

The Redevelopment of China's Construction Land: Practising Land Property Rights in Cities through Renewals*

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Abstract

Existing literature on China's urbanization focuses primarily on the expansion of cities and towns, with little attention being paid to urban renewals. The wasteful use of urban land has conventionally been attributed to the ambiguous definition and ineffective protection of property rights. This study examines recent practices in urban redevelopment in Guangzhou – a site chosen by the central authorities to pilot urban renewals (*sanjiu gaizao*). The research identifies a local practice in which institutional changes are made not in the delineation of land property rights but instead in the redistribution of the benefits to be made from land redevelopment. Current users of the land are offered a share of the land conveyance income previously monopolized by the state as an incentive to encourage them to engage in urban renewal. Land-use intensity and efficiency have increased, along with social exclusion and marginalization. Research findings cast doubt over the perceived notion that the uniform and unambiguous definition of property rights is the prerequisite for improved land-use efficiency and call for a critical evaluation of the current urban renewal policies that completely ignore the interests of the migrant population who outnumber local residents by a large margin.

Keywords: urbanization; urban redevelopment; property rights; regional political ecology; China; Guangzhou

As China entered the second decade of the new millennium, the rate of urbanization of its population accelerated significantly. Adopting a new standard of urban demarcation that is geographically based, the most recent population census

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suggested that, in 2011, 52 per cent of China's population lived in cities and towns.¹ For the first time in history, the majority of mainland Chinese live in urban settlements. Less noted but equally striking has been the expansion of urban spaces and the development of land for urban uses. When the first national land census was conducted in 1996, China reportedly had a total of 29.5 million hectares of construction land.² In the decade that followed, construction land expanded from 29.5 to 32.6 million hectares – a net gain of 3 million hectares, or more than 10 per cent. Meanwhile, agricultural land shrank from 633.7 to 631.6 million hectares. Land classified as “unused” also decreased by 1.3 million hectares.³ Obviously, the gains in construction land have been made at the expense of agricultural and unused land.⁴

For obvious reasons, the continuing expansion of construction land at the cost of agricultural and unused land has been an issue of great concern to scholars and policymakers. Research has been done to evaluate the extent to which the loss of China's agricultural and unused land may affect national and global food security and environmental sustainability.⁵ On the other side of the coin, important work has been done to examine the growth of the land market, the wasteful development of urban construction land, and the sophisticated political and institutional underpinnings as well as escalating social conflicts associated with land grabbing.⁶ The focus of scholarly attention has invariably been on the expansion of construction land rather than its redevelopment. This research moves beyond the well-documented phenomenon of urban expansion to investigate the issue of urban land redevelopment.

The land management laws and regulations introduced in China in recent years have been based on an important distinction made between existing (*cunliang* 存量) and newly added (*zengliang* 增量) construction land. Concerned with the national interests in food security, environmental sustainability and social

- 1 Chinese statistical authorities define the urban population as those who live in urban settlements with a minimum population density of 1,500 persons per square kilometre. Population refers to the “resident population” (*changzhu renkou*), or those who have lived in the city for six months or longer. See Chan 2012; Lin 2009, 22; Wu, Weiping, and Piper 2012, 6.
- 2 Land in China is classified into three categories: “agricultural land” (*nongyongdi*), which “refers to the land used directly for agricultural production, including cultivated land, forest land, grassland, land used for irrigation and water conservancy, water surface land for cultivation, etc.”; “construction land” (*jianshe yongdi*), which “refers to the land on which buildings or other structures are built, including the land used for urban and rural housing and public works, land used for industry and mining, land used for communications, irrigation and water conservancy facilities, land used for tourism purposes, land used for military installations, etc.”; and “unused land” (*weiliyongdi*), which “refers to the land other than agricultural land and construction land.” See China 1998, Article 4.
- 3 CMLR 1996–2008.
- 4 Given China's notorious problems of under-reporting agricultural land, there are good reasons to question the classification of “unused land.” In other words, it is entirely possible that a significant portion of agricultural land was unreported and intentionally misclassified as “unused land” for easy conversion into construction land. For detailed discussions, see Smil 1999; Ash and Edmonds 1998; Lin and Ho 2003; Lin 2009.
- 5 See Brown 1995; Smil 1999; Heilig 1997; Ash and Edmonds 1998; Lin and Ho 2003.
- 6 See, e.g., Ho, Peter 2001; Hsing 2010; Huang 2012; Rithmire 2013; Ho, Samuel P.S., and Lin 2003; Lin 2009.

stability, the Beijing government has on the one hand imposed institutional controls over the conversion of land from agricultural to construction purposes, and on the other hand encouraged “rejuvenation of existing construction land” (*pan-huo cunliang jianshe yongdi* 盘活存量建设用地). In 2008, the Ministry of Land and Resources identified Guangdong province as a “national site of experiment” for piloting possible institutional arrangements for the redevelopment of existing construction land.⁷ The purpose of this study is to provide an assessment of the national experiment conducted in Guangdong.

It is now generally understood that urbanization in China is not simply an economic and geographic phenomenon characterized by the growth of the urban population or transition from rural to urban settlements. Increasingly, China's urbanization is seen as a state project effectively shaped not only by the changing value, ideology and policy of the state but also by the constant reshuffling of power within the state as a sophisticated political ensemble. Recent studies have highlighted the political and social underpinnings of China's urbanization within the context of ever changing state–society relations.⁸ The popular approach adopted is to take the state as either a powerful entity capable of steering the urbanization project for its political and economic interests or as a bi-polarized composite of a “benign” centre and some “malign” local governments. Much of the research conducted in this vein has documented how aggrieved villagers mobilized themselves, what strategies were adopted, and how justice was sought either from above or below.⁹ In contrast, relatively less is understood about how municipal governments, as the chief local agents of China's urbanization, have repositioned and strategized themselves in response to the changing political, economic and social environment. Against this backdrop, the recent practice of urban redevelopment engineered by the local governments (provincial and municipal) in Guangdong provides an interesting case to help fill this gap.

