner. If the topsoil owner was simply granted a lease right, his sublease of the land was impossible. Hence, the firm establishment of topsoil ownership helped those rising rich peasants to obtain new land.

The connection of multiple ownership with commercialization was more pronounced in the triple land ownership system, *yitiansanzhu*, of Fujian. By the middle of the Ming period, the expansion of a commercialized agriculture allowed for the apportionment of farm surpluses among three owners, the owners of the "bone soil," *tiangu*, of the "skin soil," *tianpi*, and of the "root soil," *tiangen* (Niida, 1962; Shimizu, 1954; Kataoka, 1964; Chang, 1984). Because of their combined income from various sources, the cultivators, who were normally the owners of the root soil, still could maintain their subsistence even after the two-tiered payments of rent. As Kataoka Shibako points out, the multitude of surplus extractions in Fujian's triple ownership could not exist a high level of farm productivity; thus, it attested to the advance of the Chinese agrarian economy in general, and the commodity economy in particular (Kataoka, 1964).

At the same time, commercialization precipitated social stratification. Most of the victims were doomed to complete

dispossession, but some of them were fortunately allowed to retain their cultivation rights, especially if the new owners did not want to cultivate the land themselves. In this case, the cultivators obtained the second type of topsoil ownership, i.e., retained topsoil ownership.

Although we do not have information about the actual process of social stratification in seventeenth-century Suzhou, Yoshida Koichi's study of a cotton-growing village in twentieth-century Hebei may enable us to understand what impact the proliferation of sericulture, a product of commercialization in the area, could have had on the class structure of Suzhou in the Ming-Qing transition period. According to Yoshida, the introduction of American cotton precipitated a rapid polarization of the village class structure between 1915 and 1935; the sale of land suddenly doubled around 1915 and escalated over the next two decades to the extent that the amount of land sales quadrupled in the last five-year period; as a result, land ownership became highly concentrated, and the majority of the village households were relegated to the landless (Yoshida, 1975).

With the analogy from Yoshida's study, it is easy to imagine that seventeenth-century Suzhou must have gone through a dramatic differentiation of peasant classes. According to Gu Yanwu, 90% of the rural population in the area were tenants during the early Qing (Gu, 1956: 2b.56). In Suzhou, however, the pattern of class differentiation may have differed from that of the twentieth-century North China

village that Yoshida investigated. Most peasants in Suzhou may have retained cultivation rights while giving up the de jure ownership of the land their family had cultivated over generations. This speculation is hard to prove empirically, but there is some circumstantial evidence shedding light on it.

Since the proliferation of sericulture must have brought about a wide practice of usury, many peasant households in Suzhou became dispossessed by urban merchants who monopolized the rural credit system. As Yoshida's analysis shows, the most common pattern through which peasants lost their land in prerevolutionary China was that they fell victim to the penetration of urban mercantile capital through various forms of usury (Yoshida, 1975 : 22~29). In fact, the proliferation of sericulture in the lower Yangzi during the late Ming introduced many usurious practices, such as *jiayiqian*, which referred to interest rates of 10% incurred on sums borrowed by sericulture households from silk merchants, and *zhuan-toumi*, which referred to interest rates of 100% charged for such loans (Fan, 1981 : 155 & 1985 : 398). Under these circumstances, the poor performance of sericulture or a crop failure might lead helpless peasants to borrow money at such usurious rates; most of the peasant debtors were eventually compelled to give up their land to the usurers. Most of the urban merchants who had monopolistic control over money-lending, however, did not wish to cultivate the land themselves. Instead they usually permitted the former ownercul-

tivators to retain cultivation rights. Such an arrangement was actually beneficial to both merchants and peasants. On the one hand, it enabled merchants to accumulate landed property at a lower cost because the topsoil price was deducted from the total sum of credits to be given to needy peasants. On the other hand, it allowed peasants to retain their family farms and obtain credit. In this way, retained topsoil ownership developed in Suzhou.

