

The way that *jieceng* is increasingly spatialized and performed in the cities of post-Mao China reflects a global trend toward the privatization of space, security, and lifestyle in the neoliberal era as states are passing on more and more of their responsibilities to private entities and individual citizens. Increasingly, upper- and middle-class families in the United States and Latin America, for example, are being drawn into what Teresa Caldeira calls “fortified enclaves”—privatized, enclosed, and monitored residential spaces—to pursue comfort, happiness, and security.³⁰ As people retreat behind gates, walls, security guards, and surveillance cameras, spatial segregation and social exclusion are intensified.³¹ The fear of crime and violence and the right to protect private property are often used to justify these moves. But social exclusion based on such spatial practices is not only eroding public space but also giving rise to new forms of social differentiation through the explicit act of living and staging.

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2. Property Rights and Homeowner Activism in New Neighborhoods

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The idea that private property forms a basis for freedom and empowerment is deeply rooted in the Western liberal tradition. John Locke famously believed that the right to property was so fundamental that government's primary purpose was to protect the individual's claim on his possessions; moreover, only the possession of land and goods (“estate”) qualified people as full members of the political community.¹ Friedrich Hayek, in his critique of socialism, wrote that “the system of private property is the most important guaranty of freedom.”² The British conservatives of the Thatcher revolution carried out privatization policies designed to expand individual households' ownership of assets, in part out of the belief that “possession means power, the kind of power that matters to ordinary people—power to make choices, power to control their own lives.”³ China's own liberals, epitomized by Liu Junning, embrace such ideas as well.⁴

While most passionately expressed by extreme liberals and libertarians, the basic logic of these ideas is so widely accepted as to be quite commonplace. Much analysis of China's transitional economy is unquestionably informed by the belief that expanding ownership is increasing citizens' autonomy and power vis-à-vis an authoritarian state. There are in principle a number of mechanisms through which private property might lead to this result. Secure ownership of assets could reduce individuals' dependence on the state, leaving them more at liberty to say

no to it. It could legitimate resistance against state encroachments. Thatcherites (as well as American proponents of the "ownership society") would argue that the possession of property could inculcate new mentalities, such as "self-sufficiency, independent-mindedness, energy and adventurousness."⁵ Property could create both literal and figurative spaces for open deliberation among asset owners, in contrast to state-organized hierarchies that expect obedience and leave little room for debate. Through such spaces, and by establishing sets of common interests, it could provide a basis for new solidarities with other property owners. But it is one thing to hypothesize all this in the abstract and another to observe it in reality. In the discussion that follows, I inquire into the empirical political effects of the expansion of private property rights and ask whether and how the rise of ownership brings about new forms of individual, or especially collective, empowerment.

To be sure, private property rights in commercial residential housing are but one of many bases on which groups and individuals assert claims. Others include the state's constitution, laws, and policies; expectations concerning pensions, health care, and other benefits; spiritual beliefs; collective property rights such as villages' control over land; and so forth.⁶ It has become common in China for holders of stocks and other investments to engage in collective action when they feel they have been mistreated.⁷ Consumer activism against fraud and other abuses has drawn widespread attention.⁸ All of these are manifestations of what is now commonly called *weiquan*, popular action aimed at upholding rights.

Transitions from state-socialist to market economies inherently involve the creation of new forms of ownership. Yet such transitions typically leave the exact definition and implications of new rights unclear. Even in the abstract, laws and policies defining these rights contain substantial areas of ambiguity or silence. Specific cases in which rights are asserted are likely to be cause for disputes. Moreover, the holding of certain forms of property may, to some actors, imply corollary privileges that remain to be negotiated and specified.

When property owners strive to defend or expand their claims, they can choose many forms of action. Owners can pursue *individual* strategies by confronting rival claimants themselves, privately contacting government officials, or filing lawsuits that ask courts to uphold their personal claims over property. Alternatively, they may join together with other owners in launching *collective* efforts to protect what they feel belongs to them. Collective action, in turn, can also manifest itself in different ways. Property owners can hire third parties (lawyers, for instance) to represent their group interests. They may express their demands within state-sponsored organizations, submitting to and placing their hopes in a form of corporatist intermediation. Or they may form their own autonomous organizations through which to press claims.

These multiple forms of action have quite divergent political implications. Some of these possibilities, notably the path of intermediation, may empower property holders only in modest ways if at all.⁹ Others have the potential to

redefine the power relationship between citizens and state agencies. Collective action is of special importance within authoritarian political settings to the extent that it represents a departure from or a challenge to the established organizational structures within which the state seeks to shape, confine, or manage the expression of interests and demands.

Here I look at the specific topic of homeowner organizations within what are called "new neighborhoods" (*xinjian xiaoku*). The emergence of this type of neighborhood is only one aspect of the tide of housing privatization that swept China's cities in the course of the 1990s. The other major components of this dramatic (though incomplete) process are the restoring of rights to preexisting homes that were expropriated after the revolution, and the massive sell-off of state-owned apartments to their occupants. A number of studies have presented the empirical outlines of housing policy change from the 1980s to the present, so I omit this background material here.¹⁰

Before continuing, I should note that the assertion of property claims over housing is by no means new in the People's Republic of China. Before the widespread privatization of housing, even apartments clearly *owned* by the state "work unit" (*danwei*) were subject to normative claims by employees. Those work unit members without their own homes often had (and continue to have) a set of expectations about when they deserve a housing allocation. Work unit members who had been assigned housing could often expect to live in it indefinitely, despite not owning it. Such claims are hardly confined to work units. Particularly in recent years, property rights over homes in older neighborhoods in China's cities have become subject to what can be intense disputes. Housing offices adjudicate ownership of homes that were once appropriated by the state, in some cases restoring them to the original occupants or their families. As large tracts of urban real estate are demolished and rebuilt, residents face the choice of accepting a buyout offer from state-backed developers or trying to push for a better deal, sometimes employing tactics of collective protest.¹¹

But "new neighborhoods" have given rise to a panoply of distinctive rights claims. The central government has issued special policies that authorize a new form of homeowner organization for these locales, and provincial and city governments have set out their own guidelines for interpreting and implementing these central policies. In many cases, homeowners in these new housing developments have organized to mount collective claims and assert control over the administration of their neighborhoods.¹² In this chapter I examine the qualities of the organizations that homeowners themselves create and the kinds of collective action that they pursue. How should we assess these groups? Theoretical work on voluntary organizations and their political efficacy suggests three dimensions along which to assess China's *yewethui*.¹³

First, we need to understand the nature of the organization and its relationship with powerful external actors. What kind of role does the state have in shaping the

homeowner groups? Are they constituted independently from the state? Are they free to organize as they wish? Do they depend on state approval?