The transition of the Chinese economy from plan to market has not only provided municipalities with the open terrain of greater space for development but has also put them at the forefront of competition, negotiation and mediation with other segments of the state and society. A municipal government has to re-evaluate its changing political situation constantly and reposition itself accordingly with strategies to deal with the upper levels of government, its constituencies

7 See “Guangdong sheng jianshe jieyue jiyue yongdi shidian shifansheng gongzuo fang'an” (A work plan to use construction land efficiently and intensively in Guangdong province as a testing site and show-case), which was jointly submitted by the provincial government of Guangdong and the Ministry of Land and Resources to the State Council on 17 October 2008, and was subsequently approved in December 2008. An official agreement was signed by Xu Shaoshi, minister of land and resources, and Huang Huahua, governor of Guangdong province, on 20 December 2008. Since then, the two most important policies introduced are, respectively, Guangdong Province 2009 and Guangzhou Municipal Government 2009.

8 Solinger 2003; Lin and Ho 2005; Hsing 2006; McGee et al. 2007; Wu, Fulong, Xu and Yeh 2007; Kuang and Göbel 2013; Rithmire 2013.

9 See, e.g., O'Brien and Li 2006; Li and O'Brien 2008; Michelson 2008; Kuang and Göbel 2013.

and citizens below, and rival counterparts of the same level nearby or afar. The political and economic interests of the municipal government have to be safeguarded and optimized through not only a shifting emphasis of the developmental agenda from time to time but also a re-prioritization and reformulation of incentives for different stakeholders.

In the early period of reform and opening up, rural industrialization and urbanization of the countryside posed great challenges to urban economies. Following Deng Xiaoping's 邓小平 southern tour in the spring of 1992, many municipal governments in southern China and on the eastern coast took on the challenges and reasserted their leading positions in the regional economies through the establishment of many "development zones" (*kaifaqu* 开发区), usually located on the fringes of cities. Special effort was made to overcome the bottlenecks in urban infrastructure through the development and outward expansion of urban ring-road systems to make the cities more attractive to foreign investors, generate GDP, and hence advance the political careers of those who were in charge. The result was phenomenal urban land expansion that characterized China's urbanization throughout the 1990s and 2000s. Between 1984 and 2005, China's total urban built-up area expanded dramatically from 8,842 to 32,520 square kilometres – an increase of 260 per cent. In addition, China reportedly had a total of 6,866 development zones with a planned area of 38,600 square kilometres in 2005 – an area larger than the total urban built-up area of existing cities and towns.¹⁰

The political environment for urbanization has undergone significant changes in recent years. As the central leadership has shifted emphasis from "taking development as the hard justification" (*fazhan jiu shi ying daoli* 发展就是硬道理) to "a scientific perspective of development" (*kexue fazhan guan* 科学发展观), "the building of a harmonious society" (*jianshe hexie shehui* 建设和谐社会), and more recently, the promotion of "new-type urbanization" (*xinxing chengshihua* 新型城市化), municipal governments have had to reorient and reformulate their development strategies from simply continuing economic and spatial expansion at all costs to move towards a balanced, diversified and "scientific" approach inclusive of internal upgrading and sophistication. To "maintain social stability" (*weiwen* 维稳) has also become a prioritized task that cannot be compromised by the growth of GDP.

As inter-city competition has intensified, a strategy popular among many large cities has been to host mega-events (for example, the 2008 Beijing Olympics, 2010 Shanghai Expo, 2010 Asian Games in Guangzhou) in order to borrow extraordinarily large sums from banks, relocate the powerful state-owned enterprises out of inner-city districts, and create a magnificent city-image, both nationally and internationally. Urban renewal has become an essential condition for the hosting of mega-events. Meanwhile, the earlier practice of pushing urban expansion into

10 For a detailed assessment, see Lin 2009, 187–190.

rural land has become increasingly difficult and costly as the central leadership has imposed restrictions over urban sprawls and suburban peasants have woken up to their rights and the value of their land.¹¹ These circumstances mean that municipal governments have to look seriously into urban redevelopment as the obvious alternative to the earlier mode of urban expansion.

The shift in emphasis from urban sprawl to renewal must necessarily involve a different group of stakeholders for whom a new set of game rules has to be set and played. These new rules cannot violate the existing laws and basic principles of land ownership. However, they must incentivize existing land users to engage in redevelopment if urban renewal is to be pursued effectively and smoothly and without contention. This study focuses on the methods used in the southern city of Guangzhou, which has made major institutional changes not in the legal definition of who owns what but in the re-division of who gets what. Through a downward delegation of power and concession of profits, existing users of the land with legal rights are motivated to engage in urban redevelopment projects. However, mediation has involved only those who have either the money (developers) or the legal rights over the land and has excluded many others who are poor, disadvantaged and underclass. As urban space is renewed and modernized, urban society has become increasingly stratified, segmented and segregated.

Several conceptual and methodological issues require clarification. The national experiment carried out in Guangdong to facilitate urban redevelopment has taken the form of “three renewals” (*sanjiu gaozao* 三旧改造), which stands for the “renewal of old factories, old neighbourhoods, and old villages in the city” (hereafter “three renewals”). Only those old factories, neighbourhoods and villages that are officially identified as qualifying for the scheme are allowed to make special institutional arrangements. Specifically, the “three olds” (*sanjiu* 三旧) refer to a) “old factories” (*jiuchangfang* 旧厂房) that have been identified for relocation out of the inner-city district because their production activities do not comply with safety and environmental protection regulations or no longer fit the development agenda set by the master plan of the city; b) “old neighbourhoods” (*jiuchengzhen* 旧城镇) that have been identified for redevelopment in city planning because of their dilapidated conditions and chaotic distribution; and c) “old villages” (*jiucunzhuang* 旧村庄) that have been identified in city planning for “complete transformation” (*quanmian gaizao* 全面改造) or “comprehensive renovation” (*zonghe zhengzhi* 综合整治).¹² The areal extent of Guangzhou and its administrative constitution have been a source of confusion. This study focuses on the Guangzhou urban district (*Guangzhou shiqu* 广州市区), which in 2012 included within its jurisdiction ten districts with a resident population

11 Restrictions on the expansion of urban construction land and city boundaries for China's super-large cities with a population size of 5 million or more were introduced at the Meeting of the Central Committee of the CCP on Urbanization, held in Beijing on 12–13 December 2013, and have been subsequently committed to policy. See CMLR 2014a, Article 4, and CMLR 2014b, Articles 10 and 11.