V. Silver Taxes and Widespread Tax-Evasion

In response to the progress of commercial expansion, the government began to collect land taxes and other miscellaneous levies in silver. The imposition of silver taxes not only exposed peasant households to the fluctuation of the market but also made them vulnerable to the dispossession of their family farms. When a number of peasant households lost their lands, they preferred to retain their rights of cultivation, while merchant-landlords had no reason to object to their doing so. Toward the end of the Ming, the taxation system itself gradually fell into a disarray. This situation was exploited by many powerful landlords assumed responsibility for tax payment and who obtained the right of rent collection in return for it. In the end, various forms of tax evasion compelled some peasants to give up their *de jure* ownership while retaining their cultivation rights.

During the sixteenth century, the Ming government esta-

blished the Single-Whip tax system, *Yitiaobianfa*. In Suzhou, local officials already adopted such a monetary tax system from the middle of the fifteenth century(WXZ, 44.3 & 49.6). The commutation of land taxes into silver rapidly spread into other parts of China, even into the economically underdeveloped North(Kataoka, 1962). Despite its local variations, the adoption of the system essentially meant that all tax payments had to be made in silver(Atwell, 1982 : 84). Under the Qing, the monetary taxation system further developed; by the late Qing, all agrarian taxes were paid in cash (Wang, 1973 : 10; Ho, 1959 : 24~35).

We have little information about how the imposition of silver taxes resulted in the division of topsoil and subsoil in the seventeenth century. But we can infer from a case study of twentieth-century Sunjiaxiang that land taxes, particularly the commutation of tax payments in cash, were in the long run responsible for the emergence of topsoil ownership. As cited before, Gao Yongfeng reclaimed a piece of wasteland after the Taiping Peasant War and became an owner-cultivator. By around 1878, his land was no longer considered to be a wasteland, so land taxes were imposed. Once land taxes were imposed, he could not afford to keep his farm. The land was sold in 1878 and finally divided into the subsoil and topsoil in 1903. But the cultivator retained the topsoil rights. In this case, land taxes caused financial trouble for the peasant owner-cultivators and ultimately brought about the division of the land into topsoil and subsoil.

As in other parts of the country, Suzhou's tax system fell into deep trouble during the late Ming. Through a series of tax reforms, land eventually became the prime referent for the assessment of tax. However, even before the demise of the reign, such traditional sub-bureaucratic organizations as the li-jia system had collapsed, and the ability of the state to collect land taxes had been considerably reduced. Suzhou's tax system was not an exception. Because of widespread tax-evasion, the tax burdens of the large households, *dahu*, and the small households, *xiaohu*, were out of balance. Despite the imperial government's strenuous efforts, this imbalance persisted into the post-Taiping era (Usui, 1981: 69~72). To protect themselves from the embezzlements of the yamen clerks and simultaneously take advantage of the large household's tax exemption privilege, some of the independent peasant households volunteered to donate their land to the large households through "commendation," *toukao*, and "secret trusteeship," *guiji* (Kuhn, 1978~9: 103~8).

It is hard to trace how tax evasions contributed to the establishment of multiple ownership in seventeenth-century Suzhou. According to Tanaka Masatoshi, peasants who had been pressed hard by unfair tax payments preferred to give up their de jure ownership while retaining their cultivation rights (Tanaka, 1959). But as Chang Pints'un [Zhang bincun] points out, the practice of secret trusteeship did not necessarily result in the emergence of multiple ownership (Chang, 1984: 100). Finally we do not have empirical data to prove

that such a situation actually occurred in Suzhou. Nonetheless, Fujian's triple ownership clearly demonstrated that in some cases, the establishment of multiple ownership might result from the proliferation of tax evasions. In the triple system, the owners of the bone soil, *guzhu*, who were also called "landlords for large rent," *dazuzhu* or *damiaozhu*, received rent from cultivators only because they assumed responsibilities for tax payments (Shimizu, 1954). For the purpose of tax exemption, the realowner paid rent to the owner of the bone soil, who now became the de jure owner of the land concerned. This type of arrangement probably accounts for the origin of some retained topsoil rights in Suzhou. Indeed, the role of the rent bursary, *zuzhan*, which mushroomed in the area after the Taiping Peasant War, could eventually develop into the role that the owner of the bone soil played in Fujian's triple ownership system.⁷⁾

