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集權或分權？

中國大陸城鄉結合部的治理

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摘要

大陸新型城鎮化、城鄉一體化的推動，面臨戶籍制度與土地產權制度的雙重挑戰。本文作者針對此一議題，於 2014 年 6 月實際走訪北京海淀區西北旺鎮、唐家嶺新城，並於北京周邊的城市：燕郊、廊坊，進行初步的踏查。「城鄉結合部」身處城市邊緣，其管理體制既不同於城市社區，又不同於農村的管理模式，展現城鄉二元結構的特色，成為地方治理上的邊緣地帶。本文以北京市海淀區的城鄉結合部為例，分析此一「邊緣社區」治理的困境。

以政府主導城鄉一體化的改革中，提供均等的公共服務，消除二元結構社會的不公平待遇，而民眾亦可透過 NGO 組織參與社區公共事務，並在其中得到成長與協助。中國大陸城鄉結合部的社區的治理經驗，說明自改革開放以來所實施的放權並不一定是最佳模式，分權的結果造成城鄉結合部兩級政府各自為政，體制上的混亂使得公共財的供給出現問題，唯有「再集權」才有可能解決問題，印證大陸集權—分權—再集權的權力循環。

關鍵詞：城鄉結合部、社區治理、城鎮化、城鄉一體化

壹、前言

大陸新型城鎮化的推動，面臨戶籍制度與土地產權制度的雙重挑戰。北京唐家嶺村以「城鄉結合部」聞名，該村曾被稱為「蟻族」聚集地，是一個生活條件惡劣的城中村。2010 年，唐家嶺還是當時北京著名的流動人口聚集地，全村戶籍人口不足 3000，流動人口卻達 5 萬多，大部分是在附近中關村企業上班的大學畢業生，租房的需求造成大量的違章建築，村裡的簡易樓房鱗次櫛比，少則三四層，多至六七層，基本上都是在原有的平房上翻建，建築的間距極小。有的人家嫌自家宅院面積不足，乾脆把違章樓蓋到馬路上，村裡主要道路的消防通道全被堵死。但在 3 年後，唐家嶺已從城鄉結合部轉變為現代化的城市社區，類似城鄉結合部的情況，充分說明了中國大陸地方治理上的困難。

針對此一議題，本文作者於 2014 年 6 月實際走訪北京海淀區西北旺鎮、唐家嶺新城，包括北京周邊城市如燕郊、廊坊。唐家嶺已變身為中關村森林公園，總面積達 2000 餘畝，目前已經完成超過二分之一，由政府編列預算支應公園維護。走訪公園之中，民眾散步或運動，少量的村落古蹟予以保留。新城周圍靠近航天城，若干老人聚集聊天，形成悠閒的社區氛圍。

有關中國大陸地方治理的研究中，一般分為城市與鄉村兩類，本文所指的「城鄉結合部」指的是介於城鄉之間的第三種類型的社區，這類社區既是城市化過程中普遍存在的一種社區類型，也是其特有的土地政策和戶籍管理政策體系下的產物。通常具有下列特徵：兼有城鄉生活方式的特徵，因而不同於一般概念中的郊區或農村，比如人口密度高，人口異質性增強；仍保留一些農業生產，但農業生產已不是主要的經濟生活方式；全部的耕地或部分土地被徵用，但個人仍擁有宅基地或少量自留地；社區中一部分人成了城市人（城市戶口），另一些人仍保留農村戶口；個人的謀生手段開始多樣化。目前城市郊區，尤其是大城市的郊區包括的範圍很廣，因此用「城鄉結合部」以示區別。

理論上，城鄉結合部社區的管理體制涇渭分明，行政管理分別隸屬鄉政府和城市街道辦事處，治安管理則由農村派出所和城市派出所管轄。但在實際操作中，該區域的人口管理經常是混雜而複雜。按照屬地管理原則，邊緣社區內派出所管轄的人員，有的是單一農業人口，有的則既有農業人口也有非農業人口。有些地區按照以戶口管理為中心原則，將同一區域內的不同戶籍類別分屬城市派出所與鄉村派出所管轄。與此同時，對外來人口管理，一方面按照屬地管轄原則，分別由城市派出所、農村派出所管轄，另一方面，又歸轄區內的流動人口（暫住人口）專門管理機構管轄。在城鄉結合部中，城市與農村「二元管理體制」並行存在，致使治理情境相當複雜。

貳、文獻檢閱

有關城鄉結合部的研究，多以利益途徑和法制途徑為之。劉玉、馮健與孫楠等人透過對北京海淀區的調查與研究，指出集體土地流轉引發的系列經濟行為帶來新的不穩定發展因素。快速城市化進程中城市空間擴張必然產生大量、持續的集體土地流轉，而土地流轉的過程中又必然涉及徵地轉居人員的就業與社會保障安排、村莊搬遷與改造、徵地補償與分配、集體資產處置、用地結構變化、產業

結構調整等多方面問題，對城鄉結合部傳統發展模式與利益分配格局產生強烈衝擊。城鄉結合部土地徵用、補償、開發以及管理等方面較為混亂，不僅直接造成土地開發與利用問題，還誘發其他諸多經濟、社會與環境問題。城市擴張占地補償機制不完善，區域內群眾的利益創造、分享機制不健全導致部分失地農民不能獲得持續、穩定收益。目前，缺少權威的土地價值評估機構對城鄉結合部被徵用土地進行準確、合理的價值評估，造成土地徵用補償價格與再開發後的出售價格相差甚遠，百姓不滿情緒強烈，矛盾上升。

另外，徵地拆遷補償標準不統一，執行不規範，也是誘發矛盾與問題的根源。由於集體土地在徵用時間、開發主體、開發專案類型等方面有很大不同，使得相鄰土地所有人獲得的拆遷補償和安置金額也有很大差異，同一地塊不同時間搬遷的居民獲得的補償標準也不同。有些人在得到居住安置一段時間後，因看到原遷出地新建房價格的走高或後搬遷居民獲得更多的拆遷補償等，出現反悔回頭追討利益補償。另外，違章建築一般也能獲得相應的拆遷補償，更助長違法建設的勢頭。

謝寶富以北京市城鄉結合部為例，指出違法建設問題源於利益。違法建設一般包括違法用地和違法建築兩類。違法用地指違反「土地管理法」、「城市規劃法」及其他相關法規的土地，包括非法轉讓、非法審批、非法占用的土地。違法建築指違反國家或地區相關法律、法規的所有建築，包括違法用地上的建築和部分合法用地上不符合相關法律和法規建設的建築。北京市違法用地現象有四類*****加註：（一）鄉鎮政府、村集體經濟組織未經批准，擅自占用大量土地，用於建設廠房、商鋪出讓、出租；（二）借農業結構調整、舊村改造等名義，規避用地審批手續或超範圍建設，搞「小產權房」開發；（三）透過出租、承包等「以租代徵」方式，非法使用農業用地進行非農建設；（四）村民未經批准強占邊角地、綠地、耕地等，建房出租，謀取不法利益。其中前三類屬集體違法，第四類屬個人違法，說明在違法用地方面鄉鎮基層政權、村集體組織與村民個人具有一致性。謝寶富指出，多年來雖然政府三令五申禁止違法用地，但效果不盡理想。2008年4月14日國土資源部公布，北京查處各類違法用地1,283宗，面積5.72萬畝，其中「未批先占」用地占一半。

在違法建築方面，除了村集體組織、鄉鎮政府未經批准建造廠房、商鋪、辦公樓出租、出讓，規避用地審批手續或超範圍建設，搞「小產權房」開發外，村民在利益、自身住房需要等因素的驅動下，違法建築情況也很多，方式有：

（一）在自家的宅基地上，未經規劃部門許可搭建平房出租，侵占村內公共道路擴建平房或搭建背房，向周邊擴展。該類違法建築在北京市已十分普遍，使城鄉結合部村落房屋極度密集，小道如腸，消防車、救護車難以駛入。

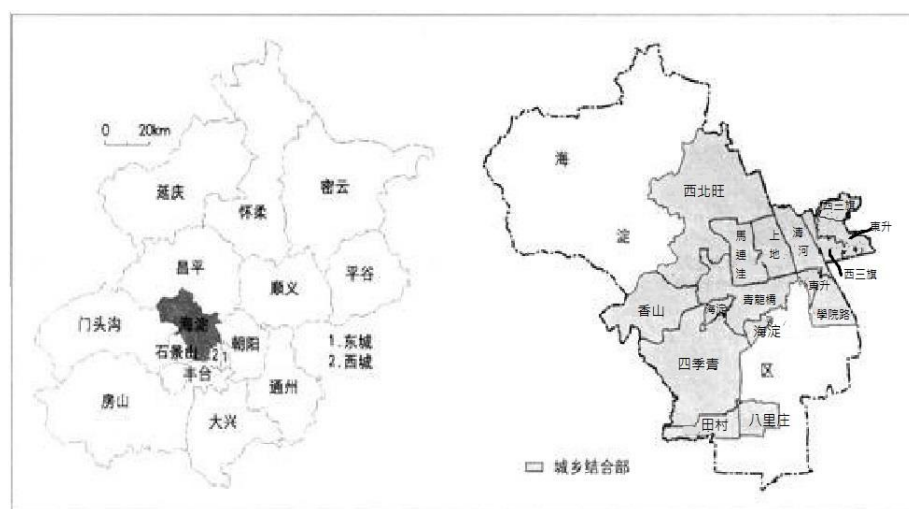
（二）不滿足於平房出租獲得的收益，將平房改建為樓房出租獲得更大的收益。這些樓房基本上都是在自己的宅基地上建設（可能還會侵占周邊道路或村內原本空地），但也不乏侵占邊角地，甚至耕地、綠地建設者。

對於前述圍繞土地所顯示的利益困境，國務院發展研究中心研究員劉守英認為，這其實就是政府主導的城市化所演變而成的政府與農民之間的利益博弈關係。

實際訪談中，作者發現唐家嶺村委會組織仍然維持。村民與土地的關係分為兩種：一是村民放棄土地，農轉非，享受社保等福利；一是村民保留土地，以租用土地的方式成立合作社，身份為合作社社員。新城的房子持有滿五年可以轉賣，村裡也出現了買 BMW 等豪車的暴發戶。運作上則是鄉鎮與街道辦雙軌運作，制度主要是為了解決問題而變革，例如解決農民的生存需求，因應生產方式的改變。¹

