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Squatting to end domicide?
Resisting bulldozer urbanism
in contemporary Shanghai

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Abstract

For millions of Shanghainese on the lower rung of society, the history of the great urban transformation in the city since the 1990s is written with their tears for the loss of their homes, communities and livelihood. In this paper, I argue for squatting as a straightforward, effective and potentially radical strategy to redress the displacees' suffering, to take a more active and progressive control of the violent accumulation process and to challenge the hegemonic discourse of private homeownership that underpins the rapid transformation of Shanghai's urban landscape. The argument is built upon an in-depth study of a family evicted by the World Expo 2010 and squatted in a resettlement apartment. Their framing of justice and entitlement, embedded in local cultural and moral universes, not only lends legitimacy to their squatting but also mobilises popular sympathy, both of which are conducive to effective resistance.

Zusammenfassung

Für Millionen Bewohner Schanghais in den niedrigeren Rängen der Gesellschaft schreibt sich die Geschichte der großen urbanen Transformation der Stadt seit den 1990er Jahren mit den Tränen um den Verlust ihrer Wohnungen, Nachbarschaften und Existenzgrundlagen. In diesem Beitrag begründe ich Hausbesetzungen als einfache, wirkungsvolle und potenziell radikale Strategie, um das Leid der aus ihren Wohnungen vertriebenen Menschen zu überwinden, um den gewaltsamen Akkumulationsprozess aktiver unter Kontrolle zu bringen und um dem hegemonialen Diskurs über Wohnungseigentum, der die rasche Veränderung im Stadtraum Schanghais untermauert, entgegenzutreten. Die Argumentation gründet sich auf eine eingehende Fallstudie einer Familie, die durch die Weltausstellung 2010 aus ihrer Wohnung vertrieben wurde und daraufhin eine Umsetzungswohnung besetzte. Deren Auffassung von Recht und Anrecht, die auf lokal bestehenden kulturellen und moralischen Vorstellungen beruht, verschafft nicht nur der Hausbesetzung Legitimität, sondern mobilisiert zudem das Mitgefühl der Mitmenschen – zwei wesentliche Voraussetzungen für wirkungsvollen Widerstand.

Keywords Domicide, bulldozer urbanism, popular resistance, squatting, Shanghai

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1. Introduction

In May 2012, a family displaced by the World Expo 2010 broke into an empty apartment in Sanlin Expo Homeland, a planned resettlement neighbourhood to rehouse the Expo-induced displacees in Pudong District, Shanghai. Well aware of their trespassing, the couple, however, was determined to squat in this apartment and make it their new home. Unsurprisingly, they were soon harassed and evicted by the police force and grassroots organisations in alliance with the developers. On the day of eviction, several dozens middle-aged protestors rallied to lend their support. They gathered in front of the apartment building and blocked the entrance, in direct confrontation with the eviction crew. They passionately sang 'The Internationale' and 'Solidarity is Power', songs that in revolutionary times were used effectively by the Communist Party of China to mobilize the populace and construct its mythology (see *Perry* 2012, *Qin* 2013). The gathering of the protestors, their ritualistic performances and the escalating tension at the scene attracted many residents and passers-by in this neighbourhood. The eviction was temporarily halted that day, partly because the eviction crew wanted to avoid fuelling the tension or causing any 'mass incidents'.

Before I left Shanghai, the couple managed to stay put in this squatted apartment. I maintained regular contacts with them for a few months from Edinburgh until I was alerted by irregularities in my communication to China which caused worry about the possible consequences of further correspondence. Without knowing the outcome of their defiance, it is analytically challenging to evaluate the effectiveness of squatting to resist land grabs in China. Such challenge notwithstanding, I suggest that the process of this couple's fight as it had unfolded can cast light on lay normativity of housing and citizenship. A careful examination of those issues can contribute to the debate on changing state-society relations and durable domination in late socialist China (*Lee* and *Zhang* 2013, *Nathan* 2003).

Of course, the squatting under examination here is quite different from squatting movements in European cities (*van Schipstal* and *Nicholls* 2014, *Van der Steen* et al. 2014, *Holm* and *Kuhn* 2011, *Vasudevan* 2011, *Chatterton* 2002). Although supported by many protestors and bystanders, in character it is an individualistic and desperate act in this case. The agenda is political but modest and practical. It does not seek to create an alternative space, wherein an autonomous form of urban life is experimented with, emerging as an exception to the production of space under capitalistic logic. Neither does it seek to build networks and alliances to grow into ever-stronger social movements. This squatting is also different from the "informal" settlement typically associated with slums in the Global South (*Davis* 2006) in that the property within which this couple squatted is a brand-new apartment rather than empty land or dilapidated, abandoned, makeshift physical structures. To a vast segment of the Chinese society, this kind of matchbox apartment is the very symbol of home ownership in late socialist China (*Zhang* 2010). In this sense, it does not square well with the makeshift approach to housing needs (*Vasudevan* 2014). By highlighting these differences, the intent is not to add a new type of squatting (*Pruijt* 2013), but to lay bare the political limits. But, given the authoritarian context of China, I wish to emphasize the significances and possibilities of squatting as a new avenue of "immediate struggles"(*Foucault* 1982: 780) against repressive land-centred accumulation, in subverting hegemonic ideologies and practices of private property, and proactively democratizing the production of space (*Harvey* 2008).

