

学校编码: 10384

分类号 _____ 密级 _____

学号: 13820100153529

UDC _____

厦门大学

博士学位论文

非正式制度与乡村治理研究

Research on Informal Institution and Rural Governance

杨菊平

指导教师姓名: 朱仁显 教授

专业名称: 政治学

论文提交日期: 2015年4月

论文答辩日期: 2015年 月

学位授予日期: 2014年 月

答辩委员会主席: _____

评阅人: _____

2015年4月

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摘要

我国乡村以村民自治为核心的乡政—村治治理模式经过 30 多年的实践,农村基层民主制度的建设取得了许多成绩,但也涌现诸多问题,遭遇新的困境。在国家与社会关系的调整,制度的创新与实施中,面对乡政、村治的失衡,制度实践与制度文本的背离等诸多挑战,学者们从不同角度进行实践尝试与理论研究,在此基础上重构乡村治理的模式。主流的观点试图将自治范围进一步扩大到乡(镇)甚至是县一级,或在现有模式基础上,把重点放在乡(镇)基层政府的变革上。本文认为当前乡村治理中的失衡仍然是乡村自主性不足,应从乡村社会出发寻求乡村治理的发展逻辑。这就需要进一步挖掘和培育乡村社会内部力量,完善制度环境。作为乡村社会内部重要制度资源的非正式制度在这其中充当什么角色?对于乡村治理的实现又有何意义?在第一章阐释非正式制度的内涵、特点、变迁与运行机制及我国乡村社会丰富的非正式制度资源、主要形式的基础上,第二章从这些问题出发,梳理乡村治理发展历程和变迁逻辑,总结当前乡村治理模式面临的结构性失衡的特点,突出表现为一种代表官方意识形态的自上而下的农村基层民主制度与乡村社会行为逻辑背后的以民间意识形态为核心的非正式制度之间的不相容。无论我们将乡村善治作为一种价值评价的标准或是作为一种衡量治理实效性的方式,重视非正式制度的作用,推进非正式制度的变迁,对于完善乡村治理,实现乡村善治有着重要意义。前者要求在乡村社会培育和建构与民主、多元、自治理念相一致的非正式制度;后者要求乡村治理实践必须结合不同农村实际情况,将统一性的正式制度有效嵌入具有地方特殊性的非正式制度体系中。

非正式制度在乡村治理中发挥什么样的作用?通过什么样的途径影响着乡村治理实践中制度实施绩效?已有的研究或突出某一种非正式制度如宗族对乡村治理的影响,或从社会学等不同视角阐释非正式制度与乡村社会生活。本文第三—六章结合个案调查和其他经验材料,在梳理村民自治中民主选举、民主决策、民主管理和民主监督制度演进与发展的基础上,系统分析诸如意识形态、传统观念、风俗习惯、潜规则、村规民约等非正式制度形式及其特殊社会关系网络对村民自治制度实施的影响和作用。第三章分析了传统观念如宗族观念、权力观念、人情观念通过其所依附的特殊社会关系网络中的互惠机制对民主选

举的异化，认为村委会民主选举作为体现乡村精英合法化的途径，乡村精英要获得国家法律认可和乡村社会民间认同的双重合法性，需要突破以乡村内部情感与身份为基础的传统互惠关系网络的限制，建构持续输入外部利益的外部互惠关系网络和内部情感和利益并重的互惠关系网络的统一。第四章分析了传统官本位思想等非正式制度及其所依附的以特殊信任为特征的特殊社会关系网络影响下的民主决策精英情结，认为民主共识的达成需要在转变权利、责任意识，培育公共精神，建构平等、互信、合作的理性参与网络。第五章分析了习俗惯例、潜规则等非正式制度对制度化民主管理的扭曲，认为需要在情感认同的基础上建构制度认同，村规民约作为民主管理中正式制度与非正式制度相容的良好制度形式，对推动民主管理制度化具有重要意义。第六章分析了人情观念及其所依附的人际关系网络导致的民主监督虚化，认为组织化、制度化监督制衡也需要借助非正式制度在特殊社会关系网络中的信息传播、诚信机制，在充分沟通、合作的基础上发挥实效。

乡村治理的制度创新不仅仅是理性的设计和制度条文的变更，更需要扭转几千年文化积淀形成的思维方式、观念和行为习惯，建构新型互惠、信任、合作关系网络。成功的乡村治理制度应当是从乡村社会土壤中生长起来的或至少是与之相容的。加强乡村精英队伍、新型农村经济组织、村规民约等的建设，使乡村治理正式制度的创新嵌入当地乡村社会非正式制度土壤中，进一步增强乡村治理的内生性力量，是推进乡村治理善治的根本途径。