本文認為，大陸改革開放以來對下層政府放權讓利，雖然帶動了地方經濟的發展，但卻也造成不當權力劃分及推諉責任，結果迫使權力發生再集中的現象。

圖 1 北京市海淀區空間位置與其城鄉結合部範圍示意²



參、政府角色與地方治理

城鄉結合部不同的治理主體，也展現不同的經濟行為及利益取向，導致政府與人民利益的博弈，土地開發與補償便是，而此現象多予政府角色錯亂有關，因此，本文的重點，在於探討基層政權在城鄉結合部的法律與實際權限。

城市化過程中必然占用城鄉邊緣農村農民的土地，有由於新區之規劃不足，給予基層政權極大的運作空間，造成治者與被治之間的博弈。企業及政府部門利用城鄉結合部社區地價低廉、土地管理制度不健全等漏洞，在社區建設尚未完全納入城市統一規劃和管理的情況下，在原村集體的土地上盲目進行房地產開發，而這些開發項目大多未列入城市建設規劃，與城市整體建設規劃難以協調，也未建立起合理且可行的補償機制。對土地價格計算、農民的安置、社會保障等標準沒有明確規定，往往是一個城市一個做法，一個村鎮一種方式，隨意性、不規範性等問題突出。補償資金的分配、管理、監督等方面存在很大的漏洞，透明度低。直接發放給農民的補償款項，經常交由占用土地的村鎮基層幹部處理，補償款發放不及時、發放時失之公允、使用不當（如投資失誤）等現象時有所聞，農民利

¹ 北京海淀區西北旺鎮訪談，2014 年 6 月 29 日。

² 劉玉、馮健、孫楠，「快速城市化背景下城鄉結合部發展特徵與機制——以北京海淀區為例」，*地理研究*（北京），第 28 卷第 2 期（2009 年 3 月），頁 507-508。

益嚴重受損，造成村民之間以及村民與幹部間的矛盾。³

以北京海淀區為例，快速城市化產生大量、持續的集體土地流轉，過程中必然涉及徵地轉居人員的就業與社會保障安排、村莊搬遷與改造、徵地補償與分配、集體資產處置、用地結構變化、產業結構調整等多方面問題，對城鄉結合部的發展模式與利益分配產生衝擊。城鄉結合部土地徵用、補償、開發以及管理等方面情況混亂，不僅直接造成土地開發與利用問題，還誘發其他諸多經濟、社會與環境問題。城市擴張用地補償機制不完善，區域內群眾的利益創造、分享機制不健全導致部分失地農民不能獲得持續、穩定收益；缺少權威的土地價值評估機構對城鄉結合部被徵用土地進行準確、合理的價值評估，造成土地徵用補償價格與再開發後的出售價格相差甚遠，百姓不滿情緒強烈，矛盾不斷升級。

徵地拆遷補償標準不統一，執行不規範，也是誘發矛盾與問題的根源。由於集體土地在徵用時間、開發主體、開發專案類型等方面有各有不同，使得相鄰土地上的居民獲得的拆遷補償和安置方案也有差異，同一地塊不同時間搬遷的居民獲得的補償標準也不一樣，有些人在得到安置一段時間後，因看到原遷出地新建房價的持續走高或後搬遷居民獲得更多的拆遷補償等，回來追討利益補償，違章建築一般也能獲得相應的拆遷補償，更助長違法建設的勢頭。⁴ 謝寶富以北京市城鄉結合部為例，指出違法建設的問題。違法建設一般包括違法用地和違法建築兩類。違法用地指違反「土地管理法」、「城市規劃法」及其他相關法規的土地，包括非法轉讓、非法審批、非法占用的土地。違法建築則指違反國家或地區相關法律、法規的所有建築，包括違法用地上的建築和部分合法土地上不符合相關法律和法規建設的建築。⁵

前述圍繞土地所顯示的利益困境，其實就是大陸政府主導的城市化所演變而成的政府與農民之間的利益博弈關係。

對大陸政府而言，現行的土地制度為政府多占土地提供制度上的方便。1999 年到 2007 年，平均每年新增建設用地 1,760.5 平方公里。同一時期，年均徵用農民土地 1,397.1 平方公里，徵地占新增建設用地面積的 79.4%。國家以行政手段，低價從農民手中徵地，再將之變更成非農建設用地，再走市場途徑高價出讓。大陸政府為何對此樂此不疲？因為政府是此一徵售過程中最大的獲益者，而現行的財稅利益分配體制，再再激發地方政府擴大城市版圖。1994 年分稅制改革後，中央和地方在財政分配中的基本格局發生很大變化，增值稅的 75% 以及所得稅的一半上劃後，地方收入占財政總收入的比重由 1993 年的 78% 下降到 2005 年的 47.7%。惟財權的上收並未相對應的減少事權，地方財政支出占總支出的比重由 1993 年的 71.7% 提高到 2005 年的 74.1%，這種情況迫使地方政府積極開闢可自主支配的收入來源，而最直接的預算外財源，就是土地出讓收入。製造業的稅收大多為中央拿走，留在地方政府手上的，卻是城市相關的稅收和收費如建築業、土地使用稅、土地出讓金等，這些都直接或間接與土地收益相關，地方政府在城

³ 宋芳，「城鄉邊緣社區：艱難的城市化——論城鄉邊緣社區管理困境與路徑選擇」，**湖南文理學院學報（社會科學版）**（常德），第 31 卷第 1 期（2006 年 1 月），頁 37。

⁴ 劉玉、馮健、孫楠，「快速城市化背景下城鄉結合部發展特徵與機制——以北京海淀區為例」，頁 507-508。

⁵ 謝寶富，「我國城鄉結合部治理面臨的問題及對策研究——以北京市城鄉結合部為例」，**中國軟科學**（北京），S1 期（2009 年），頁 170-171。

市擴張的過程中有利可圖。除地方財政仰賴土地外，這些年來各地城市建設的資金，主要也來自於土地。

城市建設需要大量資金，除賣地收入就是銀行信貸，土地也是最值得信賴的擔保品。在這一輪城市擴張中，基礎設施投資和房地產投資成為兩大主軸，土地成為撬動銀行資金、城市基礎設施及房地產投融資的重要工具。政府以土地儲備中心、政府性公司和開發區管委會作為融資主體，從銀行獲得貸款，以土地或政府財政作信用擔保以取得資金。⁶

在城市化的擴張過程中，農民關心的是財產的增減和生計的維持。市區急劇擴張所形成的用地需求，導致郊區農村的違建。凡是列入城市規劃區內的農村土地，都有違規違法建房，越是靠近城市建成區的農村土地，違建越是厲害。違規違法建房形式多樣，手法翻新，有批少建多、批東建西、邊建邊報、先建後報、不報就建、不批也建諸種情況。市郊農村的違規違法建房，主要表現為規避或拒絕政府規劃建設管理部門的行政審批。

對違建方而言，可收割的經濟利益有非法與合法兩種。非法經濟利益主要是指部分市郊農民在本村土地列入城市規劃區後，以違規建為手段，以便在拆遷時向政府索取高額賠償牟利。此類違建往往使用廢舊建材或偷工減料，以降低成本。在限時拆遷的壓力下，避免群體鬧事，政府辦事人員往往將就行事，在賠償上給予較高的標準。合法經濟利益主要是指部分市郊農民在合法規申請修房造屋，但報批要經過村、鎮、區、市四個層級和規劃、國土、建設三個部門的簽字蓋章，曠日廢時，最後農民只能以違建方式進行。

城市化意味著城市產業及人口的快速增長，導致建成面積需求增加。市區擴張的第一步，是在城市周邊的農村劃出城市建設規劃區，歸農民集體所有的農村土地變為歸國家所有的城市土地，亦即把農用地變為城市建設用地。在土地性質改變的過程中，城市政府代表國家就徵收的土地及建築物向農民作出經濟補償，對政府而言，補償額度關係到拆遷成本和財政收入，但對農民而言，則關係到財產和生計問題，雙方存在利益博弈關係。⁷

作者在訪談過程中也看到整個村莊的拆遷，基層官員表示要頻繁的做工作，假日也常常要加班。因為是熟人社會的關係，做工作還是有效的。農民對於補貼有先拿先贏的心態，例如現在的 200 元與一年後的 2000 元，通常會選擇現在的 200 元，「先包餃子，都包進餃子裡」。就行政官員的角度來看，普遍認為管理很重要，每個項目都必須有人負責管理。⁸

肆、城鄉結合部的二元結構

造成前述政府角色規範模糊、治者與被治者之間博弈的原因，在於基層政權之權力界定不明，而此一現象，又源於實施分權後城鄉結合部處在城市與鄉村之間的二元結構，導致治理的困難。

⁶ 閻炎，「政府主導的城市化反思—訪國務院發展研究中心研究員劉守英」，*中國土地*（北京），第 11 期（2009 年），頁 19-21。

⁷ 李乃欣，「城市規劃區農村建房問題及治理對策研究—以重慶、四川調查區域為例」，*雲南行政學院學報*（昆明），第 1 期（2010 年），頁 111-112。

⁸ 北京海淀區西北旺鎮訪談，2014 年 6 月 30 日。

改革開放以來政府職能的分解與分權，一方面自橫向社會（包括市場）轉移，另一方面，在政府體系內也出現縱向分權，造成城鄉結合部的多中心治理情境，包括公部門的街道辦事處和鄉鎮政府、以及非政府行為者如村民委員會、居民委員會、村集體經濟組織、農民、居民等。「權力下放」的作法符合新公共管理論述所強調成本與效率的「小政府」取向，不過政府與非政府行為者之間的利益博弈，造成處理公共事務過程中上下互動的複雜網絡，利益博弈的結果不僅取決於各參與者的資源，而且也取決於遊戲規則以及進行交換的環境。

公共權力多元化的結果，不僅改變政府合法性的來源，城鄉結合部公共事務的處理，必需獲得包括公民在內的不同治理主體的認可與參與。不同行為主體間的權力互動網絡，不再限於政府自上而下的發號施令，而是政府和各類社會組織一起構成一個複雜的網路體系，彼此間相互依賴、相互制約，其權力之運用方式是多元且互相。

城鄉結合部的經驗，充分體現前述治理的分權、多元概念，但另一方面，這種新的治理情境，使得城鄉結合部的社區治理在「下放權力」下，導致權責不清和公共服務缺位現象；市場化的引入，也導致人民與政府之間的利益博弈，農民權益受損屢見不鮮。

城市邊緣的廣大農村地區幾十年來一直沿用農村社區的管理方式，從表面觀之，「城鄉結合部社區」已具備城市社區的外殼，但事實上尚未真正納入城市建設與管理體系之中，城鄉雙重性格明顯，治理上造成下列問題：

