

Abolition of Plain Aborigine Land Rights: Dissolution and Termination of Anli Tribe's Large-Rents and Small-Rents

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ABSTRACT

According to the case study of An-li tribe, this article explores the abolition of plain aborigine land rights following the lift of favorable protection by Liu Ming-chuan's land tax reform in late Qing Taiwan (1886-1889). Adopting Liu's verdict on the land right dispute, the land cadastral survey (1898-1905) conducted soon after the Japanese colonial rule classified various forms of aborigine land rights as big-rent, a residual land right scheduled to be abolished. Extensive protests, appeals, and law suits for rectification led to an investigation and subsequent accommodation toward the existing aborigine small-rent land right. However, instead of recognizing the aborigine small-rent land right as the legal land ownership as required by the land act, the colonial government pursued reconciliation between aborigine small-rent owners and their Han tenants. Both sides eventually settled for a buying-off of aborigine small-rents at mutually agreed prices according to local customs. The documents and land cadastral data compiled by the Land Investigation Bureau as a consequence of the investigation and negotiation served not only the original purpose of distinguishing between the aborigine big- and small-rents, but also helped to identify the different ways through which aborigine land rights terminated and their respective amounts of land involved. The detailed information makes possible the construction of the most complete scheme by far depicting the distribution of aborigine big- and small-rents as well as the process of their dissolution and termination. In addition, the reconciliation in 1903 reached a buying-off agreement that distinguished various types of aborigine small-rent arrangement and the respective price-setting mechanisms in their sale. Tracing the terms involved in the sale as well as the contents of extant land deals, the author depicts in full the customary small-rent land practices between aborigines and Hans in terms of tenancy, pawn (*tai-dian*), sale with recourse (*huo-mai*), and sale without recourse (*jue-mai*).

Keywords: Aborigine Land Rights, Land Reform, Land Tenancy, Land Transaction, Ethnic Relations, State