

Becoming CITIZENS in the inner city renewal

Shi Yunqing
CASS

Beijing in dream



Beijing in reality



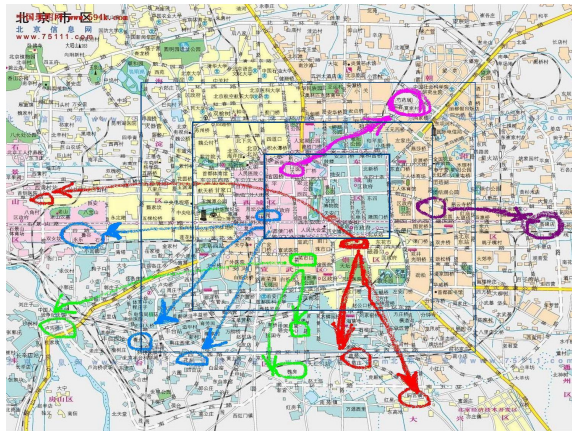
Background

- The first phrase of urbanization (1991-2000)
- Starting from inner city renewal
- Data:
 - the total size of the relocated population was 281,200 households, or 878,600 person;
 - 647,800 houses that occupied 9,155,300 square meters were demolished

Moving out of the inner City

5 districts in the inner city:

- Red: CW
- Blue: XC
- Green: XW
- Pink: DC
- Purple: CY



Demolition



Photo by Mr. Luo, the interviewee (1995)

Community for replacement



The outlook of the community

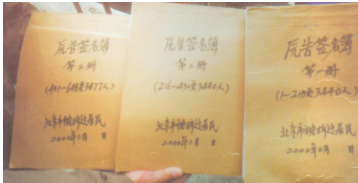
The wall inside the house

Case: the Grand Litigation of Ten Thousand Plaintiffs

On Feb 22nd, 2000, 7 representatives of citizens submitted to the Second Intermediate People's Court of City B an administrative proceeding with **10,357 plaintiffs**, suing the Municipal Housing and Land Administration Bureau of municipal B's government.

- For the first time, local people suing the government
- Largest, longest and rationalist
- Claiming for land-use rights and then for citizenship during the last 20 years

The Grand Litigation



The report letter was submitted in the 9th National People's Congress (1999)

22nd, Feb, 2000. 7 representatives of the Grand Litigation in front of the court with the plaint and the book of 10357 people's signatures.

Question

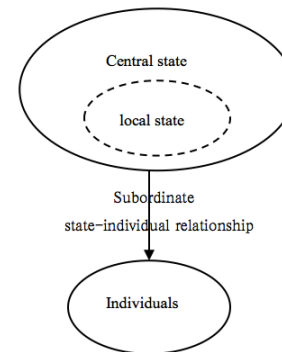
- *Chines background*
 - Nearly no tradition of civil society
 - Limited opportunities for 'legal' protest
- How could this Grand Litigation be possible in Chinese background?
 - How could it be safe? (legitimacy)
 - How could it be effective? (protesting space)

SUBJECTIVITY of actors: Self-empowerment

- Redefining "people"
 - People being evicted/ "刁 (tricky, slyness, unruly) 民 (people) "
 - *V.S. Owners of property rights/ Citizens*
- Redefining the discourse of "demolition"
 - subordinated individuals' obligation to the city development as a common good
 - *V.S. The adjustment of property relations between independent subjects*
- Self-empowerment as starting point
 - Focusing on "Rights" based on the Law
 - Making individuals an equal subject to the state

Framing: SPLITTING the state based on the law

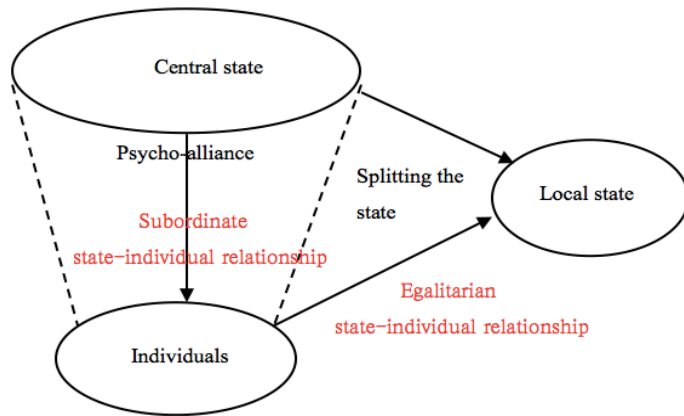
Before



Now

- Separate **policy** from **law**
- Separate local government from central government
- Separate individual officials from local government
 - It is several corruptive officials in local government that broke the law, used policy made by themselves, **betrayed central government**, thus our rights were infringed, our loss were caused and the state image was damaged.

After: Two conditions considering the state–individual relationships



Key of strategy: Multiple roles of law

- Law as the rule
 - Land use rights—property rights—citizenship
 - Rights owners & Citizens & equal subjects in Law
- Law as the symbol (of the spirit of central gov)
 - Differing laws by levels
 - *The law (policy) issued by the local government should be subordinated to the law (basic law on the land, Constitutions) issued by the central state*
 - *Defending the basic laws and Constitutions means following the spirit of central state (CPC & state council (against some corruption part of local state)*

Law as mobilization mechanism *Law learning group*



Self-empowerment
&
Safeguarding

Positive Social heritage

- Becoming citizens during movement
 - Citizen =Action— Using Rights !
 - *“The law not in use is nothing difference to paper. This is just a book. It won’t be your rights until you use it.”*
 - *“If you don’t use your rights, you are like grass. If you use your rights, you are a citizen.”*
- Citizens - equal relationship to the state
- Citizens – emergence of society

Claim: Citizens are entitled to rights

“ If there is no definition about these rights, citizenship should be indicated in **fighting for these rights**.

If there has some definition in the law already, we should **use it sufficiently**. Don't waste even a tiny piece of it. The right itself is protected by the law.

Don't expecting certain upright official come to save you. **No one can rescue you but yourself**.

But don't be so foolish to fight something illegal by doing something illegal. **We have to govern our own behavior.**”

Thank you!

shiyq@cass.org.cn

Land & House Contract



Property Ownership Certificate for House and Land