一、二元體制的困境

城鄉結合部的雙結構特性，加上長期存在的「條塊矛盾」，使得社區治理格外辛苦，管理混雜權責不明。

首先，在行政管理上，城鄉結合部的行政管轄交叉混雜，呈現「一地兩府」和「一地多主」的情況。「一地兩府」指的是同一土地上同時出現城市政府和鄉村政府並管的情況；「一地多主」指的是同一土地不僅有城區和郊區的政府部門，還包括開發區和房地產公司及物業管理公司。由於城鄉邊緣地域界限劃分模糊，城鄉土地犬牙交錯，區裡有鎮，鎮裡有街，街裡有村，村裡居民半城半農，村裡既有村民委員會又有居民委員會，加上房地產開發商、企業及城市政府部門對土地的大規模徵用與開發，結果是城鄉混雜，界址不清。同一地域呈現兩個或多個管理主體，各自為政或跨區域管理現象屢見不鮮，嚴重阻礙城鄉結合部社區的統一規劃以及管理。

圖 2 海淀區城鄉結合部人口構成 （出處）



圖 3 海淀區城鄉結合部各街道鄉鎮農業與非農產業用地比重（出處）

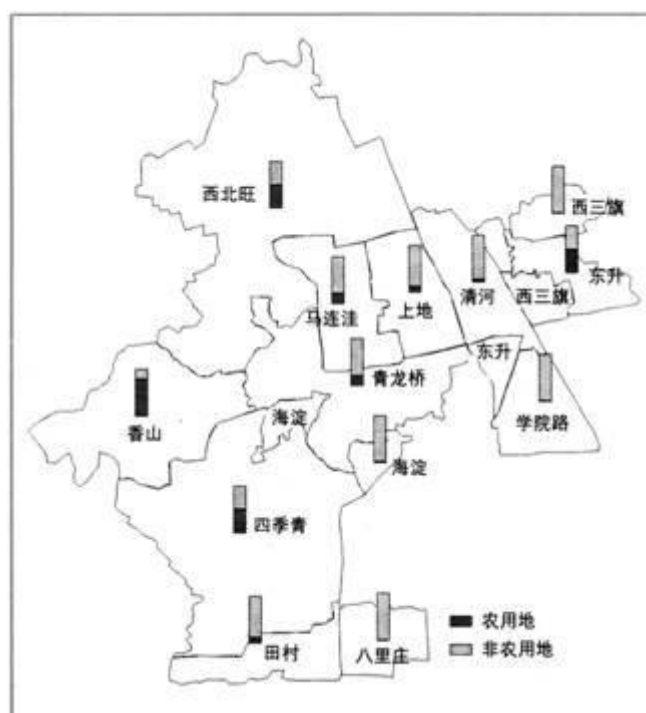


圖 4 海淀區城鄉結合部集體土地與國有土地分佈（出處）



其次，城鄉結合部社區內的管理單位間以及單位內部職能分工不合理、權責不明，出現重複管理和無人管理現象，造成街、鄉行政管理執行上的困難。理論上，城鄉結合部社區的管理體制徑渭分明，行政管理分別隸屬鄉政府和城市街道辦事處，治安管理分別由農村派出所和城市派出所管轄。但在實際運作中，部分社區在行政區劃分和經濟上屬於所屬鄉鎮管理，而在社會治安、環境衛生、道路維修及維護等方面則由所屬街道管理。這些部門對有經濟利益的事務如收取工商管理費、稅款和違章罰款等，爭搶著辦，但對要承擔責任和義務的事情，如社會治安、環境衛生的綜合治理、外來人口的管理等，則互相推諉，拖延不決。⁹

以人口管理為例，有的社區按屬地管理原則，使得社區內派出所管轄的對象，有的是單純農業人口，有的則既有農業人口也有非農人口；另外有些社區則根據戶口，將區內住民以戶籍類別分屬城市派出所與鄉村派出所管轄，從而形成犬牙交錯型的人員管理體制。至於外來人口的管理，一方面按屬地原則分別由城市派出所和農村派出所管轄，另一方面，轄區內專門管理流動暫住人口的機關也有管轄權。城市與農村「二元管理體制」並存，¹⁰ 得使治理情境相當複雜。

由於城鄉元素交叉分布，城市基層組織和農村基礎組織在工作中難以準確界定各自的管轄範圍，例如不少家庭中既有農業人口，也有非農業人口，甚至還有租住其房屋的外來人口，如何界定這種家庭的管理責權歸屬？誰來處理此類家庭中諸如違章建築、計畫生育等實際問題？這些都是治理上的難題。¹¹

二、公共服務困境

⁹ 謝寶富，「中國城鄉結合部地區政府管理體制創新初探——以北京市城鄉結合部為例」，**政治學研究**（北京），1期（2010年），頁59-63。

¹⁰ 呂君、劉麗梅，「城鄉結合部社區管理的問題及對策」，**未來與發展**（北京），第6期（2009年），頁56。

¹¹ 劉玉、馮健、孫楠，「快速城市化背景下城鄉結合部發展特徵與機制——以北京海淀區為例」，頁507-508。

城鄉結合部的二元結構特色，使得城市和農村基層管理部門同時擔負提供公共服務和實施公共管理的職責，而農村政府還具有經濟管理的職能。至於公共服務與管理方面的資金，城鄉各有來源，城市基層管理部門的經費主要來自財政預算，而農村地區則來自於集體經濟收入，導致兩者在提供公共服務與管理方面的積極性、實施標準乃至實施能力，都有很大差異，¹² 造成社區內學校、醫院、電力、供水、供氣等基礎設施和服務設施殘缺不全，物業管理不到位，嚴重損害社區居民的利益。

與城市和農村公共物品供需結構相比，城鄉結合部公共物品的供需結構有其特殊性（見表一）。城鄉結合部的公共物品是從農村公共物品中剝離出來的特殊集合，隨著城市化的進程又不斷吸納城市公共物品供給的特徵，因而既異於農村（如基本失去農業生產性公共物品的需求，而以生活性公共物品需求為主），又有別於城市（如維持基本生活類公共物品面臨巨大壓力，對精神文化層次的公共物品需求不高，供給主體和受益主體之間存在一定的供需結構矛盾等）。¹³

表一 農村、城市、城鄉結合部主要公共物品供需結構

	主要供給主體	主要資金來源	主要受益主體	主要公共物品需求類型
農村	村集體、私人、縣鄉政府	村集體資產、私人、縣鄉政府財政	村民	農業生產基礎設施、農業技術信息、社保醫療、義務教育、水電道路等
城鄉結合部	村集體、私人	村集體資產、私人、市區財政	村民、居民、流動人口	公共衛生、公共安全、基礎設施、社保醫療等
城市	省市級政府	國家財政	市民	環境與衛生、社保醫療、文化娛樂設施等

資料來源：馬建秋、謝寶富，「我國城鄉結合部公共物品供給問題分析——以北京市城鄉結合部為例」，**中國軟科學**（北京），S2 期（2009 年），頁 22。

造成城鄉結合部公共物品供需失調的原因很多，大抵可以歸納如下：

（一）體制接軌問題

城鄉結合部的城鄉二元結構不易接軌。與普通農村相比，城鄉結合部可以方便的利用市政公交系統，村周邊往往有高速公路穿越，城市主幹道也在其周圍延伸，但是這僅限於城鄉結合部周邊，多數村內的道路狀況並不樂觀，仍大量存在未鋪柏油或不平整的問題，嚴重影響住民的基本生活，即使條件較好的主幹道，也常被小商販沿街擺攤及搭建違章房屋所擠占。¹⁴

由於流動人口壓力和公共設施的落後，城鄉結合部水電設施多在農村原有基

¹² 劉玉、馮健、孫楠，「快速城市化背景下城鄉結合部發展特徵與機制——以北京海淀區為例」，頁 507。

¹³ 馬建秋、謝寶富，「我國城鄉結合部公共物品供給問題分析——以北京市城鄉結合部為例」，**中國軟科學**（北京），S2 期（2009 年），頁 21-22。

¹⁴ 劉偉，「論城鄉結合部的潛在風險與治理對策」，**天府新論**（北京），第 5 期（2007 年），頁 89-91；馬建秋、謝寶富，「我國城鄉結合部公共物品供給問題分析——以北京市城鄉結合部為例」，頁 22-23。

礎上超載運轉，一方面因無相關的限量設施（如未安裝水錶）造成浪費，租房戶只需每月交納少量水費，就可無限量使用。村民自身用水也不節制，譬如北京市通州區某城鄉結合部，冬季不關水龍頭以避免冰凍，造成浪費。另一方面一些條件相對較好的地區，由村集體主導改造村內的供電供水設施，但資金出自村集體，而受益者不僅包括流動人口，還覆蓋脫離村集體不再承擔村內義務的居民，「農（民）養居（民）」的情況引發矛盾。

（二）流動人口問題

流動人口也是造成城鄉結合部公共物品供需失調的原因之一。

城鄉結合部公廁不僅數量少且條件差。條件較好的公廁僅零星散布在村外的城市主幹道上，由市政負責建設，利用率低。多數公廁的排汙系統仍採露天式，排水溝出現擁堵和污水外溢的現象，有些居民甚至將汙水隨便傾倒街上，有些村隨意堆放大量垃圾，無視環境衛生。公共衛生的治理，主要依靠村內的衛生隊，社區每月對流動人口收取一定衛生費。管理較嚴的衛生隊，工作較有規律（定時、定點收集垃圾等），衛生狀況相對較好；多數社區管理鬆散，衛生狀況差，公共物品的提供明顯受制於流動人口與城鄉結合部的人財力匱乏。

犯罪問題和房屋品質是城鄉結合部公共安全的兩大問題。流動人口多、人員構成複雜、治安力量薄弱、安全措施等相對落後都是成因。針對公共安全僅靠各村巡防隊和鄉鎮派出所的個別民警顯然不夠，很多村希望雇保安，但費用沒有著落。大量違章建築成為安全隱患，如冬季燒煤易引起煤氣中毒和火災，對此僅依靠廣播宣傳或為村民和租戶安裝風扇等簡易設施，效果有限。作為火災易發區，城鄉結合部基本上並無消防設施，大多數街道救護車和消防車也無法通行。面對地震、火災和洪水等災難，城鄉結合部低劣的住屋品質和落後的防範設施，無疑是一大隱憂。

（三）管理的問題

在治理環境複雜的城鄉結合部，公共物品的供給失調又與管理防範意識不強、措施不健全、執法力量薄弱、管理體制混亂等有關。為規範管理，鄉鎮政府從租房者入手，要求檢查暫住證、出入登記等，但多執行不力，且收效甚微，村民普遍對城鄉結合部公共管理的過程和效果不滿。