Second, we should investigate the internal practices of these organizations. To what extent do they employ democratic decision-making processes, for instance, in the selection of leaders? How cohesive and tightly organized are they, and how enduring over time? How widespread is the participation of ordinary homeowners in these organizations which are intended to represent them? In their meetings and other forms of communication, do they promote open and free deliberation on matters of common concern?

Finally, to what extent are these groups able to exercise power over their neighborhoods? What are the sources and limits of their power? Do they employ contentious tactics such as demonstrations or more quiet techniques of persuasion and negotiation?

Future research should strive to draw broad conclusions about the homeowner groups based on careful evaluation of large numbers of them drawn from representative samples. As of yet, such data are not available. This discussion attempts something much more modest by presenting four concise case studies of neighborhoods in Beijing and Guangzhou and assessing the organizations there along the criteria I have just outlined. The four case studies were chosen from the twenty-three new neighborhoods in which I conducted interviews. They were selected purposively, with an eye toward illustrating the diversity of organizational processes, conflicts, and outcomes that currently exist.

Origins and Development of Homeowner Organizations

On March 23, 1994, the Ministry of Construction issued a document titled "Methods for the Management of Newly Built Urban Residential Neighborhoods,"¹⁴ referred to hereafter as the *Methods*. For nine years these guidelines represented the central government's major statement on the way new neighborhoods were to be managed, and therefore they deserve to be examined in some detail. As of September 1, 2003, they were superseded by a new set of central regulations,¹⁵ but the on-the-ground effects of the new rules have only begun to emerge as they are interpreted by local governments and tested by homeowners themselves.

The *Methods* stated clearly that they applied not to all residential neighborhoods but specifically to "newly built residential neighborhoods," further defined as "newly built residential neighborhoods that reach a certain scale, and that have relatively complete infrastructural arrangements." While somewhat vague, this designation was meant to apply to the residential complexes that at the time were just beginning to be built in large numbers in China's major

cities, many of which are made up of commercially built and sold housing (*shangpinfang*). These neighborhoods, the document said, should be managed in a professionalized fashion by property management companies. In the process of creating a new neighborhood, developers should select and hire a management company prior to selling the homes. But at some (unspecified) point thereafter, a "residential neighborhood management committee"¹⁶ should be established to oversee matters of property management.

Specifically, these committees were to be "formed of elected representatives of the residential neighborhood's property owners and occupants," and would "represent and uphold" their legal rights and interests, "under the direction [*zhidao*] of the real estate administrative authorities." Among the powers explicitly assigned to these organizations was the right to select and hire a property management company, to inspect and oversee its work, and to review and discuss "major matters of management service." The *Methods* thus illustrate how the Ministry of Construction envisioned the formation of a new type of local representative body to defend the collective rights and claims occasioned by the emergence of a new category of property holder. The way in which *yeweihui* came into existence has not followed directly from this central government document, however. City governments, as instructed by the Ministry of Construction, wrote detailed rules (*xize*) for implementing the *Methods*. These local policies, and the ways in which they have been put into practice, tend to diminish and restrict the homeowners' ability to organize.¹⁷

There are at least four general reasons for this. First, local governments often have a financial stake in the development companies. Second, even private developers are able to exercise informal influence over state decisions. Third, local authorities have reason to side with the property management companies to the extent that they rely on their help in administering new neighborhoods.¹⁸ Finally, state officials are generally uncomfortable with and suspicious of independent organizations. They would prefer the government-managed Residents' Committees to remain the primary locus of urban governance at the grass roots. As will be evident in the case studies, homeowners in some neighborhoods have seized the initiative to set up their own representative structures willy-nilly. In others, developers and property management companies have taken advantage of restrictions built into local regulations to choreograph the installation of *yeweihui* that they control or that are disinclined to challenge them.

Just as important, the principal motor driving homeowner organization is not government policy at either the central or local levels but rather the ways in which homeowners feel their rights are being abused by the developers and property management companies. In most cases their main concerns are the following. First, they want the property developers to deliver the homes that they paid for and that are specified in their purchase contracts, or to compensate them for failing to do so.

Second, it is not uncommon for homeowners to pay for and move into their homes without receiving a legal deed (*changuan zheng*) to the property. For those who have been denied these essential documents, obtaining them is an urgent demand. Third, they want to be free from price gouging, whether on property management fees themselves or on other items such as parking and utility fees. Finally, residents also seek special amenities to improve the quality of life in their neighborhoods, especially those that were featured in the advertising material which attracted them in the first place or were otherwise promised to them. These can include facilities such as parks, playgrounds, and kindergartens.

Power relations within new housing developments vary widely. Struggles unfold, in the first instance, on a neighborhood-by-neighborhood basis. In one *xiaogu* homeowners may have organized effectively, while in another just down the road they may have failed to do so. The situation is thus analogous to a labor movement in which workers are primarily bent on winning better treatment from their respective firms rather than effecting broad-based institutional change or building class solidarity. The direct goals for most homeowners are tangible advances affecting their immediate circumstances: a reduction in fees, compensation by developers, or permission from the district or city authorities to establish a formal owner committee in order to achieve such things.

That said, links and communication beyond the individual neighborhood are becoming increasingly prominent. Informal contacts among owner-activists from different neighborhoods within the same city have existed in Beijing and Guangzhou since the late 1990s, and more recently the media have begun to give greatly increased coverage to homeowner activism; previously only the boldest, most pro-reform newspapers wrote about this topic. Finally, the transmission of information by the Internet has become more and more prevalent. Several large Web sites devoted to homeowner matters allow for general discussion, dissemination of, and commentary on government policies, and the perusal of "how to organize a homeowner group" guides written by experienced activists. This permits a transcending of the lines between individual neighborhoods, even though homeowners can also choose to confine their chat room commentary to neighborhood-specific forums.