VI. The Increase of Urban Absentee Landlords

With the commercialization of the countryside underway, more towns and cities emerged in Suzhou. A growing number of landlords chose to be urban dwellers so that they could enjoy the luxuries of town life. As the number of urban

7) According to Niida Noburo, the development of triple ownership resulted from the further division of the subsoil right in the dual ownership system for the purposes of tax evasion (Niida, 1962). Following his logic, the remittance of land taxes by the bursary on a commission basis could be regarded as something similar to the function of the bone soil owner in the triple ownership system.

absentee landlords increased, their control over tenants declined. To prevent delinquency in rent payments, the landlords began to demand rent deposits from their tenants, which eventually developed into topsoil prices.

Owing to the advance of the water transportation network, Suzhou became rapidly urbanized during the Ming period. At least 6 *shi*, markets, and 10 *zhen*, towns, came into being (Fan, 1981). The markets or *shi* evolved from periodic local fairs to permanent market places. Among the new six markets, the Yuecheng market at Changmen became the commercial center for long distance trade to which merchants from various provinces came on business. Meanwhile, the towns or *zhen* were market places where more commercial transactions occurred than in the *shi*. In the towns, there usually existed four types of shops: shops dealing with handicraft products from peasant households and their specialized guilds; regular shops selling consumer goods; craftsman shops producing farm and handicraft tools; and restaurants and tea houses providing entertainment for those who came to the towns. Interestingly, some new towns dealt with only specialized commodities, such as cotton and silk (Liu, 1978).

The attractions of life in these towns caused more and more landlords to move into the urban areas, especially Suzhou City. In Suzhou Prefecture, 80 to 90% of the landlords lived as absentee landlords during the Ming-Qing transition period (Fan, 1985 : 401).

Unlike rural resident landlords, urban absentee landlords had great difficulties in controlling their tenants. They could not supervise the farm management of tenants; nor could they regulate the transfer of tenancy from one hand to another. Also the rapid process of social stratification during this time barred landlords from interfering with turnovers in tenancy. Worse yet, peasants preferred pledging to transferring when they turned over their tenure for urgently needed money. In fact, peasant buyers and sellers found pledging mutually beneficial. The former could obtain the topsoil rights with a small amount of capital; the latter could cherish the hope of regaining them, though usually in vain. In 1934, for example, pledging cost only half of the full price and its term lasted up to five years (SSD, 70). Under these circumstances, the turnovers of tenure easily escaped the landlords' supervision. As landlords found their control over tenants increasingly tenuous, they insisted on rent deposits from the tenants in order to prevent delinquency in rent payments.

As the combination of population pressure and social stratification escalated the acute competition for tenancy, the amount required for a rent deposit steadily increased. In the end, the typical rent deposit was so high that the landlord often could not afford to redeem it even if he wanted to replace the tenant. Departing from their original function of securing rent payments for landlords, rent deposits now served to ensure the cultivation rights of peasants. Conse-

quently, cultivation rights could be sold and purchased among the peasants without the landlord's consent. As a matter of fact, the landlords became less and less concerned with who the tenants were. Through this process, purchased topsoil ownership, the first type, became an institution in the rural economy of Suzhou.

