

Catching Up with the Trend: Culture, the Great Divergence, and Interdisciplinary Studies

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Review

Taisu Zhang. *The Laws and Economics of Confucianism: Kinship and Property in Preindustrial China and England.* Cambridge: Cambridge University Press, 2017.

From the legal system perspective, land property rights enjoyed by contemporary Chinese are extremely insecure: no land ownership for farmers is endorsed; for commodity housing in cities, only seventy years of usufructuary right is approved. Contrary to present-day conditions, one must be surprised to find what Taisu Zhang reveals in his book: from the late 19th century until the early twentieth century, Chinese tenants enjoyed strong bargaining power, even when compared to their counterparts in England.

The book intends to compare China and England, but the author focuses more on the former. The entire book expands on two sets of observations. A counterintuitive mismatch of political and economic status is found based on data from several scattered villages in pre-industrial China. The wealthiest individuals were not the political elites in the village. Instead, the latter were usually elderly people with average wealth. Zhang then moves on to another observation: the relatively strong bargaining power of mortgage sellers and tenants, who were less well-off economically. Referring to contracts and lawsuits, he rigorously demonstrates the infinite term of redemption in China's mortgage sales and customs of permanent tenancy.

Everything appears to be on track until Zhang tries to link the two observations together. He argues that the Confucian ethics of valuing age seniority and the social emphasis on kinship led to the status mismatch and an economic institution that favoured the less wealthy groups rather than well-off landowners. The claim itself is fascinating, but the evidence provided in the book is not persuasive enough. Zhang

only offers implicit evidence, such as the fact that the village head or a senior member in the lineage would assume the role of middleman in land transactions, but more solid evidence is necessary to support his argument. What else was done by these senior political elites to protect the benefits of their fellow land-sellers and tenants, who were generally less wealthy? Moreover, political or economic elites were a tiny fraction of the community, yet the permanent term of redemption applied to all sellers. Could we observe a more favourable price or other sorts of concessions specific to situations when buying from a senior seller? Readers would prefer solid evidence rather than implicit ideological explanations of how seniority and kinship affected land transactions. In the late imperial and republican periods that Zhang examined, the land property rights system was already settled, making it even more difficult to examine his proposition. The origin of a seller-favouring and tenant-favouring land market cannot be connected to culture with historical evidence. The two sets of observations are separate established facts. From this perspective, Zhang's theory does not reach the source of the question; culture is only a temporal, suspicious explanation for the very late period of Chinese land market.

Moving on to the second part of the book, Zhang speculates further. Just as in the Six Degrees of Separation in sociology, connections can always be made to the discussion of the great divergence through many channels in the field of history. This appears to be common procedure for researchers focusing on East Asia, as does comparison between China and England. Yet, without referring to empirical evidence, Zhang's arguments in the second part of the book sounds more persuasive. He connects the land market with China's absence of a managerial farming system. The failure of adopting such a more efficient model of production was, to some extent, responsible for the divergence. Thus, Zhang does offer a new perspective to interpret the great divergence: Apart from the widely discussed geological, demographic and institutional explanations in the academic literature, culture also contributed to China's stagnation, though Zhang's cultural argument still relies on an institutional explanation.¹

In general, the book is a mix of too many elements: lineage and seniority, land markets, civilian political order, ethics and ideology, intellectual history of Confucian literati, farming, the motive and power of common people; many of which are

¹ Kenneth Pomeranz, *The Great Divergence: China, Europe, and the Making of the Modern World Economy* (2009); Philip T. Hoffman, "Why Was It Europeans Who Conquered the World?" *The Journal of Economic History* 72, no. 3 (August 2012): 601–33; Robert C. Allen, "The British Industrial Revolution in Global Perspective," in *New Approaches to Economic and Social History* (Cambridge; New York: Cambridge University Press, 2009).

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mentioned and discussed in a complex manner. This is understandable since the land market in China, on which Zhang built his argument, remains a minor topic, especially in English literature. There is plenty new to say and many links can be drawn to various factors. Previous studies by Pomeranz and Huang mainly focused on the allocation of land property rights.² From the legal perspective, Zhang astutely identified the abnormal contract terms in China's land market. But as mentioned, the explanation is not persuasive enough and, in the book, Zhang also suggested further investigation to be done.

Yet the intriguing phenomenon captured by the book may induce further research. The book provides valuable referential information about land mortgages, permanent tenancy, and the development history of the Confucian kinship ideology. The author provides clear and comprehensive background information before moving on to discussion. In this perspective, the book is also an ideal primer for Chinese intellectual history: it introduces relevant concepts thoroughly. For Confucianism in particular, the author outlines major events throughout its development. For non-professionals, the 300-page book can serve as an evening delight. But for scholars in history or culture studies, this book is also worth reading. After all, it opens up a host question for future discussion and investigation.

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² Kenneth Pomeranz, "Land Markets in Late Imperial and Republican China." *Continuity and Change* 23, no. 1 (May 2008): 101–50; Philip C Huang, *The Peasant Economy and Social Change in North China* (Stanford, Calif: Stanford Univ. Press, 2001); Philip C. Huang, "Code, Custom, and Legal Practice in China: The Qing and the Republic Compared," in *Law, Society, and Culture in China* (Stanford, Calif: Stanford University Press, 2001).

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