In the years that have passed since the issuing of the Ministry of Construction document that was intended to authorize homeowners to form committees through which to exercise control over their neighborhood's property management, it still remains common for developers to dominate the *yeweihui*, or to stop them from forming in the first place. In Guangzhou one long-time activist estimated at the end of 2003 that only about a tenth of the owner committees there were fully controlled by the homeowners themselves. Informants in Beijing and Shanghai report roughly similar proportions in those cities as well. Investigation of individual neighborhoods allows us a better understanding of the circumstances that produce these outcomes.

Case Sketches

The brief sketches that follow cannot provide a full history of the struggle in their respective neighborhoods nor do justice to the complexities involved. They aim to give an overview of the case that allows for a preliminary assessment across the major outcomes of interest. As noted earlier, while the homeowner organizations have in some cases gone under different names, they are all referred to here as *yeweihui*.

This discussion draws mainly on interviews but also on written sources. Real names of neighborhoods are used in two cases that have received coverage in the Chinese media. In the other two cases, the neighborhoods are referred to by pseudonyms in order to protect their anonymity, as are individuals' names in all four cases. Also, in these instances certain unique details have been rendered less precisely than they could be (for instance, dates or numbers of housing units) though not altered.

Beixiu Huayuan

Cai Xiaoling moved into Beixiu Huayuan¹⁹ in 1996, shortly after it was built. Containing 345 units, this development was priced at the high end of the Guangzhou market, with units initially selling for between HK\$7,000 and HK\$13,000 per square meter. It was in large part the discrepancy between the promised luxury of the apartments and their actual state that spurred the homeowners to organize against the developer and the management company. For example, floors were made of cheap wood instead of the contractually specified teak, and doors within some apartments did not close properly. Also, the developer attempted to charge the residents for electricity that was used not in their own homes but in the construction of another block of condominiums nearby. This is typical of the way in which seemingly minor grievances concerning privately owned homes can ignite formidable responses.

Cai and others began preparing to organize a *yeweihui*. The developer opposed this idea and attempted to obtain the cooperation of the police in stopping them. "It was not easy to organize. We had to have a secret, underground organization, with meetings at two or three in the morning," Cai recalls. She and her fellow homeowners held more than ten meetings in her home before the *yeweihui* was formally established. This was accomplished in 1997 at a gathering (*dabui*) that elected a slate of seven committee members out of four times that many candidates. At the insistence of government officials, the *yeweihui* was then expanded to include the manager of the property management company and her aide. These nine individuals elected Cai chair of the committee.

Beixiu Huayuan, as one of the very first neighborhoods to organize, was a pioneer among the city's *yeweihui*. Leaders established ties with organizers in other

developments and provided advice and encouragement to them. Beixiu thus illustrates how homeowner activism in one neighborhood can create a domino effect in others by demonstrating what is possible. Cai noted, however, that the government's stance subsequently shifted and that later owner groups have found it more difficult to obtain government approval.

The property management company's two *yewei* representatives were unable to stop the owner organization from firing the company and hiring a new one. The old management company initially refused to leave the premises. It finally vacated its offices in 1999 after the homeowner group pursued a lawsuit for more than a year (which ended inconclusively) and after some of the residents withheld management fees. Although the *yewei* did not change property management companies for at least the next several years, it continued to exercise authority over its new service providers. Though seemingly mundane, for a group of individuals to wield this kind of power is no small accomplishment. Over a period of four years the committee on different occasions fired three managers or vice managers of this company, in one case because of allegedly fraudulent bookkeeping.

According to city government policy, the owner group is required to hold new elections every two years. As of late 2003, Beixiu's group, however, had not held any elections since the vote that established it. Cai stated that it would be difficult to obtain the participation of the required 50 percent of residents on any given evening. Although the local Street Office told her that she should hold an election, it had not insisted on this, and Cai noted that she still possessed the group's official stamp (*gongzhang*). Like the other activists described in this chapter, she was not paid for her committee service. The owner committee had one open meeting per year, usually attended by twenty to thirty people. (At the *yewei*'s behest, the management company also held parties for the residents twice a year.) The nine members of the committee met only irregularly and handled most decisions through telephone consultation with one another.

Cai fielded a wide variety of requests and inquiries from both inside and outside the neighborhood; she received "lots of calls" every month. Other Beixiu owners sometimes talked to her when they encountered problems with things such as utilities. The nearby Residents' Committee occasionally asked for her help on such things as keeping track of occupants' family planning status, but Cai states that she paid little heed to such requests. "I don't want to hurt the owners. I say 'I don't know' and dismiss them."

This case is thus an example of a homeowners' group that has established itself as an independent body, able to negotiate its relationships with other actors—including the state—from a position of considerable strength. Yet it also shows how this kind of autonomy does not necessarily mean that ordinary residents become closely involved in local governance.

Dingyuan

Dingyuan²⁰ is a *shangpinfang* neighborhood whose town house-style homes initially sold for 3,000 to 4,000 RMB per square meter. It is situated on former farmland more than half an hour's drive from the city. As of the summer of 2003, the local government had not yet established Residents' Committees in this or nearby developments; thus the state had no immediate presence. Only about one hundred of the three hundred total units were occupied. Just like in other neighborhoods, residents here were motivated to organize because of complaints about housing quality and about the fees they were charged. Owners cited excessive heating and electricity bills; leaks in the walls, ceilings, and door frames; and the use of low-quality building materials. The developer had also promised a certain amount of green space in the neighborhood for the residents' enjoyment but later built on this land. An advertised tennis court and playground never materialized.

In November 2002, when few people had yet moved into the neighborhood, a small group of organizers held a meeting at which they asked residents to sign their names on a document approving the establishment of an owners' committee. Half a year later, when the developer's contract for property management services was about to expire, these organizers hastily arranged another meeting to elect a *yewei*. This group successfully hired a new management company but was not (at least initially) able to gain redress for breaches of contract by the developer.

In contrast to neighborhoods in which homeowners maintained unity in the face of their adversaries, Dingyuan was wracked by paralyzing divisions among its residents. A particularly bitter split erupted in 2003 between the *yewei* and a portion of the residents over the issue of dog ownership. The committee's leadership sought to banish dogs from the neighborhood. It pointed out that some residents did not clean up after their pets and argued that the needs and preferences of people should come before those of animals. When a group of owners established a cordoned-off area of the lawn intended for dog-walking, the committee opposed this and took the provocative step of posting signs announcing that it had distributed poison inside this area. Letters posted on the *yewei*'s bulletin board attacked the organization's critics as "petty people" (*xiaoren*).