12 See Guangdong Province 2009, Section 3, Article 6.

(*changzhu renkou* 常住人口) of 11.07 million people and a land area of 3,843.43 square kilometres.¹³

The remainder of this paper is organized in three parts. It starts with an assessment of the conventional approach towards urban redevelopment. This is followed by a documentation of the special institutional changes initiated locally by the provincial and municipal governments. The actual practices of the “three renewals” are then examined through a case study of the Lie De village 猎德村 – the first “village in the city” (*chengzhongcun* 城中村) identified by the Guangzhou municipal government to undertake renewal.¹⁴ Implications of the “three renewals” experiment for China’s ongoing urbanization and changing state–society relations are discussed in the final section.

Redevelopment of Existing Construction Land in the City: The Status Quo

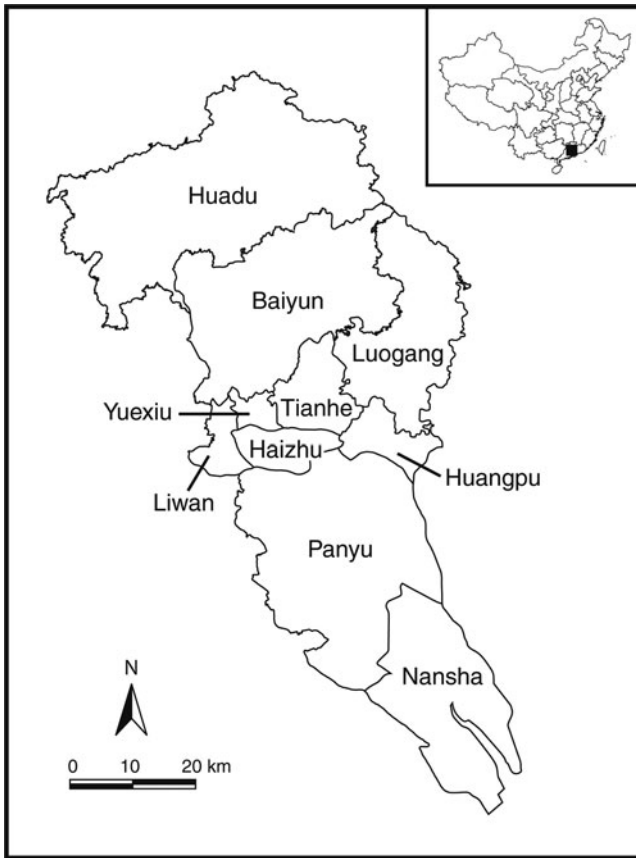
Despite the recent shift in the state’s attention from urban expansion to urban renewal, it has long been acknowledged that urban renewal (*jiucheng gaizao* 旧城改造) is a costly and contentious project for municipal authorities. Financially, compensation for the expropriation of urban construction land is far higher than that for rural land simply because land in the city is priced higher than its rural counterpart.¹⁵ Socially, urban renewal will involve some original land users (subsidiaries of central ministries, branches of the military, SOEs, old neighbourhoods, communities, etc.) who are more powerful, sophisticated, knowledgeable and difficult to deal with than those in the countryside. Politically, contention over the redevelopment of land in the city centre may well provoke protests from all kinds of interested parties and threaten the political career of those who initiated the project. However, fundamental to the difficulties of urban redevelopment has been the existing legal and institutional set-up, which allows the state to monopolize the profits from urban redevelopment and puts the existing users of the land in a disadvantaged position. This inevitably leads to strong resistance and discontents.

13 The total resident population included 6.64 million residents with a local household registration, and 4.43 million migrants who had been there for six months or longer. The ten urban districts within the Guangzhou *shiqū* are Yuexiu, Liwan, Haizhu, Tianhe, Baiyun, Panyu, Nansha, Huangpu, Luogang and Huadu. See [Figure 1](#).

14 The process of redevelopment began in Lie De in May 2007 and was completed in September 2010. While the case of Lie De has its limitations and cannot be taken as representative of all, it is one of the very few sites that has completed its course of renewal and thus provides important information for assessment at this moment in time.

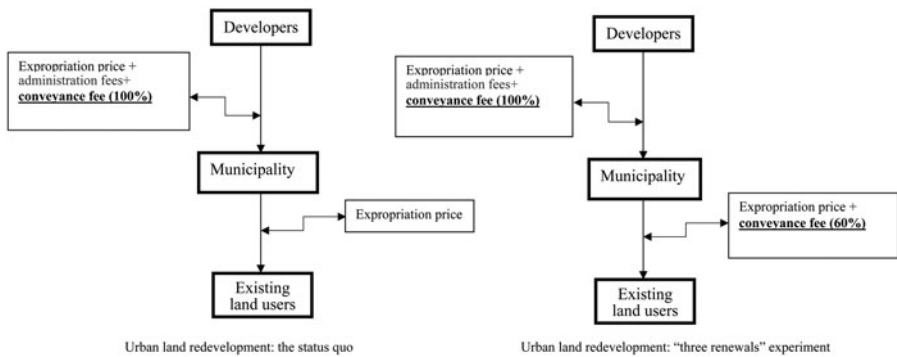
15 It was reported that the cost of land requisition and demolition in the inner-city of Beijing within the second ring road was 20 million yuan per *mu*, which was 60 times higher than the cost of vegetable land expropriation (200,000 to 300,000 yuan per *mu*) and 120 times higher than the cost of expropriation of rice fields (100,000 to 150,000 yuan per *mu*) on the urban fringes. In the city of Xi’an, the cost of land requisition and demolition was 900,000 yuan per *mu* in the inner-city within the second ring road but only 300,000 yuan per *mu* on the urban fringes outside of the second ring road. See FPIT 1997, 4–5.

