

The Coordination of Two Logics of Chinese Urban Planning Management

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Under the new normal of China, governance should rely on the rule of law and social participation. The logics of urban-rural planning management changing under this situation both have to govern the country with the law on the basis of the fair management, and regulate social relations under the requirement of stability. By summarizing the power source, alienation, organizational structure, it can be observed that the logic of urban-rural planning management in China is rule by law which is reflected in the powers distribution and constraints with justice as the core. On the other hand, stemming from a tradition, coordination is the focus of China's urban-rural planning management. This logic is obviously based on rule of man, embodied the choice of organization mode, management means and the ways of dealing with social relations can be clearly showed that logic. But there is no contradiction between these two management concepts. The two logics can be coordinated by contract-based collective governance logic and the optimization of techniques.

Keywords: urban-rural planning administration, rule of law, rule of man, coordination

At present, the main crux of the problem in the process of urban-rural planning management is the alienation of subject, value, work contents and operation, and some other aspects, involving three aspects: urban and rural planning and management constitution system, power system, and the construction of laws and regulations, manifesting as the target alienation, unclear responsibilities, the absence of functions and regulation, program management residues, weak vertical coordination, privilege rent-seeking, lack of legal protection, etc. (Wang & Zhang, 1999; Yang, 2002; Yao, Gu, & Wu, 2008; Liu, Yang, & Peng, 2010). These problems led to the emergence of performance planning, businessman planning, excessive planning, and random planning, resulting in a series of economic and social problems. The fairness, legality, scientificity, and authority of urban-rural planning management have been questioned, and its gradually blurred nature provided conditions for the reform of urban-rural planning management. The essence of the reform of urban-rural planning management is the choice of the management organization, mode and operating rules, and it is a long-term legal process (Wang & Li, 2012). Since the Eighteenth National Congress of the CPC (Communist Party of China), under requirements of the Administrative Reform, urban-rural planning management has faced the reform and optimization of management decentralization, organization coordination, administrative examination and approval, supervision and management, and public participation, etc. (Zhang &

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Liu, 2014). The Fourth Plenary Session of the Eighteenth National Congress made the system construction direction of the administration according to law clearly. Changes in the environment ask us to examine the legal requirements of urban-rural planning management within and without the system. In addition, urban and rural planning management begins to transform to urban governance, and the interest coordination among different actors becomes one of the focuses of work. Urban governance is the process of realizing the collective goal of public through public-private cooperation. It enhances the management capacity of local rights while also brings double pressure from the private sector and the public (Z. D. Luo, Zhang, & X. L. Luo, 2002). Therefore, urban governance should be seen as two-way channels for communication between different actors and pressure dredge. It is the requirement of the rule of man but also the complement of the rule of law. In addition, the emerging social conflicts begin to let people envisage the limited rationality of governance, and consider building a “flexible” (consultative governance) framework. Conflict is not the exception but the rule and the norm, therefore, in the future, rural and urban governance should take real and different “individuals” as its planning research and service objects rather than “the whole community” (Yang & Chen, 2015).

The Logic of the Rule of Law

The basis of the rule of law is law and fairness is one of the jurisprudence. Rights to make and implement laws come from people and are granted by government. The legitimate utilization of public policies to intervene in economic and social development is the main form of the government to maintain fair, including a wide range of contents such as social capital and public affairs. New Marxists argue that excessive accumulation of capital leads capital to explore space (i.e., the capitalist process of urban and rural areas), and is affected by social and cultural (damping movement) to generate losses (entropy) (Han, 2000). These losses are used in social public utilities and environmental improvement, and it is a kind of inevitable capital forced consumption, reflecting the government power characteristics of social equity. The size of the consumption is related to the government regulation while the initiative reflects the position of fairness value and is related to the social morality and progress on legal system construction. Therefore, for legal ethics of urban-rural management, fairness is—legitimacy foundation and objective.