VII. The Escalation of Rural Conflict

The Ming-Qing transition period was marked not only by the development of the agrarian economy but also by the intensification of rural conflict. First of all, the turbulence of the countryside in Suzhou was attributed to the general economic growth of the time. Although it might enhance the living standards of most peasant households (of course, not to the same degree), the new economic change simultaneously exposed the peasantry to the further exploitation of the ruling class. As direct producers, peasants were increasingly exploited on the one hand by merchants who wanted to purchase their products at a low price and offer them usurious loans, and on the other by landlords who attempted to snatch away their increased surpluses in production (Tanaka, 1984a: 209).

Furthermore, the tension between the peasantry and the exploiters escalated as what Chinese scholars have termed "the trinity of land, commercial capital, and usury" became evident in the agrarian social structure (Li, 1983: 37). Suc-

cessful landlords reinvested their rent income in commerce and/or usurious moneylending and performed the interlinked roles of landlord, usurer, and merchant. Another path to the trinity began with urban merchants who invested the profits from their commercial activities in land (often through usurious moneylending) and became absentee landlords. Squeezed by these pressures, the peasants of Suzhou as in other parts of the Jiangnan region launched a series of violent protests in order to protect their improved economic status.

The proliferation of absentee landlords also contributed to the spreading turbulence of the countryside in seventeenth-century China, particularly in Jiangnan. As a growing number of landlords chose to live in towns, the tenant-landlord relationship became more impersonal and less cooperative than before (Wiens, 1980). This tendency was furthered by the dramatic decline of the indigenous leadership of the rural gentry who had often tended to sacrifice their immediate class interests for the sake of preserving the solidarity of the community (Nagoya Daigaku ed., 1982).⁸⁾ As the number of absentee landlords increased, few traditional

8) The concept of the community or *Chikishakai* (lit. "territorial society") has been developed by Mori Masao. In 1981, Mori organized a symposium and called for papers to discuss the relevance of the concept to traditional Chinese society, especially Ming and Qing society. The results of the symposium have been published in Nagoya Daigaku, 1982. It is well known that the China field in Japan has been dominated by Marxist historiography. Considering the quality of the symposium, I think that this non-Marxist framework could profoundly challenge the dominant trend of Japanese scholarship. From the point of view of Western scholarship, the new approach resembles the idea presented by the scholars of the "moral economy," such as James Scott.

mechanisms for checking potential rural conflict remained effective.

With the decline of state control, the peasants of Suzhou became more militant toward the end of Ming rule. Already during the middle of the Ming dynasty, Deng Maoqi's uprising in South China and the rebellion of Liu Liu and Liu Qi in North China shook the pre-existing political structure to a great degree (Nishimura, 1979 : 355~67). Initiated by the Dengcheng peasant uprising in Shenxi in 1627, another wave of peasant protests swept across North China. This time, it struck a fatal blow to the ailing dynasty(Gu, 1984 : 27~32). In the end, Li Zicheng from the northwest and Zhang Xianzhong from Central China rose up and overthrew the Ming throne. In Suzhou as elsewhere in China, the dynastic transition created the vacuum of political control which in turn accentuated rural conflict.

The escalation of urban conflict in the transition period spurred some agitations of the peasantry against the landed elite. In Suzhou City, artisans and merchants of commoner status caused disturbances in 1601, 1602, 1603, 1626, 1661, 1679, 1700, 1723, and 1729 (Yuan, 1979 : 277~320). Although a growing sense of urban identity undersocred urban riots, they simultaneously had a great impact on the villagers and eventually stimulated rural conflict in the hinterland of Suzhou City. As Emmanuel Le Roy Laudrie demonstrates in his *Carnival in Romans*, urban riots in agrarian society were never confined to the townsmen; they tended to be a collec-

tive struggle which united urban craftsmen and rural peasants against the pre-existing power structure (Le Roy Laudrie, 1979a). Owing to the advance of rural-urban communications for which the expansion of a commodity economy accounted, there existed the great possibility that the urban disturbances of the seventeenth century contributed to the escalation of rural conflict in the hinterland of Suzhou City.