Differences had previously emerged on other issues as well. The *yewei* had taken a hard line against the former management company, calling on residents to refuse to pay their management fees; some of the residents who heeded this call were sued by the company, leaving them disgruntled. The SARS crisis of spring 2003 also led to a difference of opinion, with some residents asking the *yewei* to hold a meeting to discuss measures to keep the disease out of the neighborhood, while the committee, in contrast, told owners to stay focused on the struggle against the developer.

In the fall of 2003 the six members of the *yewei* jointly resigned, citing their frustration that, as they saw it, they had done a great deal of work and yet received nothing but complaints and recriminations from other owners in return. This took place shortly after the committee fired the managers on the basis of a ballot it had circulated throughout the neighborhood. For a while there was no staff to collect trash and provide security, until a small group of residents took the initiative and hired a new management company without consulting anyone else.

Dingyuan shows that even without state interference, there is no guarantee of achieving the kind of harmony and cooperation among property owners that is required to create functioning organizations. The division of ownership into household-based parcels, together with tensions arising from the necessity of collective decision making, can lead to atomization rather than unity.

Lijiang Huayuan

Lijiang Huayuan²¹ is the largest of the housing developments discussed in this chapter. It is located about 15 kilometers south of Guangzhou on part of Nantao, an island lying amid the tributaries of the Pearl River. Construction began in the early 1990s, and as of early 2004 more than ten thousand housing units had been completed, grouped in at least nine distinct sub-neighborhoods that range from high-rise condominiums to town houses to unattached houses. The development company is a joint venture backed by both the Guangdong government and the government of Panyu, a former county-level city that became a district of Guangzhou and in which Lijiang is located.

As of 2004 the homeowner committee had been in existence for more than six years and had gone through four rounds of elections. In Lijiang's case, the *yewei* had been closely linked to the developer and its affiliated property management company, and had only a dubious claim to electoral legitimacy. In all four elections, the developer exercised considerable influence over the proceedings and went to great lengths to ensure that its favored candidates won. In the first two elections this was in part accomplished by doing little to publicize the balloting. (Only around 200 residents out of 4,200 households cast votes in the first election in 1997, and around 1,000 out of 6,000 in the second election in 1999.) Also, according to local regulations, the development company is permitted to cast votes for each of the unsold homes that still belong to it. This gave the company an overwhelming advantage. Finally, it was aided by the fact that many residents were reasonably satisfied with Lijiang's property management. Two major incidents over a period of five years, however, had resulted in large-scale homeowner mobilization and an attempt by disgruntled residents to win control of the *yewei*.

The first controversy arose when Lijiang announced in January 1999 that the price of a round-trip ticket on the commuter shuttle bus to downtown

Guangzhou would rise from 5 to 7 RMB. Several hundred residents gathered in front of the management company's offices to protest. In the days that followed, they held a demonstration march within Lijiang and also sought redress from the provincial government and People's Congress. They boycotted the Lijiang bus by arranging their own chartered bus service and by forming carpools with automobile-owning residents. The Lijiang bus service backed down and offered bulk-rate tickets at the original price.

The second dispute led to an even more prolonged period of resistance. It began in December 2002, when bulldozers appeared along the southern edge of Lijiang Huayuan and began clearing trees and grass. Unbeknownst to the residents, Lijiang's developers had cut a deal with another development company according to which a road more than 20 meters in width would be laid along that section of the neighborhood's perimeter in order to link a separate planned housing complex with the main highway. Many homeowners, particularly those with windows and balconies facing the road, were outraged, complaining that this directly contradicted the developer's assurances that the land would be preserved as bucolic green space shaded by peach trees. In the weeks that followed, several hundred residents staged a series of demonstrations in the name of *weiqian*, upholding their rights. On the night of December 31, participants camped in tents on the half-completed roadbed; on January 19 they planted a hundred saplings there. In the meantime, the homeowners (many of whom worked in Guangzhou's media and advertising industry) used their connections to attract publicity to their cause, and also sought help from provincial People's Congress representatives. Although the road was nonetheless built in the end, the developers compromised and agreed to reduce its width and relocate it farther away from Lijiang's homes.

For the owner-activists involved, the road conflict highlighted the illegitimacy of the official *yewei*, which had stayed quiet during this period and apparently failed to stand up for the homeowners it claimed to represent. Led by an insurance company employee in his early thirties, a group calling itself the "little homeowners' team" (*xiao yezhu tuandui*) organized a slate of fourteen candidates to compete in Lijiang's fourth round of *yewei* elections.²² Ballots in this slow-motion election were cast between December 15, 2003, and February 16, 2004. On February 20, after employees of the property management company opened the ballot boxes, it declared that the roughly 2,800 votes failed to meet the required threshold of 50 percent participation by the 10,210 homeowners. The election was declared invalid, and no plans for a re-vote were immediately announced.²³

Lijiang shows remarkable examples of collective action by homeowners and their ability to achieve gains through overtly contentious tactics. But it also illustrates the ways in which developers collude with local government to neutralize such efforts, and the challenges of organizing lasting and democratic forms of self-governance that can persist in such hostile circumstances.

Jiashan

Jiashan's²⁴ homeowners began organizing at the end of 1998. Their most urgent demand was to acquire deeds to the apartments for which they had paid and in which they were living. Four years after the sale and construction of Jiashan's homes had commenced, the city government retroactively declared that the developer had failed to follow proper legal procedures. The homes would remain illegal and ineligible for deeds until the developer paid a series of fines, fees, and taxes—especially the land transfer fee (*tudi chuang jin*) that is incurred when village land is appropriated for urban housing construction. The population of Jiashan rose to around four thousand households in total after the neighborhood was fully built. The units were relatively inexpensive, costing between 1,500 and 2,200 RMB per square meter.

Local officials cited technicalities in declaring Jiashan to be ineligible to establish a *yewei hui* and would give their blessing only to the forming of a *yewei hui* "preparatory group." Limited in this way but otherwise unrestrained, owners held a series of large-scale meetings. At one gathering of around two hundred members, a preparatory group was elected, composed entirely of homeowners. As of four years later the status of the owner group remained unchanged, with no sign that it would be upgraded to that of fully authorized *yewei hui*. During its most active period, the preparatory group held meetings twice a month, usually attended by ten to twenty people. The group had no formal leadership, but one woman in her fifties with almost two decades of experience as a lawyer gradually emerged as its center of gravity, with others deferring to her as the "person in charge" (*fuzhe ren*).