城鄉結合部公共物品的受益者不僅有村民，還包括流動人口和居民，但真正為公共物品提供資金支持的卻是村民和村集體，¹⁵ 而村集體資產多產權不明，造成公共物品供給的低效率、低品質。流動人口為城市的發展做出貢獻，理應為其提供相應的公共服務，改善其生活水平，不過這一成本不應完全由村民、村集體承擔。按照「受益者出資」的原則，這部分資金應由區級政府財政負擔，現實卻是應由市區級政府出資或直接提供的公共安全及其他大型基礎設施，基本上都被推給下級鄉鎮，而下級鄉鎮又多推給村集體。城鄉結合部公共物品大多難比照城市形成規模效應，因而對投資者缺乏有效的激勵。

一如前述，城鄉結合部同時存在著農村與城市兩種管理體制，村委會、居委

¹⁵ 馬建秋、謝寶富，我國城鄉結合部公共物品供給問題分析——以北京市城鄉結合部為例，頁 23-24；劉偉，「論城鄉結合部的潛在風險與治理對策」，頁 89-93。

會、鄉鎮政府和街道辦事處並存，公共物品供給主體尚不明確，缺乏統一性，出現誰也管、誰也不管的情況。由於村委會通常又是集體經濟組織，擁有經濟實力，所以在一些村、居並存的城鄉結合部，村內公共物品和服務的提供，主要來自村委會，居委會形同虛設，有時甚至成為掛名於村委會下的虛設機構，導致「農(民)養居(民)」現象。

伍、代結語：集權—分權—再集權的循環

城鄉結合部社區治理的體制性困境，其實反映了自改革開放以來中國大陸權力下放及分權政策的問題。權力下放成功的帶動了大陸的經濟發展，但政府職能分解與分權，卻形成多中心的治理格局。城市與鄉村二元結構並存的特性，加上中共權力體系長期存在的「條塊矛盾」，造成城鄉結合部社區「一地兩府」與「一地多主」等治理困境，管理混亂與權責不明進一步損害區內人民的利益。本文認為，解決之道在於上級區政府必須擔負更多的協調功能，街道辦事處也必須負擔更多的責任，易言之，政府層面必須「再集權」，否則城鄉結合部的社區治理問題不易解決。

針對城鄉結合部社區治理的困境，大陸學界提出改革的建議不少，¹⁶ 改革城鄉「二元交叉」、理順「條塊關係」的方案包括街道管鄉村模式、鄉鎮管社區模式、地區辦事處模式等。¹⁷ 以北京市為例，逐漸傾向行政主導型的「上海模式」，認同新公共管理的「向下賦權」論述，強調「兩級政府、三級管理、四級網絡」的城市管理體制，強化街道政府組織功能以便「以塊為主、條塊結合」，換言之，依靠行政力量透過街居聯動發展社區的各項事業。

前述建議反映了中國大陸社區建設爭辯中的兩種不同視野：第一種觀點是「國家中心論」，強調行政為導向的基層政權重建，強化基層社會管理，將社區治理視為加強政府對社會控制的工具，主張政府權力下移，整合社區內的不同組織、企事業單位、居民群眾等資源，在街道辦的引導下，共同推動社區發展。第二種觀點為「社會中心論」，強調在市場經濟體制下，原來「大政府、小社會」邏輯下的全能主義管理體制已難運作，因而主張轉變政府職能為「小政府、大社會」，將不該管以及無法管的職能交給社區管理。街道政府由「對上負責」轉為對社區居民的服務，培養社區內的社會中介組織，走社區自治路線。換言之，這是一種著眼於社區共同體、以自治為導向的觀點，強調社區動員、居民參與和社區自治。

2013年11月召開的十八屆三中全會，通過《中共中央關於全面深化改革若干重大問題的決定》，其中至少有六大措施和城鎮化發展有關。城鄉一體化的社

¹⁶ 謝寶富，「中國城鄉結合部地區政府管理體制創新初探——以北京市城鄉結合部為例」，頁59-64；馬建秋、謝寶富，「我國城鄉結合部公共物品供給問題分析——以北京市城鄉結合部為例」，頁24-25；北京市委黨校中清班課題組，「城鄉結合部建設中農民利益保障機制研究」，**前線**（北京），2010年8月，頁50-51；何海兵，「社區制的理論、實踐與思考」，**華東理工大學學報（社會科學版）**（上海），第2期（2003年），頁29；盧漢龍，「中國城市社區的治理模式」，**上海行政學院學報**（上海），第5卷第1期（2004年1月），頁60-62。

¹⁷ 比如城鄉結合部鄉鎮可全面兼管境內的居委會；街道辦事處可全面兼管境內的村委會，不僅管人，而且管地、管房、管物。

會改革中提出消除「二元結構社會」，未來城鎮化面臨三大使命：消除二元結構社會、建立新型土地制度、實施社會改造工程。消除二元結構社會是實施城鎮化的三大使命之首。《決定》提出「推進國家治理體系和治理能力現代化」，這將推動城鎮化治理主體多元化、法治化、規範化，未來城鎮治理不再以政府為主，市民將參與更多城鎮化。

但政府仍是中國大陸社區治理最強大的主體，社區的各項事務基本上都在政府的控制之下進行，當前中國基層公民社會曙光初露，也是在政府主導下依賴型的公民社會。¹⁸政府外的社會力量如社區法定組織與民間組織等力量都還薄弱，依賴性高發育不全，在與政府的博弈中明顯處於劣勢，大陸的社區自治尚屬萌芽階段。¹⁹

中國大陸城鄉結合部的社區治理經驗，證明自改革開放以來所實施的放權並不一定是最佳模式，分權的結果造成城鄉結合部兩級政府各自為政，體制上的混亂使得公共財的供給出現問題，利益問題嚴重，唯有「再集權」才有可能解決問題。以政府主導城鄉一體化的社會改革中，提供均等的公共服務，消除二元結構社會的不公平待遇，而市民亦可透過 NGO 組織參與社區公共事務，並在其中得到成長與協助。

台北 101 大樓旁的四四南村，也提供另一種城中村保留的形式，在公園與新城之外，還具有一些懷舊與文創的滋味。作者為實際感受「京津冀一體化」，走訪「北漂告別蟻族」的樂園：燕郊，以及位於北京與天津之間的地級市：廊坊，其中有一地產建案名曰：「田納溪湖」，別墅風景照旁的標語是：「那裡湖面總是澄清，那裡空氣充滿寧靜」，或許正說明了人民的期待與嚮往。

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¹⁸ 王芳，「公民社會發展與我國城市社區治理模式選擇」，*學術研究*（廣州），第 11 期（2008 年），頁 70-71。

¹⁹ 蔡冬峻，「和諧社區治理中的政府角色轉變」，*中共中央黨校學報*（北京），第 14 卷第 2 期（2010 年 4 月），頁 77-79；陳朋，「從任務型自治到民主合作型治理：構建合理的城市街居治理體制——上海市 35 個街居調研的案例啟示」，*理論與改革*（成都），第 6 期（2009 年），頁 66-69；何海兵，「我國城市社區管理體制的主要問題及其改革走向」，*上海行政學院學報*（上海），第 8 卷第 2 期（2007 年 3 月），頁 56-57。

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國科會移地研究報告

時間：民國 102 年 8 月 29 日至 9 月 4 日

訪談人員：中國大陸蘇州人大常委會人員及蘇州大學學者

一、地方人大有四權：

包括重大事項決定權（地方鄉政法規定地方重大經濟、政治問題）、監督、立法、人事。

二、地方人大組織：

1、一年一度例會，每兩個月開一次常委會，會期一天。

2、人大主任會：安排日常工作，年初有年度工作計畫，一個月召開一次會議，由常委會主任主持，出席者包括常委會主任、副主任（5 人）、秘書長、副秘書長，各工作委員會負責人列席。

3、「黨組」會議：重大決定前由黨組向市政府彙報。

4、蘇州人大代表共 495 人，基層代表佔多數，除四套班子領導外，約有 400 人，大多數是企事業單位、社區（居委會書記、主任）、科教文衛領域。

5、工委：現在有 10 個工作委員會：辦公室、研究室、法律工作委員會、代表聯絡委員會、代表議案建議委員會、科教文衛委員會、內務司法委員會、城建及環境資源委員會、外事民宗僑台委員會、農村經濟合作委員會。委員會一般都有兩個處，一是秘書處，另一為與該委員會性質相近的一個處，半年開一次會，交付任務。

6、常委會：蘇州人大有 46 位常委，一半專任，人大主任、副主任、工委主任皆為專任，成員包括黨派領導、文化代表、群團領導人、共青團，常委必需是人大代表，編入人大代表小組。法案、人事案、重大事項如政府預算，先由政府作報告。人事任命一般由市長先介紹，黨委決定後向黨組通報，若涉及市領導還得像各民主黨派（政協）通報，若都沒問題，再提人大常委會通過。

7、大會期間設大會議案審議委員會。

十名代表聯名可提議案，每年約二十件，人大主席團通過一、二件，建議意見約為兩百件。

8、人大代表小組定期活動，約二個月集會一次，組織參訪，代表兼職化。

三、制度創新：

議案建議委員會為全國首創，10 名代表聯名可對政府工作提意見，交付政府實施，半個月內回覆並於下次大會提出說明。現有委員 13 人，皆為兼職，基本上是人大代表，也聘請一些專家，設有秘書處工作人員 4 人，有下述職責：

1、會議期間彙總人大代表議案。

- 2、閉會後人大代表可提意見，代表滿意度是工作指標，議案建議委員會收集代表建議後督辦、代表反饋，議案工委及各相關工委參與督辦，督辦期間與政府溝通。

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四、功能創新：

人大可能仍是橡皮圖章，但近 10 年依法治國理念基本形成，法律意識高漲，有利人大職能發揮：

- 1、處理民眾關心問題：重點工作為生態文明和改善民生，如老人居家養老中心，蘇州每天產出八百噸餐廚垃圾，今年人大作為督促重點，根據人大代表建議，設立資源中心，修復環境。

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- 3、人大代表建議委員會組織「人大代表走進直播間」節目，由委員會根據代表每年所提的兩、三百件建議及人民關注問題，先選定三至四個題目，每月安排二至三名人大代表至媒體受訪，開放社會大眾對談，對政府承辦單位壓力大。

國科會移地研究報告

時間：民國 102 年 8 月 29 日至 9 月 4 日

訪談人員：中國大陸蘇州人大常委會人員及蘇州大學學者

一、地方人大有四權：

包括重大事項決定權（地方鄉政法規定地方重大經濟、政治問題）、監督、立法、人事。

二、地方人大組織：

1、一年一度例會，每兩個月開一次常委會，會期一天。

2、人大主任會：安排日常工作，年初有年度工作計畫，一個月召開一次會議，由常委會主任主持，出席者包括常委會主任、副主任（5 人）、秘書長、副秘書長，各工作委員會負責人列席。