Finally, the turbulence of the Suzhou countryside was propelled by the proliferation of secret societies with various religious tenets. During the Ming-Qing transition, the proliferation of local White Lotus sects were particularly evident in the lower Yangzi valley. They absorbed a substantial number of peasants through intermediaries, such as martial art masters and itinerant merchants. Typical of popular religions, they provided the peasants with an illusionary world where they could feel free from the daily exploitations of the real world. Sporadically, this illusionary world also served as an effective ideological weapon for peasant rebellion. Indeed the White Lotus movement inspired some restive peasants for rebellion in the area (Kobayashi, 1973). Connected with the secret societies of other localities, especially of North China, the White Lotus members in Jiangnan attempted to realize the teachings of the millenarian Maitreya. In 1557, Ma Daoren, a mysterious person who allegedly had some connection with Li Fuda of Shanxi or who, as some have claimed, might be Li Fuda himself, plotted an

uprising covering the wide area around Lake Tai, but the local authorities detected the plot before it was carried out. In 1622, the authorities discovered another plot of the White Lotus. Inspired by Xu Hongru's revolt in North China, Ye Langsheng, a former country doctor from Huzhou Prefecture, Zhejiang, planned a rebellion across the Jiangnan delta plain. Although this ended in the same fate as the previous attempt, remnants of Ye's followers two years later killed a country magistrate (Hamashima, 1982 : 570~626).

To be sure, the rampant peasant revolts of the seventeenth century altered the social structure of the countryside. The declining power of the "gentry landlords," *jinshendizhu*, represented such a social change. They had exercised hereditary control over land on the basis of their official status. In the early Qing, their dominance in land ownership gradually faded away; in their place, "commoner landlords," *shumindizhu*, rose from the ranks of commoners, to fill the indigenous leadership positions in the countryside (Li, 1963 & 1983). Furthermore, the Chinese peasantry through continuous political struggles eliminated their traditional bondage to the land and obtained their free status. Especially in the economically advanced South, tenants and bondservants rose in revolt more in order to achieve their free status than to challenge the state (Fu, 1975).

VIII. Anti-rent Resistance and Peasant Proprietorship

The turmoil of the seventeenth century brought about a new pattern of peasant collective action in Suzhou. The mobilization of the peasantry was no longer a spontaneous and sporadic eruption. Instead it became organized and "routinized." As Hamashima Atsutoshi points out, the "routinized struggle of the peasantry" constituted a new pattern of anti-rent resistance in the area (Hamashima, 1982 : 530~69). As a consequence, they often reduced or refused rent payments without the consent of the landlords. However, this situation ultimately resulted in the enhancement of their autonomous status against the control of the landlords. In Suzhou, the establishment of topsoil ownership represented such a change in the agrarian social structure.

Toward the end of the Ming, the number of anti-rent uprisings might increase suddenly in Suzhou as in other parts of Jiangnan. According to a contemporary observer, there occurred no serious anti-rent resistance in Wujiang until the sixteenth century (Tanigawa and Mori eds., 1983: vol. 4, 416). Considering the rapid decline of state control in the area, this observation seems to hold true or its neighboring county, Suzhou. Now the peasants' struggle for their class interests tended to take the form of collective violence across the Jiangnan delta plain.

In their collective action, the horizontal ties of the tenants often went beyond the boundary of the village community; some of them actually developed into a league of villages, which tended to be a permanent organization. In October of 1638, for example, 30 Suzhou villages organized a league for anti-rent resistance. All participants were registered, and each village elected its leader to the league. On the ground that the plague of locusts caused the year's crop failure, the rebels demanded that the landlords reduce rents. This well-organized peasant movement eventually developed into a violent uprising which brought about some serious casualties, such as the burning of several landlords' houses (Tanigawa and Mori, eds., 1983: vol.4, 271~7).

