

Rechtsgeschichte Legal History

www.rg.mpg.de

<http://www.rg-rechtsgeschichte.de/rg28>

Zitiervorschlag: Rechtsgeschichte – Legal History Rg 28 (2020)

<http://dx.doi.org/10.12946/rg28/332-333>

Rg **28** 2020 332–333

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The Modern Chinese State's Fight against Smuggling

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The Modern Chinese State's Fight against Smuggling*

Philip Thai's engrossing narrative tells the story of smuggling and the Chinese state's fitful efforts to suppress it in the modern era. Smuggling proves to be a revealing perspective from which to explore Chinese history, since the phenomenon embraces, as the book's subtitle accurately indicates, important aspects of politics, law, and economics. Smuggling, Thai shows, amounts to commerce deemed illegal by the state. The history of smuggling therefore is the history of legal regulation of trade. In the case of China, there is scarcely a more consequential field of history over the years from the First Opium War's conclusion through 1965. Thai makes a thoroughly convincing case for the significance of a history of smuggling.

The book is organized chronologically. Its bulk is dedicated to the Nationalist period, but the work fully explores the years before and afterward as well. The monograph traces an important continuity across a tumultuous period of Chinese history from the late Qing, through the Nationalist period, the Second Sino-Japanese War, the Chinese Civil War, up to the emergence of the People's Republic. Those years present a picture of dizzying, often calamitous, change. Across all of the different regimes, however, Thai discerns a consistent drive by the various leaders of the Chinese state to extend their power over the economy. The legal regulation of smuggling throws that continuity into sharp relief.

Thai persuasively argues that any state's effort to define and eliminate smuggling always stands in a »dialectical relationship« to the efforts of smugglers to elude such action (24). As smuggling is defined more broadly and trade is regulated more extensively, the scope of prohibited activities and the incentives to engage in them tend to increase. A campaign against smuggling accordingly presents a complex matter to judge. Does the campaign's

existence illustrate the strength of the state, or does the continuing existence of the illegal trade and the state's continuing inability to stamp it out suggest state weakness? Thai inclines toward seeing the glass of state power as half-full rather than half-empty. Thus, his exploration of the efforts by the Nationalist government in the wake of the Second Sino-Japanese war highlights its successes, as China finally escaped the limits on its sovereignty represented by extraterritoriality and began to crack down on smuggling by foreigners. Even the successful evasion of the Nationalist controls by smugglers, in Thai's retelling, reflected the need to evade such controls in the first place. This book's incisive examination of the legal regulation of smuggling and the counter-measures that violated or evaded that regulation should interest many scholars of legal history.

According to Thai, the Chinese state's war on smuggling amounted to »a transformative agent in expanding state capacity, centralizing legal authority, and increasing government reach over economic life« (3). The anti-smuggling campaign clearly represents a productive means of gauging the Chinese state's long-term effort to expand its power. What is less clear is whether that effort drove an expansion of state power or simply reflected those efforts. Thai acknowledges the difficulties inherent in specifying »the directions of causality« (6), but he inclines toward attributing causative agency to the anti-smuggling campaigns, arguing that they »amplified state power« (272). Thai's study does not comprehensively catalog or dissect the roots of the power of the Chinese state, so such claims are difficult to fully ground. It seems likely, though, that the most important factors that caused an increase in the power of the Chinese state are to be found elsewhere. Moreover, the narrative illustrates that, although state officials

* PHILIP THAI, *China's War on Smuggling: Law, Economic Life, and the Making of the Modern State, 1842–1965*, New York: Columbia University Press 2018, 408 p., ISBN 978-0-231-18584-4

consistently *hoped* to regulate the economy, their ability to do so actually waxed and waned. The varying degrees of success in regulating smuggling suggest that other factors proved more important than anti-smuggling campaigns in determining the power of the Chinese state over time. Even readers inclined to share this reservation regarding the causative relationship between regulation of smuggling and state power will still find this work compelling. Thai's account is fully convincing that the state's anti-smuggling campaigns offer a revealing means of charting its efforts to extend its reach.

The book is an emphatically economic history, detailing the Chinese state's efforts to regulate production, exchange, and consumption. The volume illuminates these aspects of Chinese economic life for an array of products, in the process deepening our understanding of the history of modern China. Any student of modern China knows about opium, but here Thai addresses other, lesser-known but important products, whose histories limn China's subordinate role in a global, twentieth-century economic order. For example, Chinese demand for Japanese rayon, artificial silk, illuminates the long-term decline of the Chinese silk industry and the rise of Japanese manufacturing. Standard Oil of the United States fed Chinese consumers' growing demand for kerosene in the early years of the century. As Nationalist China raised taxes on the imports of these products, as well as sugar, smuggling increased. Consumers turned to smugglers, who in turn earned the opprobrium of Nationalist advocates for the project of increasing state control over the economy.

Thai brings to bear an impressive range of sources from multiple perspectives. The legal framework and customs officials' views are fleshed out in rich detail. Thai also explores the perspec-

tives of smugglers, consumers, and public intellectuals. The wide array of material shows that smuggling attracted considerable public attention in China. One of the more interesting sources was a one-act play written by Hong Shen in 1937 that dramatized tungsten smuggling under the pithy title, »Tungsten« (*Wu*) (198). The play testifies to the public concern about smuggling in the period that reflected and shaped legal regulation. This instance exemplifies Thai's facility in embedding legal history in a wider cultural and social history.

Thai's account underscores the fitful character of China's war on smuggling. Indeed, the campaigns were sometimes more incoherent than inconsistent. For example, during the Second Sino-Japanese War, even as the Chinese state attempted to deprive the Japanese enemy of war material, Communist forces and some officials in the Chinese Nationalist government engaged in prohibited exchange with the foreign occupiers. In the complex and fraught wartime context, illegal smuggling sometimes became indistinguishable from legal trade. In the same vein, as the Communists secured their grip on power after victory in the Civil War, the regime officially campaigned against smuggling while simultaneously permitting it to continue, recognizing that the underground economy played a vital role supplementing the functioning of the official, centrally-controlled economy.

This book is an impressive accomplishment. Lucidly written, the study sheds new light on a wide field of history. It will interest readers who previously might not have given a thought to smuggling. Any serious student of Modern Chinese history will want to read it.

