

**Negotiating the Power to Plan:  
Spatial Planning and Property Rights in Peri-urban China**

Nick R. Smith  
PhD Candidate  
Department of Urban Planning and Design  
Harvard University

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**Abstract**

This article explores China's planning politics through an investigation of village planning in peri-urban Chongqing. Based on ethnographic interviews, participant observation, and document review, the article evaluates the planning process using the theoretical lens of fragmented authoritarianism. Through this analysis, spatial planning emerges as a key inter-scalar arena for coordinating the interests and actions of party-state actors who exercise delegated rights to and powers over land use. These planning powers and property rights constitute a single paradigm of action in the Chinese planning system, and powers can be traded between party-state actors as part of the process of coordination. The analysis also emphasizes the role of the Chinese Communist Party as a crucial political medium for negotiating inter-scalar relations. To understand China's planning processes, it is thus necessary to look beyond formal state institutions and explore the personal networks of political patronage that operate within the party. This investigation suggests several implications for our understanding of Chinese planning, directing attention away from normative market interpretations that emphasize questions of regulatory efficacy and toward the importance of political power. Rather than constituting a new form of regulatory control responding to the demands of a marketized economy, contemporary Chinese planning thus emerges as a continuation of the state's pre-reform control over land use and development.

## [A] Introduction

During a meeting at the Chongqing Municipal Planning Bureau in October 2011, an argument broke out over the status of Hailong Village. Someone proposed it as a model for village planning in Chongqing, but others protested that Hailong's plan was too irrational and too political to be representative. A new plan for the village had just been completed in the past several months, and one of the planners explained how complicated it had been: "In the end, the only way we could resolve the land use issue was through the application of fuzzy science." Rather than referring to principles of uncertainty or approximation, he used "fuzzy science" (*mohu kexue*) as a euphemism for political compromise.

Politics is often blamed for the irrationality and failure of spatial planning in China. Many planners decry the political intervention of state and party leaders, who often prioritize development objectives over regulatory efficacy (Leaf, 1998; Tang, 2002; Feng, 2003; Wu et al., 2007; Han and Liu, 2009; Yu, 2014). Others blame the protracted bargaining between party-state actors, which drags out the planning process so long that plans are already irrelevant as soon as they are released (He Xi., 2003; Huang, 2006; Wang et al., 2008).

Yet, relatively little work has been done to understand how Chinese planning politics actually work (Smith, 2014c). Most studies have focused on the formal systems and technical practices of Chinese planning (Yu, 2014; Wu, 2015), with politics superficially treated as an external distortion. As Anthony Yeh and Fulong Wu have argued, "The plan-making process is separated from the 'real' decision making process"

(1999: 226). As a result, the mechanisms by which political power operates—the backroom dealing and political calculus that drive planning outcomes—are left offstage.<sup>1</sup>

There are several reasons for this gap in the literature. First, critical discussion of internal party-state politics is still taboo within the Chinese academy, the current anti-corruption campaign notwithstanding. Moreover, Chinese planning processes are notoriously opaque, with key meetings taking place behind closed doors and records of negotiations often designated as state secrets. Most importantly, the separation of planning from politics is a rhetorical strategy of the Chinese party-state, which mobilizes principles of technical rationality to legitimize paternalist and authoritarian policy. The difficulties presented by the first two factors make it all too easy to uncritically accept the depoliticizing claims of the third.

In the following article, I put China's planning politics back on center stage. I do so by investigating the politics of planning in Hailong, the village that sparked so much debate at the Chongqing Municipal Planning Bureau. Hailong is an edge case: spatially, it sits on Chongqing's peri-urban edge; institutionally, it lies between China's urban and rural land regimes; and politically, it represents an extreme scenario, in which the attention of national party leaders has made planning particularly sensitive. As Chongqing's planners argued, Hailong is too unique to serve as a model for village planning elsewhere. But its extremity peeled back the party-state's rhetoric of technical rationality and social harmony, momentarily bringing the messy politics of Chinese planning to the surface. Hailong therefore offers a window into rarely seen dynamics and processes that are common across China, making it a privileged case for investigation.

In Hailong, I found multiple actors within China's party-state apparatus—including officials in the administrative village, an adjacent development zone, the township government, the municipal government, the municipal planning bureau, and the land management bureau—competing to control the village's planning process. Drawing on networks of political patronage extending through the Chinese Communist Party, these actors sought to rescale control over Hailong's land by redrawing the urban construction boundary, the institutional border that divides Chinese land into separate urban and rural governance regimes. Over the course of three years, from 2010 to 2013, a highly contested process of negotiation and coordination unfolded, resulting in a compromise that effectively split Hailong in two, with planning powers divided between the administrative village and the adjacent development zone.

In analyzing Hailong's planning process, I apply Kenneth Lieberthal and Michel Oksenberg's theory of "fragmented authoritarianism" (1988), a model of inter-scalar relations rooted in the specific political and institutional context of the Chinese party-state. In refocusing attention on the specific actors and political processes that produce planning, I make four interrelated arguments: (1) Through the allocation of limited land resources to competing territorial projects, spatial planning serves as an important arena for resolving inter-scalar conflicts and territorializing inter-scalar relations among party-state actors in contemporary China. (2) Rather than representing a new form of regulatory control responding to the demands of a marketized economy, spatial planning primarily serves to coordinate the interests and actions of party-state actors who exercise delegated rights to and powers over land use. Politics is thus constitutive of Chinese planning, and the success or failure of planning must be interpreted in terms of the larger process of

party-state coordination—not the regulatory efficacy of the final plan. (3) Planning powers and property rights constitute a single paradigm of action in the Chinese planning system. As a result, planning powers can be traded between party-state actors as part of the larger process of coordination. And (4) the Chinese Communist Party serves as a crucial political medium for negotiating inter-scalar relations. To understand China's planning processes, it is thus necessary to look beyond formal state institutions and explore the networks of political patronage that operate within the party.

My analysis is based on data collected as part of a larger research project that explored the planning and development of Hailong and its role in China's experiments in urban-rural coordination.<sup>2</sup> Over the course of eighteen months (January 2010, June 2011 to August 2012, June to July 2013, and June 2014), I conducted more than 200 interviews (ranging from open-ended conversations to semi-structured interviews) with planners, municipal officials, village officials, and village residents, including both registered villagers and migrants. I also participated in meetings, both in Hailong and in Chongqing's various planning and policy agencies. And I collected a range of relevant documents, including draft plans, government reports, and official comments.

The article is divided into three parts. I first review the theoretical basis for my interpretive framework, discussing the fragmented authoritarianism model, its application to planning powers and property rights, and its expression in the context of peri-urbanization. I then apply this framework to Hailong, describing both the process of negotiation and its outcomes. And finally, in the conclusion, I discuss the implications of this analysis for our understanding of China's planning politics.

#### **[A] Theoretical Discussion**

Existing theorizations of Chinese planning practice have largely drawn on the planning traditions of Europe and America, and two dominant modes of comparison can be identified. In the first, China's transition to a market economy is used to argue for the convergence of Chinese urbanization with European and American models (Zhu, 1999; Yu, 2014). This comparison is extended to analyses of urban planning, the primary role of which is presumed to be the regulation of China's increasingly marketized economy (Hou, 1999; Shi, 2004; Zhu, 2005; Leaf and Hou, 2006; Yu, 2014). This leads Yu Li to argue that "the social, economic and political forces driving [China's] city and regional planning system are not significantly different to those in the West" (2014: 248). In a more critical vein, Yao Danjian maintains, "Compared to the mature planning systems of various developed countries, Chinese planning is still in an imperfect stage; planning faces many contradictions and problems, and there are even instances when planning has lost regulatory control" (2005: 31). In this evolutionist approach, Europe and America stand in for a normative (and nonexistent) ideal of market-rational urbanization regulated by an apolitical, technical planning apparatus.

Frustrated by the consistent failure to achieve this ideal, some planners have sought to bring politics back in. Implicitly based on modernization theory and the supposed links between marketization and democratization (Tsai, 2007), this second approach builds on the comparative arguments of the first to argue for the application of pluralist planning approaches from Europe and America (Yu, 2014). Drawing on discourses such as advocacy planning, communicative rationality, and collaborative planning, these scholars argue for greater participation in Chinese planning processes (Liang, 1999; Zhang, 1999; Yang, 2000; Chen et al., 2003; Liu et al., 2005; Cai and

Zhao, 2008; Chen et al., 2010). Yet, many simultaneously lament the limits of participation in the context of Chinese authoritarianism, where participatory rhetoric has become common but substantive inclusion is rarely achieved (Chen, 2000; Zhang, 2002b; Liu and Li, 2005; Liu et al., 2005; Yun et al., 2005; Cai and Zhao, 2008; Wang, 2008; Wang and Li, 2009).

In both cases, the logic of comparison falls short. First, it is not at all clear that China is transitioning to anything resembling a free market economy, and the synchronic intermingling of “pre-” and “post-reform” practices points to the emergence of new institutions that do not conform to either communist or capitalist models (Nee, 1992; Lin, 1995; Smith, 2014c). Despite the introduction of market reforms, the role of the party-state has remained decisive, with local governments simultaneously acting as builders of, regulators for, and participants in market institutions (Oi, 1992; Shi and Chen, 2005; Hsing, 2006b; Wu et al., 2007; Xu and Yeh, 2009; Xu et al., 2009; Chan, 2010). Moreover, China is far from political pluralism: party support for democratic liberalization is weak (Kelliher, 1997), the public lacks speech rights (Wang and Li, 2009), and the public interest is defined according to party edicts (Abramson, 2006; Zhu et al., 2006; Chen, 2012).