With the gradual increasing number of market reforms, more rent-seeking activities lead to the failure of planning and management. It is rooted in the equity substitution and right subject alienation in the urban-rural planning management process. Equity substitution is caused by the administrative department using their power to do rent-seeking at each stage of planning and management, manifesting as the management body replacing the value of their own interests, decision-making power alienation under the executive will, and the overall target alienation in the pursuit of pure economic goals. Alienation is a long-time existing process under the influence of deviation of information transfer up and down the hierarchy, nepotism, investors, and “elders”, lack of awareness of public responsibility consciousness and covert “greeting” oppression. Right subject alienation is a process that citizens or residents are alienated into management objects from subjects (Deng, 2010). The government replaces the principal (the public), and abandons their value orientation on public benefits’ safeguard. Therefore problems emerge in decision-making and coordination of value judgments. That is to say, the government power in the “people-government” of this “principal-agent” relations deviates from the public interest. In planning and management, the principles of fairness considered the interests of vulnerable group alienated into an inclination to the powerful people (Tang, 2005). In addition, the bounded

rationality of management body and cadre assessment mismatches the infinite law of urban and rural development, which leads to two contradictions: inevitability and contingency in treating processing as well as deterministic management objectives and fuzziness. Therefore, only understand that public is the main body and source of power, can we right the legal concept of urban-rural planning management, reduce damages to fairness caused by totalitarian in limited rationality (see Figure 1).

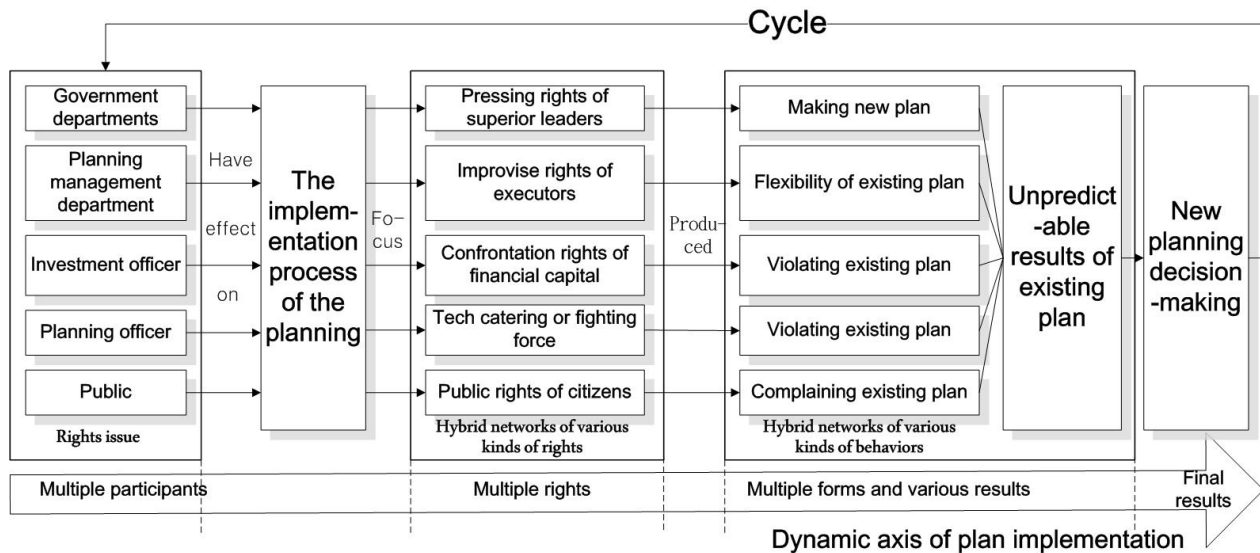


Figure 1. Multiple behavior and functions in implementation of urban-rural planning.

The Logic of the Rule of Man

Unlike the West, China's tradition prefers more on the rule of man, and its foundation and goal both are society. Modern China society is an organic unity where law and science play a dominant role. This society is composed by public organic structure (community based on sense) and private inorganic structure (personal network based on sensibility). Qian (2013) thought that China is a society ruled by man, and Chinese government has no sense of the rule of law while Chinese people have no legal awareness. Fei (2013) believed that the West's group relationship is a clear bounded multi-beam structure with morality acting as group structure, while China's social relationship is a scalable network expanding from a single point. In the Chinese society, human is the relationship and vice versa. In the moral difference sequence pattern, the public-private boundary is relatively obscure. That is to say, morality and law have to alter their standards according to the relationships among people. Because of this traditional root, social governance takes background into consideration; leaders are used to have the final say; people like disputing over trifles; coordination relies on relationships. Buchanan and Congleton (2008) believed that modern politics is not the politics by principle, but the politics of interest. Urban-rural planning management is a process of interest coordination from the organization to the individual, running under the institutional environment, and there exists another path different from the rule of law—the system of human relations, coordinated work mechanism. This path plays an important role in the urban-rural planning management, and manifests as interaction of multiple actors in planning and implementation coordination.