The empirics of this paper are derived from a six-month ethnography of the Expo-induced displacement in Shanghai in 2012. The squatting couple is among over one hundred displacees I had the great fortune to work with. I choose their case to give a proper textual afterlife to their resistance, which can cast light on not only the times we live but also possible ways to fight against it. The paper dwells on their oral accounts collected on various formal and informal occasions. Their narratives were supplemented by accounts from the witnesses to June's eviction, the protestors, their former neighbours, their petitioning materials and administrative orders. Built on a single case study, this paper seeks what *Burawoy* (1991: 281) underscores as societal significance rather than statistical significance, which is concerned with whether the story of this couple can tell us more "about the society as a whole rather than about population of similar cases".

The experience of this couple is both exceptional and ordinary. It is exceptional in two senses. First, compared to most displacees who surrendered easily after a short fight, they fought extremely hard to defend their home but eventually they were forcibly evicted and embarked on the long journey of seeking justice. They represent what *Flyvbjerg* (2006: 229) calls an "extreme case". Their experience is remarkably informative. It is an excellent case, capable of offering an overview of state agents involved, the exercise of power

and "legitimate" rules throughout the entire business of displacement and resettlement. Second, their act of squatting signifies a noteworthy break with usual resisting tactics of the dispossessed in China's context. The significance and implication require thorough yet cautious deliberation. On the other hand, their experience of losing their home is nothing but ordinary. The way they lost their home and the mixed feelings of powerlessness, indignity and grief resonate easily with the testimonies from other displacees I worked with. Nor do their discursive and non-discursive resisting tactics before squatting deviate significantly from usual modalities of resistance widely discussed in the existing literature (*Qin* 2013, *Hsing* 2010). Admittedly though, their life histories as second-generation migrants in Shanghai further dramatized the process of displacement. The intensity of their pain is outside the normal range of other displacees.

The remainder of this paper will first contextualize the Expo-induced displacement against the backdrop of rapid structural changes in China. This is then followed by the experiences of serial displacement, or domicide, of this squatting couple. Coined by *Porteous* and *Smith* (2001), domicide refers to the destruction of homes by external actors which causes suffering to the victims. Whilst the mechanisms causing domicide abound in the existing literature, our knowledge of how it is actually lived and felt is rare (*Porter* 2009). However, in relaying their domicide experience, I shall follow the path of critical geographical study of home (*Boo* 2012, *Brickell* 2012, *Blunt* and *Dowling* 2006), seeking to unravel the interplay of wider power relations, process and actors in constructing such experiences. I will also pay particular attention to the framing of legitimacy, entitlement and justice underpinning this couple's numerous fights, which culminated in their squatting in a private apartment. Their framing amongst other contentious strategies is deeply embedded in Chinese culture, local moral universes and popular imaginations of state, and is constantly and sometimes contingently shaped by perceived political opportunities in contentious encounters. Based on this, I propose a more nuanced and reflexive reading of property rights activism in contemporary Chinese cities (contra *Shin* 2013).

2. The Expo-induced displacement and bulldozer urbanism: unlocking the goliath

Over the last two decades, millions of Shanghai families have lost their homes and communities to the grand city building project. This was a result of a comprehensive programme of commodification and privatisation. As flawed consumer subjects, those displaced residents had limited choice but to move further away from the inner city, allowing the rent gap created by the shift of the accumulation regime to be reaped by the coalition of politicians and developers (*Smith* 1979, *Wu* 1999). Commodification and speculative land development also trigger waves of Polanyian counter-movements (*Shih* 2010, *Qin* 2013, *He* and *Wu* 2005). Those resistances, however, are mostly sporadic, localized and tame; and in many cases atomized and bodily. None of them seem to be capable of bringing about any meaningful institutionalised compromise to protect the social fabric from complete destruction. Despite escalated tensions triggered by structural changes of economy and society, popular discontent does not seem to fundamentally challenge the power structure and the party-state, leading to massive social instability in China for the foreseeable future. The question worth pondering is, why?