As a result, it is tempting to conclude that it is not Chinese planning that needs reform, but the larger system of Chinese governance. For instance, in their evaluation of Chinese planning, Michael Leaf and Hou Li argue that in China “the field of planning cannot be sufficiently reformed unless there are changes in the political and administrative system, that is, in the basic governance practices of which urban planning is a part” (2006: 574). Similarly, Yu Li concludes, “The city and regional planning



system is one component of the overall political and administrative system. The reform in the planning system is unable to be independent from the general one” (2014: 274). This defeatism, I argue, is a necessary outcome of the comparative approach, which avoids tackling the question of Chinese planning politics head-on.

The growing literature on the politics of state rescaling in China offers a potential alternative. Drawing on the robust discussion of scale within the discipline of geography, this literature explicitly addresses the specificity of Chinese politics, arguing that the strength of the Chinese state and the emerging nature of China’s market institutions necessitate a tailored approach (Ma, 2005; Chung, 2007; Shen, 2007; Li and Wu, 2012, 2014; Luo et al. 2014; Chen et al., 2014). Most of these analyses focus on official reform programs aimed at the rescaling of power relations between nested territorial layers of the formal state bureaucracy, such as the “cities-leading-the-counties” and “provinces-leading-the-counties” programs.

These studies depart from the core principles of the state rescaling literature in two important ways. First, they characterize state rescaling as a function of periodic state-led reform, neglecting the ongoing, processual production and reproduction of scalar relations (Smith, 1993; Brenner, 2004). Second, they take the state and its hierarchy as ontological givens, with each level of the hierarchy treated as a more-or-less coherent and internally homogeneous actor. This is in part because of a reliance on evidence taken from official reports and documents, which privilege the party-state’s self-representation as a vertical, encompassing hierarchy (Ferguson and Gupta, 2002). As a result, much of the dynamism of inter-scalar politics is lost, including the complex mosaic of networked

actors that intersect with and are constitutive of the state (Jessop, 1990: 9; Brenner, 2004: 10; Allen and Cochrane, 2006).

In part, these tendencies in the Chinese literature arise from its regional focus, which both necessitates a coarser grain of analysis and makes it more difficult to gain access to accounts of internal party-state politics. It is thus worth noting two exceptions to this trend, both of which are more locally focused. In the first, Alan Smart and George Lin investigate grassroots rescaling initiatives that crosscut China's territorial administrative hierarchy in order to produce new locally-scaled centers of power (2007). And in the latter, Li Zhigang, Xu Jiang, and Anthony Yeh explore processes of negotiation and contestation between different local state actors over the planning and construction of regional rail infrastructure (2014).

Thus, the state rescaling literature can offer a potentially fruitful approach to the analysis of China's planning politics, but a delicate balance is required. Following the arguments of scholars in both Asia and the West (Brenner, 2004: 110; Park, 2008; Cox, 2009; Sonn, 2010; Tsukamoto, 2012; Gimm, 2013), I recognize the need to use a model of scalar relations that is specifically tailored to China's political and institutional context. But as the preceding discussion of the Chinese rescaling literature demonstrates, it is equally necessary to eschew the hegemonic rhetoric of the Chinese party-state. Instead, I seek to disaggregate the state and challenge its self-representation, a task that is facilitated through the exploration of a locally-rooted case study. It is this combination of competing priorities that has led me to adopt the fragmented authoritarianism model.

[B] *Fragmented Authoritarianism*

Formulated in the 1980s to explain inconsistent energy policies during China's post-1978 reform era (Lieberthal and Oksenberg, 1988), the fragmented authoritarianism model continues to serve as an important interpretive framework for understanding contemporary Chinese policy processes (Lema and Ruby, 2007; Mertha, 2009a). Though not explicitly framed in scalar terms, fragmented authoritarianism incorporates the core principles of the rescaling literature and articulates them for a Chinese context.

Prior theories of the Chinese state assumed a fundamental coherence in Chinese policy development, achieved through the top-down direction of an integrated authoritarian system (much as the existing literature on Chinese rescaling does). By contrast, in the fragmented authoritarianism model, party-state actors at multiple scales and with diverse objectives and resources engage in pragmatic bargaining. Rooted in the practices of the Maoist period, such bargaining is a function of bureaucrats' efforts to secure crucial resources and services that can only be obtained from other party-state units. To do so, bureaucrats navigate dense relationship networks that intersect with and facilitate the smooth functioning of the formal structure of authority. Over time, repeated negotiations produce complex institutional patterns based on thick personal networks—a mosaic of relationships that cut across scales and that, through the intersection of their various state projects, constitute the state (Jessop, 1990; Brenner, 2004).

Given the hierarchical organization of the party-state apparatus, this process of bargaining tends to force issues to higher levels for resolution (Lieberthal and Oksenberg, 1988). Of particular importance here is the Chinese Communist Party. Under a system known as “dual rule,” China is governed by two parallel institutions: the state and the party (Schurmann, 1966). While these two bureaucracies interpenetrate one another and

are often conceived of as a single entity, the party and the government function as distinct organizations (Zheng, 1997).<sup>3</sup> As the representative of the people and the embodiment of the public interest, the party directs and controls each element of the government bureaucracy and, at times, replaces it. As a result, party status supersedes one's rank in the government bureaucracy, and ultimate decision-making power within any organization lies with the highest-ranking party member (Lieberthal and Oksenberg, 1988; Zheng, 1997). While still hierarchically organized, the party is also more flexible than the state bureaucracy. The networks of political patronage upon which it is built allow members to navigate across territorial scales and institutional boundaries in ways that would not otherwise be possible within the strict hierarchy of the Chinese state. Serving somewhat like a "space of engagement" (Cox, 1998), the party therefore provides a crucial medium through which political support is recruited and intra-state conflict is adjudicated.

Another implication of fragmented authoritarianism is the transformation of resources and powers wielded by party-state actors into *de facto* property rights. Exclusive control over goods and services allows bureaucrats to demand more in negotiations with other party-state units. Eventually, "lower level officials began to acquire a proprietary attitude toward the resources they had received" (Lieberthal and Oksenberg 1988: 405-406). This is, in part, a principal-agent problem, as the State Council, which claims ownership over the means of production on behalf of the state and, by extension, the Chinese people, must devolve the authority to exercise its rights and powers to local representatives (Lee, 1993). This phenomenon is particularly evident in control over land. In China, urban land is state owned and rural land is collectively

owned, but a variety of different local actors claim to exercise these ownership rights on behalf of the distant central state or the ambiguously defined collective (Ho, 2001; Cai, 2003; Hsing, 2006b; Po, 2008).

Legal recognition is not necessary in order for these rights to gain social efficacy. Political, economic, and social institutions play a crucial role in the definition of property rights (North, 1990; Harrison, 1987), which constitute rights only when they can be socially recognized and enforced, either through the law or through other means (Hohfeld, 1920; Alchian and Demsetz, 1973; Pryor, 1973; Cole and Grossman, 2002). Thinking extra-legally is particularly important in China, where laws are inconsistently enforced and informal practices vary (Pils, 2005; Shi and Zhuo, 2009; Upham, 2009; Whiting, 2011). Indeed, the courts often opt out of land disputes because they are unwilling to oppose powerful local state actors, whose wide scope for discretion can lead to stark variations across local property regimes (Guo, 1999; Mertha, 2009b; Upham, 2009). Meanwhile, citizens have few opportunities for legal contestation; instead, they are left to appeal to higher levels of government or the court of public opinion (Pils, 2005; Abramson, 2011).

Furthermore, these rights are not limited to control over physical resources but can include a range of less tangible authorities and powers delegated by the central state. As Frederic Pryor observes in his study of the liberalization of planned economies in Eastern Europe, the increasing autonomy of local decision makers represents a change in control rights over bureaucratic powers (1973). These control rights might not be alienable, but they still hold economic value, entailing as they do an asymmetric power relation whereby the right holder can make others do something for his or her benefit

(Ibid.). In China, the homology between rights and powers is further underlined by the fact that both are referred to by a single character, *quan*. This character is paired with the character for force, *li*, to specify power or authority and with the character for profit, *li*, to denote right or privilege, producing two nearly identical homophones.

[B] *Planning, Coordination, and Property Rights*

In the early days of the PRC, spatial (urban) planning and economic planning—the coordinating activity at the heart of the planned economy—were not formally distinguished but constituted one integrated function of the state (Shi, 2005). Spatial planning was thus premised on the social ownership of the means of production, including land, and the need for the coordination of the various state actors engaged in that production (Xie and Costa, 1993; Shi, 2004). While spatial planning was subsequently established as a separate practice, it continued to be subordinated to economic planning as directed by the state (Wu, 1998; Yeh and Wu, 1999; Zhang, 2002a; Shi, 2004; Wu et al., 2007). As Michael Leaf and Hou Li argue, urban planning is characterized by a “conceptual continuity” between the pre-1978 and post-1978 eras: “the purpose of urban planning has been—and continues to be—to support the achievement of state-led economic goals” (2006: 554-555).