The preparatory group adopted a mode of action that featured persistent and assertive lobbying of government officials. It avoided behavior that it feared might alienate those officials, such as demonstrations or lawsuits, although in at least one instance it did employ the threat of contentious behavior. The preparatory group leaders visited state offices to plead their case, sometimes repeatedly, often bringing a delegation of homeowners with them to add emphasis. The developer initially refused to talk to their organization. Its stance changed over time, in part owing to pressure from the homeowners. While the preparatory group never called on homeowners to withhold fees and utility payments from the property management company, many did so anyway. Both the government and the developer came to acknowledge informally the preparatory group's legitimacy as the homeowners' representative by negotiating with it and in some cases acting on its demands.

Despite not receiving official recognition, the homeowner group scored several major achievements. Its most significant accomplishment was pressuring government authorities at the city, district, and township levels to compromise on the penalties and taxes they were demanding from the developer, while also pressuring the developer to meet those reduced demands. This facilitated the process through which the owners received their property deeds.

The preparatory group also won a number of other victories. Jiashan homes had no telephone lines at the time that homebuyers began to move in. Moreover, its electricity came from inferior village-level lines that supplied power only during certain hours of the day. A group of owners went to the government complaints (*xinfang*) office to take up this issue, bringing a letter signed by members of more than two hundred households. The *xinfang* officials asked them to leave, but the homeowners stayed, threatening to come back in even larger numbers and to take their case to higher levels of government. This impelled the officials to work out a compromise with the developer that led to the provision of phone lines and more reliable electricity. In 1999 a manager of the property management company was involved in a physical scuffle with a homeowner that left the latter with a broken wrist. When the police substation declined to help the injured party win redress, a group of ten homeowners repeatedly took the case to the district police and government. Eventually the manager was detained by the district police for fifteen days, and an agreement was reached whereby the company apologized publicly for the injury and paid 35,000 RMB in compensation. All these events represented tangible gains won by the owners through solidarity and persistent action.

In the summer of 2002, the lawyer who served as the *yewei hui* preparatory group's principal organizer moved out of Jiashan into a newer development, citing her desire to live in a neighborhood with parks and other amenities. She continued to receive calls from homeowners in Jiashan asking for her help on various matters, but she was determined to leave her organizational work behind her. The stress was bad for her health, she decided, and she was tired of listening to people's bickering. Her departure proved to be a blow. No one wanted to make the effort to fill the role she had played. As of mid-2004, the informal *yewei hui* had lapsed into inactivity.

Here, as in the case of Beixiu Huayuan, we can perceive a weakness found in nonprofit organizations in many settings: excessive dependence on a single key organizer and lack of institutionalization. Yet this neighborhood also shows that local government sometimes responds to homeowner pressure by accommodating their demands.

Assessment

The reemergence of private housing, especially in newly built (as opposed to pre-existing) neighborhoods, indeed makes a difference. Owners of property do acquire compelling new interests that can motivate the founding of new organizations and spur group action. Yet interests alone do not dictate outcomes; instead what emerges depends on a complex mixture of individual agency, group dynamics, and trial and error, played out against a shifting backdrop of possibilities and constraints. Homeowners' interests sometimes converge with one another and

sometimes do not; moreover, owners face other actors whose interests are served by disempowering them. Elements of the state play contradictory roles, with the center authorizing an exceptional form of grassroots representative body while local governments often work to negate the stated purpose of these policies.

I have identified three sets of criteria by which to evaluate the homeowner groups: their degree of autonomy from and leverage over external actors; their internal practices and relationships with their constituents; and their exercising of power. As the case studies illustrate, in the application of these criteria it is necessary to differentiate among three general categories of groups currently found in China's "new neighborhoods." Some are both approved by the government and controlled by residents themselves, like that of Beixiu Huayuan. Others have official status but are under the sway of developers or management companies, like Lijiang Huayuan's incumbent *yewethui*. Still others operate without full official sanction, whether as de facto owner committees (such as Jianshan's) or as groups that strive to challenge existing *yewethui* (such as Lijiang's *xiao yezhu tuandui*).

Local governments hold power over the *yewethui* in certain ways. They can grant or withhold official status, and in some cases this can crucially affect the organizations' ability to get things done. But achieving organizational autonomy from the *developer* is often even more challenging than achieving autonomy from the state. While some developers reconcile themselves to collective bargaining with their customers, they much more commonly strive to dominate or subvert the organizations that are intended to represent them.

In terms of the tactics they use to try to achieve their goals, as well as their internal practices and relations with constituents, the three types of organizations are quite distinct. Unofficial groups, understandably, seem most likely to employ contentious tactics. Lacking other forms of leverage, they try to become a thorn in the side of either their economic adversaries or local officials or both, in the hope that these other parties will compromise with or accommodate them in order to get them to quiet down again. This form of group also does the most to encourage broad participation, holding "big meetings" or rallies and trying to enlist the support of large numbers of fellow homeowners.

Especially during their early phases prior to achieving control, owners' movements are prone to disunity. Developers commonly try to suppress these movements, using tactics such as buying off individual activists through selective concessions or cash payments. In more extreme cases, they employ threats and even violence against organizers and their families. Even in the absence of suppression, homeowners can be difficult to coordinate. Many of them work long hours at demanding jobs that leave them little time for meetings. Sometimes there are internal disagreements over goals or tactics. Owners typically lack reinforcing social bases of solidarity, such as common work unit membership. The general problem of free-riding applies well to the *yewethui* because the benefits of successful collective action (for instance, reduced property management fees) are

shared by all, whereas the costs are paid only by those who take part. Therefore, organizers work hard to reach out to the neighborhood and try to win people's involvement and commitment.

Once established and recognized by the government, the *yewethui* often switch from contentious tactics to less noisy forms of lobbying and negotiating. They also seem to lose some of their enthusiasm for gathering input from constituents through regular and open meetings. Leaders often feel that their mandate is beyond question, having been earned through hard work, and that winning the support of other residents is no longer necessary. In the case of Beixiu Huayuan, chairwoman Cai even felt comfortable dispensing entirely with the cycle of regular elections to which she was supposed to adhere. In Dingyuan, the *yewethui* leaders' apparent disregard for maintaining the support of their constituents contributed to the unhappy, polarized situation found in that neighborhood. Still, even in places like Beixiu, where leaders do not particularly value elections, we need not conclude that the groups are unresponsive oligarchies. Though they may not be models of participatory democracy, they appear accessible to residents' requests and demands, and they maintain a latent capacity to mobilize broad-based collective action.