Figure 1: Location and Administrative Constitution of Guangzhou Urban District



Any attempt to redevelop state-owned land housing old factories and neighbourhoods into more profitable commercial purposes must first undergo land conveyance through a process of open bidding, auctioning or listing.¹⁶ The municipal government, acting on behalf of the state, requisitions the land, pays an expropriation price to the existing land users, and then sells the land to developers for a conveyance price comprising the expropriation price, various stipulated administration fees, and land conveyance fee. The latter – essentially the net

16 The rights to use state-owned land are granted to commercial users through conveyance via closed-door negotiations (*xieyi*), public tender (*zhaobiao*), auction (*paimai*) or listing (*guapai*). Obviously, closed-door negotiation is the least transparent, least accountable and most manipulated method of conducting conveyancing. In April 2002, the Ministry of Land and Resources decided that the conveyance of state-owned land for commercial purposes must be conducted via more transparent and competitive channels, either through public tender, auction or listing. See CMLR 2002. This policy was supposed to take effect on 1 July 2002 but was delayed until 31 August 2004 because of local resistance. In September 2007, this requirement was subsequently applied to the conveyance of state-owned land for industrial use, with effect from 1 November 2007. See CMLR 2007. For detailed discussions, see Lin and Ho 2005; Xu, Yeh and Wu 2009.

Figure 2: **Distribution of Income from Urban Land Redevelopment, Guangzhou**

Source:

Guangdong Province 2009, Section 7, Article 23; Guangzhou Municipal Government 2009, Annex 2 and 3.

profits made from this process of land redevelopment – is captured by the municipal government in its entirety (Figure 2). Existing users of the land (i.e. the old factories and old neighbourhood) do not benefit from the net profits made through the redevelopment of the land. Consequently, there is strong resistance towards redevelopment from existing users and endless bargaining for compensation, making it extremely difficult for any urban renewal project to break ground. In the seven years between 2005 and 2012, only six renewal projects of old factories were successfully completed this way.¹⁷

“Village in the city” (*chengzhongcun*) redevelopments are subject to legal restrictions regarding land use and market circulation outside of the rural collective. Legally, land occupied by “the villages in the city” is owned by the rural collective and cannot be sold, transferred or leased to commercial users. Existing construction land in the villages is reserved for rural housing, township and village enterprises, and public facilities, and cannot be used for any commercial or real estate developments.¹⁸

Under the existing laws and regulations, urban redevelopment of the “the villages in the city” has to go through the land expropriation process, that is,

17 GCOTR 2012, 2.

18 Existing Chinese laws allow for the subcontracting or circulation of farmland within the rural collective sector for agricultural production; however, farmland cannot be sold. Farmland can be subcontracted or leased out to non-members of the collective or to another collective unit if at least two-thirds of the villagers agree. See China 1998, Article 15. However, the law clearly stipulates that: “[T]he land use rights of collectively owned land by rural residents must not be granted or assigned to another party or leased out for non-agricultural construction,” and that any user wishing to use rural land “must apply to use state-owned land in accordance with the law.” See China 1998, Articles 43 and 63. In other words, it is not permitted for rural land to be circulated on the free market unless the land has previously been transformed from collectively owned land into state-owned land through proper state expropriation and approval. This blockage is obviously set up to prevent the uncontrolled conversion of agricultural land to urban and commercial development land. There is also the fear that farmers may be tempted to engage in some unwise one-off deals, either by selling their land to commercial developers or using it as collateral for bank loans and eventually losing the land to a small number of rich people or to the banks. Chinese laws prohibit the use of collectively owned cultivated land and peasants’ housing sites as collateral for bank loans. See PRC 2007, Article 184.

collective-owned land must first be transformed into state-owned land, which can then be released on to the market. During this process, the municipal government pays the rural collective an expropriation price to compensate for the land lost as well as any structures built on the land within the stipulated legal limits. It then sells the land to commercial developers for a conveyance price that comprises the cost of land expropriation, various stipulated administration fees and the land conveyance fee. The latter, which is the net profit, goes to the state and is redistributed between the municipal and central governments in a 70/30 split. None of the land conveyance income is given to the rural collective and its members, the original owners and users of the land (Figure 2). Once villagers realize that the compensation they receive is far below what their land was sold for, they resort to protests in various forms.¹⁹

The current legal and institutional arrangements, which pass all income from urban redevelopment to the state, provide no incentive for existing users of the land to engage in urban redevelopment. Redevelopment projects imposed from above and by force are faced with grievances, protests and even riots. This has made urban renewal a costly and contentious project which few municipal governments are brave enough to take on. This has led to increased urban sprawl and encroachment upon rural land while land within cities remains underdeveloped.

An inventory of the current status of land utilization in Guangzhou suggested that a significant proportion of land within the city was ripe for redevelopment and could potentially increase the intensity and efficiency of the land use. Immediately after its establishment in February 2010, the Guangzhou City Office for Three Renewals (GCOTR) systematically investigated the status of old factories, neighbourhoods and villages within the city and identified a total land area of 399.5 square kilometres that qualified for the three renewals (Table 1). This area accounted for about one-third of the total area of construction land found in the city (1,250 square kilometres).²⁰ Geographically, the land qualifying for renewal is scattered across the city and much of it is centrally located. Figure 3 shows the distribution of the land identified for redevelopment. Although most of the old villages are located on the outskirts of the central city, many of the old SOE factories and old neighbourhoods are situated in the inner urban district, which is clearly a spatial legacy of the socialist city. Despite their central location, the areas identified for renewal were congested, polluted and run-down, and were definitely under-utilized. The GCOTR estimated that the average gross floor area ratio (*maorongjilü* 毛容积率) was 1.7 for old neighbourhoods, 1.0–3.0 for old villages, and 0.4–1.85 for old factories, lower than the average for the city.²¹

19 See O'Brien and Li 2006; Li and O'Brien 2008; Michelson 2008; Kuang and Göbel 2013.

20 See GCOTR 2010, 1.

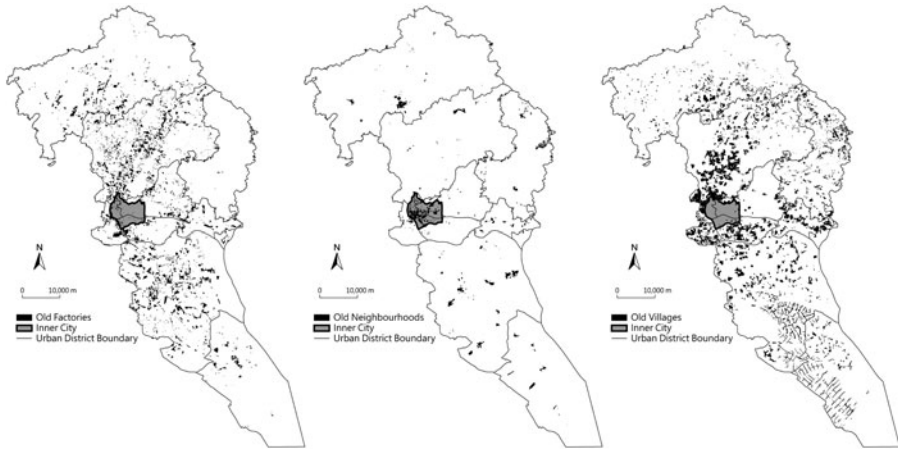
21 The floor area ratio or plot ratio (*rongjilü*) refers to the ratio of the total floor area built to the total area of the land base and is the most important measurement of land-use intensity in Chinese cities. Gross