As a result, planning powers and property rights have been co-constituted, meaning that they inhere in the same actor—the people and, by extension, the central party-state. These planning powers serve to coordinate the various agents that exercise property rights on behalf of the central party-state. Planning is therefore not external to the exercise of property rights but an integral part of the ongoing process of negotiation by which control over powers, resources, and rights are balanced among various state

actors. The process of planning, through which coordination is achieved, is therefore just as important as the plan itself.

During the reform period, the power to organize planning was devolved from the central planning apparatus to local governments, particularly municipalities.<sup>4</sup> The need for such coordination at a local level was particularly stark in the aftermath of the Maoist period, when the administrative allocation of land to state work units had resulted in a high level of socio-spatial fragmentation (Yeh and Wu, 1999; Bray, 2005; Hsing, 2006b). The re-establishment of urban planning in the 1970s and 1980s thus provided a venue for coordinating the development of local party-state actors that had previously answered only to their independent ministerial hierarchies.

As early as 1980, a decision was made at the National Conference of Urban Planning to devolve the planning, building, and management of cities to local municipal governments (Yu, 2014). This devolution paralleled the rescaling of other state powers and rights to lower levels of government, including the right to exercise ownership of land on behalf of the central state (Shue, 1995; Cartier, 2005; Ma, 2005; Wu et al., 2007). Just as planning powers and property rights had been co-constituted in the central state during the Maoist period, control over planning organization and property rights was integrated into one co-extensive territory by post-reform municipal governments. Thus, planning powers were still premised on the state's ultimate ownership of urban land (Xu, 2001; Shi, 2005), while control over state land was consolidated through the exercise of those powers (Hsing, 2006b). This devolution notably predated by several years the establishment of a market for urban land use rights (Wu, 2015)

The power to organize planning has therefore become a *de facto* property right of local governments, which have used this power to coordinate the activities of the various party-state actors operating in their territories, advance their own development projects, and delegitimize the projects and claims of other party-state actors, such as state-owned enterprises (Hsing, 2006b). Planning has been used to support development agendas, land expropriation, land sales, and urban expansion (Wu, 1998; Yeh and Wu, 1999; Shi, 2005; Hsing, 2006b). Municipalities even grant development zones their own planning powers in order to provide more attractive and permissive environments for investment (Xu and Yeh, 2009).

[B] *Peri-urban Planning*

Where property rights are ambiguous, shared, or divided, the necessity to coordinate across planning regimes arises. This is often true in peri-urban areas, where state owned urban land intersects with collectively owned rural land. Separate urban and rural land regimes grant ownership rights over urban land to the state, while rural land is collectively owned (Ho and Lin, 2003; Lin, 2009; Li et al., 2010). While peri-urban villages might be located within a municipality's administrative territory, their land is thus subject to a formally separate governance regime.

This should theoretically give villagers more control over their land, but several factors undermine the strength of rural land rights. First, it is ambiguous which collective actor has the right to exercise ownership. In some cases this has been the natural village, in others the administrative village or its economic cooperative, and in still other cases the collective economic organization of the governing township (Ho, 2001; Brandt et al., 2002; Lin, 2009).<sup>5</sup> This situation is further complicated by the role of village leaders, who



are members of the local party organization and thus under the supervision of township officials. This has led some scholars to characterize collective ownership as local government ownership or cadre ownership (Putterman, 1995; Cai, 2003; Hsing 2006a).

The alienation and development of rural land is also strictly circumscribed. While villagers' use rights can be transferred to other village households or leased to non-village households, they cannot be directly exchanged in China's land markets, which are limited to urban land (Li et al., 2010). Neither can collectives lease or transfer land to outside investors, though black market transfers are widespread (Lin, 2009; Wu et al., 2007). Moreover, agricultural land cannot be converted to non-agricultural purposes without the permission of the state (Cai, 2003).

By contrast, the state, as represented by local governments, has the power to unilaterally expropriate rural land, convert it to urban construction land, and sell its use rights to developers. Its monopoly over this process effectively amounts to residual state ownership, in which all collective land rights are liquidated and transferred to the state (Guo, 2001; Pils, 2005). The fiscal pressures on local governments and the substantial rent increment that can be earned from the conversion of rural land have thus resulted in widespread expropriation (Brandt et al., 2002; Sargeson, 2004; Ding, 2007; Lin, 2009).

Over the last decade, the central state has sought to buttress rural property rights. Documentation of villagers' land use rights, restrictions on administrative reallocations and expropriations of rural land, the experimental liberalization of rural land markets, and limits on the establishment of development zones have all bolstered tenure security (Sargeson, 2004; Zhu et al., 2006; Po, 2008; Lin, 2009; Hsing, 2010). By strengthening both collective rights and central state supervision, these reforms have made the

municipal expropriation of peri-urban land more difficult. Municipalities are thus forced to more rigorously demonstrate the benefit to the public interest before acquiring rural land, and planning, as a statutory means for defining the public interest, has taken on added importance.

But China's spatial planning regime is also divided along urban-rural lines. The urban plans organized by municipal governments only govern urban construction land, disregarding the rural hinterlands of municipal territories (Yeh and Wu, 1999; Wu et al., 2007). The 2007 Urban-Rural Planning Law brought urban and rural planning under a unified legal framework, for the first time extending China's statutory planning regime to rural areas, but the law maintains the distinction between planning for urban land and planning for rural land (Shi, 2008). This makes the designation of the urban construction boundary, which divides urban from rural, particularly consequential. Even so, the planning of rural land in villages is not controlled by village collectives. Instead, village planning is organized by township governments, the lowest level of the state's administrative hierarchy, and reviewed by higher-level governments, such as counties, districts, or municipalities.

Thus, spatial planning in peri-urban areas can involve a diversity of party-state actors, each with its own claims, rights, and resources. In most cases, villages lack the resources to contest local governments' planning and expropriation efforts, particularly in the face of overwhelming municipal power and the top-down discipline of the party bureaucracy. You-tien Hsing has argued that urban propinquity affords villages the economic resources to resist municipal expansion projects (2010). While this may be partly true, fragmented authoritarianism suggests that the ability to navigate the party's

networks of political patronage may be as important for countering the power of the municipal government.

**[A] Hailong Village**

Located on the western edge of Chongqing's urban area, 22 kilometers from the center of the city, Hailong encompassed 427.69 hectares, of which 277.45 hectares was collectively owned (Figs. 1 and 2). Over the past ten years, Hailong has achieved spectacular economic growth. According to village records, between 2002 and 2010, annual per capita net income rose from 1,578 to 12,000 RMB. Meanwhile, the village's resident population has ballooned from 1,950 registered villagers to 16,266 people, including more than 13,000 migrant laborers working at newly built factories. This growth was catalyzed by the leadership of the local party branch, who established a shareholder corporation in order to raise capital and assemble land parcels contracted to village households. In 2003, as the municipality expelled manufacturing from the urban center, Hailong's development corporation built roads and infrastructure in order to attract newly dislocated factories. A decade later, more than 200 manufacturers were located in the village (Figs. 3-4).

**[B] *Competing Claims***

Hailong's economic success drew the attention of central party-state leaders, including Xi Jinping, who offered political support for the village's leaders and called for Hailong's establishment as a model for village development. This precipitated a rush by Chongqing's local governments to accelerate Hailong's development, including the regularization of its land use through the formulation of a new village plan, which began in 2010. At the same time, the High-tech Development Zone (a municipally-established

development zone that simultaneously functioned as a sub-district government and a for-profit state-owned enterprise) was in the process of expanding its territory to include Hailong, part of a 50 square-kilometer expansion outlined in the 2010 revision of Chongqing's master plan. Hailong's inclusion in the High-Tech Zone would have meant the end of the village, as its lands would have been expropriated, its population relocated, and its collective institutions liquidated or transformed into organs of local government.

These competing claims to Hailong's territory were articulated through two separate economic and social development plans, both of which were approved by the municipal government. This was due, in part, to the nature of economic and social development plans, which seek to maximize development rather than balance competing claims for resources. By contrast, spatial planning, which must allocate limited land resources for competing territorial projects, requires compromise, making it a privileged venue for resolving inter-scalar conflicts and territorializing inter-scalar relations among party-state actors in contemporary China.

As work on spatial plans for Hailong and the High-Tech Zone moved forward in 2011, the contradictions between these two visions quickly emerged. The preface to the High-Tech Zone's master plan diplomatically noted that land uses and land rights are complicated in peri-urban areas, making coordination difficult. Taking the originally designated expansion area as their starting point, the planners adjusted the new boundary of the zone to account for land suitability, territorial powers, and the distribution of functions. The resulting area was slightly larger than the original—50.93 square kilometers instead of 50.72. The zone's master plan referred to this adjustment as “fine

tuning” (*wei tiao*), as if it were just part of the normal process of making the plan more scientific and rational.

[B] *Negotiation*

But in Hailong, the adjustment was fraught with political infighting. As predicted by the fragmented authoritarianism model, the resolution of this conflict required the intervention of a higher level of authority that indirectly supervised both Hailong and the High-Tech Zone. The issue ultimately rose to the party leadership of the municipal government, which had sufficient power over both actors to arbitrate a resolution and ensure its enforcement. Here, behind closed doors, the leaders of Hailong and the High-Tech Zone marshaled their resources in order to establish strong negotiating positions. Yan Jing, Hailong’s party secretary, called on the support of high-level contacts in the party establishment, including Chongqing’s powerful party secretary, Bo Xilai, who had previously intervened on Hailong’s behalf. Meanwhile, the managers of the High-Tech Zone appealed Chongqing’s mayor and deputy party secretary, Huang Qifan, who had touted the area as a new industrial district for the city and reportedly disliked Yan Jing’s brash style.

