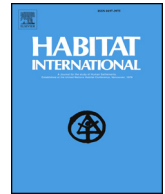




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## Promises and perils of collective land tenure in promoting urban resilience: Learning from China's urban villages

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### ABSTRACT

New frameworks for “urban resilience” frequently overlook the role of property rights and tenure security in shaping vulnerability, as well as how different property rights regimes shape societal capacity to adapt to environmental and developmental disruptions. We contribute to these discussions by examining how collective urban land tenure affects community-scale resilience, defined as environmental wellbeing, productive livelihoods, and empowered governance. We use urban villages in Shenzhen to study how this widespread phenomenon of collective land ownership in Chinese cities allowed rural villagers to adapt as cities spread around them over time. Drawing on a literature review, interviews, and a field visit to Shenzhen, we find that collective tenure in Shenzhen’s urban villages has helped them avoid some of the limitations seen in household-level tenure formalization efforts elsewhere. Collective tenure enabled rural villages to create self-governance mechanisms that allowed them to transform individual and collective assets into vibrant, well-served, and mixed-use neighborhoods. Urban villages house most of Shenzhen’s residents and have helped underwrite the region’s industrialization process. However, collective tenure also has hindered integration with Shenzhen’s urban infrastructure, governance, and taxation systems, resulted in astronomical profits for village elites, and repeated historic patterns of unequal land ownership in China. The promises and perils of collective urban property rights seen in Shenzhen call for research on other such models around the world to further inform whether and how such property rights regimes can support equitable and holistic notions of urban resilience.

### 1. Introduction

“Resilience” has captured global imaginations as a framework to grapple with rapid urbanization, post-industrial decline, mounting inequality, and climate-driven disasters (Leichenko, 2011; Vale, Shamshuddin, Gray, & Bertumen, 2014). The concept of resilience encompasses dynamic and complex aspects of human flourishing, but often neglects structural causes of vulnerability and unequal capacity, such as institutions of land ownership (Brown, 2014). Strikingly, new frameworks like Notre Dame’s Global Adaptation Index and Rockefeller Foundation’s 100 Resilient Cities initiative try to help cities anticipate and recover from shocks without addressing critical issues related to land tenure security and property rights.

Land tenure and property rights<sup>1</sup> underlie asset formation, investments in the built environment, and community development and stability – key factors in shaping individual and community resilience. Across the Global South, tenure insecurity constrains the ability of

urban residents (especially marginalized populations) to access public infrastructure and services, invest in homes and communities, and resist displacement from disasters and development projects (Mitchell, 2010; Reale & Handmer, 2010). However, efforts to strengthen tenure security through individual land titling have under-delivered on community-level upgrading without consistently preventing further displacement (Payne, Durand-Lasserve, & Rakodi, 2009). Discourse on urban resilience therefore should carefully consider the role of property rights regimes and critically evaluate alternatives that can equitably enhance residents’ ability to thrive.

This paper contributes to these discussions by asking: how does *collective* tenure shape community resilience in cities? What aspects of collectivity matter? Who counts as part of collectives? We explore these questions in the context of China’s urban villages, an unusual example of *urban* collective tenure. Under China’s unique land policy, rural villages hold title to land and property as a collective, even when they become engulfed by cities and become densely settled. Since the 1980s,

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<sup>1</sup> Land tenure, from the French “tenir” meaning “to hold”, defines the relationship between the tenant and entity with full property rights. Tenure categories range from squatting to freeholding. Property rights regimes define what each tenure category can do, such as rights to occupy, restrict, dispose, develop, or access services (Payne, 2004).

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villages have invented diverse collective governance institutions, constructed residential and industrial districts, and led physical upgrading projects. Drawing on an extensive review of Chinese and English literature, and interviews and observations from a field visit to Shenzhen, we examine how urban villages in Shenzhen have evolved under intensive urbanization and escalating property values.

This inductive, exploratory study bridges research on collective tenure (which focuses on natural resource management in rural areas), urban land tenure (focused on evaluating individual titling initiatives), and urban resilience (an emergent and ambiguous concept) – topics typically discussed separately even in journals such as *Habitat International*. We first present the conceptual framework of the Resilient Cities Housing Initiative, then apply it to Shenzhen's urban villages. This analysis allows us to disentangle the different aspects of collectivity at play in urban villages and how the choice of different units of analysis – specifically, the decision to focus on indigenous land-owning villagers or on all residents within villages – can affect interpretations of “resilience”. We conclude by showing the promise of collective tenure in overcoming certain limits of individual property rights regimes, and the perils of collectivity where it hinders citywide integration and inclusive growth. While new policies in China and other centralized governments have been hostile to collective tenure (Scott, 1998), this research points to the value of such institutions in emerging economies and the need for research on other such models worldwide.

## 2. Conceptual linkages between property rights, resilience, and forms of collectivity

Tenure insecurity has long been recognized as exacerbating the urban poor's vulnerability to environmental, economic, and social shocks (UN-Habitat, 2003). Urban poor residents often face environmental risks because they lack basic services and infrastructure or reside in hazard prone sites like steep slopes or floodplains (Mearns and Norton 2010). Absent secure land tenure, communities can be removed after disasters or to make way for infrastructure or redevelopment projects, often by force and without compensation (Satterthwaite, Huq, Pelling, Reid, & Romero-Lankao, 2007). Relocation usually drives residents to the periphery, where they have diminished access to jobs and community networks. In a vicious cycle, tenure insecurity worsens socio-economic and environmental vulnerability, which then worsens tenure insecurity.