Table 1: **Composition of Three Renewals in Guangzhou Urban District, 2010**

	Cases	Land Area	
		Sq km	%
Old factories	5,581	141.84	35.50
Old neighbourhoods	628	38.08	9.53
Old villages	3,687	219.59	54.97
Total	9,896	399.51	100.00

Source:

GCOTR 2010, 7.

Figure 3: **Distribution of Old Factories, Neighbourhoods and Villages in Guangzhou, 2010**

Source:

Adapted from GCOTR 2010, 6.

Urban Redevelopment from the Bottom Up: Motivating Existing Land Users through Profit Concession²²

Since Guangdong province was designated as pilot zone for urban renewal, the green light has been given for many local innovations. On the understanding that resistance from the existing users of the land is the biggest barrier to

footnote continued

floor area ratio (*maorongjili*) includes the land base area used for roads, and green and open space in the denominator, whereas net floor area ratio (*jingrongjili*) counts only the land base for residential purposes in its denominator. Currently, Chinese city planners rely on two instruments to shape land development in a city, namely zoning and the setting of the floor area ratio, the former being used to determine land use and the latter to control the intensity of land use. The data quoted are derived from GCOTR 2010, 10. The average gross floor area ratio for the city of Guangzhou was estimated to be 0.8–2.9 for residential areas and 1–2 for industrial land. See *Ibid.*, 7.

22 The information used in this section is derived from the GCOTR through interviews and documentary research and is concerned with changes in regulations.

overcome in the process of urban renewal, new institutional arrangements have primarily been made with two considerations in mind, namely to involve existing users of the land directly in the renewal process and also to assign them a significant share of any profits emanating from the redevelopment.

Restrictions have been relaxed with regard to the conveyance of state-owned land that houses old factories and neighbourhoods. The transference of rights to use the land for redevelopment is undertaken through negotiation (*xieyi* 协议) involving existing users of the land, developers and the municipal government.²³ The mandatory requirement that the conveyance of state-owned land for commercial uses must be conducted through public bidding, auctioning or listing has been waived. The justification made for this waiver is that the mandatory requirement is applicable to land conveyance in the primary market and is arguably irrelevant to urban renewal involving redevelopment of state-owned land in the secondary market. This waiver ensures that existing users of the land are directly involved in the negotiations about how the land should be redeveloped. It also provides developers with a better and more flexible opportunity to invest in the project. Moreover, the municipal government maintains its control over urban renewal projects through its stipulations on land use and intensity of development (i.e. specification for the floor area ratio).

For urban redevelopment involving “villages in the city” where the land is owned by rural collectives, two important options have been introduced. In the first option, the village's collectively owned land can be transformed into state-owned land with the agreement of the majority of the villagers (at least two-thirds) and the endorsement of the government at or above the county level.²⁴ Once the land becomes state owned, many of the legal restrictions over the use of rural land are removed and the land can be conveyed to developers for commercial development. This option is referred to by the Guangzhou municipal government as “complete transformation” (*quanmian gaizao* 全面改造).²⁵ Of the 138 “villages in the city” identified by the municipal government, 52 have been singled out for urban renewal following this route.

In the second option, construction land owned by the rural collective and located in the “villages in the city” may be circulated (leased, rented, mortgaged or transferred) on the open market if villagers decide to retain their collective ownership of the land.²⁶ This allowance is made to improve the marketability of the construction land owned by the rural collective and to attract financial institutions and

23 This is applicable to the cases where the redevelopments are for service-oriented industrial restructuring (*tuier jinsan*) and not for commercial housing developments. See Guangdong Province 2009, Section 5, Article 11.

24 *Ibid.*, Section 5, Article 14.

25 During this process, villagers are converted into urban residents, villagers' committees into urban residents' committees, and village collective economic organizations into urban shareholding companies. See Guangzhou Municipal Government 2002; 2009, Appendix 2.

26 See Guangdong Province 2003. It should be noted that market circulation of the collectively owned construction land is not the same as for state-owned land as it remains subject to limitations. See Tian 2008, 296.

developers outside of the collective to the redevelopment process. This option is called “comprehensive renovation” (*zonghe zhengzhi* 综合整治). Here, the rural collective takes charge of the project whereas the district government provides planning and necessary funding for the improvement of the urban infrastructure. Comprehensive renovation is supposed to be applied to the remaining 86 villages in the city.²⁷

The institutional changes described above help to improve the functioning of state and collective land ownership and ease the process of urban renewal. However, alone these changes are not enough. As mentioned above, the redistribution of the land conveyance fee to ensure that the current land users receive a significant share has also been introduced to incentivize existing land users to engage in redevelopment.²⁸

For the renewal of old factories and old neighbourhoods involving existing urban construction land owned by the state, displaced land users (for example, SOEs) are entitled to a maximum of 60 per cent of the land conveyance income.²⁹ If the existing land users take charge of the renewal themselves or work with commercial developers, they are required to share the net profits with the municipal government by paying a land value-added price.

The redistribution of the profits from the redevelopment of “villages in the city” involving collectively owned land follows the same logic. The rural collective concerned would be given a maximum of 60 per cent of the land conveyance income paid by developers to the municipal government once the land is sold to developers following the transformation of land ownership from the rural collective to the state.³⁰ If villagers decide to keep their collective ownership of the land, no conveyance fee would need to be paid by developers to the state and the rural collective concerned may collect the annual income from the rental of the land after its redevelopment.