The subsequent process of negotiation resulted in a compromise that split the village in two. As one of the planners who worked on the High-Tech Zone’s master plan explained, “The management committee of the High-Tech Zone decided that the costs outweighed the benefits and it wouldn’t be worth integrating the entire village into the zone’s plan.” Instead, they reduced the amount of land they were taking, allowing the village to retain a portion for its own use. He went on, “So there was a very strange phenomenon. In Hailong, about one-third of the village became part of the urban

planning area planned by the High-Tech Zone. And two-thirds is still part of the original area, with no relation to the first third.”

Hailong’s leaders were still reluctant to part with even that much. The area the High-Tech Zone proposed to annex comprised Hailong’s most valuable land. It was the flattest part of the village, closest to major roads and other urban infrastructure, and the site of Hailong’s existing industry. In addition, a large number of village households had built dorms, stores, and factories in the area. The price for outright expropriation would be prohibitive (Figs. 5-7).

Again, the leaders of Hailong and the High-Tech Zone compromised. Only those portions of Hailong needed for urban infrastructure, such as roads, rail lines, and power lines, would be expropriated. In the western third of the village, the land would be incorporated into the urban planning area of the High-Tech Zone, but it would not be immediately expropriated. Meanwhile, the power to organize planning for the remainder of the village’s land would be unofficially awarded to Hailong. The town government would still officially organize the village’s plan, but real control over the process would be shifted to the village leadership. In exchange, part of Hailong’s land would be used to build a water treatment plant for the town.

Several other concessions were made in order to win the cooperation of Hailong’s leadership: (1) the municipal planning bureau promised to approve urban construction activities planned for the remaining two-thirds of the village, including industrial and commercial real estate development; (2) the High-Tech Zone agreed to pay for portions of village development located within the zone’s planning area, including the village access road and some of the relocation housing for displaced villagers; (3) the municipal

planning bureau committed to moving several high power lines in the interior of the village in order to accommodate Hailong's planned residential development; (4) elements of the village's original plan were incorporated into the zone's master plan, including commercial areas along the village access road; and (5) Hailong's existing development was tacitly legitimized by the municipal planning bureau, and the village was allowed to continue to manage and operate it until it was expropriated.

Like the town's water treatment plant, these concessions were similar to the types of negotiations China's local governments undertake with large real estate developers. In these exchanges, local governments grant developers planning powers in exchange for planning gain, such as public infrastructure (Zhu, 2004). Hailong demonstrates that this is the rule, not the exception. Planning gain is just another resource traded in the process of coordination between party-state actors.

[B] *The Urban Construction Boundary*

Though the principles of the arrangement were settled, the exact location of the urban construction boundary continued to be a matter of debate. In the summer of 2011, preliminary versions of both the High-Tech Zone's master plan and the village's statutory plan showed the boundary following an existing rail line. But in the plan that was finally approved in December 2013, the boundary had been redrawn farther east, expanding the High-Tech Zone's planning area by 50 hectares (totaling 129 hectares of Hailong's land). In the end, Hailong was left with only 30 hectares to plan, approximately 10 percent of its collectively owned land.

This shift was in part a result of Chongqing's changing political landscape. The original negotiation took place before Bo Xilai was removed from power in a political

scandal that shook the party's foundations. By the time Hailong's plan was approved, Bo had been gone for more than a year, and the village's political influence had waned considerably. With Bo replaced by a caretaker party secretary focused on cleaning up Chongqing's political mess, Huang Qifan became the municipality's most potent political power, and village officials reported that he was actively blocking approval of Hailong's plan. Not until Hailong's territory was further reduced did Huang finally grant his conditional approval for the plan.

But the relocation of the urban construction boundary was also affected by a planned six-lane highway, which was relocated west, adjacent to the rail line. As originally planned, the highway would have cut right through Hailong's new residential area. In April 2011, early in the coordination process, Yan Jing insisted that the highway be moved, and their success in doing so demonstrated the extent of their control over the planning of the village's interior. Six months later, in October 2011, the High-Tech Zone master plan was revised to reflect the rerouting of the highway to avoid Hailong's new residential area (Fig. 8). The revision inverted the logic of China's top-down planning system, in which higher-level plans determine the conditions of possibility for lower level plans, not vice versa. Yan's success in moving the highway demonstrated the extent of his control over the planning of the village's interior. But it also provided an excuse to enlarge the High-Tech Zone's planning area to include the newly relocated highway.

The resulting division in Hailong's territory created a paradox in China's system of urban-rural administration. To the west of the urban construction boundary, Hailong's land would remain formally rural, owned and operated by the village collective; but this land would also be integrated into the municipality's urban planning area and



development would be managed according to urban construction regulations. Yet, under China's Urban-Rural Planning Law, the urban planning area can only include land that is actually urban, and rural land should be planned according to statutory village plans.

A planner involved in Hailong's planning process described how the hybrid arrangement represented the High-Tech Zone's intention to expropriate the land at some point in the future, a reflection of China's separate planning and land management systems. As he explained, both the ownership of and the use rights to Hailong's western third remained with the village collective. The High-Tech Zone only held the right to plan its use, entitling them to decide how the land would be used but not to actually use it: "They can decide the character of the land, how it will be arranged in the future. They can decide whether to build a road. But once they decide to actually build it, the use right itself still belongs to Hailong. So then they have to expropriate the collective land."

[B] *Land Use Planning*

Hailong's leaders faced one final obstacle in getting the village's statutory plan approved. Once the issue of the urban construction boundary had been resolved, the municipal planning bureau no longer had any objection. But this did not mean that the land management bureau was on board. As has been widely observed in China's urban planning literature, urban-rural planning and land use planning are run by two different bureaucracies with distinct missions and incentives (Wu et al., 2007; Yu, 2014). Since the land management bureau must sign off on new plans and development projects, conflict between the two bureaus can lead to substantial delay in the planning approval process.

Early in Hailong's planning process, the Jiulongpo District government's land management bureau appended a document to the village's statutory plan noting that it

would “support the appropriate (*shidang*) expansion of the scale of village construction land in Hailong.”<sup>6</sup> The use of the word “appropriate” here was emblematic of the political balancing act in which the land management bureau was engaged. On the one hand, the Jiulongpo district government had instructed the local land management bureau to “support Hailong Village’s development” by accommodating its need for additional construction land; on the other hand, the land management bureau was statutorily charged with protecting agricultural land and limiting the expansion of construction land. In this context, the euphemistic use of the word “appropriate” indexed the future resolution of this contradiction at a higher level of political authority. Only then would the land management bureau know how to act.

With Bo Xilai’s downfall, the politically determined definition of what was “appropriate” swung against Hailong’s leaders. Ultimately, the land management bureau insisted that the expansion of construction land in Hailong be compensated by a reduction in construction land elsewhere in Baishiyi Township, and it was not until 2013 that a suitable donor could be found—a nearby village that was being consolidated. Like many villages on Chongqing’s outskirts, its villagers were being moved into new, high-rise apartments, and their existing housing construction land was being returned to agriculture. Under Chongqing’s land note system, the excess construction land produced in this transformation should have been traded on the municipal market and sold to the highest bidder. But the political exigencies of Hailong’s development forced an exception, enabling the town government to bypass the land note system and allocate the excess construction land to Hailong directly.

[B] *Planning Outcomes*

In December 2013, Hailong's statutory village plan was finally approved by Chongqing's municipal government, making it a legally enforceable document. Drawn out over three years of intense negotiation and bargaining, what had the process of planning coordination produced? Most fundamentally, Yan Jing and his colleagues had secured the village's survival and consolidated their control over Hailong's remaining land. Though it represented only a small portion of the village's original territory, in those 30 hectares both land ownership and planning control were exercised by Hailong's leaders. This power was subject to the supervision and input of local government, but by bargaining with municipal planning bureau officials, Hailong's leaders had even secured influence over the plan approval process. Hailong's ability to plan the use of its own land thus demonstrated that planning is not an exclusive privilege of the state. Just as municipalities have used planning to advance their development objectives and strengthen their control over urban land, village collectives are capable of doing the same. And Hailong's leaders have subsequently used this power to dramatic effect, pursuing the construction of a commercial real estate development with more than 300,000 square meters of built area.

But the planning process in Hailong has also come with costs. The fine distinctions in control rights have resulted in the radical fragmentation of village land, exacerbating the tendency toward fractured mono-functional zones in Chinese development. The division of planning powers resulted in not one but two statutory plans for Hailong: the western third was incorporated into a development control plan for the High-Tech Zone, while the remainder of the village was included in the statutory village plan (Fig. 9). This means that one-third of the village will be developed according to

urban norms and regulations, while in the remainder development will be conducted according to rural standards. As planned, the character of the two areas will be markedly different, with significantly higher density in the High-Tech Zone. Moreover, the two areas are conceptualized as distinct and, aside from a few infrastructural connections, unrelated entities. The High-Tech Zone's master plan portrays Hailong's western third as the development zone's industrial periphery, oriented toward a new commercial center several hundred meters to the west.