The inverse – tenure security – is widely seen as key to economic development, poverty alleviation, and improvements to the built environment (Durand-Lasserve & Selod, 2009). However, prevailing efforts to enhance tenure security usually focus on narrow rather than comprehensive aspects of human development. Projects may regularize land to reduce informality, resettle communities to peri-urban areas to reduce informality and improve services, upgrade slums in-situ to improve infrastructure, or provide micro-finance to catalyze community development (Payne, 2001). Despite some famous examples like the Ahmedabad Slum Networking Project in India (Das & Takahashi, 2009), Kampung Improvement Programme in Indonesia (Devas, 1981), and Community Organizations Development Institute in Thailand (Boonyabancha, 2005), holistic efforts that incorporate community building, economic development, tenure formalization, and built environment upgrading are the exception, not the rule. Most urban tenure regularization projects also privilege the individual household scale (Payne, 2001) without attending to the long, hard work of building community institutions. This emphasis on individual property title overlooks more radical, alternative models of ownership that hold property as a commons or that consider how property can contribute to community flourishing (Fawaz & Moutaz, 2017; Davy, 2012; Alexander & Peñalver, 2012).

Limitations of traditional framings of tenure security lead us to draw on the notion of “resilience” as a more holistic understanding of social wellbeing. Different fields interpret resilience in different ways.

Engineers define resilience as a process of *bouncing back* from a perturbation, and most disaster recovery and climate resilience initiatives reflect this view of functional persistence by helping cities withstand shocks (Vale, 2014; Meerow, Newell, & Stults 2016). By contrast, ecologists view resilience as a process of *bouncing forwards* by adapting and moving to new equilibria (Folke, 2006; Lebel et al., 2006). This view recognizes that social institutions (such as property rights) mediate social and ecological wellbeing. For instance, Plummer and Armitage (2007) argue that adaptive co-management of *livelihoods*, *ecological systems*, and *processes* (such as communication, social learning, and decision-making) results in more resilient natural resources and communities.

The widespread appeal of the resilience concept has also placed it under scrutiny. Scholars worry that resilience may be so liberally applied and interpreted as to lose all analytical utility (Vale, 2014). Some find it too readily used to defend an unjust and unsustainable status quo, rather than enabling the transformative change necessary to address root causes of vulnerability (Pelling, 2010). Some further suggest that resilience, as a framing concept, enables the neoliberal privatization of risk and retrenchment of states (Walker & Cooper, 2011; Watts, 2011). Still others, seeking to retain the term's utility, argue in favor of its *normative* use: resilience must include an orientation towards equity, asking such questions as “Whose resilience?” They argue that for resilience to be of *analytical* utility, it requires greater definition of the parameters of analysis: “Resilience to what type of disturbance? Resilience in what time frame?” (Davoudi, 2012; Vale, 2014).

Keeping in mind the limitations and ambiguities of resilience as a concept, we frame our discussion using the multifaceted conceptualization of urban resilience for communities as articulated by the Resilient Cities Housing Initiative (RCHI) (Vale, Shamsuddin, et al., 2014). Echoing Plummer and Armitage (2007) but in an urban context, Vale and colleagues argue that the four pillars of resilient housing in cities encompass *productive livelihoods*, *environmental well-being*, *empowered governance*, and *secure land tenure*. The RCHI framework emphasizes the holistic well-being of individuals in line with Amartya Sen (2005) and Martha Nussbaum's (2011) approaches to human development by enhancing human capabilities. It recognizes that individual capabilities to earn a livelihood, be healthy, safe, and empowered depend on conditions of place- and network-based communities.

While the RCHI framework highlights the importance of tenure security to housing and urban resilience, this paper is the first effort to clarify the relationship between tenure security and the other three pillars of resilience. It treats tenure security as a complex, dynamic, and variegated phenomenon. The following synopsis highlights how issues of scale, community, and collectivity complicate claims about the ways property rights institutions shape economic, environmental, and social outcomes.

**Productive livelihoods.** Advocates of individual property titling argue that secure tenure, particularly through property title, can motivate owners to invest in their land, homes, and businesses, enable collateralization of property, open access to bank credit, and allow residents to build business and social networks (De Soto, 2000; Feder & Nishio, 1998). Households highly value the stability of title as a basis for other financial and social decisions (Varley, 2016). However, household-level titling rarely increases formal lending and property collateralization because both banks and households are wary of risks and transactions costs (Bromley, 2009). Instead, households rely on informal lending networks, including community-based savings and loans programs. Economic prosperity, regardless of tenure status, enables informal lending capacity. Conversely, peri-urban resettlement schemes that provide property title at the cost of high unemployment rates can reduce intra-community ability to lend to each other, overcome household financial hardship, or start new livelihoods (Yntiso, 2008).

**Environmental well-being.** Coping with the urban poor's disproportionate exposure to environmental risks requires both household

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