Whilst a large body of literature on urban transformation in China may shed light on this question by their pertinent analysis of institutional changes that lead to the dominance of political and economic elites (*Wu* et al. 2007, *He* and *Wu* 2009), it falls short of explaining the durability of their dominance. To this end, our analytical lens must also incorporate the mechanism that contains and suppresses popular grievances, particularly through the manipulation of citizenship. At the heart of this inquiry is the rapid reengineering of the state. Here, I am inspired by *Bourdieu's* (1994) conceptualisation of the state and *Wacquant's* (2012) extension of *Bourdieu's* thoughts to statecraft under neoliberal capitalism. For *Bourdieu*, the state is a bureaucratic field where social conflicts most intensively unfold. In contemporary times, struggles are reflected in the polarisation of masculine right hand (e.g. financial department, police bureaus etc.) and feminine left hand (e.g. welfare, education etc.) and the dominance of the former over the latter. Following on from *Bourdieu*, *Wacquant's* recent work brings to the fore the penal wing of the state in securing capital whilst producing massive insecurities for the lower rung of society in advanced capitalist economies. A Bourdieusian frame is particularly useful to carve out state restructuring in China. Similar changes are discernible. The durable dominance of predatory bulldozer urbanism is secured by orchestrated efforts of two interrelated wings of the state apparatus: The developmental wing wipes the land clean for speculative development through

creatively destructing and reconstructing regulatory frames and setting new rules of game; and the penal wing alerts to the insurgency of the dispossessed and to maintain the façade of a harmonious society.

On the developmentalist side, several crucial institutional changes must be registered. First, the land reform removed ideological obstacles for speculative land development by separating Land Use Right (LUR) from land ownership, and allowing LURs to be exchanged in the nascent land market. This has triggered intensified competition between what *Hsing* (2010: 34) calls "socialist land masters", namely territorial state agencies (de jure owners of land within their jurisdictions), and functional state agencies (de facto owners of land within their turf). This was a legacy of the socialist command economy under which land was freely allocated to functional agencies that operated as fortresses within the jurisdiction of territorial states. These new rules of game led to the emergence of 'black land markets' (*Lin* 2009) where de facto owners capitalise on the land under their control. However, the turf war in general has been played to the advantage of the territorial states through projects of rationalising urban land use or beautifying the city, backed up by the rationalising force of land law.

If land reform aids speculative development by transforming land into a fictitious commodity, housing reform assists it by manufacturing a huge demand to consume the newly built housing stock. Housing is no longer an essential part of socialist welfare to reward loyalty to the ruling regime. It is a commodity, the needs of which are to be satisfied mostly through competitive purchase in the market. As real wages of most workers lag behind the growth of housing prices (*Zhang* 2000), the newly built commercial property is beyond the reach of most workers. Privatising existing public housing stock benefited mostly the upper rung of the local society, consolidating and exacerbating inequalities under existing socialism. The displacees therefore constitute an indispensable segment for the sudden surge of demand, concealing the property bubbles in the market (*Haila* 1999). Meanwhile, citizenship also became a fictitious commodity, closely tied up with the purchase of newly built apartments for outsiders of Shanghai through the introduction of the blue-seal hukou in 1994. Although this housing for citizenship programme was rolled back in the early 2000s, unobstructed full citizenship remains hinged on the ownership of a private housing in the city (*Li* et al. 2010).

However, the state is not simply a handmaiden to the developers, exercising power through its monopoly of land supply. The state proactively participates in speculative land development through the creation of state-funded development companies. At a time of tight government budget, proceeds from speculating land development provide state bureaucracies of different functions and at various levels a source of incredible income (*Duckett* 1998). The lure was further fuelled by administrative decentralisation and tax reform, granting significant autonomy and power to local states. Most taxes and value from land development can be retained at the local level. What makes real estate development a much more appealing political preference is GDPism and cadre evaluation system. "Hard", quantifiable, measurable, short-term and visible truths, reflected either in Statistical Yearbooks or in the built environment, become the most convincing evidence of elite politicians' achievement and stepstones for their career (*Keith* et al. 2013).

On the penal wing, through dealing with popular resistance on a massive scale, the state apparatus has also strengthened their capacity and learnt various ways to effectively neutralise social discontent and pacify social unrest. Divisions created by old and new institutions are in place to preemptively avoid cross-class or cross-locality insurgency from uprising. The lingering hukou system categorises the population into agricultural and non-agricultural hukou holders with stratified access to social welfare, and cultivates different views of the state (*Chan* 2009). In terms of land, the distinction between collective ownership of land in the countryside and state ownership of land in the city – at least in law, sets different rules for land development. This picture is complicated further by the geographical and jurisdictional boundaries of various agents of the state. The stratified tenure structure produced by the housing reform also creates formidable obstacles. In the event of displacement, a land parcel slated for a wholesale destruction may be occupied by residents with diverse hukou status, housing tenures and land ownership, stratifying their rights to resettlement. Indeed, these divisions might not be institutional design by intention. Yet, the piecemeal process of displacement and the controlled supply of information in practice can easily create more cracks within the displacees. In order to speed up the displacement process, the bulldozer regime also practises selective and expedient inclusion of formerly excluded population, for instance, spouses of local citizens. The upshot of the old tactic of divide and con-

quer is that displacees can be easily atomized and the possibility for collective action is further restrained.