Moreover, Hailong's planning process has largely excluded village residents, who lack the status to participate as negotiating partners in party-state coordination. Hailong officials claimed to have gone through a rigorous participatory process, with extensive villager input. Photographs in the village newspaper and the exhibition hall proudly portrayed village officials explaining Hailong's new land use maps and planning regulations to elderly villagers. But, as one village official explained it, this process amounted to little more than a publicity campaign: "Once they think it's okay, then they vote. Once the majority of people agree, then we send it up for approval." What he laid out was not an iterative process of input and influence but a process of persuasion, in which approval was a foregone conclusion—a vote was only taken once a majority of villagers had already agreed. The effects on residents and their responses to Hailong's new plan are beyond the scope of this discussion, but as plan implementation has moved forward, the lack of substantive inclusion has begun to catch up with Hailong's leaders and residents have grown increasingly vocal in their objections.

For all the bargaining and negotiation that had gone into its production, would Hailong's plan actually guide the village's future? When I asked a village official

whether he was satisfied with the plan, he shrugged his shoulders. “Sure,” he said, “because it’s not set in stone. It will be adjusted for each stage of development. It’s not like after the plan is done, every little thing is going to be done according to what is said in the plan. It’s not like a machine!” For Hailong’s leaders, the statutory plan was just a starting point, a declaration of principles. The real decisions would come after, as they iteratively adapted and adjusted to the challenges of turning the village into a city.

Moreover, implementation had already begun well before the plan was approved. In February 2011, nearly two years before final approval of Hailong’s plan, the village’s leaders commissioned a demolition crew to blast a hole through a small mountain ridge that bisected Hailong’s territory. The gap in the mountain would accommodate a four-lane access road, which the plan proposed as a grand entrance to Hailong’s new residential area. By putting shovels in the ground—and in dramatic fashion—Hailong’s leaders were staking a claim on the village’s future and securing leverage in the ensuing negotiation process. Blasting a hole in the mountain was a form of insurance against the kind of political process uncertainty that ended up derailing approval of Hailong’s plan for three years.

#### **[A] Conclusion**

Hailong’s story provides key insights for our understanding of China’s planning politics. In the conventional narrative of Chinese planning, Hailong would undoubtedly count as a prime example of regulatory failure. The highly politicized, drawn out process of negotiation, the trading of planning powers for planning gain, and the village leadership’s preemption of the plan (as well as their commitment to “adjust” it in the

future) all ensure that Hailong falls well short of the idealized image of apolitical, technical regulation.

But the lens of fragmented authoritarianism shows that such politicization and negotiation—for good and ill—are constitutive of the planning process, not deviations from it. Backroom bargaining and negotiation are at the heart of the planning process in China (as elsewhere), and the success or failure of planning may have more to do with the ability to coordinate than to regulate. In this alternative narrative of planning, the planning process is thus more important than the plan itself, and this process does not end with the plan. Rather, the trading of planning powers for planning gain and other resources embeds planning coordination in the wider network of resource trading and power balancing produced through fragmented authoritarianism.

Of central importance in this alternative narrative is the co-constitution of planning powers and property rights. Whereas the conventional narrative reifies planning powers from property rights, producing two separate paradigms of action, fragmented authoritarianism reveals these paradigms as mutually constituted. Planning powers and property rights emerge as equivalent institutionalizations of power that are used to coordinate, discipline, or contest others' actions. In this unified paradigm, neither planning powers nor property rights can be insulated from the influence of politics—they are, themselves, inherently political.

In my conversations with Chongqing's planners, an important distinguishing characteristic of the power to plan was its inalienability: property rights could be sold on the market, but planning powers could not. As demonstrated by the complex negotiations between the leaders of Hailong and the High-Tech Zone, this was not quite accurate.

Planning powers could be alienated, but only as an in-kind transfer in the course of negotiation and compromise between party-state actors. In combination with other qualities of Chinese planning powers, such as their delegation from the central state to local governments and their conditional nature if supervising levels of government find that plans have been improperly organized, this limited alienability suggests that Chinese planning powers constitute what Frederic Pryor describes as “stewardship rights” (1973: 382). Such rights represent a separation of control from ultimate ownership, as occurs in a hierarchically organized centrally planned economy. As Pryor describes in the context of Eastern Europe, this separation can grow even wider in the course of economic reform, as the decentralization of decision-making powers gives local managers greater autonomy and discretion (Ibid.).

The evolution of planning powers into *de facto* property rights can therefore be understood as an artifact of China’s reform process. Originally part and parcel of the state’s ownership of the means of production, planning powers have remained a residual right of the state amidst the liberalization of other ownership rights, such as use, income, and alienation. The devolution of these powers to local governments, such as municipalities, provided a means to reassert state control over land in the context of this liberalization. Rather than constituting a new form of regulatory control responding to the demands of a marketized economy, planning powers thus represented a continuation of the state’s pre-existing control over land use and development.

This theoretical position allows us to move beyond the totalizing normativity of capitalist urbanism (and market transition) to investigate the specific and varied processes through which planning is actually produced. Most of all, this approach allows us to stop

seeing Chinese urbanization as aberrant and Chinese planning as failing, and enables us to start truly evaluating and criticizing their own logics and contradictions. Instead of concluding that the only way to fix Chinese planning is to completely overhaul China's social and political system (an improbable outcome, and one over which China's planners have little control) (Leaf and Hou, 2006; Yu, 2014), this alternative position is oriented toward the possibility of reform within the context of China's existing institutions. To this end, I have sought to provide a set of analytical tools and critical insights that may help Chinese planners and policy makers reflexively reevaluate their theoretical assumptions and practices.

Can these findings, based on the investigation of a single village case study, be applied elsewhere in China? Preliminary evidence suggests that similar inter-scalar dynamics are at work in the Pearl River and Yangtze River deltas (Smith, 2014a, 2014b), two regions of China with particularly high rates of village urbanization. You-tien Hsing has also documented similar inter-scalar contestation in her wide-ranging work (2006a; 2010), and others have investigated municipal strategies for disciplining and capturing village collectives through their inclusion into government-directed planning regimes (Chung, 2009; Zhao and Webster, 2011; Crawford and Wu, 2014). Further grounded investigation of Chinese planning processes along these lines is necessary, but the fragmented authoritarianism model, which was originally developed to explain central-provincial relations at national and regional scales, promises a robust interpretive framework that should travel well.



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<sup>1</sup> You-tien Hsing's work is a notable exception to this trend, though her investigations have largely focused on the politics following from or in reaction to planning, rather than the politics of plan preparation *per se* (2006; 2010).

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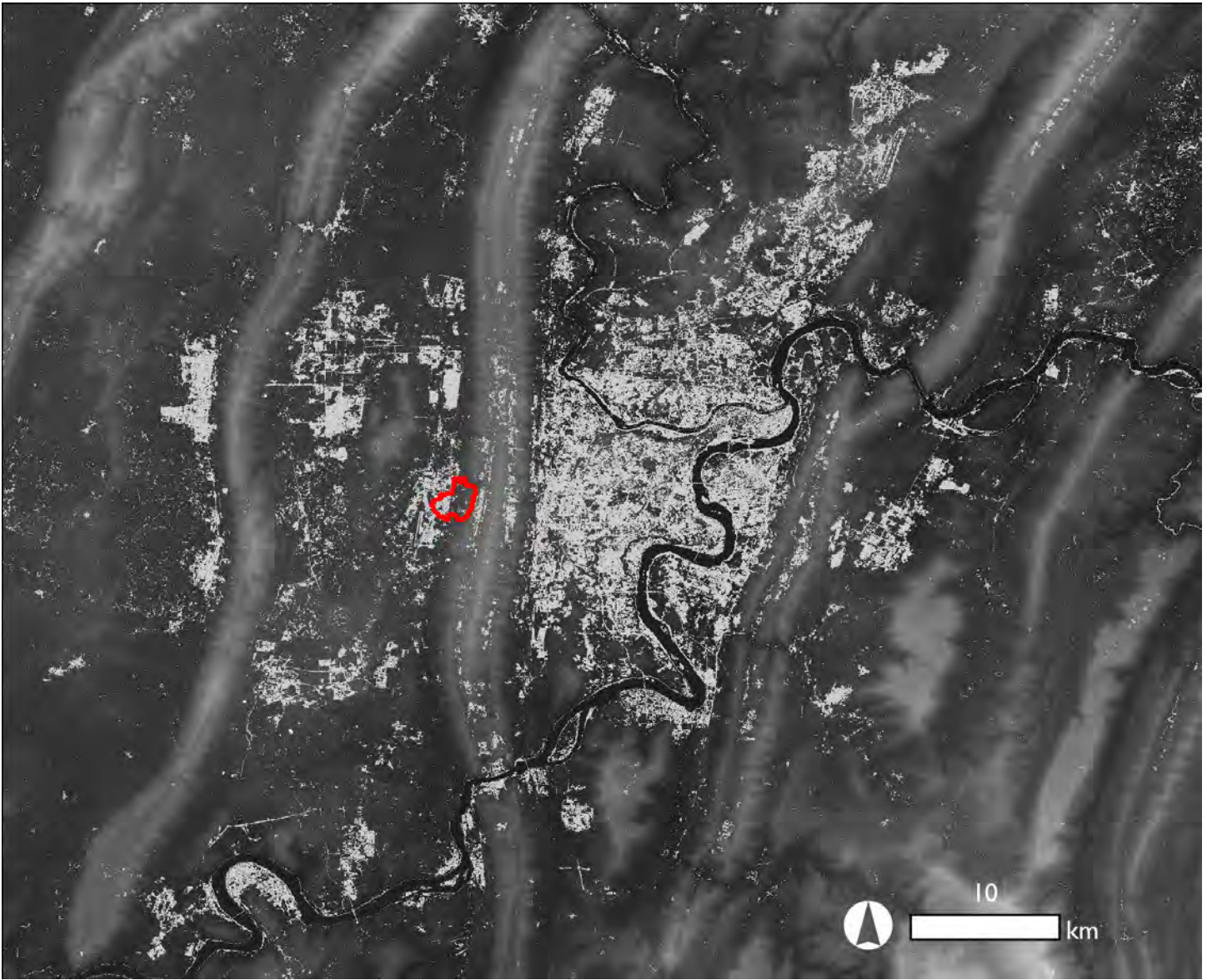
<sup>3</sup> My use of the term "party-state" does not, therefore, denote a single, integrated apparatus of governance, but rather indicates the combined (and often allied) powers of the party and the state.

