

# Review of Present Collection and Research on Forestry Contracts of Qing Dynasty in Jinping County, Guizhou Province

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**ABSTRACT** Forestry contracts of the Qing Dynasty in Jinping County, southwest China's Guizhou Province, are a unique historical legacy of China. It came into being with the development of society and economy of Jinping. Research on these contracts is becoming widespread domestically and abroad as well. This paper is intended to make a review of the collection and research of forestry contracts in Jinping according to the chronological sequence.

**KEY WORDS** forestry contracts, Jinping, collection, research

## 1 Introduction

Jinping County of Guizhou Province is the well-known traditional artificial forest region in South China, where the Dong & Miao minority groups reside. The history of artificially growing trees in that area has been hundreds of years. In the first year of Yong Le of Ming Dynasty (c.1403), selected *Cunninghamia* woods were sent out of the mountains serving as Imperial Wood. From then on, wood trade in the Qingshui River Valley came into being around Jinping. As early as the period of Wan Li of Ming Dynasty (1573–1620), the local residents in Wendou of Jinping, mainly settled on the banks of the Qingshui River, had become used to the production mode characterized by the supplementary growing of trees in the mountains and farm land and the intercropping of trees and grains. *Cunninghamia* was the major kind of trees planted in the mountain then. The period of Yong Zheng & Qian Long in Qing Dynasty (1723–1796) witnessed that county's forestry prosperity when the wood trade and artificial trees turned out to be the primary supporting industry for the local people and social development. Besides, artificial trees technologies had become mature enough. Those taking up tree-planting were local residents of Dong & Miao Minorities, and farmers of the Han Nationality from Hunan, Jiangxi and Fujian provinces as well. With the development of forestry, the ownership of mountain forests was transferred frequently among different people, which led to the design of contracts with various forestry subjects, such as the purchase & sale of mountain forest ownership, renting land to plant trees, management of mountain forest, etc. Therefore, a well-developed forestry production relationship formed in this process. As this kind of federal soci-

ety's relationship was quite unique in this region of minorities, even in that of the Han, it deserves record in the history of the world forestry development. A large part of these forestry contracts have been kept complete till now, constituting a valuable historic and cultural legacy of China.

However, the collection and research of forestry contracts of Jinping didn't begin until 1960's, when they were rediscovered for the first time. By the end of 1980's, some scholars made efforts in the research of Jinping contracts. In 21<sup>st</sup> century, the research on this subject has caught the attention of more and more scholars. This paper is intended to make a chronological review of the research by foreign and domestic scholars in the past two decades.

## 2 Content and forms of forestry contracts

The forestry contracts of Jinping resulted from the well-developed commercial forest economy in the federal society. They recorded the history of social and economic development in ancient and modern times, the content of which covers nearly every aspect of the social life in this region. According to the documents collected up till now, the earliest forestry contract was made in the Kang Xi Regime of the Qing Dynasty (1662–1723) and the latest one was in the first years of the foundation of the New China. Most contracts were made during the period of Qian Long (1736–1796), Jia Qing (1796–1821), and Dao Guang (1821–1851) in the Qing Dynasty. Furthermore, the contracts were recorded on three different kinds of materials, namely paper, stone and cloth. The major means used was paper, especially the man-made paper mainly made from coarse straw and papermulberry (*Broussonetia papyrifera*).

As to the content, various topics were included.

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From the collected contracts, the major subjects involve the following items: 1) ownership transfer of forest and land, 2) growing trees by cooperation or by renting mountains, 3) distribution of mountain forest, land and family estate, 4) share distribution of income from forest and other sources, 5) management and protection of forest and village environment, 6) ownership dispute settlement of mountain forest and land and lawsuit documents, 7) books of forestry income and expenses of the household, 8) management of villages, and 9) documents of the local authorities. The component of contracts usually include 1) the subject,

*“Date: Oct. 18<sup>1</sup> of the 9<sup>th</sup> year of Yong Zheng*

*Jiang Minggang, due to insufficient source of income, is willing hereafter to sell his share of the inherited mountain of Cunninghamia which was originally divided into four shares to be distributed among the family. The land, located in Jiusang, shall be bought by the Jiang Brothers (Xiangyun and Maoyun) as their property. The form of this agreement is to be taken between the three parties that on such a day as the mountain forest shall be sold to the Brothers, the seller shall gain two Liang<sup>2</sup> from the sale and the property shall belong to the disposal of the Brothers that people beyond the family shall have no say about its management.*

*Intermediary: Jiang Liliang (requited with five cent<sup>3</sup>)*

*Scrivener: Jiang Bangqi (requited with five cent)<sup>3</sup>”*

### 3 Collection of forestry contracts

A survey group of modern economies was established in the spring of 1964 by the Ethnic Study Institute of Guizhou Province to conduct an in-depth investigation of the social and economic development of the minority group settled district in modern times. Yang Yougeng, member of this group, first discovered and collected some pages of forestry contracts of the Qing Dynasty in Wendou Village, Jinping County.