Finally, special efforts are made to allow multiple social actors aside from the municipal government to play an active role in the process of urban renewal. Commercial developers and the existing users of the land (i.e. SOEs, district governments, rural collectives and collective organizations) are encouraged to take charge of the renewal projects themselves. The municipal government oversees all urban renewal projects through overall land-use planning, control over land use, and regulations over the intensity of redevelopment with a building to

27 In reality, there are cases where a combination of both options has been used in the redevelopment of village land.

28 By law, the land conveyance fee collected from newly added construction land should be distributed in such a way that 30% becomes state revenue and 70% is retained by local government “with all funds to be used exclusively to develop cultivated land.” See China 1998, Article 55.

29 This applies to those cases where a municipal government requisitions the land and then conveys it to developers for a land conveyance fee. Current land users (e.g. SOEs) may participate in the negotiations but will have to be displaced because of the renewal project. See Guangdong Province 2009, Section 7, Article 23.

30 Ibid.

land ratio to ensure that improved efficiency of land use would not jeopardize the liveability of the city.³¹

Redevelopment of a Village in the City: Lie De Village³²

Lie De village is one of the 52 villages identified by the municipal government for “complete transformation.” The village’s size is moderate in the context of southern China. When the renewal project was initiated in 2007, the village had a registered population of 6,500, 3,300 households, and a land area of 33.75 hectares.³³ Estimated at 23,000, the migrant population was three times larger than the local population and lived in Lie De’s low-priced rental housing. Despite its moderate size, Lie De was singled out by the municipal government to become the first “village in the city” for redevelopment because of the special location it held right at the heart of the new city centre. In the latest version of city planning, formulated after Guangzhou was chosen on 2 July 2004 to be the site of the 2010 Asian Games, a new city centre called Pearl River New Town (*Zhujiang xincheng* 珠江新城) was to be built to impress the region and the world; Lie De happened to be a “dilapidated, dirty and messy” (*jiu, zang, luan* 旧, 脏, 乱) village less than a block from the new city centre (Figure 4).

However, there are obvious financial costs and social risks involved with the redevelopment of a dilapidated village in the city such as Lie De, including the financial cost of the demolition and rebuilding of villagers’ houses and the social costs of any resistance. For political reasons, the municipal government has opted for an approach of indirect involvement and distanced management, and has delegated the power and responsibility for redevelopment to the district government and the rural collective organization.³⁴ However, in order to get the district government and rural collective organization to take on this “hot potato,” they needed a strong financial incentive. On the understanding that this was a trial case, Lie De’s collective organization was entrusted to be the leading agent (*gaizao zhuti* 改造主体) responsible for the redevelopment of the village, including its demolition, compensation and resettlement. The income generated from

31 Involving other social actors, including developers, can be a double-edged sword for municipal governments. In the 1990s, Guangzhou relied on developers to be the main agents of urban renewal and to provide the capital for redevelopment. This resulted in the prioritization of profits and land-use intensity over urban amenities, green spaces and other social considerations. The municipal government then turned to the original land users as the main agents of urban renewal during 2000–2006, but this turned out to be counter-productive because they failed to find the funds for redevelopment. Since 2007, as described in this article, a political compromise has been adopted. Interview with planners, Guangzhou, 24 July 2014.

32 Information used in this section has been obtained through interviews and field investigations conducted in July and August 2013 and July 2014.

33 Of these households, 3,167 have registered for redevelopment and resettlement. The land area includes the Lie De Creek, which covers 2.1 hectares.

34 Nonetheless, the municipal government contributed a capital input of 461.73 million yuan for infrastructure development in the project. This was used primarily for compensation for the demolition work needed for the extension of the Lie De Bridge, the redevelopment of the road network, and land requisition of the municipal deaf school.



Figure 4: Location of Lie De Village in Guangzhou

land conveyance that theoretically should be remitted by law to the municipal government was allowed to be kept by the collective organization in its entirety. In other words, the Lie De village was tasked with “self-redevelopment” (*zixing gaizao* 自行改造), whereby the collective organization would bear responsibility for the redevelopment, but the mobilization of funds for redevelopment (*rongzi* 融资) would also involve commercial developers and municipal/district governments.

The proposal for Lie De's redevelopment was put forward by a planning institute from the Tianhe 天河 district government in June 2006. The area designated for redevelopment, estimated at 33.75 hectares, was divided into three parts. About a third of the land – a land parcel measuring 11.42 hectares, or 33.83 per cent of the total land area – was earmarked for conveyance to commercial developers so that the generated income could provide the funds needed for the redevelopment project. Another section of the land, 17.11 hectares, was identified for the building of high-rise housing and community amenities (a public school, temples, ancestor halls, sports and recreation centres, etc.) for the resettlement of all villagers. A third portion was reserved for the building of a five-star hotel which would be owned by the collective and provide dividends to the villager shareholders.³⁵

Despite the “one household one plot” (*yihu yizhai* 一户一宅) stipulations and the standard set by the provincial government concerning the size and height of rural housing, properties within the Lie De village varied greatly in size and height.³⁶ Some properties were built according to the legal standards, but many were not. The policy for compensation and resettlement was set in such a way that there would be a one-to-one (in square metres) exchange (*chaiyi buyi* 拆一补一) for any rural housing built within the legal limit (i.e. for every demolished property, new housing of equal size could be claimed for resettlement, the orientation and location of which would be determined by a lucky draw). For any rural housing exceeding the legal standards, the portion above the legal limit could be claimed for provided that a) the maximum claimed for was 200 square metres and was no more than four storeys high, and b) the claimant would pay 3,500 yuan per square metre for the portion of resettled new housing above the legal limit and below the ceiling of 200 square metres.³⁷ Claims exceeding 200 square metres and four storeys would not be entertained for any resettlement with new housing; however, demolition compensation

35 Tianhe District Government 2006.

36 Chinese laws maintain that: “[E]ach household of village residents may only possess one residential plot, the area of which must not exceed the standards stipulated by the province, autonomous region or directly administered municipality.” See China 1998, Article 62. The standard set by Guangdong province allows for each farm household to build rural housing with a land base area of no more than 80 square metres in plain and suburban regions, 120 square metres in hilly regions, and 150 square metres in mountainous regions. See Guangdong Province 2011 and 2013. The Guangzhou municipal government provided a more specific standard that allowed each farm household to construct rural housing of no more than 80 square metres and 3 storeys high, or 11 metres high with a total floor space of no more than 280 square metres. See Guangzhou Municipal Government 2012.