The Organization Model of the Rule of Man

Humans have two ways to deal with affairs. One is profit management, and the other is bureaucracy. Both

ways are popular in various sectors of society, existing as technical means and organization structure of resource allocation. Profit management is associated with the development of bourgeoisie while the bureaucracy appeared in stage of the transition from feudalism to capitalism. Sun (2012) thought that the latter will exist longer, because it is a natural organization sharing the same origin with human beings and it is created in order to avoid human's self-destruction caused by complete freedom. Profit management is dominated by egoism, which pursues egoism, with market economic as foundation and profits as goal, and it is driven by desire and profit targets and constrained by compact and social morality. Bureaucracy is dominated by altruism which pursues public interests, with social morality as foundations and fairness as goal, and it uses management and target control as methods and is constrained by departmental rules and laws.

Since Elinor Ostrom (1960s) from the Public Choice School, has proposed autonomous organization and management of public affairs and separated public-private partnership mode, demonstrating a third way to deal with human affairs—public self-organization governance. This way stands between private enterprise and the government, represented by NPO (Non-Profit Organization) and NGO (Non-Government Organization). Here, the three ways and strength of profit management (market), bureaucracy (government), self-organization governance (society) blend together producing five models of urban governance (see Table 1). China's current urban governance is mainly a mode of pro-growth and welfare.

Table 1

Five Models of Urban Governance

Governing mode	Managerial	Corporatist	Pro-growth	Welfare	Autonomy
Mode	Market-oriented target driven mode	Market-oriented process driven mode	Government-oriented target driven mode	Government-oriented process driven mode	Third sector-oriented target & process driven mode
Background	In 1980s, the growing financial crisis makes the governance mode proposed by new public managerialism replace democracy participation mode in West	In small Western European countries with highly-developed industry and democracy	All advanced industrial democracies countries	The demonstration of "unbalanced development" which is popular in Britain and America in 1980s	Autonomous organization and management of public affairs and separated public-private partnership mode; contact mechanism formed by NGOs in 1970s with UN's international meeting as its basis
Target or effect	Improving the public services production & transport efficiency	Balance of interests satisfaction of democracy creating extensive public participation incrementing policies smoothly	The integration of political and market power; promoting economic development	Reconstruction local economy	Contracting and management among government and private enterprises aiming to provide public service or to promote community development and to open up new employment area
Organization & special emphasis	From bottom to top; focus on results not interests in process	From bottom to top; focus on authorizations & representation	From bottom to top; focus on results not interests in process	From bottom to top; focus on authorizations & representation	From bottom to top; community autonomy with public welfare as its goal

Table 1 continued

Governing mode	Managerial	Corporatist	Pro-growth	Welfare	Autonomy
Characteristics	Market & profession oriented; strong market adaptability & reagency; consumer satisfaction as evaluation criterion distance between producers & officials	The characteristics of state socialism existing in local distribution department; interests maintainance & democracy as its basis; participation enthusiasm of interest group getting lower with local economic recession	Local economic rebuilding policy is the most prominent part of urban policy; close relationship of public-private; public participation is impossible	Supporting and rejuvenating the governance mode of old industry areas; anti-capitalism and political relation as its basis; no cooperation with private capital; short-term rescue policy is seldom used	Social autonomy system in modern social structure differentiation characterized by organization, civil, non-profit, autonomy, public welfare, voluntariness
Participants	Producers of urban public services (manager) & consumer (public)	Government; high-ranking officials in interest group	Business elite & high-ranking officials	Government officials and bureaucrat	Third-sector represented by NGOs, government
Methods	Various professional management methods under the market principle	Redistribution department stimulates interest group to negotiate by compensatory policy	Capital operation and the establishment of partnership of political choice	Political and administrative channel is connected with country; ensuring that capital is allocated to local to make up for taxes	Through activities, social service or programs to affect government's policy orientation and market behavior and to gain subsidies
Disadvantages	No clear government's responsibility and duty; no solution for the conflicts between power organization & professional organization; public institution has no sufficient resilience to fulfill resource allocation in time	Long-term negotiation; collective self-interest weakening government's financial balance; declining enthusiasm makes local government stand in an unfavorable position and rely on participation	Urban politics' excessive reliance on private capital because of fierce revenue competition in attraction to businesses and investment	Lack of tax purpose; the failure of attracting foreign investment may lead to inner investment loss; excessive political reliance makes city detach from local economy and deepen its recession unsustainability	Restricted by legal environment development level; non-profit leads to the lack of funding and personnel; its status and utility is restricted by social cognition and public opinions; the lack of supervision and guidance leads to low effectiveness and corruption

Note. This table references Z. D. Luo's (2002).