Inevitably, the organized and routinized struggle of the peasantry altered Suzhou's pre-existing agrarian social structure in general, and its property relations in particular. In effect, this was supported by the evidence from *Treatises for Rent Collection in Shanyang, Jiangsu* (*Jiangsu Shanyang shouzu quan*). Published in 1827, the *Treatises* were designed to prohibit anti-rent resistance in nineteenth-century Shanyang County. But they also contain some precedents from other areas of Jiangsu, including Suzhou, which the Shanyang County could emulate for its own lawmaking (Tanigawa & Mori eds., 1983: vol. 4, 360~394). According to the *Treatises*, the peasants of Suzhou successfully forced the landed elite to make concessions regarding land ownership. Once rent deposits developed into a rural institution, the

tenants paid reduced rents, regardless of the landlord's consent. When the landlords demanded the surrender of tenure for the partial default of rent, the tenants refused it on the ground of their rent deposits. Contrary to the intent of the landlords, the rent deposits thus functioned to protect the tenants' ties to the land. In some cases, even though no rent deposits were actually given to the landlords, the tenants resisted their landlords' attempt to replace them; however, the tenants justified their actions by claiming that they should not be evicted until they were fully compensated for their labor and capital investments, especially for their fertilizer use. Worst of all, the tenants did not give up their tenure on the ground that they had paid the former tenants "*dingshou* money," which was one version of the *gongben sichou* practice. As previously described, this practice allowed tenants to receive some payment from those who were to succeed to their tenure. In most cases, the landlords had no prior knowledge of the *dingshou* payments. Exploiting such a situation, the tenants insisted on staying on their farms until the landlords redeemed that money. If the dispute was prolonged, the lands concerned often turned into wasteland, but the landlords were helpless. As the *Treatises* reveals, the rural unrest of the seventeenth century could help the peasants of Suzhou to enhance their autonomous position against the landlords' control, which eventually contributed to their acquisition of topsoil ownership.

Although we do not have enough information, the peasants

of Suzhou may have obtained their topsoil rights through direct collective action. In many economically advanced areas during the seventeenth century, the collective actions of the Chinese peasantry systematically aimed at the recognition of multiple ownership and permanent tenure on their lands (Wiens, 1980 : 28). During the Shunzhi and Kangxi reigns (1644~1722), for instance, participants in the peasant uprising of Shicheng County, Jiangxi, demanded the establishment tenancy. The peasants of Xijin in the same province also claimed that they rose up in order to acquire the permanent right to cultivation: "Although the landlord changes, the tenant should not be replaced"(Fu, 1975 : 64; Fan, 1983 : 64). In this context, the early establishment of multiple ownership in Fujian could be attributed to the impact of Deng Maoqi's rebellion, which broke out in Sha County, Fujian, in the fifteenth century (Fu, 1961 : 51).

As Tanaka Masatoshi points out, the tenant struggle of the seventeenth century in advanced areas like Jiangnan, where such subsistence crises as famine did not frequently occur, was essentially a conscious search for better living conditions (Tanaka, 1984a : 207~10). This interpretation also holds true for the peasant protests of Suzhou during the post-Taiping era whose main aims were not only to protect the peasants' topsoil rights but also to use their control over the topsoil rights as a legitimate weapon against the landlords (Kojima, 1967). As a matter of fact, those advanced areas where multiple ownership prevailed happened to be

where the peasants had intentionally carried out anti-rent struggles to retain more farm surplus and where they systematically demanded the recognition of partial ownership through collective action.

The peasantry's struggle for the recognition of partial ownership in China supports Samuel Popkin's thesis of the rational peasant. According to Popkin, peasant protests are not a defensive response to the subsistence threat caused by external factors but rather a risky investment by individual participants; thus, peasant collective actions are by no means restorative in nature (Popkin, 1979). Popkin's picture sharply contrasts with that presented by scholars of the "moral economy" approach (Scott, 1976; Migdal 1974; Wolf, 1966 & 1969).⁹⁾ Although the anti-rent uprisings could not be explained solely in terms of the rational peasant, Popkin seems to provide an apt analysis for the Chinese peasantry's struggle for partial ownership. Taking advantage of their reinforced economic and political power during the seventeenth century, the peasantry ventured to establish their partial ownership rights to land, which would further enhance their living conditions as well as their free status.