37 This additional new housing claimed for resettlement can be sold, leased, rented, transferred, etc. only within the village and not on the open market.

would be offered to cover the costs of construction at a rate of 1,000 yuan per square metres.³⁸

The formulation and implementation of the redevelopment project have rested primarily with the Tianhe district government and the Lie De Economic Development Corporation and have not had the active and direct involvement of individual villagers. There were occasions when the redevelopment plan and resettlement scheme were presented by the district government to the Lie De collective organization, but only a small number of “shareholder representatives” were consulted and asked for endorsement.³⁹ The compensation and resettlement scheme was announced to all villagers on 6 June 2007 in the Li Ancestor Hall. Villagers were not allowed to ask any questions and were instead informed of the decision already made and approved by the district and municipal government. In this case, the collective organization (i.e. the Lie De Economic Development Corporation), seduced by the financial incentives offered by the municipal government, happened to be strong enough to persuade villagers to cooperate with the scheme. On 29 September 2007, the parcel of land earmarked for selling to commercial developers went to auction and generated a land conveyance income of 4.6 billion yuan, which was to be used by the Lie De collective organization to cover all the costs of redevelopment. The total costs were estimated at 3.458 billion yuan, leaving the rural collective with a handsome surplus.

However, the redevelopment project did meet with some resistance. Some villagers took issue with the compensation package and resettlement scheme and refused to move out. On 16 October 2007, when demolition started in Lie De, four households decided to stay put and became what are popularly referred to as “nail households” (*dingzihu* 钉子户) (i.e. households that refuse to be relocated). Two weeks later, the Lie De Economic Development Corporation filed a law suit at the district court against the four “nail households.” After several failed attempts at reconciliation, on 13 December 2007 the district court ruled in favour of the collective organization. The “nail households” lodged an appeal with the court of the municipal government, but it was turned down on 4 January 2008 and their houses were demolished ten days later. The resettlement phase was completed in September 2010 when villagers were allocated their housing of varying types through a lucky draw. They moved into the new housing on 27 September 2010.

Owing to the fact that nearly half of the village land has been earmarked for commercial development, resettlement of the villagers has been in high-density, high-rise buildings of 26–40, mostly 33, storeys high (Figure 5). This approach arguably follows the Hong Kong model where the housing is densely stacked vertically so as to make room for green and open spaces. Floor area ratio increased

38 See Tianhe District Government 2006.

39 Consultation took place first on 13 March 2007 when 170 shareholders and villagers’ representatives attended. This was followed by another meeting on 28 May 2007 when the compensation and resettlement scheme was endorsed by 68/70 shareholder representatives (*gudong daibiao*) of the corporation.

Figure 5: Lie De Village Before and After Redevelopment



Original village-in-the city (*chengzhongcun*)



Village resettled



Ancestor hall rebuilt



The parcel of village land sold for commercial development

Source:
Author's photographs.

(colour online)

from 2.06 to 5.13, suggesting that more than twice the original floor area has been built per unit of land. The building coverage ratio (*jianzhu midu* 建筑密度) – the ratio of the base area of all buildings to the total land area – was reduced from 60 per cent to 28.1 per cent, whereas the green space ratio (*lüdilü* 绿地率) – the ratio of green area to total land area – increased from 5 per cent to 30 per cent.

More intensive use of the land, coupled with increased marketization, has naturally led to the land generating a higher output. The improved and renovated living environment has also helped to increase the value of the land housing this rural enclave in the city centre, value that was previously depressed by both institutional restrictions over market circulation and the squalid environment. The rental price for villagers' housing has gone up from 10–15 yuan a month per square metre to 30–50 yuan. This price hike has been welcomed by the villagers, but is proving to be a nightmare for the migrant population. The generous allowance given for compensation and resettlement for those occupying housing that exceeded the official standard has meant that a household could be allocated two or three apartments through the resettlement package. It is not uncommon for such households to keep one apartment to live in and rent out the other one or two. This has meant a substantial increase in personal income for both the villagers and the collective organization. Annual personal income for the villagers has increased from 25,000 to 90,000 yuan since the redevelopment. Total income for the rural collective organization has gone up from 100 million to 500 million yuan and its wealth ranking within the Tianhe district has moved up from 12th to first place.

The improved efficiency in land use in Lie De has not come about without costs, however. As the traditional village houses (*cunwu* 村屋) were demolished and replaced by high-rise apartments, the social networks and rural community lifestyle germinated and cultivated in the village for hundreds of years have been severely disturbed, if not completely destroyed. However, the unfortunate victims of the redevelopment project are those with the least power and ability to protect their interests. Perhaps the most noticeable victims are the migrant workers in the village, whose population was several times larger than that of the villagers. The demolition of the village and its resettlement in modern and more pricey apartment buildings have meant that the low-cost accommodation upon which the migrant population depended and the social networks that they have cultivated in that enclave for communication and mutual assistance have been completely destroyed in the interests of modernization and urbanization.⁴⁰ Equally unfortunate and disturbing has been the displacement of the Guangzhou School for the Deaf (*Guangzhou longren xuexiao* 广州聋人学校) – the only school of its kind in the city. The school was built in 1946 and used to accommodate more than 600 deaf students, with a specialized faculty

40 As has been well documented, “villages in the city” have provided low-cost housing for the migrant population in Chinese cities. See, e.g., Ma and Xiang 1998; Zhang, Zhao and Tian 2003; Song, Zenou and Ding 2008; Tian 2008.

of 160. Its central location in Lie De made the school easily accessible for the deaf population. Unfortunately, the interests of the deaf minority simply cannot compete with those of the government and developers. The land occupied by the deaf school formed part of a lucrative land parcel which was sold to commercial developers for a handsome profit in 2007. The school was given 59 million yuan in compensation for its “permanent relocation” (*yongqian buchang* 永迁补偿) to the outskirts of the city centre in a much less convenient location for the poor deaf to reach.⁴¹

The redevelopment of a “village in the city” such as Lie De has evidently increased land-use intensity and efficiency, but it has also intensified the contrast and inequality between the powerful and the powerless, the local elites and the excluded outsiders, the privileged and the handicapped and disadvantaged. As the municipal and district governments celebrate the success and accomplishment of the urbanization project and the commercial developers rake in handsome profits from the opening of a spectacular shopping mall and flashy office buildings, village communities are broken up and scattered among the isolating boxes of high-rise apartments and the migrant underclass and disabled are pushed to the peripheries of the city, both socially and geographically.