Till the mid-1980's, some government departments, such as the Archives Bureau of Jinping County, took the initiative to collect the ancient forestry contracts in the local district, which proved to be useful.

After the 1990's, Dr. Christian Daniëls and Professor Takeuchi Fusaji who worked in the Institute for the Study of Languages and Cultures of Asia and Africa at Tokyo University of Foreign Studies, started research on the forestry contracts of the Miao Minority in Jinping. They once visited the Miao villages of Wendou and Ping'ao and collected several thousand pieces of original forestry contracts of the Qing Dynasty. Their research work contained three volumes and was open to the public in 2001, 2002 and 2003. The work contained in the section of historical data is as follows: 283 sale contracts of mountain forest; 277 sale contracts of mountain forests with tenancy relationship; 87 tenancy lease or contracts of mountain forest; 55 tenancy contracts of land; 90 contracts of mountain, forest and fortune division; 45 contracts of miscellaneous items (including sale contracts of

2) concerning parties, 3) reason for selling mountain forest and land or renting mountains to grow trees, 4) source of mountain forest and land, 5) name and extent of the land, 6) name of buyer and seller (renter), 7) price, 8) right and responsibility of the two parties, 7) intermediary, 8) scrivener, 9) time and place of the contract.

The following is a sale contract of *Cunninghamia* from the Jiu Sang Mountain of Ping'ao in the ninth years of Yong Zheng (c. 1731). The seller was named Jiang Minggang. It reads:

mountains with tung-oil trees, barren mountains, vegetable lands, ponds, local regulations, intermediary contracts, etc.) and 21 sale contracts during the period of the Republic of China. All of these contracts were written in Chinese, the earliest of which was settled in the first year of the Qian Long Regime (1736) and the latest in the 39<sup>th</sup> year of the Republic of China (1950).

The cooperation on this research started from August 2001, when the Local Government of Jinping County worked together with Sun Yat-Sen University to gather and investigate on these contracts. A working group was therefore established to guide the whole project. Wang Jiahong, head of the Jinping County, worked as the leader of the group, and Prof. Chen Chunsheng, Dean of the College of Humanities and Social Science, Sun Yat-Sen University, as the assistant. Besides, an office of collection and research of Jinping contracts was formed to take the responsibility of detailed undertakings, with Wang Zongxun, Dean of the Archive of the County, being the correspondent principal and Prof. Zhang Yingqiang from the Department of Anthropology, Sun Yat-Sen University, the vice principal. By the end of December 2002, the office had achieved a lot in this project. Duplication of those historical files characterized by forestry contracts had amounted to over 12 000 pages, and a series

<sup>1</sup> The date here is recorded according to the lunar calendar.

<sup>2</sup> Liang is the monetary unit measured by silver in ancient China. It is like today's Yuan or Dollar.

<sup>3</sup> Cent is a smaller unit than Liang.

of forestry contracts collections had been completed with the draft of the first two volumes. In the fall of 2003, a TV series with 5 sections was presented, *The Story about Forestry Contracts*, made by the Publicity Department of the County, the office of collection & research, and the *Discovery* column of Guizhou Television Station.

Luo (2004) included 3 copies of forestry contracts from the Kang Xi Regime (1662–1723), one in the 54<sup>th</sup> year (1715) and two in the 58<sup>th</sup> year (1719); 18 contracts of selling land and forest, 10 contracts of selling forests while keeping lands, 21 contracts of renting lands to grow trees, 13 contracts of selling the renter's share of land that was attained through tenancy deeds, 31 contracts of supplement to the previously-made ones, 7 contracts of selling lands, 10 sub-contracts (regulating profit division at the maturity date of trees), 8 contracts of mortgage, loan and exchange, and 12 contracts of miscellaneous items.