9) Recently, the debate between the "political economy" approach and the "moral economy" approach has been provoked. This second round of the debate tends to place more emphasis on the daily lives than collective action of the peasantry. See a series of articles in *Journal of Asian Studies* (1983), vol. XLII, no. 4.

IX. Conclusion

By and large there were three different types of topsoil ownership in terms of how it became separated from subsoil ownership. First, this unique form of peasant proprietorship evolved from rent deposits. Second, the division of the topsoil and subsoil occurred when peasants gave up the subsoil rights to landlords while retaining only the right of cultivation which eventually developed into a partial property right. Finally, peasant households' labor and capital investments in land reclamation or improvement were compensated by landlords in the form of topsoil rights. However, the institutionalization of the three types of topsoil ownership was a product of certain historical conditions. Although a prototype of topsoil rights had already emerged in the Song, they were not established as rural custom in Suzhou until the chaotic Ming-Qing transition of the seventeenth century, which was marked by the development of the agrarian economy and the escalation of rural conflict.

In China, some areas saw the earlier establishment of multiple ownership, but others had yet to see its development. In most parts of Fujian, multiple ownership was established as a rural institution by the middle of the sixteenth century (Shimizu, 1954; Niida, 1962; Fu, 1961; Kataoka, 1964; Chang, 1984; Fujii, 1985). In Ba County of Sichuan, by contrast, neither multiple ownership nor permanent tenancy was esta-

blished by the mid-Qing, despite the emergence of the rent deposit system. Still the individual tenants of Ba county were able to adjust an inverse and flexible relationship between rents and rent deposits; moreover, landlords could terminate tenure at any moment despite the pledge of rent deposits (Zelin, 1986). Despite her misunderstanding of some essential features of peasant proprietorship, Madeleine Zelin offers a persuasive analysis of such a delayed development of permanent tenancy or multiple ownership in mid-Qing Ba County.¹⁰ She attributes the delay to the slow development of the indigenous economy in the area. According to her, the area did not experience commercialization and urbanization until 1891 when Chongqing, its core area, became a treaty port under the influence of imperialism. To be sure, multiple ownership could not be established without certain social and economic conditions that we have discussed in detail.

In areas where property relations were complicated, like Suzhou, the strength of the peasantry's ties to land can be effectively measured by the inverse relation between the price that the peasant producer could control, e.g., the topsoil price or rent deposit, on the one hand, and the price that the surplus extractor could command, e.g., the subsoil price, on the other. In Suzhou of 1939, the topsoil price was twice

10) She mistakenly identifies it with the development of permanent tenancy. Although this arrangement showed only a sign for deviating from the ordinary forms of tenancy, it could hardly be considered as permanent tenancy because the payment of fixed rents constituted an essential feature of permanent tenancy along with the permanent right of cultivation.

as much as the subsoil price, and the discrepancy tended to grow larger. According to Amano Motonosuke's investigation, the topsoil land sold at 70 to 100 yuan per mu; the subsoil land sold at 30 to 70 yuan (Amano, 1942 : 127). Hence, this relationship indicates the firm establishment of multiple ownership in the area by that time and consequently the strong ties of cultivators to their family farms. In short, topsoil ownership was firmly institutionalized in rural customary law in pre-revolutionary Suzhou.

Abbreviation

- CNS *Chūshi Kōnan nōson shakai seido kenkyū*(Hayashi, 1953)
SSD *Suzhou Wuxi Changshu sanxian dianzu zhidu diaocha*
(He, 1934)
WXZ *Xuxianzhi* (Cao comp., 1922)

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