<sup>4</sup> Four distinct roles can be identified in the statutory definition of Chinese plan creation, as expressed in the 1989 Urban Planning Law and the 2007 Urban-Rural Planning Law. Plan "formulation" (*bianzhi*) involves the technical production of urban plans, a role that can only be filled by accredited planning firms and design institutes. Equally important is plan "organization" (*zuzhi*), which is conducted by a legally designated local government, such as a municipality or county. The plan organizer is effectively the client, commissioning and overseeing the plan's formulation. There is also plan "participation" (*canyu*), as well as "inspection and approval" (*shenpi*), which is conducted by a supervising government, such as a province or the State Council.

<sup>5</sup> Administrative villages arose in the early twentieth century as a means to organize and modernize the rural population, and their contemporary manifestation evolved from the disbanding of rural production brigades in the 1980s (He, 2003). They can vary from several hundred to several thousand people and contain one or more natural villages, also called communities or work teams.

<sup>6</sup> Document dated December 22, 2010. Chongqing Jiulongpo District Land Management Bureau. "A report regarding support for Hailong Village's development."

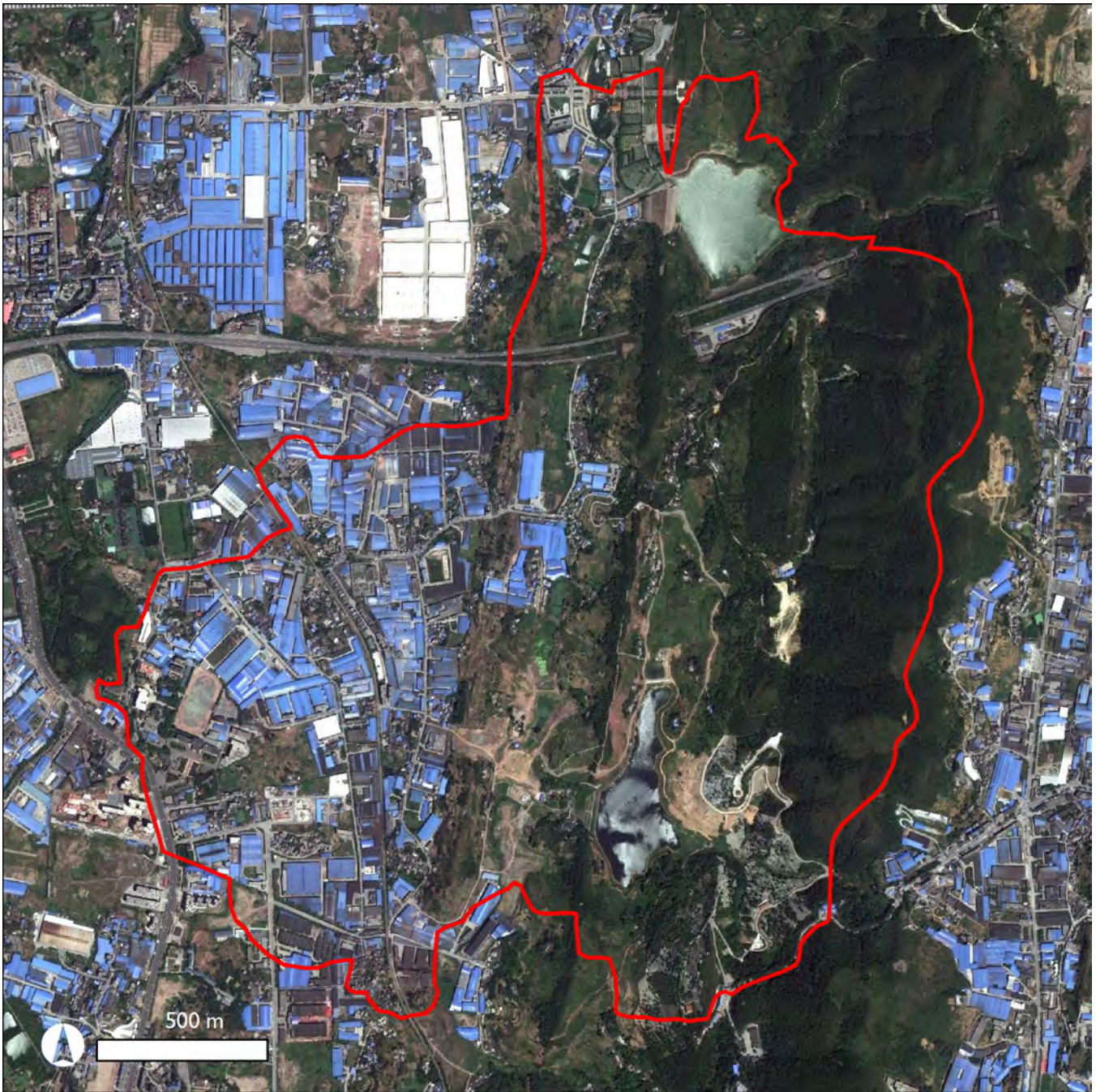




**Figure 1: Chongqing Morphology (c. 2010)**

This analysis of reflectance from the 2010 Global Land Survey shows approximate urban land use in and around the main city of Chongqing. The primary axes of growth are in the west and north, where land is relatively flat. On the outer edge of the Zhonglian Mountain ridge, Hailong (outlined in red) is part of the area of expansion known as “West City.”





**Figure 2: Hailong Village**

This satellite image is dated August 19, 2011, around the time that the process of planning coordination was beginning. It shows Hangu town to the north and the first ridge of Zhonglian Mountain to the east (the developed area to the west is Shandong, a town situated in the middle of the Zhonglian Mountain ridge).