The recourse to justice is also blocked by a corrupted legal system wherein politics rules over law. The understaffed and ineffective petitioning system on the other hand, instead of resolving social grievances, in practice gives rise to a violent, repressive *weiwen* (social stability maintenance) regime. The high volume of registered cases reflects poorly in the politicians' report cards. Therefore, material and symbolic concessions are frequently made to temporarily accommodate social grievances (*Su* and *He* 2010, *Cheng* 2013, *Lee* and *Zhang* 2013). In other cases, frequently passing the displacees between different agencies is also a popular, efficient and effective tactic to teach them to become patients of the state (*Auyero* 2012). More often than not, however, the *weiwen* apparatus with a huge contracted army of security personnel does not hesitate at all to resort to pure physical violence. Black jails, illegal detention, bodily assaults, forced 'lawful' petitioning sessions and alike are crucial to mute and tame determined petitioners (*Qin* 2013).

Against this background, it is perhaps not surprising that massive resistance was almost absent in a project that entailed the wholesale destruction of 5.28 square kilometres of built structures on the waterfront of inner Shanghai within the short span of two years. According to the understated official account, over 18,000 registered households were displaced. This official accounting exercise does not include many migrants who sought cheap accommodation but had no local hukou in the demolished neighbourhoods. In fact, renters of private properties, irrespective of their hukou status, were excluded entirely, and even those renters living in public housing were at the mercy of the socialist land masters.

Similar to the complex hukou status of the displaced population, land ownership is also complicated. It was under fragmented control of functional states, rural collectives and three district governments. Amongst them, two giant state-owned enterprises are most prominent, Jiangnan Shipyard and Shanghai No. 3 Iron and Steel Plant, who occupied more than 40 per cent of land on the Expo site. The steel plant, on the east bank of the Expo site, besieged many neighbourhoods through several rounds of land appropriation. In exchange, it allowed residents to freely access collective consumption facilities such as cinemas, libraries, basketball courts, hot water supplies and many others, irrespective of their association with it. It also offered employment opportunities to many residents at their prime working age. It is therefore not unusual that two or three generations of a family worked for this plant before the massive lay-offs caused by structural reforms and the Expo-induced relocation. Such paternalistic relations and dependence are much stronger for many workers who came from outside Shanghai and took over the positions of their parents. They lived in the factory dormitories paying nominal rent. On many aspects, the east section of the Expo operated like a quasi-*danwei* (work unit) compound, a fortress, in competition for power with the municipal government (see *Bray* 2005).

The squatting couple I will introduce lived in one of the plant's dormitory buildings. They were caught up in a double marginalisation by hukou and housing tenure status. After a long see-saw battle with the eviction crew, they lost their fight to stay and were put under house arrest in a hostel to make way for the planned construction of the Expo pavilions. Thereafter, they embarked on a painful journey of seeking justice and lived precariously.

3. Meet Xiaoli

3.1. Losing home: second-class citizens and violence

I first met *Xiaoli* in the squatted apartment a few days after June's eviction. A recurring word in *Xiaoli's* narrative of grievances is dignity. The life of her family has been reduced to what *Agamben* (1998) calls "bare life", a form of life that is deprived of any rights, valueless and sacrificable. Eviction and systematic harassment robbed their family of a most essential means for survival – their home. Borrowing the glyphomancy of the Chinese character of home (家), *Xiaoli* remarked on the importance of the materiality of home, "Chinese people emphasise home. The old saying *an tu zhong qian* (attached to one's native place and reluctant to move) is rooted in our language. With a roof on top of your head, you have a home. After all these years living roofless, we now finally have a roof above our heads".

Despite her rather ambivalent experiences of their old home and neighbourhood – crowded, lack of modern conveniences, close proximity to industrial pollution – *Xiaoli* endured such distress out of the rationality of a lesser evil: "a better living environment is a luxury to pursue in life" when more urgent basic

needs of survival had to be met. She added, "We were fortunate to have a home before they demolished it. However poor, however crowded, however inferior, at least, we were under a roof. For the poor, this is a matter of survival." The matter of securing a place to live perhaps was even more acute for her family due to existing socialist inequalities, reinforced by the construction of a "socialist market economy". *Xiaoli's* husband *Chen,* after being discharged from the army, took over his father's job position and his only legacy – the dormitory in Shanghai. Their distressed housing conditions in the transition era instead of giving them leverage to access welfare housing became their disadvantage. After all, they were sheltered under a roof. For the same reason, they were also excluded from monetary housing subsidies. The cancellation of in-kind housing benefits in 1998 against the background of a speculative property market in Shanghai since 1990s chained them to this dorm room.