Three Roles

Government managers, administrative executive, and planners are three major professional roles of urban and rural governance. In a rational society, the government is under the leadership of people and politicians. The department is executive under the government's leadership. The statuses of politicians are higher than the administration. The true responsibility of administrative executive is the administration behind politics, which is determined by their reason-oriented value rather than skills. In urban and rural planning management, it demonstrates as implementation and supervision of urban and rural planning according to law. Therefore, managers of urban and rural planning are administrative staffs, rather than rulers. If out of this identity, it will cause the over spread of public political commentary and political decisions for which no one is responsible, producing shirk as well as oppression. Therefore, the urban and rural planning managers have been given too much roles (government staffs, administrative staffs, academics, lobbyists, public representatives). They can not only focus on authorities, books, or benefits, which will make them become an objective evaluation tool

without humanity. Urban and rural planning managers must implement the approved urban and rural planning legally and administrate in order to gain public recognition, seeking their own subjective sense of action. They can never create social recognitions by their own actions just like politicians.

The role of planner (urban and rural planning professional practitioners) is different from the urban and rural planning manager. They should maintain relative autonomy when they face government managers. The function of academy is not administration, but value-neutral citizenship and academic position based on the principle of objective cognition and existence. Planning and management issues partly come from the loss of science authority. One way is that politics subjective value judgment replaces the academic authority and pays more attention to reality, tending to deal with the relationship between ends and means. This reduces the expectations of academic senate policy formulated by “Town and Country Planning Act”. Another way is that part of the scientific authority loses its position of value neutrality and deviates from the verification to purposes and methods and from action criteria and analysis to logical meaning.

The Relationship Between the Rule of Law and the Rule of Man

The Rule of Law—Condition for the Rule of Man

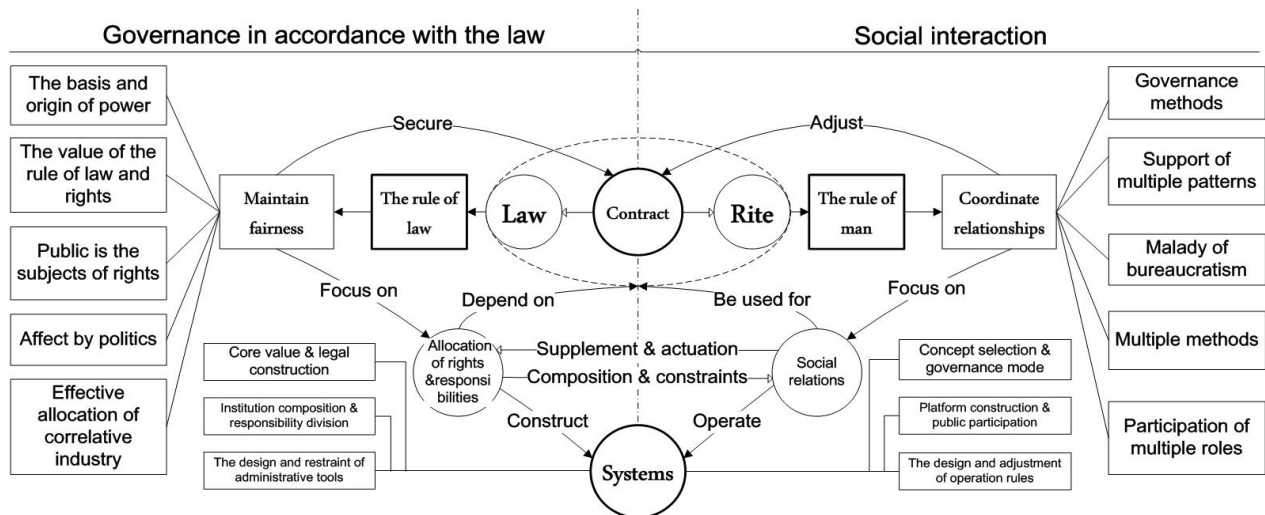


Figure 2. Relation between ruling by law and by man.