2003



2005



2007



2009



2010



2011



2012



2013

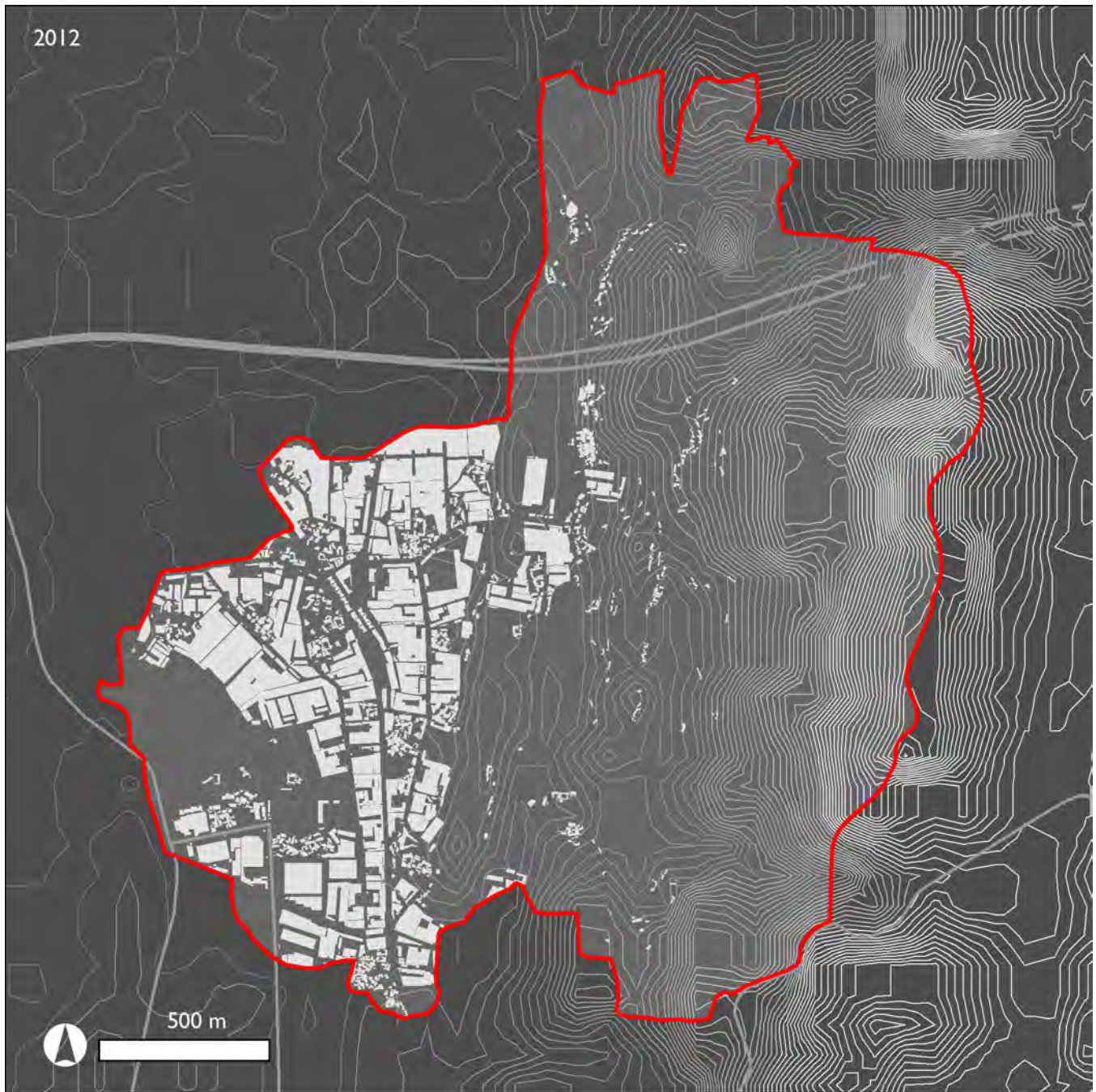


2014

**Figure 3: Structures (2003-2014)**

This series of figure-ground drawings shows the rapid intensification of land use in Hailong during the 2000s, with the bulk of construction occurring in the village's flatter and more accessible west.

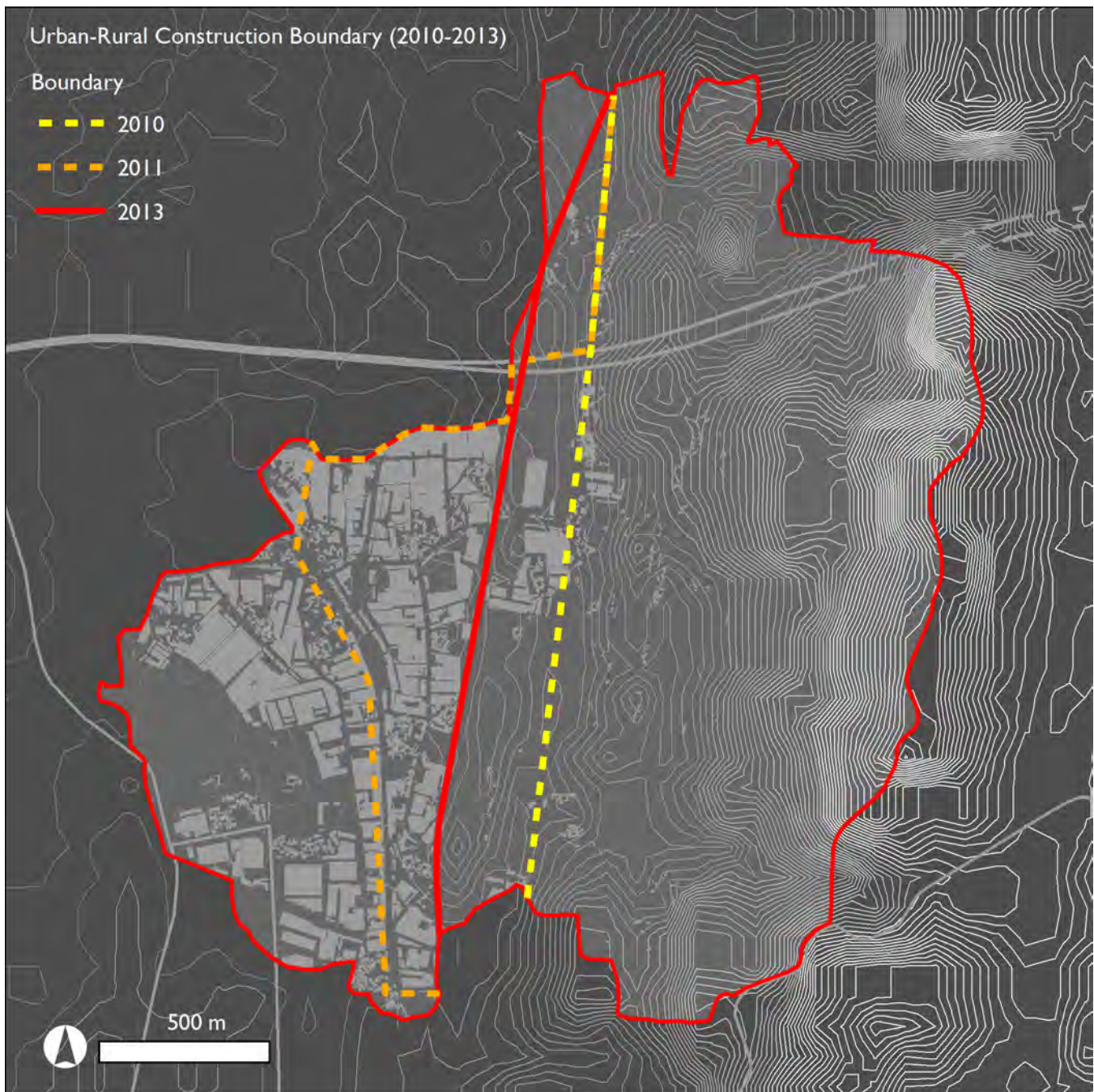




**Figure 4: Structures (2012)**

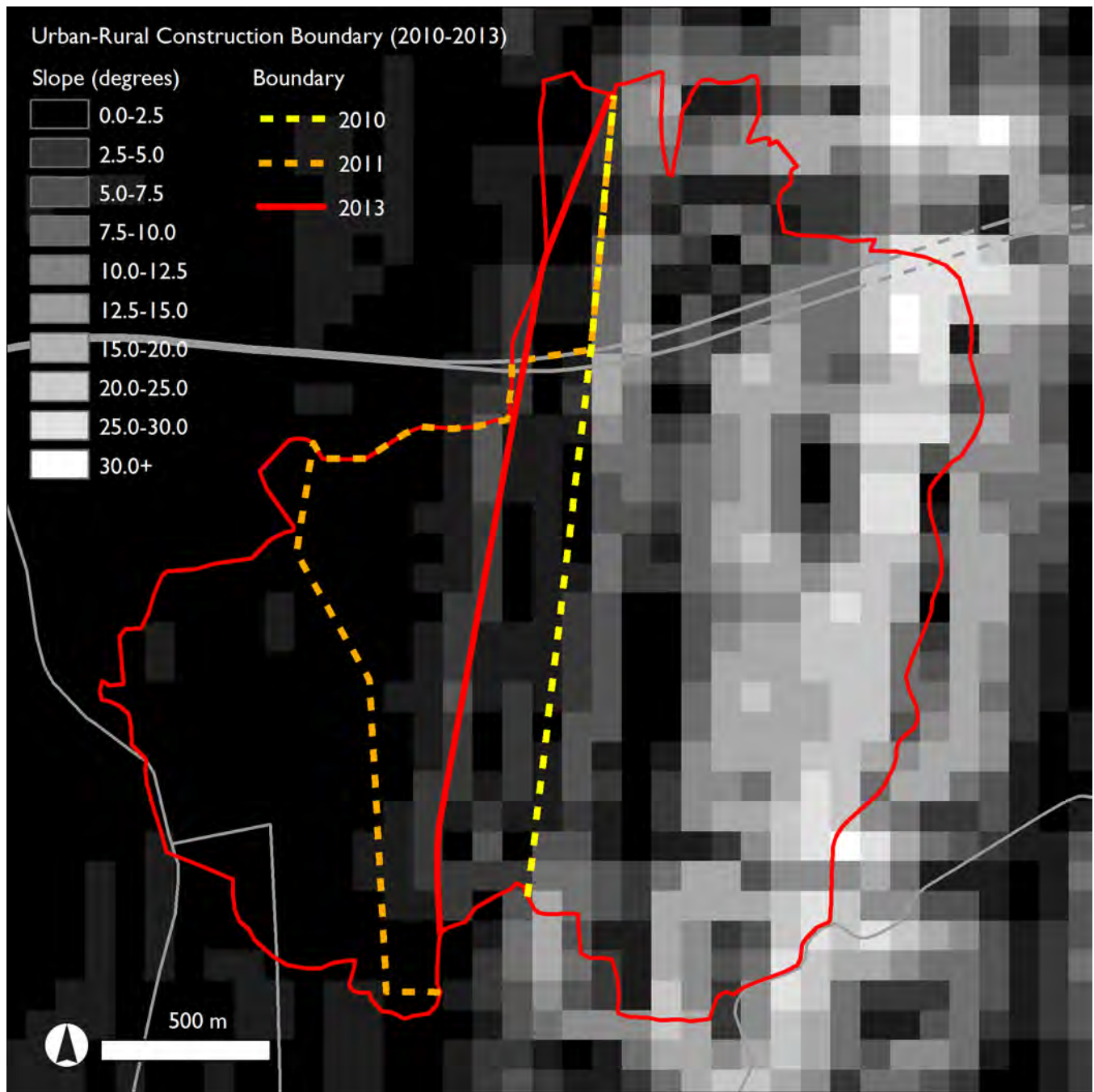
This figure-ground drawing shows the morphology of the village in 2012.