Developer-dominated owner groups, in turn, are especially quiet and low-key. They are typically formed through procedures that keep participation to a minimum. Their day-to-day affairs are often run by an administrator (*nishu*) who is in fact an employee of the developer or property management company. They at least give an appearance of being open to complaints and suggestions by the homeowners, and sometimes genuinely follow up on such requests. But it would be incorrect to describe them as collectively empowering the residents. Although they are controlled by companies rather than by the government, such groups resemble state-corporatist institutions in that they claim to represent a constituency yet act in large part to restrain its articulation of its interests and also block it from pursuing alternative channels.

In other cases, however, residents have clearly exercised collective power in remarkable ways. Even in the loosely organized, short-lived protest efforts that arose in Lijiang over the bus fare and the building of the road, homeowners were able to achieve all or significant parts of their demands. Ongoing, semi-institutionalized organizations like those in Beixiu and Jianshan are even more notable, both for what they were able to accomplish on their constituents' behalf and for the form of local self-rule they represent. In these neighborhoods, state agencies that hypothetically could challenge or negate the *yewethui*—Residents' Committees, Street Offices, police stations—instead implicitly acknowledge the legitimacy of the organization. Here we observe, as well, that these groups assert the right to speak for the owners in many kinds of dealings with the outside world.

At the end of the day, the four "outcomes" in the neighborhoods described here are anything but final. Each surely represents just the opening scenes of a

long drama. Property rights and ownership create a *potential* impetus for action. But what will steer and channel such action? In part, this depends on the state. It remains uncertain whether the authorities will continue to tolerate the essentially self-organized *yewei* that operate in some of the new neighborhoods. Another fundamental question is whether (or how quickly) homeowners' groups will be allowed to form in what might be called old neighborhoods, such as privatized work unit housing or areas managed by housing offices (*fangguan*). Yet the question is not merely one of relaxing the state's grip; it may even have a positive role to play in averting conflict and preventing the kind of meltdown that took place in Dingyuan. Translating the interests of a scattered assortment of owners into coherent, civil, sustained, and effective action is no mean feat. It will require activists to adopt and propagate organizational practices that channel the homeowner movement into constructive and sustainable patterns.

In short, the private ownership of substantial fixed assets in the form of residential property *does* have the potential to bring about substantial reallocation of power at the neighborhood level. But whether this power will, in effect, be wielded by the homeowners themselves, by development and management firms, or even by new state intermediaries will be the result of struggles still under way. The political effects of major upheavals in property ownership will thus take time to unfold.

ACCUMULATING LAND AND MONEY

3. Socialist Land Masters

The Territorial Politics of Accumulation

You-tien Hsing

Below the numerous construction cranes and behind the high-rises, a new type of urban politics has emerged in many Chinese cities. This new urban politics was triggered by radical changes that have taken place in the socialist regime of land rights as cities have expanded dramatically since the late 1980s.¹ In 1988 China's land leasehold market was formally established. It separated ownership from use rights pertaining to urban land. While all urban land is still owned by the Chinese state, as enshrined in the PRC Constitution and the Land Management Law, land use rights can now be leased for a fixed period of time.² This new regime has thus commodified land tenure but not privatized it. Although the land is officially state owned, it remains unspecified as to who within the state sector can represent the state, legitimately exercise the ownership rights, and profit from the land rent. As rapid urban expansion fueled an upward spiral in the commercial value of urban land in the 1990s, intrastate competition in the exercise of ownership rights became increasingly contentious.

From my fieldwork in China's large cities,³ I have found that the competition and negotiation over urban land rights between agents in different segments of

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committees (*jueweihui*) and the local police. See Benjamin Read, "Revitalizing the State's Urban 'Nerve Tips,'" *China Quarterly* 163 (2000): 806–20; and Benjamin Read, "Democratizing the Neighborhood? New Private Housing and Home-Owner Self-Organization in Urban China," *China Journal* 49 (2003): 1–29.

20. David Goodman, "The New Middle Class," in *The Paradox of China's Post-Mao Reforms*, ed. Merle Goldman and Roderick MacFarquhar (Cambridge: Harvard University Press, 1999), 241–61.

21. See Ya Ping Wang and Alan Murie, "Commercial Housing Development in Urban China," *Urban Studies* 36, no. 9 (1999): 1475–94; Ya Ping Wang and Alan Murie, *Housing Policy and Practice in China* (New York: St. Martin's Press, 1999); Xing Quan Zhang, *Privatization: A Study of Housing Policy in Urban China* (New York: Nova Science Publishers, 1998).

22. This is called *yixing shouru* (invisible income), which often far exceeds the salary offered by one's work unit. Yet it is nearly impossible to survey such incomes for two reasons: they tend to fluctuate over time, and people are unwilling to divulge exactly how much invisible income they earn and the means by which they obtain it.

23. Li Zhang, "Forced from Home: Property Rights, Civic Activism, and the Politics of Relocation in China," *Urban Anthropology* 33, nos. 2–4 (2004): 247–81.

24. This is very similar to the situation discussed by Teresa Caldeira, *City of Walls: Crime, Segregation, and Citizenship in São Paulo* (Berkeley: University of California Press, 2000); and Setha M. Low, "The Edge and the Center: Gated Communities and the Discourse of Urban Fear," *American Anthropologist* 103, no. 1 (2001): 45–58.

25. Howard W. French, "Chinese Children Learn Class, Minus the Struggle," *New York Times*, September 22, 2006.

26. Recent anthropological studies have also demonstrated the centrality of consumption, not just production, in understanding the formation and transformation of the working-class identity and lifestyle in the era of globalization and capitalist restructuring. See Carla Freeman, *High Tech and High Heels in the Global Economy: Women, Work, and Pink-Collar Identities in the Caribbean* (Durham: Duke University Press, 2000); and Mary Beth Mills, *Thai Women in the Global Labor Force: Consuming Desires, Contested Selves* (New Brunswick, N.J.: Rutgers University Press, 1999).

27. The increased importance of consumption in post-Mao social life is clearly demonstrated by a series of studies in Davis, *The Consumer Revolution*.