Both the rule of man and the rule of law are ingredients of the system and are the two paths of urban and rural planning management (see Figure 2) which is the function and dependence of the whole social organization relationship showing in space. The external conditions of urban and rural planning management are reflected in three aspects: socio-economic problems, the pursuit of public interests' value, and legal environment for law-based government administration. According to the theory of organizational management and external conditions, urban and rural planning management should establish the rule of law system which aims at achieving fairness and explore in planning management concept and discover changes in social economy. Through the reform of work content, organization structure, and management process, we can improve management objectives and innovate management methods as well as estimate the position, effects, and changes of function in the future development of planning management (Li, Lu, Gou, & Zhang, 2011). From a practical development perspective, the transition of urban and rural planning to public policy is inevitable. The main optimal directions are scientific rational decision-making system, control system with

direct technology intervention, public policy system with indirect financial intervention, legal security system for objectives implementation, and supervision system of multi-participation.

The Rule of Man—Complement of the Rule of Law

Wang (2012) believed that in any society which is governed by officials, we can see the effects of so-called bureaucracy such as formalism, bureaucratic jargon, passive and rigid actions, and buck-passing. These effects can be divided into two aspects: social and technical. On the social side, bureaucratic management is embodied in national institutions (government relations, human, social), and they cannot be improved technically, existing only in a specific stage of society. On the technical side (transaction, the relationship between people and things), bureaucratic management exists in all large-scale institutions, and it can be improved through the construction of system. Using legal methods to restrain bureaucratic management is also necessary. The nation is uniquely qualified institution to use force to harm individuals. This dangerous power cannot be handed over to some people casually, and it must be limited, which is the task of law. Apart from the law, we should choose the rule of man following the social contract rather than autocracy.

However, in urban and rural planning management, we need to use the rule of law to balance the rule of man, and simply relying on the rule of law to solve urban and rural problems is naive (Chen, 1999). Urban and rural planning management is a social fact with social order as its basis and maintenance, demonstrating directly as integrated allocation of social capital and space resources. Therefore technical rationality or instrumental rationality is not sufficient condition to resolve the interest conflict. As a political tool, urban and rural planning has absolute technical rationality and limited rationality influenced by society. The former focused on scientization of technology while the latter concerns the coordination of economic and social factors. Both constitute the two foundations of administrative means and bases in the systems and coordinate with each other in different concepts and periods. Gradually deepened concept of public policy makes the operation of urban and rural planning system begin to digress from the instrumental rationality and develop towards bounded rationality and communicative rationality (Cao & Wang, 2009). The establishment and implementation of urban and rural planning has also gradually transformed from rational planning to advocacy planning and collaborative planning, developing according to the evolution of rationalism—incrementalism—advocacy style planning—communication style planning and collaborative planning, embodying the target value of “individual—elite—the government—the public” and rational regression of power. Therefore urban and rural planning management needs the supplement of the rule of man. On the one hand, it can increase the flexibility of the rule of law, adapting to social development. On the other hand, it can gradually weaken administrative and technical means and strengthen political guidance and regulation. It can also change the target from single substance management to comprehensive coordination of multiple objectives and shift the main content to the provision of public goods, the protection of the public interests, and the elimination of market failure.

Coordination of the Rule of Law and the Rule of Man

Governance Logic of Balance

Optimization of public interest should be the result of “contract”, rather than “select” (see Buchanan, 1975). The rule of law and the rule of man are two implementation forms of contract. The results of contract should be the common consequence of the rule of law and the rule of man. Therefore the reform of the rule of law should provide effective power structure and equitable institutional environment for the rule of man and

protect for public participation system construction and rule setting, and promote processes of collective decision-making and supervision. Therefore urban and rural planning management should start with both inner and outer systems. Through the reform of assessment and decision-making mechanism, we can innovate methods of management and supervision mode in order to optimize the content of system. We can get through multidimensional public participation and planning commission system to improve the planning decision-making and social management and supervision. Through the establishment of business and administrative legal system and the opening oversight responsibility system, we can form a scientific authority control and coordination mechanism (Zhang & Liu, 2014). In the aspect of system, we can learn from Japan's joint agreement system with industry, government, public, and academy combined together, which strengthens interactive communication and consultation between government and society in planning and implementation phases and minimizes social conflicts and disharmony factors by full agreement negotiation beforehand. In addition, we can learn from the British legislative administrative cooperation model, letting National People's Congress's legislative institution play the role of supervising and restricting and strengthen its participation and authority in decision-making process so as to explore a more rational planning legislative process model (Wang, 2009). Therefore the urban and rural planning management could get rid of the limited rationality of administrative subject, letting the best plan replace the most optimal plan, constructing a kind of management model with public society, government, and market interacting with each other, and finally forming balanced collective governance logic of freedom, market, and nation.