3、「黨組」會議：重大決定前由黨組向市政府彙報。

4、蘇州人大代表共 495 人，基層代表佔多數，除四套班子領導外，約有 400 人，大多數是企事業單位、社區（居委會書記、主任）、科教文衛領域。

5、工委：現在有 10 個工作委員會：辦公室、研究室、法律工作委員會、代表聯絡委員會、代表議案建議委員會、科教文衛委員會、內務司法委員會、城建及環境資源委員會、外事民宗僑台委員會、農村經濟合作委員會。委員會一般都有兩個處，一是秘書處，另一為與該委員會性質相近的一個處，半年開一次會，交付任務。

6、常委會：蘇州人大有 46 位常委，一半專任，人大主任、副主任、工委主任皆為專任，成員包括黨派領導、文化代表、群團領導人、共青團，常委必需是人大代表，編入人大代表小組。法案、人事案、重大事項如政府預算，先由政府作報告。人事任命一般由市長先介紹，黨委決定後向黨組通報，若涉及市領導還得像各民主黨派（政協）通報，若都沒問題，再提人大常委會通過。

7、大會期間設大會議案審議委員會。

十名代表聯名可提議案，每年約二十件，人大主席團通過一、二件，建議意見約為兩百件。

8、人大代表小組定期活動，約二個月集會一次，組織參訪，代表兼職化。

三、制度創新：

議案建議委員會為全國首創，10 名代表聯名可對政府工作提意見，交付政府實施，半個月內回覆並於下次大會提出說明。現有委員 13 人，皆為兼職，基本上是人大代表，也聘請一些專家，設有秘書處工作人員 4 人，有下述職責：

1、會議期間彙總人大代表議案。

- 2、閉會後人大代表可提意見，代表滿意度是工作指標，議案建議委員會收集代表建議後督辦、代表反饋，議案工委及各相關工委參與督辦，督辦期間與政府溝通。

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Would Specialization Lead to Autonomy?
A Systemic Approach to China's National People's Congress

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Summary

As a peripheral part of the party-state system, China's National People's Congress (NPC) has been deemed as lacking in capacity in information- processing and deficiency of autonomy. The CCP party is still the most relevant power-holder in the political system. Hence, previous studies bear resemblance to the major-party cartel theory in analyzing the role of the NPC. A NPC Standing Committee position being normally the last stop for China's mandarins before retirement is another reason resulting in the ineffective rubber stamp nature of the legislative organ.

However, since the 1980's a series of reforms have been heralded in the Chinese legislature to increase the CCP's legitimacy, and a critical one among them is to have its committees expanded both in size and capacity. As China's market economy is getting more sophisticated and rules of law trumpeted, is it possible that its legislature might get more specialized and hence, autonomy enhanced? Concentrating on the structure and functions of the NPC's permanent committees this paper tries to answer these crucial issues.

This study is to be conducted via the following steps: First, by analyzing the demographic data of committee members serving the 9th, 10th and the 11th NPC, 680 in total, the depth of the specialization is fathomed. Demographic data are compiled and analyzed by two dimensions—work experiences before becoming a committee member and the tenure in various committees. This paper is to argue that as the market economy matures and civil society emerges China's legislature has been recruiting more informed personnel to beef up the work of the committees.

Second, riding the trend of specialization, the committees are hypothesized to be more autonomous in terms of law-drafting and legislative deliberation. A comprehensive examination is undertaken to unearth any advancements made in those areas.

In conclusion, this study indicates that while membership stability is still an issue, the NPC is obviously more specialized now, and specialization has brought more autonomy and capacity to the committees. The NPC is gradually shifting from a congress in adolescence to a congress in transition.

Key words: National People's Congress, legislative autonomy, permanent committee, rubber stamp, specialization

Introduction

Legislative theorists have offered three explanations for standing committees' behaviors in legislature in Western democracies – information efficiency, distributive benefits, and major-party cartel theory (Grosseclose and King 2000). To what extent do these theories help delineate the role of permanent committees in an autocratic system like China? As a party-state system, it is only natural that the CCP party is guaranteed a special space in any political activities. This is why previous studies bear resemblance to the major-party cartel theory in analyzing the development of China's National People's Congress (NPC). Whether the two institutions, the party and the NPC, are cooperating in order to maximize the efficiencies of the NPC in what has been known as a relationship of embeddedness, or engage in some sort of power competition so that some autonomy can be gained by the legislative organ, has long been a debate among scholars working to unravel the mysteries of the Chinese legislative system (Chao 2002; Cho 2002; O'Brien 1990; 1994; O'Brien and Luehrmann 1998; Xia 2000). This paper, based on the experiences of members of the NPC committees, argues that as the society demands more rules of law China's legislature has been growingly relying on more informed personnel in its committees for the drafting and deliberating of bills.

Legislatures of Communist countries have been deemed as “rubber stamps” for their function is no more than providing a thread of legitimacy to the regime. Since there is hardly need for them in the making of any important policies, it is redundant to exercise quality control over members of the legislative chamber. The capacity of the organ is predictably low. As Johnson and Nakamura (1999, 6) vividly describe:

Since rubber stamp legislatures merely endorse decisions made elsewhere, they typically require little in the way of internal complexity and information processing capacity. While these things may help members in more active legislatures to make decisions, they are not needed when the only decision to be made is to endorse outcomes of other decision-making processes. Rubber stamp legislatures, by definition, do not make independent contributions to the process of governing their societies.

A NPC position is usually the last stop for China's power-holders before retirement and this “dead end” is another reason contributing to the ineffective rubber stamp nature of the NPC. For those powerful ministers and cadres who are selected into the assembly shortly before retirement the job is demoralizing and disheartening. Under this design, short average terms and high turnover rate seem to be the norm. By contrast, representatives in “career legislatures” in Western democracies tend to put more value into their work and normally have longer average term and much lower

turnover rate. In yet another type of legislature, the so-called “springboard legislature”, members may not serve as long but they are highly motivated as their performance may dictate their fate in the power hierarchy (Squire 1988).

As China’s market economy is getting more sophisticated, is it possible that its legislature might get more specialized and hence, enhance its capacity? As a rubber stamp, the NPC has been an instrument to reward those who have made contribution to the state. This sacrosanct duty has made the NPC a defunct organ (Zhou 2005, 243-248). However, since the 1980’s a series of reforms have been heralded in the Chinese legislature to increase the CCP’s legitimacy, and a critical one among them is to have the committees expanded both in size and capacity (Chao 2002; O’Brien 1990, 148-156). This paper is to examine if specialization has been indeed a part of this reform process.¹

Following Hamm, Hedlund, and Post’s (2011) framework, this paper gauges the specialization of NPC’s permanent committees from two dimensions—work experiences before becoming a committee member and the length of staying in various committees. We start by revisiting the history and membership recruitments of the NPC’s permanent committees. We then try to fathom the depth of the specialization in the committees between the 9th NPC and the 11th NPC. Last, we attempt to come to some senses in the context of law-making and deliberation processes.

Demographic data of all nine permanent committee members in the three NPCs, 680 in total, are compiled and analyzed. On average, each committee has 26 members, including 1 chairman, 6.8 vice chairmen, and 17.4 rank-and-file members.² Biographic data is obtained from NPC’s website (www.npc.gov.cn), Renwu Online (www.renwuonline.com), and China Vitae (www.chinavitae.com).

Evolution of Permanent Committees in the NPC

When the NPC was established in 1954 there were only two committees, the Ethnic Affairs Committee and the Bill Committee, to provide technical assistance to the arguably biggest legislative structure on earth. As Mao’s regime became more mobilizational in orientation the legislative organ was pummeled just as the rest of the political system even before the start of the tumultuous years of the Cultural Revolution. After Mao’s demise, in the wake of writing a new constitution in 1982 it was decided that permanent committees were to be made part of the reformulation to

¹ In the West, legislative committees are normally addressed as “standing committees.” But in the NPC, the term might be confused with the NPC Standing Committee which is actually the legislature when the NPC is not in session (the NPC is in session only very briefly) and therefore, the term “special committees” is coined.

² All committees have one chairman, but the number of vice-chairman and rank-and file member changes each term with different committees.

help with the reconstruction of a new legal system that had quickly become hallmark of Deng Xiaoping's reform policies. Six committees were established in 1983 as a result of this new drive of institution-building and legalization: the Law Committee (formerly Bill Committee), the Ethnic Affairs Committee, the Financial and Economic Affairs Committee, the Education, Science, Culture and Public Health Committee, the Foreign Affairs Committee, and the Overseas Chinese Affairs Committee. During the 7th NPC Congress, held in 1988, another committee, the Internal and Judicial Affairs Committee, was created. The Environment Protection and Resources Conservation Committee (renamed Environment and Resources Committee in 1994) was added to the 8th NPC's Congress in 1993, and at last, in 1998 at the 9th NPC Congress, the Agriculture and Rural Affairs Committee was founded (Cai 2003, 243-250; Zhou 2005).

In general, legislative committees are responsible for introducing and reviewing new bills and acts, scrutinizing questions presented to the NPC and its Standing Committee (NPCSC), researching, making contacts, and investigating cases (Jiang 2002, 293-295). Although each committee has its own area of jurisdiction (see Appendix 1), the division of labor among committees is not well-defined and not in parallel to the division of labor in the administrative branch of the government. While some committees may be made accountable to many administrative agencies, others may only have to face one or two agencies. It is not unusual for some committees to only review a bill every few years. For instance, while Foreign Affairs Committee and Overseas Chinese Affairs Committee may process only one or two bills in average during a five-year term, the Education, Science, Culture and Public Health Committee entails a multiple policy areas. This institutional weakness will no doubt affect the effectiveness of the NPC (Yin, et al., 2003). Among the NPC committees, the Law Committee stands out as the most important. The Committee has the power to "universally review all bills" (*tongyi shengyi*) after being examined by a relevant committee.

From the way the NPC's committees is structured and staffed to the maintenance of predominantly partisan presence say aloud the usefulness of the major-party cartel theory in the legislature in an autocratic polity. However, it should be pointed out that the increase of specialization and hence, the capacity of the legislature, does not bode ill with the CCP's goal of maintaining a strong party-state structure. On the contrary, the growing specialization has reinforced the party's image as a competent ruling force (Cho 2002). In the following section, we will prove, by using empirical data, that the trend of specialization in the NPC is gradually taking roots since the late 1990s.

Two Measures of Specialization

While studying the composition of local legislatures in the United States, Hamm, Hedlund, and Post (2011) build a two-dimensional model to gauge specialization in the committees: The external dimension is meant to judge members' competence by tracing their previous work experiences; the internal dimension, on the other hand, is the length members serve in relevant committees. The framework is transplanted in our study.

