China’s Land Tenure Reform: Time for a New Direction?

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Abstract

It is claimed that China’s economic accomplishments have been ascribed to the adoption of the promarket land tenure reform characterized by granting individual households long-term land use rights. However, the increasing loss of farmland and its induced social conflicts, poverty, natural resource depletion, and poor governance explain the failure of the use of simplistic approaches as evidenced in other countries as well. China has not learned enough from those post-socialist countries in this regard. As land tenure is interwoven with social and political complexities, policy makers need to explore the underlying challenges of sustainable land use and governance in a greater depth. This article reveals the multifaceted nature of land tenure and its linkages with development and village governance. It proposes
pro-poor land tenure as truly representing peasant needs for the design of more locally based institutional solutions that contribute to sustainable livelihoods, land use, and equitable development for the Chinese peasants.

I. Introduction

The Household Responsibility System (HRS) introduced in the late 1970s replaced the commune system with a view to offering peasants greater incentives in farming by granting individual households long-term land use rights under the rural collective landownership. Paradoxically, it displays its weakness in sustaining land use, as evident in rising farmland-loss-induced social conflicts due to the lack of effective collective action by the peasants to use the land sustainably and to defend their rights. Recent land law and policy developments in the use of a neoliberal or promarket philosophy is assumed to further strengthen the rights of household users so that they could be brought into the emerging land market. The latter is often deemed essential to combating poor land governance and contributing to equitable development as well as scale economies. As such, it is taken for granted that peasant smallholders will attain a stronger bargaining position vis-à-vis the local state over issues of farmland acquisition, expropriation, and allocation of benefits. However, these measures have yet to produce the desired outcomes.

China’s land tenure reform agenda bears resemblances with other countries that prioritize land tenure security as a panacea to all the social and political ills obstructing fast economic development not just in the countryside. However, land tenure security does not have direct causal links to economic development. A lack of understanding of the social and political dimensions of land tenure among policy designers is often claimed responsibility for policy and institutional failures. Thus, a more flexible approach to designing land tenure systems in line with local concepts and practices is advocated as a third-way alternative to the one-size-fits-all models in the international context.

In spite of the ongoing debates and policy experimentation, the myth of land tenure has not been creatively addressed. It is obvious that one cannot strengthen land tenure security through pure administrative and legal means. It is more important to understand its underlying structural determinants rather than focusing on its narrow domain, as land tenure is an integral part of development and governance processes. Thus, the