Xiaoli's sense of indignity was also a product of an indecent society that arbitrarily classifies citizens and conditions the access to citizenship rights based on prescribed institutional identity. Despite her long residency in Shanghai, her strong identification of herself as Shanghainese and her marriage to a Shanghainese, institutionally *Xiaoli* was excluded due to her husband's *jiti hukou* (collective hukou registration). Since the relaxation of the hukou regulation, a hierarchy of hukou status has been firmly established to lubricate the flow of capital (see *Li* et al. 2010) and preemptively avoid social unrest (see *Chuang* 2014). The collective hukou has been an overlooked category in this hierarchy. It is typically offered to non-local inhabitants who have a job without their own apartments in the city. They can register their hukou either with their work units provided the work units are either state-owned enterprises or public institutions; or at a human resource management centre. It entitles the holders almost full access to social benefits and public services but also creates formidable obstacles, especially when the holders start a family. *Xiaoli's* husband, originally an outsider of Shanghai, registered his hukou at the steel company. For this reason, *Xiaoli* cannot register her and her son's hukou in Shanghai despite their deep roots in the city. The usual marriage test for acquiring Shanghai citizenship does not apply in her case. Her son was not able to access public education on an equal footing with local citizens, either. The only possibility for them to become Shanghai citizens is to purchase an apartment. *Xiaoli* commented, "I have been living in Shanghai for almost two decades. I am more Shanghainese than those young Shanghainese. Only the hukou says I am not Shanghainese. I cannot freely change my hukou. This is the law of our country. This is a strange country. We are all Chinese. It divides people into different ranks and grades. We are the second class citizens here."

For this reason, fairer resettlement – the chance of getting a resettlement apartment in particular – was their last straw to secure a foothold and obtain full citizenship in Shanghai. But this was denied by the arrangement of Expo-induced displacement. Although the couple were extremely discontent with the hukou institution, and occasionally cited the Chinese Constitution to delegitimize it, they never made the hukou explicitly central of their fight in legal or extra-legal means. What the couple contested most was their status as Expo-induced displacees of equal footing to local permanent hukou holders, eligible for resettlement compensation of the same standard. Tame as this may appear, the call for equality in fact puts the necessity of the existence of the hukou distinction into question.

The organisation of displacement is another major source of *Xiaoli's* anger and grief. The Expo-induced displacement was announced in 2006. Due to the distinctive status of the steel company and the dorm residents, the Expo regime downloaded the responsibility of resettlement to the steel company and walked away after writing the company a handsome cheque. No transparent, fine-grained guidelines were in place. Nor was there any supervision of the resettlement processes. The steel company dominated the whole process of displacement. *Walder* (1986) coined the term organised dependence to describe the socio-economic, political and personal dependence of the workers upon the work units and the management due to the latter's monopoly of livelihood resources. For those dwellers in the dorm, such dependence hit them profoundly. Their reliance on the steel company for employment and collective consumption facilities undermined the potential for collective action. The steel company was only willing to provide alternative accommodation in shabby rooms converted from a factory workshop and abandoned classrooms from a vocational school. A worker who accepted the deal bitterly resented, "Do you think I honestly want this? My job is here. Back in my hometown, I only have remote connections with relatives. Here in Shanghai, this is my only residence. What if I lose my job? Where would I go?" Personal relations developed with the management over the past also became a source of

repression. A neighbour of *Xiaoli* recalled, "The manager and his associates invited me to a banquet. We drank and talked a lot. Afterwards, they invited me to sauna. It was all in a friendly setting. Then they brought up the issue of the resettlement deal. Do you think I can decline after all these?"

What scared a majority of the dorm dwellers from joining forces were the handcuffs of security personnel and a crowd of gangsters. *Xiaoli* recollected, "The police was on their side. Many of us used to fight together. A few were arrested by the police. Over time, fewer and fewer dared to fight. We had to stay at home all the time. If we left to shop for food or something, they would just break in, smash the windows, pack our belongings and throw them away. You know what is worse? They even brought a wolf to our little yard. My neighbour's son was four years old. It scared the hell out of him." However, *Xiaoli* was not easily put off. She fought to stay put against the odds. After the water and electricity had been cut off and the destruction of the buildings had started, *Xiaoli* cooked food on a small pot over a small fire lit among the ruins. "I was back in a primitive society. But, what else could I do? "

Worse still, the couple were never informed of the exact timing of the forcible eviction. Waiting for eviction was much more dreadful than the actual moment itself. It implies submission. Being made conscious of the passage of time is a most frustrating reminder of being powerless (*Bourdieu* 2000). It is a process lived with high levels of anxiety, uncertainty and fear. *Xiaoli* denounced the experiences of waiting to be evicted, "If they wanted to evict us, then do it. They left us in darkness. Our nerves were frayed all the time. It was torture". When the eviction crew finally came, the couple were removed by armed force and sent to house arrest in a hostel. Their belongings were packed carelessly and never returned. After the eviction, they have been homeless. Sometimes, they lived on the street. Sometimes, they stayed in a rented shabby room, facing the threat of eviction again. For critical geographers of home, home is an extension of our body, and the materials, things and objects we use, place and make to create a home are crucial for our sense of being in the world (*Somerville* 1992, *Blunt* and *Dowling* 2006). Seeing in this light, it is perhaps understandable that *Xiaoli* shares with many female displacees that the experience of eviction, uprooting and losing homes in the Chinese style is akin to that of rape or cutting off a piece of flesh from the body.