Discussion of Power Structure

Power is the reflection of policy. Weber (2010) defined politics as the pursuit of power sharing, and to have an impact on the distribution of power. The separation of administrative bureaucracy and administrative tools is one of the basic characteristics of modern state political operation. Urban and rural planning is a political tool, showing the distribution and effects of power. Political influence and the trend of policy decide the power allocation and effects between central and local, urban and rural, planning management and supervision, which make urban and rural management one of the most active parts in politics. Compared with foreign countries' urban and rural planning management, our country's method is very different and there are many fundamental problems (see Table 2). The absolute hierarchical management is easy to weaken the feedback and supervision between the upper and lower levels. Absolute vertical management will cause a dispatching model. Only the integrated management of the most essential features and objectives of the urban and rural planning management can make the two coordinated (Chen, 1999). After administrative decentralization, the above and lower level government and the local governments have been in a complex and irregular game relationship around the rights and interests. Local governments generally take some unconventional game means such as "playing the ball on the edge of policy" and "seeking loopholes" as a kind of conventional system operation mode to serve for their own benefits (Cao, 2009). However, only through contracting planning and management authority and strengthening vertical management cannot we curb the power loss in planning management and other problems fundamentally. Therefore, neither "delegating power" nor "getting backing power" is the fundamental method to solve the planning management problems (Zhuo & Liu, 2004). Therefore, the power allocation model of urban and rural planning management cannot achieve the ultimate state whether it is centralized, decentralized, collaborated, vertical, off-vertical, or mixed, and it only adjusts itself according to the time and place. The most direct method is to make the existing system and

administrative tool run effectively, highlighting the effectiveness of using power in accordance with the law, rather than creating more systems, and wasting more political capital.

Table 2

Comparison of Urban-Rural Planning Management Among China, Japan, England, USA

	American	Britain	Japan	China
Background environment				
Sociocultural environment	Free competition; individual freedom	Law over power; order is important	Public over private; national power	Social welfare first; Erastianism
System environment	Separation of the three powers; highly local autonomy	Mature local autonomy; cooperation of parliament and administration; the central supervise local strictly	Historical tradition; the grafting of Western civilization ideas	State-oriented; executive-led
Property right concept	Protection of individual rights	The importance of welfare rights	Conflict between “public rights first” and “inviolability of individual rights”	Expansion of public interest; the lack of legal protection of private property rights
Democratic character	Indirect democracy represented by Parliament	Deliberative system	Modern democracy	Democratic centralism; public consultation
Right frame	Decentralization; local autonomy	Decentralization; local autonomy	Centralization	Fiscal decentralization under administrative centralization
Local administrative system	Highly local autonomy; less central management of local public affairs	Relative local autonomy; more central management of local public affairs	Limited local autonomy; strict central management of local public affairs	Centre has a strong political and administrative control ability; local has economic autonomy and follows central leadership on political affairs
Land system	Private ownership of land	The coexistence of various ownership forms such as land ownership and land tenure	Private ownership of land	Land ownership and rural collective ownership (rural-urban dual structure)
Legal factions	Anglo-American law system (ocean law system); focus on the continuity of the code, and the case law is the main form	Anglo-American law system (ocean law system); focus on the continuity of the code, and the case law is the main form	Continental law system; code and statute law of different branches are the main form	Continental law system; code and statute law of different branches are the main form
Urban and rural planning management				
Value orientation	Reality and endemicity of planning management system; compartment protection for property interest	Focusing on the return of development benefits	Centralization and executive-led	Strong government and Omnipotent Government
System basis	Power pattern	Administrative discretion	Administration control	Power pattern + administrative discretion + administrative control
Focus of system	Rights restriction and supervision (planning legislation and parliamentary politics are relatively independent; legislative and judicial strong oversight for planning administration; limited administrative discretion; mature hearing system)	Institutionalization (urban planning policy); institutionalization of consultation procedures in planning decisions and implementation; development permit system focusing on administrative judgment and case review	Centralization (focusing on national and regional planning); safeguarding the implementation of large public projects; the back of proper management of autonomous limitation in local	Policy control and management coordination (imperfect negotiation protocol mechanisms); government-led; implementing tough administrative measures through administrative legislation; administrative order as management experience