28. See arguments made by Anita Chan, "The Culture of Survival: Lives of Migrant Workers through the Prism of Private Letters," in Link, Madsen, and Pickowicz, *Popular China*, 163–88; Lee, "Pathways of Labor Insurgency," 41–61; Pun Ngai, *Made in China: Women Factory Workers in a Global Workplace* (Durham: Duke University Press, 2005).

29. Benjamin Read is more optimistic about recently created homeowners' associations in China's new communities, seeing them as a possible force for democratizing the urban Chinese population. See Read, "Democratizing," 1–29. Yet my own research indicates that these associations are often short-sighted, parochial, and short-lived.

30. See Caldeira, *City of Walls*; also Low, "The Edge and the Center," 45–58; and Mike Davis, *City of Quartz: Excavating the Future in Los Angeles* (New York: Vintage Books, 1992).

31. For example, Mike Davis describes this kind of conflict and tension in the United States as a fierce "new class war" at the level of the build environment. Davis, *City of Quartz*, 228.

Chapter 2. Property Rights and Homeowner Activism in New Neighborhoods

1. See C. B. MacPherson, *The Political Theory of Possessive Individualism: Hobbes to Locke* (London: Oxford University Press, 1964), 194–262; and Edwin G. West, "Property Rights in the History of Economic Thought: From Locke to J. S. Mill," in *Property Rights: Cooperation, Conflict, and Law*, ed. Terry L. Anderson and Fred S. McChesney (Princeton: Princeton University Press, 2003), 20–42.

2. Friedrich A. von Hayek, *The Road to Serfdom* (Chicago: University of Chicago Press, 1944), 103.

3. From a 1985 speech by John Moore quoted in Shirley Robin Letwin, *The Anatomy of Thatcherism* (New Brunswick, N.J.: Transaction, 1993), 102.

4. See, for example, Liu Junning, "Feng neng jin, yu neng jin, guowang buneng jin: zhengzhi lilun shiye de caichanquan yu renlei wenming" [The Wind and Rain May Come in, but the King May Not: Property Rights and Human Civilization in Political Philosophy], excerpted from a 1998 collection of essays, available at http://boxun.com/hero/liujn/18_1.shtml (accessed November 11, 2006).

5. Letwin, *Anatomy*, 105.

6. Kevin J. O'Brien and Lianjiang Li's *Rightful Resistance in Rural China* (Cambridge: Cambridge University Press, 2006) explores this topic in depth. See also Elizabeth J. Perry and Mark Selden, eds., *Chinese Society: Change, Conflict, and Resistance* (London: Routledge, 2000); and Peter Hays Gries and Stanley Rosen, eds., *State and Society in 21st-Century China* (New York: RoutledgeCurzon, 2004).

7. While scholarly analysis of this appears scant, it is reflected in news accounts such as the following: "Protesters Granted an Audience in Beijing: Shenyang Group Tell Officials Directly about Alleged Land Scam," *South China Morning Post*, August 29, 2003; "Three Held after Rally by Oil Well Investors," *South China Morning Post*, July 3, 2003; "Investors Besiege City Hall in Beijing," *South China Morning Post*, June 18, 2003; "Beijing Gets Cold Feet—and Freezes a Key Reform: To Placate Investors, It Cancels a Stock Issue in State Companies," *BusinessWeek*, July 15, 2002; "Demonstrators in China Test New Tolerance," *Wall Street Journal*, August 14, 1998.

8. Shai Oster, "For Chinese Consumers, a Superhero," *Christian Science Monitor*, January 25, 2000; Elisabeth Rosenthal, "Finding Fakes in China, and Fame and Fortune Too," *New York Times*, June 7, 1998.

9. The concept of corporatism as applied to the Chinese context is discussed in Bruce J. Dickson, "Cooptation and Corporatism in China: The Logic of Party Adaptation," *Political Science Quarterly* 115, no. 4 (2000–2001): 517–40; Jonathan Unger, "Bridges: Private Business, the Chinese Government, and the Rise of New Associations," *China Quarterly* 147 (1996): 795–819; Jonathan Unger and Anita Chan, "China, Corporatism, and the East Asian Model," *Australian Journal of Chinese Affairs* 33 (1995): 29–53; and Margaret M. Pearson, "The Janus Face of Business Associations in China: Socialist Corporatism in Foreign Enterprises," *Australian Journal of Chinese Affairs* 31 (1994): 25–46.

10. Useful starting points include Deborah S. Davis, "From Welfare Benefit to Capitalized Asset: The Re-commodification of Residential Space in Urban China," in *Housing and Social Change: East-West Perspectives*, ed. Ray Forrest and James Lee (London: Routledge, 2003); Ya Ping Wang and Alan Murie, *Housing Policy and Practice in China* (New York: St. Martin's Press, 1999); Ya Ping Wang and Alan Murie, "Commercial Housing Development in Urban China," *Urban Studies* 36, no. 9 (1999): 1475–94; and Min Zhou and John R. Logan,

"Market Transition and the Commodification of Housing in Urban China," *International Journal of Urban and Regional Research* 20, no. 3 (September 1996): 400–421.

11. This is discussed by Yongshun Cai, "Civil Resistance and Rule of Law in China: The Defense of Homeowners' Rights," in *Grassroots Political Reform in Contemporary China*, ed. Elizabeth J. Perry and Merle Goldman (Cambridge: Harvard University Press, 2007), 174–95.

12. A preliminary analysis of these new homeowners' organizations can be found in Benjamin L. Read, "Democratizing the Neighbourhood? New Private Housing and Homeowner Self-Organization in Urban China," *China Journal* 49 (January 2003): 31–59. Li Zhang's December 2003 unpublished paper "Governing at a Distance: The Politics of Privatizing Home and Community in Neoliberalizing China," discusses power relations among the state, developers, and homeowners in Kunming. Deborah S. Davis presents a case study of a Shanghai neighborhood in "Urban Chinese Homeowners as Citizen-Consumers," *The Ambivalent Consumer: Questioning Consumption in East Asia and the West*, ed. Sheldon Garon and Patricia L. MacLachlan (Ithaca, N.Y.: Cornell University Press, 2006), 281–300. Published Chinese-language analyses include Xia Jiansheng, "Zhongguo gongmin shehui de xiansheng—yi yezhu weiyuanhui wei li" [The First Signs of China's Civil Society: The Case of the Homeowner Committees], *Wen shi zhe*, no. 3 (2003): 115–21; Xia Jiansheng, "Beijing chengshi xinxing shequ zizhi zuzhi yanjiu—jianxi Beijing CY yuan yezhu weiyuanhui" [A Study of Autonomous Organizations in Urban Beijing's New Communities: Learning from the Homeowner Committee in Beijing's CY Gardens], *Beijing shehui kexue*, no. 2 (2003): 88–94; Zhang Jing, "Gonggong kongjian de shehui jichu" [Social Foundations of the Public Sphere], Working Paper 2001.004, Institute of Sociology and Anthropology, Peking University (2001); and Gui Yong, "Lue lun chengshi jiceng minzhu fazhan de keneng ji qi shixian tuijin—yi Shanghaishi wei li" [On the Development of Grassroots Democracy in Urban Areas: A Case Study of Shanghai], *Huazhong keji daxue xuebao shehui kexue ban* 15, no. 1 (February 2001): 24–27.