3.2 Fighting back: "This is not squatting. I only take back what belongs to me!"

For *Xiaoli*, the name of the resettlement neighbourhood, The Expo Homeland, lends legitimacy to her family's squatting. "This is called the Expo Homeland. It is planned to resettle the displacees from the Expo site. We were one of the displacees. I am not breaking into an apartment in a wrong place. We belong here." By appropriating the name of the resettlement sites, *Xiaoli* also identified with a community consisting of the Expo-induced displacees and constructed the resettlement site as a shared space of the displacees instead of a fortress divided by individual private property owners. Politically and culturally savvy, *Xiaoli* framed their squatting as "taking what belongs to them back". For her, those private apartments were built with the money made from the development of land where her home used to be. It is therefore only natural, logical and fair to reclaim a piece from this designated land plot, if market principles are to be uphold. In their view, breaking-in or trespassing is a tactic learnt from the best teacher – the state-led accumulation regime. *Xiaoli* sarcastically commented, "The Expo was not entirely following the legal procedures. The Expo pavilions were the biggest *weizhang jianzhu* (illegal building structures). Some households still had land certificates in their hands. The state took their land and demolished their homes anyway before the agreement of resettlement offers." Respect and protection of private property rights apply both ways, as they understand it.

Her strong sense of entitlement was engendered by the belief in their ownership of the demolished property. This is also mixed with the sentiment of entitlement and grievances as victimised socialist workers. According to her, the dorm building was constructed with a special housing fund to house workers of the steel company, like her father-in-law. The standardisation of property rights since the reform may have deprived them of the ownership title, but the housing practices, as family legacies and inheritance from her father-in-law, led the couple to contest the ownership of the dorm. "Two generations lived in this dorm and worked for this factory. We owned it." In their petitioning letters, they pointed out housing inequalities exacerbated by the housing reform and petitioned to the central state to amend socialist contract with the working class. "His father (*Chen's* father) worked for the factory for his entire life. What did he get in the end? Nothing. He inherited this

dorm from his father and worked for the factory as well. He was laid off in the 1990s. We never received any housing benefits, despite our difficulties after he lost his stable job, we did not complain but move on and get by. They not only ignored all our sufferings in the past but also cut open new wounds."

Whilst continuity is sought by the communist party in writing the history of socialism, as we can see in *Xiaoli's* testimony, it also provides legitimate vocabularies and grammar to incarcerate the party-state in their own words (also *Lee* and *Yang* 2007). Maoist China was frequently used selectively as a referent to negate the present. "No matter how poor we were *laobaixing* under Mao, our life was stable. There was no one who dared to rob you. It kept *laobaixing* under a roof at least. Nowadays, it is all in chaos. They can even just walk in, rob my home and leave my family to die on the street." The romantisation of Maoist China also encouraged *Xiaoli* to join her peer petitioners to gather peacefully around the Tiananmen Square, sometimes out of their frustration with the bureaucracy and sometimes as strategic moves to strain the nerves of the leaders. The outcomes, however, have always been rather traumatic. Officers from Shanghai would come to escort her to black jails in Shanghai. Indeed, it is unlikely *Xiaoli* has any direct experience or an in-depth knowledge of life in Maoist China. Yet, such imagined Maoist China became a crucial cultural resource for political mobilization, similar to what has been noted in labour insurgency elsewhere (*Lee* 2000). As *Lee* (2000) points out, at issue here is not the accuracy of such memetic accounts but the alternative vision they provide for the disfranchised to understand, question and challenge the legitimacy of the present.

The status of *Xiaoli's* husband as a demobilized soldier also reinforces their rhetoric. "Our family made such a huge sacrifice for developing our country. My husband protected our country. They now claim that our problem is a product of history. The communist party is still in power. It is not a different party. Solve the mess then." Such radical comments however can hardly be found in formal petitioning materials. Through constant wrestling with arcane bureaucracies and the justice system, *Xiaoli* and her husband learnt a great deal about practising "rightful resistance" (*O'Brien* and *Li* 2006) and "weapons of the weak" (*Scott* 1985). They are adept at gauging the political openings and power dynamics. Direct confrontation with state agents is consciously avoided to prevent physical harm whereas a war of words and formal petitioning

through legal and administrative channels are more common strategies. In their fights, they conceive the state as peopled, incoherent and layered, fraught with tension and conflicts, rather than an abstract, coherent and impersonal entity. This conceptualisation also influenced their spatial strategy in pursuing justice through different channels under diverse circumstances. Despite their disappointment with the central state, they maintained a hope to find the central state as their ally. *Xiaoli* repeatedly visited Beijing in the hope that the "impartial" central state would eventually reign in the local officials who went rogue.