Table 2 continued

	American	Britain	Japan	China
Urban and rural planning management				
Supervision mechanism	Administrative relief channel with Planning Commission and Parliament as its platform; focusing on legislative and judicial supervision	Administrative supervision system with supervision department and ombudsman system as its core; relatively perfect administrative relief system with public review as its core	Executive-led negotiation protocol mechanism with council as its platform; imperfect legislative and judicial monitoring system	Imperfect legislative and judicial administrative supervision mechanism; lack of or imperfect inner oversight, administrative relief system (complaints relief mechanism) slowly progressed consultation mechanisms under administrative-led political environment
Decision-making process & public participation	Local councils and Planning Committee to oversee each other in decision-making process; institutionalized, legal participatory rights and legal procedures; various participation ways; planning publicity; hearings; public vote	Local Parliament deliberation; institutionalized, legal participatory rights and legal procedures; various participation ways; consultative planning publicity and public examination	Central-government policy and province's policy-based; formalized planning publicity; hearing; region planning as its platform; other planning participates less	Planning decision's administration; imperfect organization, procedure, and system; limited public participation; imperfect community organization and citizen group
Governance form	Relationship between subjects is mutually independent and conditioned; interactive form is debate with each other (democratic participation way represented by hearing)	Mutual cooperation and condition; interactive form is more flexible; consociational democracy	Transverse imbalance (administrative control replaces the Parliament; limited legislative and judicial supervision); longitudinal weightlessness (limited democratic consultation forms and channels in administrations) in system mode; the lack of effective interaction	Double agency and quadruple government legislature of National People's Congress is responsible for the superior and supervise subordinates; government activities are under the oversight of People's Congress and the superior; government administration and supervision of administrative rights is one strong (administrative supervision) four weak (legislative justice, democratic consultation, social supervision); official consciousness plays a leading role; the lack of public consciousness

Note. This table references Y. Wang's (2009).

The Necessary of Public Rise

The implementation of the rule of law requires the freedom of citizens. The development of modern jurisprudence ended in Middle Ages with one sign that the feudal aristocrats and bureaucrats could not control urban and rural areas, enabling the public to have civil liberties. In contrast, in China, urban and rural businessmen and bureaucrats never conflicted with each other and the bureaucratic power was the most prosperous power within the wall. Until the 19th century, while the West focusing on business, China's natural law rule system which was based on Confucianism started to expose its amoral side such as oppression (meeting the minimum requirements of people), simple organization, low efficiency, lack of flexibility and strength, which have existed all the time up to now. In today's city where the main consumption goods are

“symbols”, the public has given up their power and confidence of debating with the three labeled professional roles in concept. In the most of time, the trust from public, who know little about laws, in experts is equivalent to the support of the executive’s will. Facing with government authority and expert’s citation and scientific dogmatism, the public have no access to precise information, and they will say nothing after their private interests being fulfilled. If so, the urban and rural planning management is completely left to three kinds of professional people, which is equivalent to the public giving up their citizenship right, and it is a fatal error. Urban community would split into two classes—ruling experts and deceived people, and the legal provisions would be meaningless. Democracy means self-determination, and every person should stand up using their power of freedom to safeguard their own resources which need protection and development opportunities and space in urban and rural area.

