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浅谈构建「和谐城管」的理论初探

孙卫东

指导教师 刘连支 副教授

厦门大学

# 厦门大学

## 硕士学位论文

### 构建“和谐城管”的理论探讨

#### An Exploration of Theory of Harmonious Urban Management

孙卫东

指导教师姓名: 刘连支 副教授

专业名称: 政治经济学

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## 摘 要

随着社会经济的发展,城市管理行政执法事业渐渐成为我国城市建设管理一个重要组成部分,也是展示城市建设管理水平的一个重要标志。特别是在“和谐社会”理念提出以后,城市管理的工作成为了“和谐政府”的一个形象窗口。为此,加强对城市管理行政执法事业的建设,对建设“和谐社会”有重要的意义。本文将在讨论城市管理事业与社会经济发展关系的同时,初步提出“和谐城管”的理论,并探讨该理论的提出对城市管理事业的作用和对社会经济发展的作用。

随着我国城市化进程的加快,城市管理中所积累的社会矛盾和社会问题越来越突出。城市的洁净、规范、文明和有序运转,是改革、发展和稳定的需要,也在根本上维护着城市居民的合法利益。但我国目前尚处于经济社会发展的转型时期,在改革和发展的进程中,在一定时期内不可避免地会出现一些比较突出的社会矛盾和社会问题。论文针对当前我国城市管理行政执法存在的矛盾和问题,以和谐社会思想为指导,探讨和谐城管的内涵、形式等问题。

论文共分六章。第一章绪论,介绍论文的选题背景、研究意义、研究方法和论文的基本观点;第二章运用外部性和公共产品这二个经济学基本原理,引出建立“和谐城管”方向性的问题:要实现和谐城管,首先应明确什么是“和谐城管”或城市所需要的运行秩序是什么,城管的主体、对象是谁,解决城市管理的方法和手段是什么等;第三章在回顾我国城市管理形成、发展、演变的历史进程的基础上,分析我国城管模式存在的各种问题;第四章是论文的重点,说明改革开放后形成的多元利益格局,是我国现行城管困境的主要原因,并以流动摊贩治理为例,探讨形成和谐城管的方法和途径;第五章探讨“和谐城管”的基本理念以及建立“两级政府、三级管理、四级网络”的城市管理新体制等问题;第六章就城市管理新体制所需的基本运作机制提出自己的看法。

论文的核心观点是:我国各地城市管理行政执法部门的设立并有效地开展工作,对维护社会公共利益和城市公共秩序,保护公民、法人和其他组织的合法权益,起到了积极的作用。但随着改革开放的深入和城市化进程的加快,现行的城市管理行政执法也暴露出诸多的问题,如体制不顺、职责不清、执法理念落后、执法手段单一、工作方式简单粗暴等,以致暴力抗法现象时常发生。改革开放后

形成的多元利益格局和旧的城管模式的矛盾,是城市管理行政执法诸多问题产生的深层次原因。

用和谐社会的思想重塑城市管理行政执法,首先应明确城市运行所需要的秩序是什么等基本问题,以人为本,更新城管理念,通过深化体制改革,协调各方利益,鼓励社会公众以各种行之有效的方式参与城市管理。论文就建立“两级政府、三级管理、四级网络”的城市管理新体制等问题,阐述了自己的看法。

**关键词:** 城市管理; 和谐城管

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## Abstract

Along with the social and economic development, administration enforcement of urban management has gradually become an important part of urban construction in China, even an important symbol of demonstration of the urban construction and management level. Especially, with the concept of a harmonious society, the urban management work has become an image of harmonious government. Therefore, strengthening administrative enforcement of urban management play an important role of building a harmonious society. This dissertation discusses the relations between urban management and socio-economic development, while initially proposing a harmonious urban management theory, and exploring the role of this theory to urban management and social & economic development.

With the acceleration of the urbanization process, the social conflicts accumulated in urban management become more and more prominent. The city's clean, standardization, civilization and orderly operation are the need of reform, development and stability, but also the foundation of maintaining the legitimate interests of urban residents. However, as China is still in the transition of economic and social development, there are bound to be some prominent social conflicts and problems in the certain period of time. For the current conflicts and issues of administrative enforcement of urban management, this dissertation discusses the content, form and relative issues of the harmonious urban management, taking the harmonious society concept as the guide.

This dissertation is divided into six chapters. Chapter I introduces the research background, significance, methodology and the basic point; Chapter II comes up with the orientation problem of establishing the harmonious urban management, applying externalities and public goods theories; Chapter III

analyses problems in urban management model based on the review of the formation, development, and evolution of urban management; Chapter IV illustrates the current urban management plight due to the pattern of multiple interests after the reform and opening up, and explores the ways and means of the harmonious urban management, taking the governance of the street vendors as an example; Chapter V discusses the basic concept of harmonious city management and the issues of establishing new system of urban management with "two-level government, three-level management and four-level network"; Chapter VI puts forward the point of view of the necessary operating mechanisms for new urban management system.

The key point of this dissertation: the administrative enforcement of urban management's setting up and working effectively play a positive role of maintaining public order & interests, and protecting the citizens, legal persons and other organizations' legitimate rights and interests. But with the deepening of reform and opening up and acceleration of the urbanization process, the current city administration also reveals a number of administrative enforcement issues, such as irrational institutions, unclear duties, backward enforcement philosophy, simple and rough working methods and etc, resulting in violence against law occurs frequently. Moreover, the deep-seated reason is the conflict between the old pattern of urban management model and the multiple interests after reform and opening up.

Remodeling urban management ideas with harmonious society concept needs to clarify some concepts such as the urban order, renew the urban management concept, deepen the institutional reform, coordinate the interests among parties and encourage various & effective public participation in urban management. This dissertation finally illustrates the author's point of view of establishing a new system of the urban management with "two-level government, three-level management and four-level network".

**Keywords:** Urban management, Harmonious urban management



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