

*China's Agrarian Transition: Peasants, Property and Politics*

RENÉ TRAPPEL

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In *China's Agrarian Transition*, René Trappel makes a fine contribution to the scholarly literature examining the direction and purpose of reforms to rural land use in contemporary China. The book advances a critically important argument: China's leadership is determined to increase land transfers in order to modernize agriculture. After surveying the merits of scholarly arguments about the top-down or bottom-up creation of household contracting of farmland and the role of the HRS in reviving peasant production in the 1980s, Trappel demonstrates that there is no ambiguity whatsoever about the genesis of reforms in the early 2000s: China's central leadership set out to transfer farmland from what it views as unviable peasant smallholders, to specialized, larger scale commercial farmers and agribusinesses. In pursuit of this aim, little effort has been made to ensure peasant lessors get best value for renting their land. On the contrary, in the course of fulfilling the leaderships' directives to increase the scale of production, local authorities advantage tenants and disadvantage smallholders. As Trappel writes, "rental fees are low, the time frame is long, and the penalties for breach of contract are harsh" (p. 149).

Why, then, do villagers accept disadvantageous terms when renting their farmland? Trappel provides a complex answer to this puzzle. Drawing an analogy with what Michael Heller, writing in the *Harvard Law Review* in 1998, named a "tragedy of the anticommons," Trappel notes that in rural China "many 'owners' have some rights to the same piece of land" (p. 149). This leads to underuse – peasants leaving land idle – and widespread inefficiencies. As off-farm wages are much higher than incomes from farming, and the capital necessary to scale up or specialize in agricultural production is hard to come by, frustrated smallholders therefore are willing to accept poor rental terms.

This book certainly succeeds in dispelling any possible misconception that the current restructuring of agricultural production in China is a "natural" consequence of market expansion. Notwithstanding its provision of compensatory welfare for the smallholders disadvantaged by its commodification of farmland and support for agricultural commercialization, China's government purposefully set out to create institutions (and provide subsidies) favouring "modern" capitalist agricultural producers.

In supporting this argument, Trappel applies an historical institutionalist approach and careful process-tracing to examine the interaction between property in land, peasant differentiation and political actors, and draws on a rich body of central and local policy documents and implementation guidelines, extensive field research in counties in Shandong, Sichuan and Guizhou, and illuminating conversations with Chinese scholars. Chapters five and six are of particular evidentiary value in demonstrating the state's role in commodifying farmland, because they contain detailed analyses of the political, financial and moral pressures the central state brings to bear on local authorities to hasten agrarian transition, and local governments' consequent actions in promoting contract-based transfer of land-use rights, and establishing land transfer cooperatives and land transfer service centres.

The great strengths of this book are offset by only minor shortcomings. First, the argument that the state is implementing pro-market reforms at the expense of smallholding peasants is hardly novel. Indeed, scholars of early 20th-century debates about

how to promote commercial-scale agriculture will find much that is familiar in Trappel's review of contemporary policy initiatives. Nor will the proposition that local authorities ride roughshod over the rights of rural collective land owners and the interests of smallholding producers surprise those familiar with governments' reliance on land expropriations to supplement revenue. Second, where the impetus for, and consequences of, land expropriations are discussed, this discussion tends to distract from the main narrative about state-engineered structural changes in agriculture. Third, insufficient attention is given to rural households' rationale in defending, sub-leasing and relinquishing contracted land-use rights. In particular, I would have appreciated more discussion of links between the state's macro-goal of promoting the market in land-use rights, and its current programme of documenting and registering households' land-use rights. In addition, more could have been done to unpack the land-using household. Precisely who in the household decides and contracts to rent land, and who benefits? In this, as in so many other agrarian reforms, are women being overlooked?

Well written, strongly argued and based on impressive empirical evidence, this undoubtedly is an excellent addition to the growing body of studies on China's land regime. It deserves to be read by all scholars and students of rural development and agrarian change in contemporary China.

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*The Death Penalty in China: Policy, Practice, and Reform*

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We have recently seen a number of books on the death penalty in China, and this anthology is a valuable addition to this literature by a good mix of Chinese and international scholars. Many of the authors emphasize the strict political legacy of the death penalty in China. The chapters span from discussions on abolition in the late Qing and Republican periods to the mass killings of Maoist campaigns against “counterrevolutionaries” in the 1950s, when millions were executed. The “hard strike” campaigns (mainly from 1983 to 2003) saw tens of thousands executed, while present reforms have led to a substantial reduction of executions. China is, however, still executing more than the rest of the world combined, the exact numbers remaining a “state secret.”

Ning Zhang's chapter on the Maoist era introduces the principle of “people's outrage” (*minfen*), quoting execution verdicts for alleged counterrevolutionaries “having to die to calm the outrage of the people” (p. 75). Traditional legal concepts were eliminated, quotas for executions were used, vague notions applied, and the principle of analogy was introduced to sentence those counterrevolutionaries when no immediate recognizable crime was found to have been committed. Zhang concludes that “a judicial regime deeply marked by Mao's personality still influences legal practices in today's China” (p. 91).

Yunhai Wang sees China as a “state-power-based society” where “the essence or nature of the death penalty is nothing but political” (p. 101). During Deng