**Figure 5: Urban-Rural Construction Boundary (2010-2013)**

The urban-rural construction boundary was used to divide the urban planning area (to the west) from the village planning area (to the east). The boundary originally proposed by the High-Tech Zone ran along the foothills of Silong Mountain and would have entailed the expropriation of nearly all of Hailong's collectively controlled land. In 2011, in the middle of the negotiation process, Hailong succeeded in revising the boundary to follow the rail line. The final boundary, reflected in the village's approved statutory plan of 2013, ran along the western edge of Silong Mountain, the small ridge separating western Hailong from the village interior. The majority of Hailong's existing development was located on the urban side of the boundary.



**Figure 6: Urban-Rural Construction Boundary with Slope**

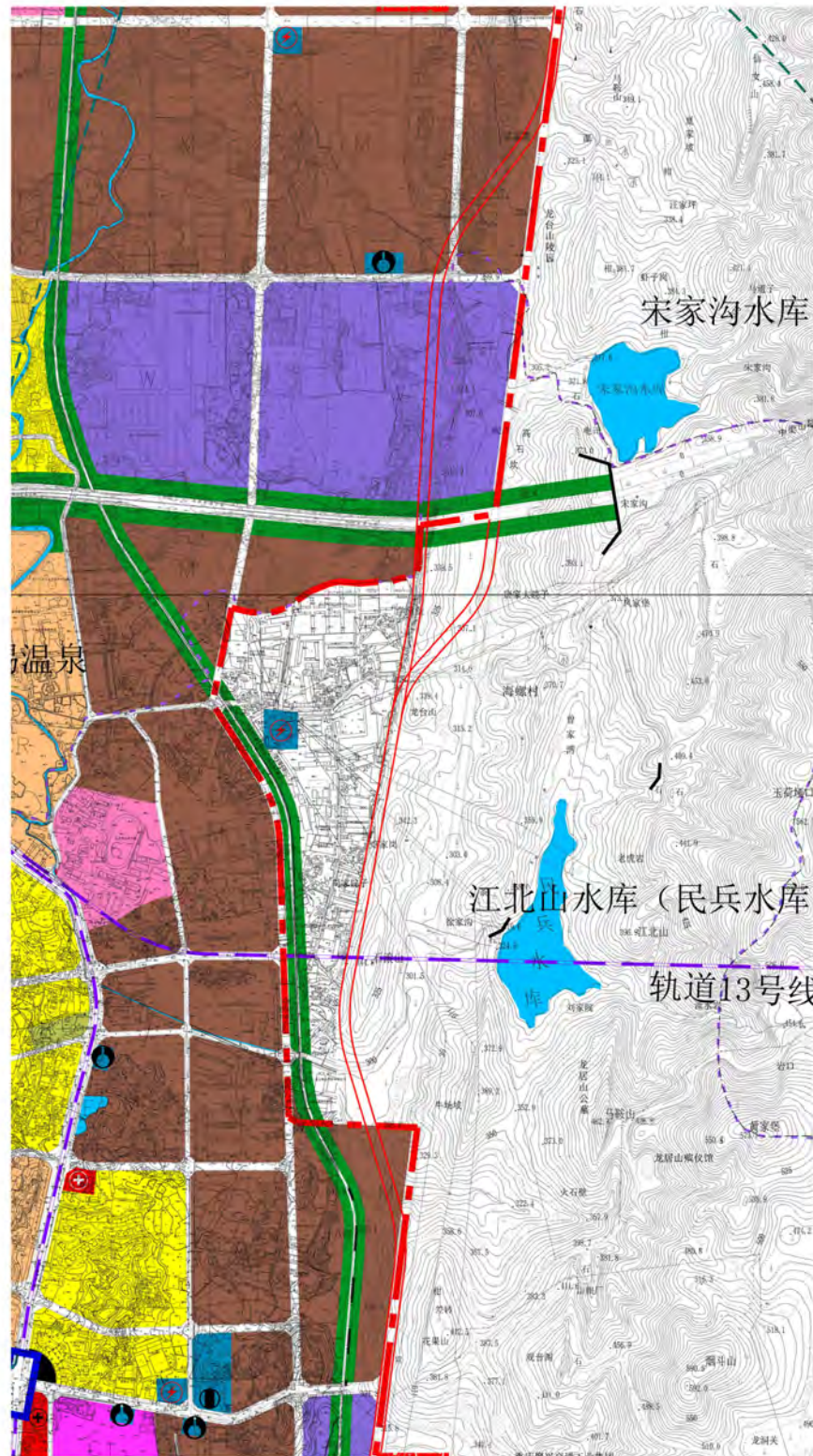
The majority of Hailong's flat land was located on the urban side of the boundary.





**Figure 7: Urban-Rural Construction Boundary with Accessibility**

The most accessible parts of the village were located on the urban side of the boundary.



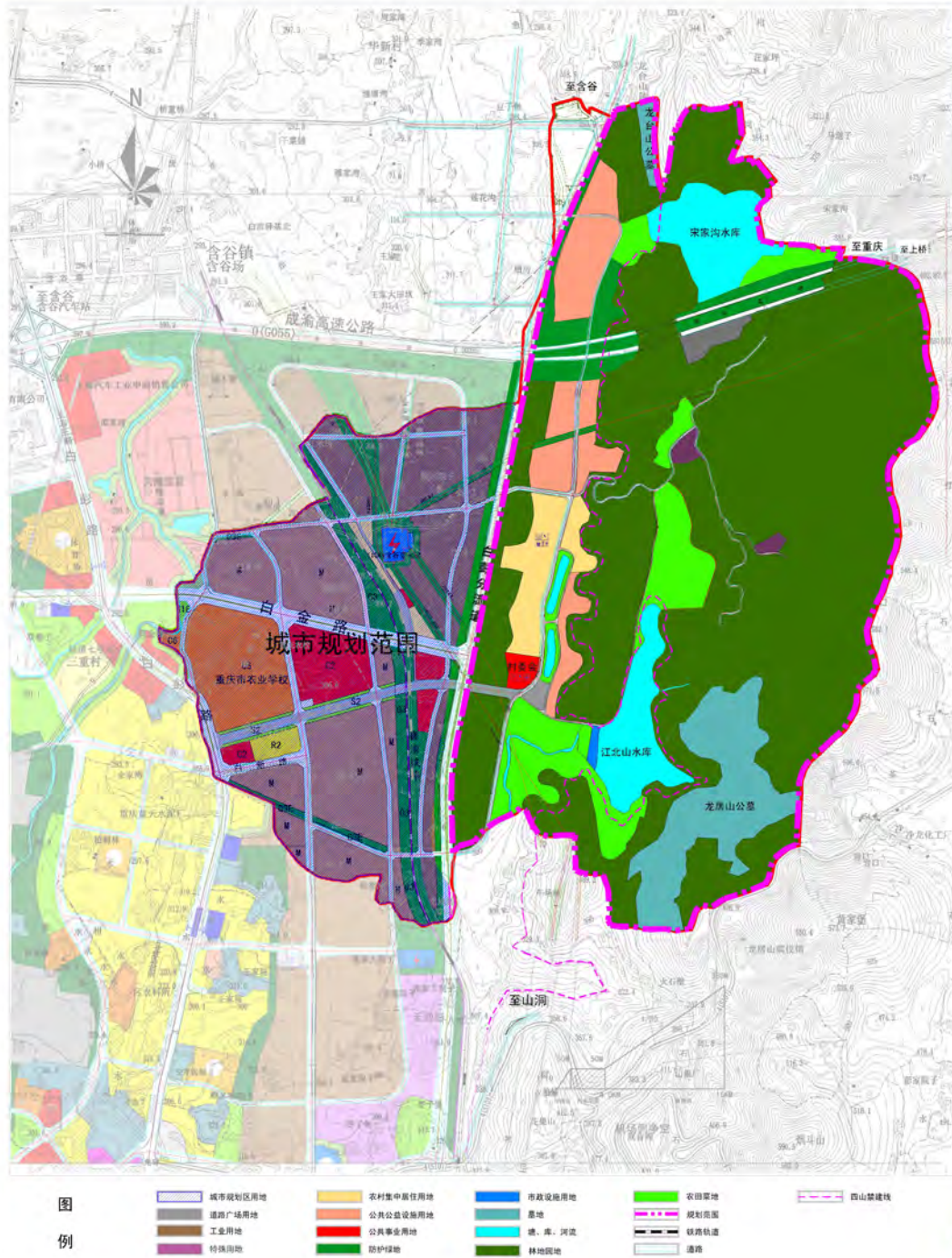
**Figure 8: Freight Highway, Revised**

This drawing shows the process of revision for the freight highway. The 2011 urban-rural construction boundary is represented with a dashed red line. Alternate paths for the highway are represented with lighter double red lines. The originally proposed path of the highway can be seen faintly in black. Where the revised path diverts to the west, the original path continues straight, running through the valley designated for Hailong's new residential area. Source: Chongqing Municipal Planning Bureau



## 重庆市九龙坡区白市驿镇海龙村规划(2010-2020)

土地利用规划图



重庆市规划设计研究院

**Figure 9: Hailong Statutory Plan**

The land use plan for Hailong reflects the division between the urban planning area (shaded dark) and the village planning area (bordered in pink).

Source: JiuLongpo District Planning Department