13. This body of work, encompassing studies of "civil society" as well as other studies of associations, is too immense to cite properly here, but some useful items include Mark E. Warren, *Democracy and Association* (Princeton: Princeton University Press, 2001); Lester M. Salamon et al., eds., *Global Civil Society: Dimensions of the Nonprofit Sector* (Baltimore: Johns Hopkins Center for Civil Society Studies, 1999); Michael Woolcock, "Social Capital and Economic Development: Toward a Theoretical Synthesis and Policy Framework," *Theory and Society* 27, no. 208 (1998): 151–208; Juan J. Linz and Alfred Stepan, *Problems of Democratic Transition and Consolidation: Southern Europe, South America, and Post-communist Europe* (Baltimore: Johns Hopkins University Press, 1996).

14. Zhonghua renmin gongheguo jianshebu ling 1994 nian 33 hao, "Chengshi xinjian zhuzhai xiaoqu guanli banfa," reprinted in Beijingshi juzhu xiaoqu guanli bangongshi, *Beijingshi wuyue guanli wenjian huibian* [Compilation of Documents on Real Estate Management in the City of Beijing], vol. 1 (February 1998), 1–5.

15. The new regulations, called the *wuyue guanli tiaoli*, are available on the Web site of the Ministry of Construction, <http://www.cin.gov.cn/law/admin/2003062002.htm>.

16. *Zhuzhai xiaoqu guanli weiyuanhui*, abbreviated as *guanweihui*, or "management committee." Over time this term gave way to another, *yezhu weiyuanhui*, abbreviated as *yezweihui*. As the Ministry of Construction adopted the latter term in its 2003 regulations, I use it here to refer to all homeowner groups.

17. Read, "Democratizing."

18. Li Zhang's unpublished paper on homeowner groups in Kunming contains a good discussion of these three factors.

19. Beixiu Huayuan is this neighborhood's real name. This sketch is based on two long interviews with the *yeweihui* leader in April 2000 and December 2003, and one newspaper article, Chen Dihao, "Yezhu chao diao wuyue gongsi" [Homeowners Fire a Property Management Company], *Nanfang zhoumo*, November 5, 1999.

20. This sketch is based on conversations with four homeowners in July 2003 and July 2004. The neighborhood is referred to with a pseudonym.

21. Lijiang Huayuan is this neighborhood's real name. Its English name is Riverside Garden. This sketch is based on interviews conducted in April 2000 and December 2003. In addition to the cited newspaper articles, it also draws on "Lijiang Huayuan weiquan ji" [Upholding Rights in Riverside Garden], a detailed unpublished account written in the spring of 2003 by Fang Sanwen, a professional journalist and Lijiang homeowner.

22. See "Wei shequ weiquan wo jiu dei you 'chou' you 'ying'" [To Uphold Rights for the Community I Have To Be Both "Stinky" and "Hard"], *Nanfang duoshi bao*, February 22, 2004.

23. "Lijiang yeweihui xuanju liuchan zhi ji" [Homeowner Committee Elections Aborted in Riverside Garden], *Nanfang duoshi bao*, February 21, 2004.

24. Jiashan is a pseudonym. This sketch is based on interviews with the principal organizer conducted in November 2000 and July 2003.

Chapter 3. Socialist Land Masters

1. Between 1980 and 2002 the urban population grew from 18–20 percent of the total population to 36–40 percent; in other words, about 500 million residents were added to the urban population. See George C. S. Lin, "The Growth and Structural Change of Chinese Cities: A Contextual and Geographic Analysis," *Cities* 19, no. 5 (2002): 299–316; and Yixing Zhou and Laurence J. C. Ma, "China's Urbanization Levels: Reconstructing a Baseline from the Fifth Population Census," *China Quarterly*, no. 173 (March 2003): 176–96.

2. PRC Constitution, Article 10; PRC Land Management Law (first adopted in 1986, amended in 1988, 1998, 2004), Article 2. The remainder of Article 10 stipulates that land in the countryside and in suburban areas is under collective ownership." In this chapter I choose to focus on urban instead of rural collective land.

3. My data are collected from fieldwork in Beijing, Guangzhou, and Shanghai in 2003 and 2004, and more generally from two cities in Sichuan (Chengdu and a prefecture-level city), Zhengzhou (Henan), and Changsha (Hunan) from 1997 to 2002.

4. Most of the recent work on China's changing regime of land rights has been focused on rural farmland and resource land, not urban land. See, for example, Sally Sargeson, "Full Circle? Rural Land Reforms in Globalizing China," *Critical Asian Studies* 36, no. 4 (2004): 637–56; Peter Ho, "Who Owns China's Land? Policies, Property Rights, and Deliberate Institutional Ambiguity," *China Quarterly*, no. 166 (2001): 394–421; Xiaolin Guo, "Land Expropriation and Rural Conflicts in China," *China Quarterly*, no. 166 (2001): 422–39. In studies of the changing land rights regimes in eastern Europe, most works also deal with rural agricultural land. See, for example, Katherine Verdery, "The Elasticity of Land: Problems of Property Restitution in Transylvania," *Slavic Review* 53, no. 4 (1994): 1071–1109. In studies of China, works on urban land are mainly about the evolution of China's land institutions but not its urban politics. See Samuel Ho and George Lin, "Emerging Land Markets in Rural and Urban China: Policies and Practices," *China Quarterly*, no. 175 (2003): 681–707; and Fulong Wu,