

Appendix A

Basic Program on Chinese Agrarian Law Promulgated by the Central Committee of the Chinese Communist Party, 1947.

North Shansi, October 10: The following is the full text of the basic program on Chinese Agrarian Law promulgated on October 10th by the publication of the program.

Resolution:

China's agrarian system is unjust in the extreme. Speaking of general conditions, landlords and rich peasants who make up less than ten percent of the rural population hold approximately 70 to 80 percent of the land, cruelly exploiting the peasantry. Farm laborers, poor peasants, middle peasants, and other people, however, who make up over 90 percent of the rural population hold a total of approximately only 20 to 30 percent of the land, toiling throughout the whole year, knowing neither warmth nor full stomach. These grave conditions are the root of our country's being the victim of aggression, oppression, poverty, backwardness, and the basic obstacles to our country's democratization, industrialization, independence, unity, strength and prosperity.

In order to change these conditions, it is necessary, on the basis of the demands of the peasantry, to wipe out the agrarian system of feudal and semi-feudal exploitation, and realize the system of "land to the tillers." For 20 years, and especially in the last two years, under the leadership of the Chinese Communist Party, Chinese peasants have obtained enormous achievements and rich experiences in carrying out land reform. In September of this year, the Chinese Communist Party convened a nationwide agrarian conference, and at the conference did detailed research into conditions of the Chinese agrarian system and experience of the land reform, and enacted the basic program on Chinese agrarian law to serve as a proposal to the democratic governments of all areas, peasants' meetings, peasants' congresses and their committees. The Central Committee of the Chinese Communist Party is in complete accord with the basic program on agrarian law, and is furthermore publishing it. It is hoped that the democratic governments of all areas, peasants' meetings, peasants' congresses, and their committees will discuss and adopt this proposal, and furthermore will work out concrete methods appropriate to local conditions, to unfold and thoroughly carry through a nationwide land reform movement, completing the basic task of the Chinese revolution.

Central Committee Chinese Communist Party
October 10, 1947

Basic Program:

Article 1: The agrarian system of feudal and semi-feudal exploitation is abolished. The agrarian system of "land to the tillers" is to be realized.

Article 2: Landownership rights of all landlords are abolished.

Article 3: Landownership rights of all ancestral shrines, temples, monasteries, schools, institutions and organizations are abolished.

Article 4: All debts incurred in the countryside prior to the reform of the agrarian system are cancelled.

Article 5: The legal executive organs for the reform of the agrarian system shall be the village peasants' meetings, and the committees elected by them; the assemblies of the Poor Peasants' League and organized and landless and land-poor peasants of villages, and the committees elected by it; *ch'u*, *hsien*, provincial and other levels of peasants' congresses, and committees elected by them.

Article 6: Except as provided in Article 9 Section B, all land of landlords in the villages, and all public land, shall be taken over by the village peasants' associations, and together with all other village land, in accordance with the total population of the village, irrespective of male or female, young or old, shall be unifiedly and equally distributed; with regard to the quantity of land, surplus shall be taken to relieve dearth, and with regard to the quality of land, fertile land shall be taken to supplement infertile, so that all the village people shall obtain land equally; and it shall be the individual property of each person.

Article 7: The unit for the distribution of the land shall be the *hsiang* or administrative village equivalent to *hsiang*. But *ch'u* or *hsien* peasants' associations may make certain necessary adjustments between various *hsiangs*, or equivalent administrative villages. In areas where the district is extensive and the population sparse, and for the purpose of convenient cultivation, comparatively small units below the level of the *hsiang* may be taken as units for the distribution of the land.

Article 8: Village peasants' associations shall take over the landlords' animals, agricultural implements, houses, grain and other properties, shall further expropriate the surplus animals, agricultural implements, houses, grain and other properties of rich peasants; and these shall be distributed to peasants lacking in these properties, and to other poor people, and furthermore an equal portion shall be distributed to the landlords. The property distributed to each person shall be his personal property, thus enabling all the village people to obtain proper materials for production and for life.