Conclusion

As the long march of China's urbanization crosses the 50 per cent watershed, profound changes have been taking place not only in the reorganization of urban and rural settlements but also in the restructuring of urban spaces and society. Following phenomenal rural industrialization and town-based urbanization in the 1980s and the dramatic expansion of large cities since the 1990s, a new dimension of urbanization, recently encouraged by the central leadership and actively pursued by many municipal governments, has been the redevelopment of land within cities and towns. The existing literature on urban China has focused on the pattern and process of urbanization, rural to urban migration, and the conversion of agricultural land into urban development. This study of the “three renewals” policy in the southern city of Guangzhou has contributed new insights into the internal dynamics of urban redevelopment – an important dimension of urbanization that remains little documented.

Anecdotal evidence suggests that China's existing construction land has not been used efficiently. Conventional wisdom attributes the wasteful use of China's construction land to the ambiguous definition and ineffective protection of land property rights. This research has identified an intriguing experiment that demonstrates a pattern inconsistent with popular perception. The implementation of urban renewal in Guangzhou has involved institutional changes made

41 The school has been asked to move to Chentian village in Baiyun district to the north of the city.

not to redefine who owns what, but instead to reallocate who gets what in the process of urban redevelopment. By giving out a share of the land conveyance income that used to be monopolized by the state, the municipal government has managed to motivate existing users of the land to engage more with urban renewal projects and hence reduce social resistance. Although most of the urban renewal projects in Guangzhou are still under construction, available evidence has suggested that significant progress has been made towards the redevelopment of existing construction land in the city with noticeable improvements in land-use efficiency and productivity. However, efficiency gain does not come without social costs, nor does it benefit all stakeholders fairly and equitably.

If property rights are seen as a bundle of rights that includes the right to possess, use, reap benefits from, and dispose of the property, then the Guangzhou experiment essentially involves the state's concession of income rights to existing land users. This study has provided no definitive answer to the question of how such a local practice of partial redefinition of land property rights compares with the option of a complete privatization in bringing about efficient and sustained economic growth. What this study has demonstrated is simply the fact that land-use efficiency can be improved through some *de facto* local arrangements other than a wholesale privatization – a prerequisite insisted upon by neoliberalism and prohibited by the Chinese Constitution. It remains to be seen if the Guangzhou experiment will receive the endorsement of Beijing and become adopted elsewhere. If it does, then the meaning of “state ownership” will require critical reinterpretation as the rights to income and to transfer land are partially and gradually moved to actors outside the state. Are we witnessing gradual changes in ownership in local practices, albeit not widespread and certainly not in name? Only time can tell.

The pervasive problem of grievances and social discontent as a consequence of land grabbing and forced resettlements amidst China's accelerated urbanization has been extensively documented. Much attention has been paid to what strategies are adopted by displaced villagers, how effective these strategies are, and why justice has been sought successfully by some but unsuccessfully by others. Yet, by focusing on the reaction of villagers as a victimized segment of society standing up to an allegedly greedy and powerful authoritarian state, we could easily lose sight of the sophisticated interactions between state and society – both are complex organizations with their own self-conflicting internal dynamics. By looking at the other side of the coin, this study of the approach adopted by a municipal government as a chief local agent of the state towards urban redevelopment has contributed new insights to complement the existing literature.

Confronted with new restrictions over urban expansion imposed from above and faced with growing social resistance from below and intensified competition from outside, the Guangzhou municipal government made a political compromise by delegating power and conceding profits so that urban renewal could be realized. As far as urbanization is concerned, the role played by municipal governments is instrumental to the mediation of the competing interests over

land between state and society.⁴² Unfortunately, the political compromise has been made at the exclusion and ignorance of an increasingly important segment of urban society – the migrant workers. The replacement of village houses with high-rise and expensive apartments has effectively forced the migrant population out of the city centre and further marginalized the urban underclasses. Recent disturbing incidents in Hangzhou and Guangzhou of marginalized and suppressed migrant workers blowing themselves up on buses (and labelled as “terrorism” by the Chinese government) serve as alarm bells that social stability and safety in Chinese cities could be jeopardized by the continuing exclusion and marginalization of the migrant population.⁴³

摘要: 中国城市化的现有文献主要关注城市规模的扩张而较少涉猎城市内部的旧城改造。城市土地的低效利用通常被归因于土地产权的不明确。本研究基于中央政府最近在广州所试行的“三旧改造”，探讨城市内部的旧区重建。研究揭示广州土地制度改革着力于利益之分配而非产权的重新划分。土地出让收入由原来国家垄断改为与原土地使用者分享以激发其参与旧城改造的积极性。“三旧改造”虽然提高了土地利用的密度和效率，但是也加剧了对底层市民和外来人口的排斥和边缘化。研究结果质疑土地产权明晰定义是否为用地效率提高的必备先决条件，并呼吁反思现行旧城改造中无视为数众多的外来人口之生存空间的不公政策。

关键词: 城市化; 三旧改造; 土地产权; 城中村; 广州

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42 However, the actual implementation of the redevelopment of “villages in the city” has been effectively shaped by village cadres. Disputes arise and are resolved primarily because of the behaviour of village cadres. Lie De has been fortunate as its village cadres happen to be less corrupt than their peers in the villages of Tan, Xian and Yangji, all of which have witnessed serious disputes and violence.

43 In the afternoon rush hour on 5 July 2014, Bao Laixu, a 34-year-old migrant worker from Gansu province, blew himself up on a bus in Hangzhou, severely injuring 32 passengers. Ten days later, on the evening of 15 July 2014, Ou Wensheng, a 25-year-old migrant worker from Hunan province, caused an explosion on a bus in Guangzhou, killing two and severely injuring 33 others. These disturbing incidents are not directly related to urban redevelopment but they are illustrative of the threat to social stability in Chinese cities brought about by marginalization and social exclusion.

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