In the petitioning material they submitted to the central government, apart from deriving legitimacy for their claims through contesting socialist legacies, they also borrowed vocabularies from the legal lexicon. In one letter, they made a significant concession, distinguishing use right from ownership to the demolished dorm. They petitioned for monetary compensation based on the use right to the dorm. Without substantially challenging the substance of justice or codified rights, they stuck to and strictly demanded procedural justice. This is of course at risk of being absorbed in the bureaucratic logic and may contribute to the durability of their suffering. But this is an expensive lesson they have learnt from many struggles, reminded by the scars on their bodies from excessive force. In *Xiaoli's* words, "It is normal to lose when you are suing the state in court. But the law has to be respected. They can disobey the law but we cannot. You need to protect yourself first before putting on a fight. Leave them no excuse to punish you." *Xiaoli's* rightful resistance however was not confined to codified laws. Repeatedly, she petitioned for protection of her human rights to life, freedom of speech, association and demonstration, and of her reputation. By illegal detention, forced education on 'lawful' petitioning and violation of her body in contentious encounters, she and her husband were deprived of their inherent rights as humans and cultivated more radical consciousness of what is just and right.

Less contentiously, *Xiaoli* told me that she usually "reasoned" with them. By "reasoning", she was in fact narrating the suffering of her family, seeking resonation of a rudimentary, common moral sensibility of human decency. Attempting to seek sympathy in such encounters must be seen as a public announcement of her submission to the state power. The reliance on emotional labour, inter-subjectivity and moral truism of human decency adds great pressure to the public officers who on those situations embody state power to

act on behalf of a benevolent state and to restore the paternalistic relationship between the party-state and wounded socialist workers/victims of a predatory growth machine. Although it does not always work, this tactic fended off the "bad tempered" policeman who came to evict her family out of the squatted apartment. "He was really hostile when he came in. We just told him our experiences of eviction and living homelessly and precariously over those years. We need a place to survive. In today's China, dying of hunger or homelessness is a joke." *Xiaoli* believed that the gravity of her family suffering elicited the policeman's sympathy and compassion, and he left them in peace.

The appeal to human decency and her adherence to the social nature of the state also led to her understanding of the tensions experienced by some bureaucrats, and thereby the differentiated spatial strategy of her activism. As *Xiaoli* revealed, the idea of squatting in this apartment was in fact advised by an insider of the political establishment who had an acute sense of justice but limited political power. With those compassionate officers, the couple considered them as allies to learn from. Of crucial value is their political knowledge of the boundaries and effectiveness of contentious repertoires, and their access to policies and inside information. According to *Xiaoli*, the inside informant sensed the opportunity of squatting on the grounds of survival and the conflicts amongst socialist land masters. This was weighed against calculated risks of eviction and violence. Yet, the success of another squatter of a similar situation was an encouraging precedent to muddle through the grey zone. With those indifferent or hostile officers, the couple stuck to the bottom line of the law. Although they never won a case in court, their disappointment with the legal system does not prevent them from using the law but only guides them into more informed actions (also see *Gallagher* 2006). *Xiaoli* grew from an illiterate woman to a minor legal expert. In reply to my interest in her studying law conscientiously, she commented, "Do not underestimate activists like me. Some of us are better than legal practitioners. They read law before practising it. We read whilst practising it. We learnt from our failed battles. Many texts do not work in reality. You need to locate the contradictions in different legal texts and the weak and grey areas."

In justifying their squatting, the *Xiaoli* couple draws from a wide range of discourses. Many of them are framed to underscore the identities of their family members as loyal socialist workers, demobilised soldiers and law-abiding citizens, to contest the legitimacy of rules of displacement and arbitrary hierarchized citizenship, and to petition for fair compensation. Those are simultaneously claims for recognition and redistribution (*Fraser* 1995). Embedded in lay normativity and cultural norms, many claims also powerfully denounce predatory land-centred accumulation. It is unjust not simply because of the obvious violation of codified laws but, more importantly, because many practices exceedingly assault moral and cultural norms. Whilst the illegality of the eviction remains central to their struggle – a strategic compromise rather than a preference – it is the moral norm of respecting and treating others as humans that undermines the legitimacy of the party-state more profoundly. Such a moralising discourse is also conducive to mobilising empathy, compassion and support from the local community and society at large. I asked a few residents, property owners, inside the Expo Homeland about their view of squatting in their neighbourhood. One comment perhaps is most germane, "the government pushed them too hard. How could you push someone into such a desperate position?" Interesting to note here is the personalization of the state as in the use of "you". This assumes personal exchanges between the couple and the state, the guiding principle of which is respect and humanity.

4. Concluding remarks: spaces of hope?

Over the last two decades, the urban revolution in Shanghai has razed millions of homes to the ground. For sure, distinctive relocation arrangements did not put millions of local citizens on the street. But the fate of most displacees was contingent on the arbitrary decision of inclusion/exclusion in resettlement programmes and the endless bargaining between the uprooted and the bulldozer crew. For those excluded, either due to second-class citizenship or the contested claim of ownership rights to the property, their hope to secure a place to live is at the mercy of the growth machine. Despite the repeated effort from Beijing to contain social unrest caused by land grabs, it remains ineffective to keep the land-centred accumulation regime in check given the vested interest of the local state in land development. Whilst the law, especially the enactment of the Property Law in 2007, certainly becomes a legitimate weapon for the dispossessed to fight back and seek justice, when the state is the predator, however, the chance for the uprooted to legal justice is slim, albeit not entirely impossible. In 2010, the Shanghai