Article 9: Methods for dealing with certain special lands and properties, provided as follows:

Section A: Woods and hills, irrigation and waterworks, land in reeds, orchards, pools, waste land and other distributable land shall be divided in accordance with the ordinary standards for land.

Section B: Great forests, great hydraulic engineering works, large mines, large pasture land, large waste lands and lakes shall be administered by the government.

Section C: Famous sites and historic spots shall be securely protected. Special libraries, antiques, works of art, and so forth, which are of historic or academic value, and which have been taken over shall be inventoried and turned over to the high government of the area.

Section D: Ammunition, arms, and those large quantities of money, valuables, and grain left over after satisfying the needs of the peasants shall be inventoried and turned over to the high government of the area for settlement.

Article 10: Methods for dealing with certain special questions in the distribution of the land, provided as follows:

Section A: Poor peasants with only one or two persons in the family may be given land equivalent to that of two or three people by the village peasants' meetings, in consideration of prevailing conditions.

Section B: Rural laborers, individual professionals, and their families, in general, shall be given land equivalent to that of peasants; but if their profession is sufficient for constant maintenance of all or most of their living expenses, they shall not be given land, or shall be given a partial portion of land, as determined by the village peasants' meetings and their committees in consideration of prevailing conditions.

Section C: For all personnel of the People's Liberation Army, democratic governments, all people's organizations, whose home is in the countryside, they and their families shall be given land and properties equivalent to that of peasants.

Section D: Landlords and their families shall be given land and properties equivalent to that of peasants.

Section E: For KMT army officers and soldiers, KMT government officials and personnel, KMT party members and other enemy personnel, whose homes are in rural areas, their families shall be given land and properties equivalent to that of the peasants.

Section F: For all national traitors, collaborators, and civil war criminals, they themselves shall not be given land or properties. If their families live in the countryside, have not taken part in criminal activities, and are willing to cultivate the land themselves, they shall be given land and properties equivalent to that of the peasants.

Article 11: The government shall issue deeds to the ownership of the land given to the people, and moreover recognize their right to free man-

agement, buying and selling, and under specially determined conditions to rent out the land. All land deeds and all notes on debts from prior to the reform of the agrarian system shall be turned in and shall be null and void.

Article 12: The property and legal operations of industrial and commercial elements shall be protected from encroachment.

Article 13: For the sake of making the land reform thorough and complete, people's courts shall be established to try and punish those who resist or violate the provisions of this law. The people's courts shall be organized from personnel elected by peasants' meetings or peasants' congresses and from personnel appointed by the government.

Article 14: During the period of the reform of the agrarian system, for the sake of maintaining the order of the agrarian reform and protecting the wealth of the people, the village peasants' meetings or their committees shall appoint personnel, by definite procedure to take necessary steps for carrying out the responsibilities of taking over, recording, liquidating and holding all transferred lands and properties, to guard against damage, waste, corruption and destruction. The peasants' associations shall forbid anyone from, for the sake of interrupting equitable distribution, deliberately butchering animals, felling trees, destroying agricultural implements, irrigation and waterworks, buildings and construction works, or crops or other materials; and the act of thieving, seizing, secretly giving away to others, concealing, burying, dispersing, or selling their goods. Violations shall be tried and punished by the people's courts.

Article 15: For the sake of guaranteeing that all measures of land reform shall be in accord with the will and interests of the overwhelming majority of the people, the government shall take the responsibility for securing earnest democratic rights for the people; securing full rights for the peasants and their representatives at all meetings freely to criticize and impeach all cadres of all kinds and levels; and full rights at all appropriate meetings freely to remove and change and to elect all cadres of the government and peasants' organizations. Anyone who infringes on the above democratic rights and powers of the people shall be punished by the people's courts.

Article 16: In places where the land has already been equally distributed before the promulgation of this law, and provided that the peasants do not demand redistribution, the land need not be redistributed.