关键词：非正式制度；乡村治理；村民自治

Abstract

After 30 years of practice of the township - village rural governance mode, With the villager autonomy as the core, the rural grassroots democracy achieved many gratifying achievements, but also encountered new difficulties. During the process of the adjustment of relation between nation and society, the innovation and implementation of the institution, facing the the challenge that include the imbalance between the township government and village governance, the implementation of the institution deviate from the text system, the scholars have carried on practice and theoretical research from different angles, efforts have been made on the reconstruction of rural governance mode. Most of the view is inclind to expand the scope of autonomy to the township or even county, or focus on the township government reform. This essay believes that the current imbalance of rural governance is still lack of autonomy, the logic of the development of rural governance should seek from the rural society. It requires further exploration and cultivation of the internal forces of the rural society, improve the institutional environment. As the very important institutional resources, what role does the informal institution of rural society play? What does the significance have for the achievement of the rural governance ? Based on the first chapter which explains the connotation, characteristics ,changes and operation mechanism of the informal system , and andabundant resources of informal institution in China's rural society .The second chapter embarks from the questions mentioned above, runing through the development and changes of rural governance logic, summing up the characteristics of structural imbalance of the current rural governance mode, which mainly imply that the imcompatible between the formal institution which represent the official ideology and the informal institution as the core of the folk ideology which show the rural social behavior logic. Whether we reard good governance as a value evaluation standard or as a measure of the effectiveness of governance, it has great significance to pay more attention to the informal institution and changes to be promote to improve rural governance. The former requires fostering and constructing the informal institution coincide with the concept of democracy, pluralism, autonomy etc. The latter requires

the rural governance practice must be combined with the actual situation of different rural areas, has the formal system effectively embedded in the informal institution.

What's the role of the informal institutions play in rural governance? what channels does the affect be made through on the implementation of the institution of the rural governance? The research have been made already mostly highlight on one kind of informal institution such as the impact of clan in rural governance, or from the perspective of sociology and others to discuss the relationship between different informal institution and rural social life. In the third - six chapter base on the case of investigation and other experience materials, run through the evolution and development of villagers' autonomy in democratic election, democratic decision-making, democratic management and democratic supervision system, analysis the influence of the informal institution such as ideology, traditional ideas, customs, unspoken rule etc, and special social relation network of the villagers systematically on the implementation of the institution and the role of autonomy. The third chapter analyzes the traditional concepts such as clan ideas, powerconcept, and the reciprocity mechanism of the special social network which attached on. The democratic election of villagers committees as the way to the legalization of rural elites, to make the double legitimacy of the legal recognition of the state and the folk identity of rural society, rural elites need to break the restriction of internal emotion and identity based on the traditional mutual relationship network, and unified construction of the continuous input of external interests from mutualreciprocity network outside and the internal equal relationship network on feelings and interests. The fourth chapter analyzes such the informal institution as the traditional idea of mandarin-minded and the special social network be distinguished by special trust which result in the elite complx in democratic decision-making, propose that to make the democratic consensus, it need to change the consciousness of rights, responsibility, cultivate the public spirit, and the equality, mutual trust, cooperation network of rational participation must be construct . The fifth chapter analyzes the informal institution such as customs, unspoken rule etc. which

distorted the democracy management institution, it need to construct the institution identification on the basis of emotion recognition. The village regulation is a perfect form of institution which lead to the compatible of formal institution and informal institution and has important significance to promote democratic management. The sixth chapter analyzes the concept of the human relationship which lead to the grammaticalization of the democratic supervisio, and the organization and institutionalization of supervision is also need to with the help of the information dissemination mechanism of the informal institution and it's special social relation network.

We deeply understand that the innovation of rural governance institution is not only a change in the rational design and provisions of institution, much more effort is need to reverse the way of thinking, attitudes and behavior form thousands of years of cultural heritage, to construct the new network of reciprocity, mutual trust and cooperation. The success of the rural governance institution should be grown from rural society or at least be compatible. To strengthen the rural elite team, the construction of new rural economic organizations, the village regulations, to make the formal institution innovation, embedded in local rural society informal institution and enhance the endogenous power of rural governance is the fundamental way to promote rural good governance.

Key words: Informal institution; Rural governance; Villager autonomy

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