

THE TEN YEAR PROTEST IN CHENGDU

— — *investigation on illegal housing demolition*

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The cold rain of Chengdu pelted the white hair of a middle-aged man. He opened the tumbledown door of the only remaining store, noticing the 17.63m² store was full of junks. As he pointed at his store, said “ Whose are these chairs? Can't see the slogan on the facet? —— ‘Private property, no trespassing?’ ”



Until now, this is the only unmoved store on the pavement, which “ Private property, no trespassing” was printed on it. The value of the house was increased from 160,000RMB to 1,500,000RMB within the past decade. (PHOTO / LV LINTONG)

Precipitated Hosing Demolition

January 29, 2006, Xiangyang Xu, who didn't join the conference for mobilizing demolition, was informed that his store will be demolished very soon. And he received a *Demolition Resettlement Scheme* from the real estate developer. Two months later, Xu was imparted by the demolition company that the developer won't demolish the house as it was planned —his store couldn't relocate to its original site, but had to move to Honghua Street. He was confused, because according to the *Demolition Resettlement Scheme*, he could either choose to relocate his store to the original site or to Honghua Street. Subsequently, Xu asked the Demolition Company to give him the reason why his store will be relocated to Honghua Street mandatorily. Several days later, Xu knew that the area of the store's original site is not vast enough to offer Xu's compensational space. "To maximize the benefits, the developer require me to move my store to Honghua Street, so they deprive me of the rights to choose." As Xu complained. The developer didn't keep their promise because of the sudden increasing of the land price within a short 2 months.



(Xu employees some workers to break open the masonry wall (PHOTO / Xu))

After a year, some rogues forced evicted Xu to move his store by building masonry wall to block it. They then threatened and beat Xu, using rods and knives. They worked out all kinds of methods to forcefully evict Xu, they even cut off the supply of water and electricity in order to reach their purpose. Where did these rascals come from? Why did they do so? Finally, it turns out that under the circumstance of a few stores hadn't demolished, these rascals were asked by the demolition office to illegally evict Xu violently. February 23, 2007, Xiong, one of the protesters, was whacked into retarded by 7 people from Demolition Office. After investigating by local police, those 7 people were placed 15-day administrative detention for the crime of disrupting public order

Unavailing Wei Quan

Commodity Operating had stopped for 2 years for electricity and water had been cutting off. As the store's owner, Xu reported in a complaint about ~~cutting off~~ the electricity and water supply shut down to Jinniu District Real Estate Administration. And then, in 2008, Jinniu government assigned 5 people from different government departments as a Bao'an group to help Xu to negotiate with the developer. In the process of negotiating, the Bao'an group told Xu there was no more room to relocate Xu and other protesters' stores, however, Xu required the information about real estate in Chengdu Real Estate Administration, and it shows there were still store places available for relocating. Because of the information mismatch, Bao'an group failed to finish their job.

Meanwhile, Xu and other protesters have been trying to solve the electricity and water problem. In May 2010, Xu received the document: *Rejoinder To Xu's Demolition Problem*. According to the rejoinder, The electricity was cut off because it was difficult for the Power Supply Bureau to charge for electricity with all the surrounded stores had moved. Then in 2012 and 2013, Jinniu District Real Estate Administration gave two more rejoinders to Xu, however, in the rejoinders, the Real Estate Administration ordered the developer to restore power and water, and asked the developer to abide the *Sichuan Regulations Regarding on the Administration of Urban Housing Removal* and never perform forceful eviction. To the same problem Jinniu District Real Estate Administration gave two different answers. This made Xu confused. Therefore, Xu reported complaints to municipal government and provincial government repeatedly. After receiving the complaint from Xu, Bing Zhang, Secretary of Politics and law committee of Jinjiu district, set up a Bao'an group

again, which was dedicated to releasing the conflict between Xu and the developer. December 19, 2015, however, Zhang Bing was arrested for bribery crime , and the Bao'an group which was set up by him was no longer functional. Under this particular circumstance, Xu went to Beijing, using the legal channels to challenge forced land requisitions and demand compensation——Wei Quan. (Wei Quan is a term used to describe civil rights petition actions in China.) While other protesters had demanded their expected compensation, Xu was still on the way to Beijing, asking the government to restore the electricity.



Xu's train tickets to Beijing, indicating that Xu had been to Beijing for 31 times.

Central Issues

According to *Research on “housing demolition” phenomenon*, 73% protesters think that in the process of housing demolition and relocation, the veiled government and management is the main reason of triggering crowd's protests. Moreover, during the ten-year protest process in Chengdu, there are some doubts needed to be paid attention to.

Doubt 1 : Government investment?

According to Chengdu Intermediate People's Court's civil mediation document: "After investigation, March 10, 2005, the Yingmenkou subdistrict office signed the agreement with the developer.... Yingmenkou subdistrict office will receive some houses as rewards according to the amount of the investment.....", which demonstrated that the local government invested in the developer, which means the government become the beneficiary directly. However, will this "investor" identity make the government and the developer always presented a united front? Under this circumstance, Who will protect the protesters' rights?

Doubt 2: No arbitration?

2006, the developer didn't demolish the store according to ***Demolition Resettlement Scheme***, but forced evicted Xu. When Xu reported a complaint to Jinniu District Real Estate Administration, the administration office didn't response. To the developer's illegal housing demolition, why didn't the administration arbitrate between the litigants ?

Doubt 3: Why rebelling?

From 2005 until 2016, ten years have pasted. Why Xu didn't agree to move? Have his action affected the development of the city?

"Persistence and law", these are the key concepts Xu emphasized, "society with rule of law goes first, then there's the material security. Xu has been struggling for 10 years, his experience of Wei Quan is hard and shocked. At the end of the interview, Xu said, "I believe the society is moving in the democratic and legal direction"