In what they call an information efficiency theory, Tom Gilligan and Keith Krehbiel (1987, 1989, 1990; Krehbiel 1991) illustrate that since lawmaking requires wide array of information and some of them unsubstantiated, it is not efficient, nor feasible, to have the whole chamber involved in the reviewing of bills. Permanent committees, with their professionalism, compact size and sufficient access to information, can help reduce uncertainties in the policy-making process. This is why the chamber is willing to delegate powers to the committees and seek their advice before making decisions. We believe the two-dimensional framework is sufficient in judging if NPC committees are competent in accessing and processing information.

Different from distributive benefits theory which features self-selection hypothesis and preference outliers, efficiency theory underlines specialization as a low-cost means in composing legislative committees. The cost of information collection will be significantly reduced by including representatives with professional knowledge. As Krehbiel (1991, 136; see also Gilligan and Krehbiel 1990; Hamm, Hedlund, and Post 2011, 132) points out:

[A] rational legislature is one that efficiently taps the special talents of its legislators. Such a legislature appoints to committees members who can specialize at relatively low cost due to, for example, their prior experience or intense interest, in the policies that lie within a committee's jurisdiction. Other things being equal, this form of interest is likely to make members work relatively hard to master the intricacies of policy-making.

Although members may have heterogeneous preferences, the decisions they make are normally in line with their professional backgrounds. For the chamber, it is preferable to endow committees with some freedoms so that it may reap the benefits of professionalism. Certainly, the freedoms endowed upon the committees are not unlimited and can be exercised only under the chamber's supervision. In this regard, information efficiency theory is also called "chamber-dominated committees perspective" (Krehbiel 1991, 134-141).

Past experiences and backgrounds can not only bring down costs in information-collecting, they also provide members with more diversified information

so that the chronic problem of uneven access to information between the administration and the legislature can be bridged. Zwiier's study (1979) concludes that specialists try to access information from a wide variety of sources such as the administration, staff, and interest groups, while non-specialists are much more conservative and concentrate almost exclusively on information from within the legislature and his constituency.

To information efficiency theorists seniority contributes to committee specialization. The longer a member stays within a single committee, the more specialized he is likely to be. However, seniority can be accrued either by working in a single committee, or it can be attained cumulatively through working in a number of committees. Single-committee seniority is no doubt a more preferable system but sometimes members change committees for various reasons. In the latter case seniority is defined in a broader, sometimes referred as indirect, fashion. It is more fitting to address this phenomenon as legislative stability instead of seniority. The paper opts for the broader definition of membership stability.

Generally speaking, membership stability and committee experiences facilitate specialization in three ways. First, seniority means stability and is good indication that the committee is immune from improper outside interference. In his seminal study on congressional institutionalization, Polsby (1968) suggests "boundedness" helps with organizations differentiating from external environment when stable membership is easily identifiable and leaders recruited principally from within. If membership recruitment is institutionalized, it is less easy for outside forces such as the political party to penetrate which means more autonomy for the committee.

Second, it takes time to be professional. Bell and Price (1975, cited from Squire 1988, 66) indicate that normally it takes two years, or about 250 working days, for a full-time legislator (or six years for part-time legislators) in California to get acquainted with the job he is supposed to perform. The problem with the NPC is that there are still too many part-time members in the committees and it takes long time for them to get competent.

Last, as Squire (1998, 24) rightfully points out, membership stability matters because new members of any legislature require some period of socialization or apprenticeship in order to develop collective identity, and shared values and interests. As Fenno (1962, 315) says, "the opportunity (membership stability) exists, therefore, for the development of a stable leadership group, a set of traditional norms for the regulation of internal Committee behavior, and informal techniques of personal accommodation. Time is provided in which new members can learn and internalize Committee norms before they attain high seniority rankings." By using Denmark's parliament as a case, Baekgaard (2010) argues that it is essential for a new legislator

to learn by practicing and that members of the committees are likely to be more devoted when they become more experienced.

External Connections

For systemic reasons, the information theory is better suited than the distribution theory in explicating committee compositions in legislatures in the Communist countries. Instead of going through popular balloting, the NPC deputies are selected by local PC members in a way to maximize representation from all walks of life (or *jie bie*), including administrative agencies, local governments, democratic parties, mass groups, and so on in a system that has been termed as “policy constituency” (Agh 1998, 88). Therefore, constituent interests are hardly a concern. We will then discuss career paths through which committee members are recruited.

To better understand the NPC committee members’ past connections, nine career paths are drawn: legal profession, experiences with the NPC, the State Council, the CCP, local leadership, academics, business and financial community, the Democratic Parties and mass organizations, and the military. As Table 1 shows, people who have links with the State Council in the past are expectedly claiming the largest share (22.8%). What is unusual is the relatively high representation from academics and the Democratic Parties and Mass Organizations, standing at 19.9% and 16.6% respectively. A big chunk of the pie claimed by retired generals of the People’s Liberation Army (11.6%) is a shocking testimony to the rigor of the party-military corporate state structure. On the other hand, people with backgrounds in legal profession, the NPC, business and financial community, and the CCP have representation lower than 10%. The reason for the low CCP presence is because many officials have experienced wide array of party and state duties in what has been known as the cross-section appointment (*jiaocha renzhi*). It is also due to the fact that most CCP background members come from the Organization Department, the Propaganda Department, and United Front Work Department, institutions tasked not much with legislation and supervision.

Table 1 Committee members' career paths

		N	Percentage	Cumulative Percentage
Career Paths	The military	79	11.6	11.6
	The NPC	23	3.4	15.0
	Local leadership	89	13.1	28.1
	The State Council	155	22.8	50.9
	The CCP	29	4.3	55.1
	The Democratic Parties and mass organizations	113	16.6	71.8
	Business and financial community	27	4.0	75.7
	Academics (universities and research associations)	135	19.9	95.6
	Legal profession	30	4.4	100
	Total	680	100	

In general, the career paths in the three terms of the NPC under review has shown slight increase of specialization. Members with backgrounds in legal profession, academia, the NPC, and local leadership are on the rise while people who have experiences with the Democratic Parties, mass organizations and the military are declining. The representation of business and financial communities has been kept constant. In the future, to get more people with experiences at the NPC, the legal profession, and business community may be in need.

Richard Sisson (1973, 17-38) argues that recruitment of legislative personnel should be based on two thinking: First, a linkage between committees and the environment must be kept so that some sort of social mobility can be maintained. Second, to keep a organization young and rejuvenated a mechanism of leadership rotation must be in place. If these people could just seek out information unorthodoxically, their decisions might be somewhat different in quality. Yin Zhongqing (Yin, et al. 2003), a seasoned Chinese scholar with prolonged years of work with the PC, comes up with a list which he believes might help in bringing vitality to China's heretofore enervated legislature: people with past experience working with the legislature; scholars and experts; representatives of social organizations; and those who have experiences with the juridical system. These people will provide the system with pluralistic opinions to an institution which has seen heavy party-state penetration, a tradition hardly accordant with the duties required out of a watch-dog to oversee the monolithic system.

Based on these beliefs this paper regroups the NPC committee members into three professions: legislative professionals, representatives of social organizations, and party-state cadres. The legislative professionals cover those who have experiences with the PC system in the past or scholars and legal practitioners who possess legal and judicial knowledge. These people might offer the committees professional advice. Representatives of social organizations include those who have worked with the eight Democratic Parties, mass organizations, and business and financial communities. These people may bring in more diversified opinions into the ossified system. The party-state cadres (including the military), on the other hand, might have better knowledge about how the system works but departmentalism might be a risk.

Table 2 reveals that although committee members who serve as party-state cadres in the past still dominate the NPC committees (51.8%), those with legal backgrounds are gaining grounds. The distribution of career patterns clearly shows that a party-state system is still at work as many legislators are transferred from party-state apparatus. This is diametrically opposite from Western parliamentary democracies where government officials are also parliamentarians. This unique career path presupposes departmental interests in the making of laws in China.

Table 2 Three types of career paths

		career paths			Total	
		Legal professions	Social Deputies	Party-State Cadres		
Term	9	N	50	48	112	210
		%	(23.8)	(22.9)	(53.3)	(100)
	10	N	68	47	120	235
		%	(28.9)	(20.0)	(51.1)	(100)
	11	N	70	45	120	235
		%	(29.8)	(19.1)	(51.1)	(100)
Total	B	188	140	352	680	
	%	(27.6)	(20.6)	(51.8)	(100)	

Career pattern may not tell the whole story of specialization in the NPC committees as many party-state cadres might have experiences relevant to legislative work. We try to resolve this conundrum by matching the duties delineated by each committee (see Appendix 1) with corresponding government agencies. The breakdown listed in Appendix 1 is borrowed from a scholar in China (Zeng 2004) with some revision. Data provided by Table 3 substantiates the finding that the NPC

committees are becoming more specialized. Overall, 63.7% of the aggregate members are professionals, a climb of more than 3% during the three NPC terms under review.

Table 3 Professional backgrounds					
			Non-professionals	Professionals	Total
Term	9	N	79	131	210
		%	(37.6)	(62.4)	(100)
	10	N	87	148	235
		%	(37.0)	(63.0)	(100)
	11	N	81	154	235
		%	(34.5)	(65.5)	(100)
Total		N	247	433	680
		%	(36.3)	(63.7)	(100)

Relevant Experiences

Two measures are normally used to gauge legislative committee stability: seniority and average tenure (Squire 1988). For any institution to be stable, it is imperative that a certain proportion of its members are there to stay for relatively long period of time. In Western practices, committee stability is judged by the duration of members staying in a single committee. However, since members who have changed committees in the NPC are relatively few (only 36 out of a total of 680 or about 5.3% in the 9th, 10th and 11th NPC) the study takes all committee experiences into account. Seniority is calculated according to the total time a member stays with any NPC committee.

Table 4 illustrates that stability is not an asset in NPC's committees. During the period under scrutiny the proportion of committee members who have previous work experience in other committees goes down nearly five percentage, from 34.8% in the 9th NPC to 29.8% at the 10th NPC, and further down to 28.9% at the 11th NPC. Overall, senior membership is averaged at a paltry 30.1%, lagging far behind the 60-80% rate in the U.S. Congress (Fenno 1973, 111-113).

Table 4 Ratio between freshmen and senior members

	Freshmen	Seniors	Total
9 th NPC	120 (65.2%)	64 (34.8%)	184* (100%)
10 th NPC	165 (70.2%)	70 (29.8%)	235 (100%)
11 th NPC	167 (71.1%)	68 (28.9%)	235 (100%)
Total	452 (69.9%)	202 (30.1%)	654 (100%)

Notes: * The Agriculture and Rural Affairs Committee was established at the 9th NPC and therefore, no data is available.