By means of internet, forestry contracts became known by more and more people all around the world. In June, 2004, the first web-page about this issue was opened to the public, with the address <http://jp.qdn.gov.cn/> under the title "Forestry Contracts of Jinping — Gem of history & culture of forestry in Qingshui River". This web-page was designed to promote the research on forestry contracts, and introduce to the world the unique forestry history and culture in Jinping county and some other places including Jianhe and Tianzhu county on the middle and lower reaches of Qingshui River.

#### 4 Current research of forestry contracts

Since the end of the 1980s, Yang Yougeng, mentioned above, had published a series of his research conclusions. His collection of contracts that mainly cover the purchase & sale relations and renting deeds were for the first time released to the public in 1988. These contracts were selected from around 260 copies that he gathered from Shangzhai Village of Wendou. Yang (1989) systematically analyzed the background of forestry contracts, described the contracts of mountain forest purchase & sale and of rental agreement in general, and accounted further for the social and economic features of the Miao Minority image in these contracts. The working mechanism of rental contracts in that district was also mentioned in Yang (1990a,b,c). Furthermore, a comparison between the purchase & sale contracts of forests of the Miao in Guizhou and the land contracts in the southeastern provinces of China was made in his other thesis with the conclu-

sion that the Miao's contracts resulted from the development of landlord and commercial economies, and came into being under the influence of the Han culture. What the Han merchants brought to the minority group was not only the business contact with the closed natural economy of the Miao district by capitals, but the culture of contracts initiated by the Han Nationality as well.

Wu (1991) described the historic background, forms and procedures of the transfer living trees by analyzing purchase & sale contracts of the mountain. Wang *et al.* (2001) described with examples the three major types of forestry contracts — contracts of mountain forest purchase and sale, of renting and share division and of income division. It also cited examples of the contracts which include dispute settlement on ownership of mountain forests, rules set by villagers on management of mountain forests, and manipulation of those regulations. Wang (2002) then introduced the workings of the collection office and its future plan.

Jiang (2003a,b) recorded the birth of forestry contracts of Jinping in the Qing Dynasty, their content and forms, and their social functions and maintenance. Luo and Zhang (2003) made a detailed analysis of the forest contracts of Wendou, Jinping in the Qing Dynasty from a legal prospective of law. They categorized forestry contracts into four types: sale contracts, tenancy contracts, subcontracts and mountain forest dispute settlement contracts. Their conclusion was that the development of artificial forests in Jinping has benefited from those contracts which effectively protected the ownership of those who have cultivated the forest, and that well adjusted and regulated profit allocation among all parties was enhanced. Luo and Zhao (2003) analyzed some other aspects in this field of study, such as the identification of tenants, proportion of profit allocation between the landlords and tenants and the format of tenancy contracts.

Luo Kanglong, a doctor of Department of Anthropology, College of Humanities and Social Science, Yunnan University, made a detailed analysis of the rental contracts in different periods and of the division of profit in his doctoral paper. His conclusion was that with time passing by, the previous model of an equal division of profit was being replaced by the 6–4 portion between lord and tenants, which suggests that the value of forests is increasing while the reserve of forests is diminishing with the growth of population and development of artificial forests.

In addition, Zhang (2003) discussed some historic transformation of the tribes and villages in the Qing-

shui River Valley in the later period of the Qing Dynasty through an analysis of forestry contracts.

The third volume of *Old Forestry Contracts of the Miao in Guizhou (1736–1950)*, mentioned above included five specific works on this issue which discussed the forestry contracts from many aspects in a systematic way. Zhang and Hu (2004) reviewed on the forestry contracts. And recently, Jiang (2004) expressed his concern about the collection and maintenance of forestry contracts and called for public attention in the mass media.

The importance of these contracts lies in that they record and characterize various forms of forest production, such as mountain forest transfer, renting land to cultivate trees, growing trees cooperatively, purchase and sale of living trees, and management of mountain forest. Historically speaking, those contracts adjusted the forestry market at that time, stipulated social behavior, and maintained the stability and unity of households, tribes and villages. Meanwhile, they also promoted sustainable development of large-scale forest production and the orderly cycle of natural resources. In this sense, the present reform of forest property regulation and the promotion and ecological environment can find much reference materials in these contracts.

The research on this issue is becoming more extensive than ever before though many questions still deserve further study.

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