government announced a new policy, rejecting hearings for petitioning cases that have been closed, regardless if justice has been served. This makes injustice suffered by the victims indefinite. The squatting couple offered an encouraging example to redress their grievances through direct actions rather than hopelessly and endlessly waiting for everything to come from the state. The shared cultural and moral norms of basic human decency support powerful claims of legitimacy of squatting. The issue of legitimacy is particularly important here because one grave challenge for grassroots activism in contemporary Chinese cities is the threat of prosecution and punishment for overly pushing the limits of tolerable repertoire. The appeal to decency on the one hand seeks resonation in a popular, practical sense of justice; whilst on the other hand, in charging against the party-state led land-centred accumulation regime, it strategically derives legitimacy for squatting and other forms of resistance through the Communist Party's own legitimatising discourse of benevolence. Hence, there is a potential for success to practise squatting on a larger scale.

The significance and the use of squatting, however, should not be limited to actively redress personal grievances. Displacement and resettlement must be seen as crucially important components in constructing and promoting private home ownership and private property rights. Displacement reassembles and privatises the land and housing, which are frequently under competitive claims of ownership. To avoid social unrest, resettlement housing as a part of a compensation package is often sold to the displaced at a discounted rate with full entitlement to private property ownership. In this sense, displacement and resettlement reassign, standardise and reorganise the property rights regime. Breaking into an empty apartment planned for the displaced and squatting inside therefore is sabotaging the very construction of the dominance of private property rights.

Moreover, squatting in a private apartment can be seen as a public announcement of open defiance. Although the agenda is quite modest, the very act of breaking into a newly built private apartment is very radical. Squatting could have led to immediate, excessive violence and other consequences. The public act of squatting therefore proactively and courageously asserts the right to inhabit the city in an authoritarian context. It goes beyond "rightful resistance" or "rule consciousness" (*Li* 2010) that is typically associated with urban activism in contemporary Chinese cities.

Individualistic as this case might be, nevertheless, the support this nascent form of resistance receives from the general public and bureaucrats inside the government, and the absence of immediate repression against it, shows the potential of squatting as a collusive act to widen the openings of political opportunity structure and claim back the city.

Furthermore, squatting also demonstrates possible routes for other dispossessed to collectively take control of the production of space. Resettlement housing is usually planned and constructed in a most cost-effective way by the technocrats, with limited contribution from the displaced. Whilst the Shanghai Expo endeavours to explore the ingredients for a better city and a better life, the Expo Homeland, with a modernist façade, failed on every account to become Shanghai's answer to the Expo theme. Lack of public space for socialising, for ritualistic practices, for other public events and activities were amongst major complaints from the displaced I interviewed. Many displacees proposed to knock down the doors of many empty apartments and appropriate them for different uses. For public or for private interest, trespassing signifies alternative popular visions in asserting more control in the production of space.

What else can we learn from the couple's struggles, theoretically and practically? First, the experience of this couple's activism vouches for *Gill's* (2010) call for a consequential approach to study the state. The view of the state as peopled and incoherent has profound implications for activism. For one, such a peopled view of the state can contribute to the construction of a competing value system, deriving power and legitimacy from social norms and common-sense morality in guiding human interactions and social conducts. For another, contentious claims based on a peopled view of the state can exacerbate the tension between person and persona within the bureaucrats and thereby ally with the most impossible actors and fight for justice with their assistance from within.

Second, those diverse, entangled normative discourses the couple and their supporters used show that legitimacy anchored in human decency is as important – if not more, as legality in denouncing predatory land centred accumulation. As we have seen, in most cases, the rights the couple asserts are not codified or sanctioned by the law but are rights that are firmly rooted in very rudimentary principles of justice, ethics and morality. However ineffectively for now, the contentious claims are in fact constructing a competing value

system against the hegemonic economistic view that prioritises the exchange value. Such a competing value system tells us what truly matters to the displacees. It deserves recognition and respect. As point of departure, it can contribute to normative debates and may grow into a counter-hegemony over time.

Third, the experiences of this couple also show the complexity of contentious claim-making in public, which is contingent on concrete power-laden situations (*Scott* 1985). A tamed framing through legal vocabulary or legitimate grammar may be a strategic appearance based on perceptions of political openings and power dynamics in contentious encounters. It is on this point I disagree with *Perry's* (2008) diagnosis of the political conservativeness of contentious actions in China which, she argues, is a product of Chinese political culture that encourages the link between livelihood and rights and thereby contains contentious claim-making and poses no real threat to the ruling regime. It is also on this point I challenge *Shin's* (2013) judgement of property rights based activism as overly conservative derived from his reading of right claims of the displaced in hypothetical situations and his retreat to *Perry's* explanation of Chinese political culture. What may refine the analysis of both is to put contentious claim-making into concrete situations. The layered meanings of contentious claims also call for greater cultural sensitivity and reflexivity in interpretation to avoid imposing the scholarly views.

Acknowledgement

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