A decline of term limit further testifies to the problem of insufficient membership continuity. Overall, the average term served in the committees is 1.30 (or about 6.5 years). However, the downward trend is obvious. It starts with 1.32 term (or about 6.6 years) in the 9th NPC, and is reduced to 1.30 term (or about 6.5 years), then falls down to 1.26 term (about 6.3 years). This is tantamount to reduction of 0.06 term (or about 3.5 months) per term. This lack of continuity in NPC committees undercuts the endeavors that have been taken to beef up specialization.

The decline in seniority and tenure is attributable to the policy of rejuvenating the hitherto aging institution by replacing them with younger and more capable personnel. However, the downside is that a transitional gap might be emerging, inhibiting experiences and knowledge from being passed on from generation to generation, making internal norms that much harder to be established.

Nevertheless, a promising sign is detected in the transitional period, featuring a gradual change of a “dead end legislature” to “springboard legislature”. As table 5 shows five committee members have been promoted to leadership positions in various government agencies, including the State Council, local governments, and Supreme People’s Procuratorate. This upward mobility also suggests that the stature of the NPC is on the rise.

Table 5 Committee members promoted to leadership positions

Term	Committee	Name	Time	Position
11	Environment Protection and Resources Conservation	Ni Yuefeng	2011.2	Vice Governor of Fujian Province
	Education, Science, Culture and Public Health	Li Dongsheng	2009.10	Party secretary at the Ministry of Public Security
10	Ethnic Affairs	Huang Kangsheng	2007.6	Vice Governor of Guizhou Province
	Internal and Judicial Affairs	Zhang Geng	2003.10	Deputy Procurator-General of the Supreme People's Procuratorate
	Agriculture and Rural Affairs	Hua Fuzhou	2003.8	Deputy Minister of Ministry of Labor Security

A Typological Analysis of Specialization

In accordance with the framework of specialization that we build, a typology on legislative committees can be established. **Depending on whether a member has any previous experiences work in legislative committees and whether he is professional or not, a two-by-two table is constructed.** Consequently, four types of committee members are distinguished: members with professional background and committee experience; members with committee experience but no professional background; members with professional background but no committee experience; members with neither (see table 6).

Table 6 Types of legislative membership

	No professional background	Professional background
No committee experience	Neither	Background
Committee experience	Experience	Experience + background

Sources : Hamm, Hedlund, and Post (2011)

Table 7 displays the distribution of specialization of NPC committees according to past backgrounds and work experiences. In general, 41.9% of committee members have relevant backgrounds in the past while 27.9% of members do not have such experience; if members with both professional background and committee experiences, standing at 21.6%, are to be counted, over 63% of NPC committee members are professionals. Members who only have committee experience stand at a

low 9.3%. After further probing, we find out that members with relevant backgrounds have increased from 36.4% at the 9th NPC to 45.5% at the 11th NPC, while those who have neither professional background nor committee experience have fallen from 28.8% to 25.5%. What is worth noting is members with both experience and professional background have also gone down 5% (from 25% to 20%).

Table 7 Specialization of NPC Committees according to past backgrounds and work experiences (%)

Type	9 th	10 th	11 th	9-11 th
Neither	28.8	27.7	25.5	27.2
Experience	9.8	9.4	8.9	9.3
Background	36.4	42.6	45.5	41.9
Experience + Background	25	20.4	20	21.6
Total	100	100	100	100

The results spell two facts: First, specialization is indeed taking roots in the NPC's committees. More members with relevant experiences is beneficial to committee capacity. Second, party-state structure is still lingering. In order to enhance specialization members with insufficient background and irrelevant work experience have to be eliminated. But, the irony is, seniority is also sacrificed in the process, incurring negative impact of the autonomy of the committees.

Figure 1 details the state of specialization among the nine NPC committees. Among them, the Education, Science, Culture and Public Health Committee is the most specialized, with 94.3% of its members having either professional backgrounds or committee experiences, or both. With 48.5% of its members having neither relative background nor committee experience, the Overseas Chinese Affairs Committee is the least specialized. Depending on the degree of specialization, we divide the nine NPC committees into four types:

The first type is non-specialized committees, the Foreign Affairs Committee and the Overseas Chinese Affairs Committee are examples. These two committees do not have as many parallel government agencies as others and hence, new recruits often come from government agencies which do not provide proper training for committee service. The work load in these two committees is not as demanding, neither is their influence. It is not uncommon that only one or two bills pass through the committees in an average five-year term.

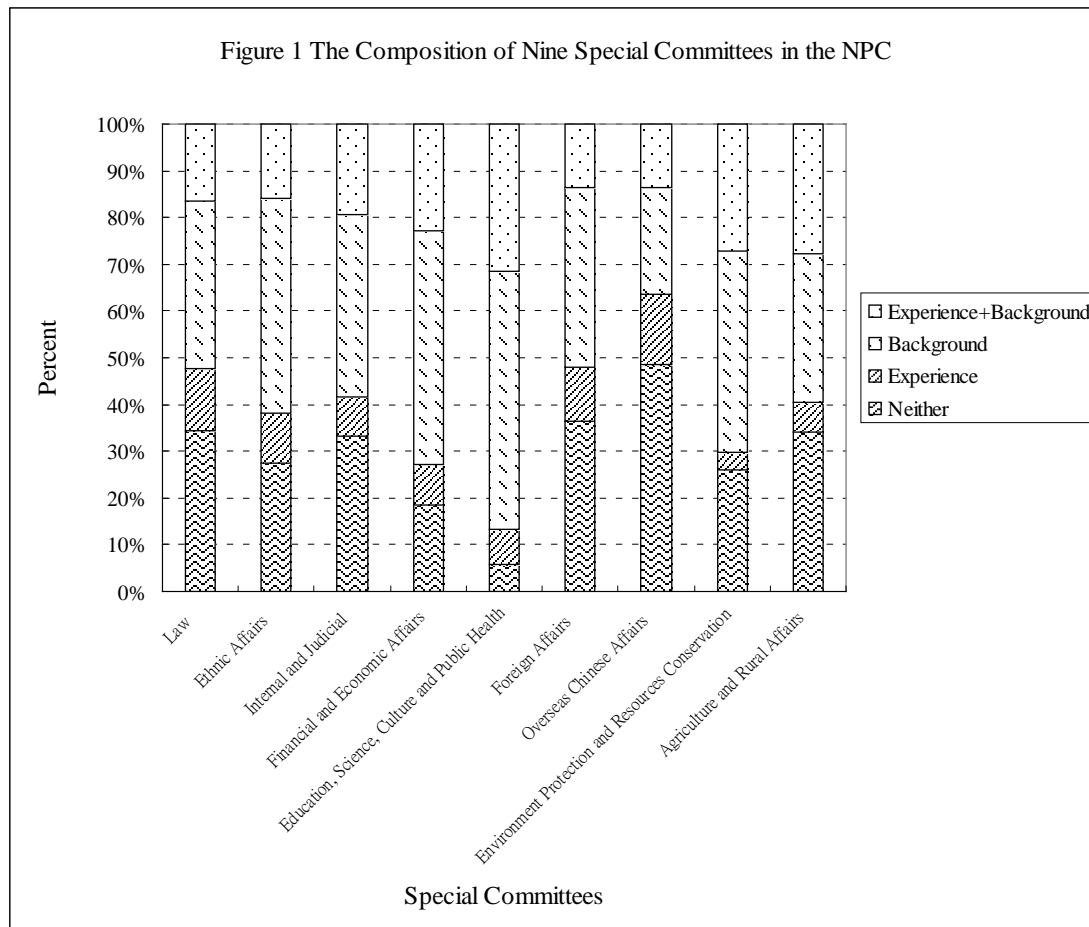
The second type of committees places a lot of value on members' previous experiences, and the Law Committee is a typical one. This is because the committee is created to "universally review all bills". As such, the Law Committee tries to recruit

members with divergent experiences and backgrounds. The fact that members with both relevant backgrounds and committee expertise have been on the rise vindicates the trend of specialization.

The third type of NPC committees, including the Ethnic Affairs Committee, the Internal and Judicial Affairs Committee, and the Financial and Economic Affairs Committee, demand more professionalism than other committees. They often recruit people with good relevant backgrounds. There are also more government agencies whose duties are in line with these committees and hence the pool for replenishment is larger. In the mean time, since the work at the committees might have huge stake for relevant government agencies, entry competition is a lot fiercer than other committees. This is especially so for the Financial and Economic Affairs Committee as it has fast become the most popular committee at the NPC.³

The fourth type of committees are those which stress both previous backgrounds and committee experience, as the Education, Science, Culture and Public Health Committee, the Environment Protection and Resources Conservation Committee, and the Agriculture and Rural Affairs Committee are examples. Take the ESCP Committee as an example. The Committee includes many scholars from major universities and research institutes as its members. The Environment Protection and Resources Conservation Committee and the Agriculture and Rural Affairs Committee also attract large number of highly professional personnel.

³ Interview, 2012/4/9.



Legislative Capacity and Autonomy

The question is: Does it matter to be more specialized? Mezey (1979, 54-55) suggests specialization could facilitate member participation in policy formulation, deliberation, and oversight. This section focuses on formulation and deliberation of bills.

Statistics suggest that committees' role in bill-formulating has been declining in the NPC. Table 8 reveals that bills formulated by the NPC committees went down nearly ten percentage, from 28% in the 9th NPC to 16.7% at the 10th NPC Congress and then, went up slightly to 18.4% at the 11th NPC. The results contravene the theme that specialization has brought committees more capacity and autonomy.

The NPC committees' direct involvement in bill-formulation may remain steady, but their role has been codified. The Legislation Law, promulgated in 2000, and "Opinions Concerning Fully Fulfilling Functions of the Permanent Committees" issued by the CCP Central Committee in 2005, have consolidated the role of the committees in the process of bill formulation in two ways:

First, committees are now required to get involved as early as possible (*tiquan jieru*) in the drafting of laws prepared by the State Council, the Central Military

Commission, the Supreme People's Court, and the Supreme People's Procuratorate. Second, committees are also asked to get involved in the process of deliberation of bills as early as possible (*tiqian shen yi*). The Chairmen's Meeting which has the powers to set the agenda for the NPCSC and is composed of the chairman, vice chairmen and the Secretary General of the NPC often seeks advice from relevant committees on issues such as whether the bill is to be tabled, what are the major areas of contention and so on. To sum up, while permanent committees may not involve in detail in the process of bill formulation, they are really supervisor and consultant in the writing of a law.

Table 8 Sponsors of legislative bills

		Sponsor		Total	
		Others	Permanent Committee		
Term	9	N	54	21	75
		%	(72.0)	(28.0)	(100.0)
	10	N	60	12	72
		%	(83.3)	(16.7)	(100.0)
	11	N	31	7	38
		%	(81.6)	(18.4)	(100.0)
Total		N	145	40	185
		%	(78.4)	(21.6)	(100.0)

The NPC committees play a pivotal role when a bill is being deliberated. Normally, after a bill is tabled by the NPC Standing Committee, a permanent committee is assigned to review the bill and relevant committees are also invited to the discussion. A report will then be presented to the Standing Committee and to the Law Committee for further review. Empowered to review all bills in what has been known as *tongyi shen yi* (or “universal deliberation”) the Law Committee is extremely important in the process. After gathering information from all possible channels including the State Council, local governments, and the public, the Law Committee amends the drafted bill. The importance of the permanent committees in bill-deliberation can be measured by the frequency of reviews and amount of time spent on the reviews.

Table 9 reveals frequency and average time of bill deliberation. The results are mixed. While average time for bill deliberation has increased from 7.47 months to 10.29 months, or 2.82 additional months, the frequency has fallen from 2.65 to 2.53.

Average time per deliberation increases tremendously, from 1.25 months at the 9th NPC to 4.07 months at the 11th NPC. These empirical results echo Tanner's research (1999) on Chinese law-making process in that permanent committees could interfere into the legislative deliberation as the center for incorporating social opinions and making specialist' investigation. It also means that committee members are more conscientious about their duties and responsibilities. This is why they are willing to spend time in deliberating bills instead of throwing support blindly behind. Should the trend continue, it is not impossible that the NPC one day might emerge as a battleground where various interest groups vie for influence.

Table 9 Frequency and average time of bill deliberation				
Term	Number of Bills	Average Time per Bill (Month)	Average Frequency of a bill	Average Time / Average Frequency
9	75	7.47	2.65	2.82
10	72	5.38	2.36	2.28
11	38	10.29	2.53	4.07
Total	185	7.23	2.51	2.88

Conclusion

By delving into the composition of the NPC's permanent committees during the 9th, 10th, and 11th terms, the paper concludes that specialization is indeed on the rise. On average, over 70% of committee members have either professional backgrounds or committee experiences or both. The empirical results further suggest that information efficiency is best able in explaining the NPC committees' behaviors. Specifically, the paper draws on the following findings:

First, generally speaking, the NPC committees are very professional ones, with 63.7% of members possessing expertise relevant to the duties prescribed by the committees. In the three terms that we analyze professionalism has climbed upward by 3.1%. This may not look huge but the rate of professionalism has been kept above 60% in all three terms without exception.

Second, unfortunately, the growth of specialization at the NPC has been achieved at the expense of its stability. There are less ranking members at the 11th NPC than the 9th NPC as the average time served in the committees falls from 1.32 term (or about 6.6 years) to 1.26 term (about 6.3 years).

Third, there is differential development of specialization among the nine permanent committees. Some committees stress members' professional experiences in the past while others pay more attention to experiences at other committees. There are also committees which require neither.

Fourth, while numerically the NPC committees' role in bill-drafting has seen no significant increase, their status is codified and legalized. On average, more time has been spent on bill deliberation and committees' autonomy and capacity have appreciably increased.

It has been pointed out that legislative committees might need to feature the following characteristics in order to be active (Olson 1994, 57): its jurisdiction must be clearly fixed to issues and parallel to the administrative system; members can continue their committee services for a long time; only seniors can take the position of committee chairman, and members should be familiar with committee affairs, relevant issues, and behaviors of administration and interest groups. Our study indicates that while membership stability is still an issue, the NPC is obviously more specialized now, and specialization has brought more autonomy and capacity to the committees. The NPC is gradually shifting from a congress in adolescence to a congress in transition.

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Appendix 1 Work of the NPC committees and corresponding agencies

	Scope of work	Main contacting agencies
Law	Mandatory review of bills and acts	Supreme court, supreme procuratorate, State Council's Legal Affairs Office, Central Military Commission's Bureau of Legal Affairs, CCP Central Commission on Political and Legal Affairs
Ethnic Affairs	Issues related to minorities and governance of the self-autonomous regions	State Ethnic Affairs Commission, local leadership of ethnic minority regions.
Internal and Judicial Affairs	Civic affairs; labor as punishment (laodong); social security; judiciary; social safety	Supreme People's Court, Supreme People's Procuratorate, Ministry of Public Security, Ministry of Justice, Ministry of Supervision, Ministry of Human Resources and Social Security, Ministry of Civil Affairs, State Administration of Work Safety, Legislative Affairs Office of State Council, All China Women's Federation, All China Federation of Trade Unions, Communist Youth League, CCP Commission of Politics and Law
Financial and Economic Affairs	Review national plans for financial, economic and social developments; budgetary review; economic legislation	National Development and Reform Commission, Ministry of Finance, Ministry of Commerce, Ministry of Transport, Ministry of Railways, Ministry of Industry and Information Technology, State Administration of Taxation, State Administration of Industry and Commerce, Banking Regulation Commission, Securities Regulatory Commission, National Bureau of Statistics, General Administration of Customs, Insurance Regulatory Commission, People's Bank of China and other policy banks
Education, Science, Culture and Public Health	Review bills and acts related to education, science, culture, hygiene, physical education, population, and mass communication	Ministry of Education, Ministry of Science and Technology, Ministry of Culture, Ministry of Health, National Population and Family Planning Commission, National Food Commission, General Administration of Press and Publication (National Copyright Administration), General Administration of Sport, State Food and Drug Administration, State Intellectual Property Office, State Administration of Radio, Film and Television, CCP Propaganda Department

Foreign Affairs	Review bills and acts related to external affairs	Ministry of Foreign Affairs, Ministry of State Security, Overseas Chinese Affairs Office of the State Council, Hong Kong and Macao Affairs Office of the State Council, Taiwan Affairs Office of the State Council, Information Office of the State Council, Legislative Affairs Office of State Council, CCP International Liaison Department, CCP United Front Work Department
Overseas Chinese Affairs	Review bills and acts related to the work on overseas Chinese	Overseas Chinese Affairs Office of the State Council, Hong Kong and Macao Affairs Office of the State Council, Taiwan Affairs Office of the State Council, CCP United Front Work Department
Environment Protection and Resources Conservation	Review bills and acts related to environmental protection and resources	National Development and Reform Commission, Ministry of Land and Resources, Ministry of Environment Protection, Ministry of Water Resources, State Forestry Administration, China Electricity Regulatory Commission, Meteorological Administration, General Administration of Quality Supervision, Inspection and Quarantine
Agriculture and Rural Affairs	Review bills and acts related to villages and agriculture	Ministry of Agriculture, Ministry of Water Resources, Ministry of Housing and Urban-Rural Development, State Forestry Administration, Meteorological Administration

Source: Zeng, Ping. 2004. *Yihui weiyuanhui zhidu bijiao yanjiu* (A Comparative Study of the Parliamentary Committee System). Beijing: Ph.D. dissertation of Renmin University.

科技部補助計畫衍生研發成果推廣資料表

日期:2014/12/22

科技部補助計畫	計畫名稱：中國大陸地方立法過程中的部門利益問題	
	計畫主持人：趙建民	
	計畫編號：101-2410-H-034-064-MY2	學門領域：比較政治
無研發成果推廣資料		

101 年度專題研究計畫研究成果彙整表

計畫主持人：趙建民			計畫編號：101-2410-H-034-064-MY2				
計畫名稱：中國大陸地方立法過程中的部門利益問題							
成果項目			量化			單位	備註（質化說明：如數個計畫共同成果、成果列為該期刊之封面故事...等）
			實際已達成數（被接受或已發表）	預期總達成數(含實際已達成數)	本計畫實際貢獻百分比		
國內	論文著作	期刊論文	5	5	100%	篇	
		研究報告/技術報告	0	0	100%		
		研討會論文	0	0	100%		
		專書	0	0	100%		
	專利	申請中件數	0	0	100%	件	
		已獲得件數	0	0	100%		
	技術移轉	件數	0	0	100%	件	
		權利金	0	0	100%	千元	
	參與計畫人力（本國籍）	碩士生	6	6	100%	人次	
		博士生	0	0	100%		
		博士後研究員	0	0	100%		
		專任助理	0	0	100%		
國外	論文著作	期刊論文	1	1	100%	篇	
		研究報告/技術報告	0	0	100%		
		研討會論文	4	4	100%		
		專書	0	0	100%	章/本	
	專利	申請中件數	0	0	100%	件	
		已獲得件數	0	0	100%		
	技術移轉	件數	0	0	100%	件	
		權利金	0	0	100%	千元	
	參與計畫人力（外國籍）	碩士生	0	0	100%	人次	
		博士生	0	0	100%		
		博士後研究員	0	0	100%		
		專任助理	0	0	100%		

<p>其他成果</p> <p>(無法以量化表達之成果如辦理學術活動、獲得獎項、重要國際合作、研究成果國際影響力及其他協助產業技術發展之具體效益事項等，請以文字敘述填列。)</p>	無
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	成果項目	量化	名稱或內容性質簡述
科 教 處 計 畫 加 填 項 目	測驗工具(含質性與量性)	0	
	課程/模組	0	
	電腦及網路系統或工具	0	
	教材	0	
	舉辦之活動/競賽	0	
	研討會/工作坊	0	
	電子報、網站	0	
	計畫成果推廣之參與（閱聽）人數	0	

科技部補助專題研究計畫成果報告自評表

請就研究內容與原計畫相符程度、達成預期目標情況、研究成果之學術或應用價值（簡要敘述成果所代表之意義、價值、影響或進一步發展之可能性）、是否適合在學術期刊發表或申請專利、主要發現或其他有關價值等，作一綜合評估。

1. 請就研究內容與原計畫相符程度、達成預期目標情況作一綜合評估

☒ 達成目標

☐ 未達成目標（請說明，以 100 字為限）

☐ 實驗失敗

☐ 因故實驗中斷

☐ 其他原因

說明：

2. 研究成果在學術期刊發表或申請專利等情形：

論文：☒ 已發表 ☐ 未發表之文稿 ☐ 撰寫中 ☐ 無

專利：☐ 已獲得 ☐ 申請中 ☒ 無

技轉：☐ 已技轉 ☐ 洽談中 ☒ 無

其他：（以 100 字為限）

3. 請依學術成就、技術創新、社會影響等方面，評估研究成果之學術或應用價值（簡要敘述成果所代表之意義、價值、影響或進一步發展之可能性）（以 500 字為限）