Technology Optimization

The direction of technology optimization. *The strict rule of law.* Discretion gives urban and rural management more flexibility, aiming to set aside room for the conditions setting, so it is the space of the rule of man under the rule of law. With an active market economy, the development pattern of urban and rural areas and the means of administrative governance are becoming more and more complicated. The government’s permission becomes the key to the survival and development of enterprises. Rent-seeking problem in urban and rural management is not caused by inadequacy of the system but the value alienation of managers. In many ways, enterprises cannot get rid of the discretion controlled by various government institutions. The expansion of the discretion in planning administration has become a universal reality. As long as it does not violate existing laws and procedures, government has the right to ruin a business or open a door for it. Therefore, enterprises must keep a close relation with those in power. The main responsibility of the public relations staff is to overcome the problems encountered when dealing with those in power, and most of the public relations staffs are local agents. Especially in an “acquaintance society” sustained by “relationships”, we must do so. If we can make a profit relying on the help from the government, then why should we assure the quality of production? Those companies, who were accustomed to acting in accordance with market and law, can only be changed from merchants to adventurers. They no longer care about productivity but the requirements of privileged departments, which are fulfilled through diplomacy or bribe in order to win the help from government controlled by the corrupt factions. Therefore, it is considered that in urban and rural planning management, the rule of law and the rule of man run in parallel, lacking development control system construction and strong regulation and supervision of administrative discretion procedure, which provides reasonable excuses for the abuse of administrative power. In this context, setting stricter rule of law and regulating rule of man, promoting institutional and individual rights performed in a reasonable and effective way, are the main directions of modern urban and rural planning management reform.

Balance of law and interests. Urban and rural planning is both a technical means and a policy tool (Yang, 1999). The core concept of the optimization of the planning management system is the combination of the administrative regulation which is in accordance with the law and the market regulation proceeding with economic means. As the task of technical means, urban and rural planning’s core content is the rational allocation of space resources, which affects not only the individual’s basic needs, but also the development of the social economy (Wang, 2008). As a kind of public policy, urban and rural planning is destined to be restricted by stakeholders and society in the process of space resource allocation. Requirements from those two

aspects ask planning to follow the legitimacy of the market and fair maintenance in its processes of formulation, implementation, and management, and to achieve the optimization of benefit distribution on the basis of coordination.

Multi-coordination. Fairness requires national governance for urban and rural planning construction. The relationship among three professional roles, investors, and public is complementary competition, forming a multiple urban and rural planning management. Based on their respective functions (decision-making, execution, consultant, implementation, supervision), they support the advance of urban and rural planning affairs, while through their power (political, administrative, professional, financial, and public power), they compete with each other. The common strategy of administration and professional authority for political power is to make politicians become amateurs. Politicians' response is to create their own legitimacy basis outside the field of science, and to absorb various departments' business knowledge with the help of the meetings. Investors and public's respect to the proper disposal range of three professional roles provides possibilities for the rule of man. Technically, urban and rural planning management should not only control the cost of space resources exploitation, but also carry out the allocation of responsibilities, benefits, and coordinate the public. Therefore the government's governance of urban and rural planning has two value orientations: market and public interests. On the legality of the mechanism, government should return to public interest, otherwise the de-legitimization of programs and means will not only disrupt the market, but will also lead urban and rural planning management to autocratic totalitarian.

Constructing interest negotiation framework. Durkheim (2013) believed that modern society is a society of organic solidarity, organized by the division of labor in society. Coordination of interests and relations among different actors (the rule of man) should become one of the work focuses of urban and rural planning management. The object of interest coordination focuses on two aspects: the market and the society. At present, streamlining administration and delegating power to the lower levels and emphasizing the market resource allocation status run in parallel accordingly. In contrast, the society does not fully function. The public participation and supervision which are always under discussion become a mere formality. Durkheim (2013) believed that the object of sociological research should be social facts. Based on orders and integration, the research should answer the following three questions: (1) How to achieve social solidarity and integration; (2) What the relation between social integration and individuals is; (3) What the effects the collective consciousness has on society and individuals are. This enlightens us to establish a system framework of city-county common government and a coordination organization of parallel authorities to integrate market and social groups in internal regional management depending on the gradually improved legal documents. Market and social groups control and supervise the power usage and efficiency estimation of government within the framework. They also lead government to concentrate its political capital on the establishment and regulation of market and social platform.

Innovating management model. Relying on the gradually optimized contractual relationships, we can establish a vertical stratification with clear function and power within urban and rural planning management, finding government regulators and the urban and rural planning department managers' different attitude on multi-layer and multi-attribute matters, sorting out the relationship and effects between society and individuals so as to show the effects of the rule of man (see Table 3).

In addition, the main directions of urban management are: weakening welfare model and pro-growth mode, promoting the improvement and integration of management mode, community mode, and self-organized mode,

gradually forming an equilibrium management mode based on the tripartite relationship among government, business, and society, a crowdfunding management mode based on active public engagement and a PPP (Public—Private—Partnership) mode based on partner relationship, and establishing a multiple urban and rural management mode based on social stability management mode which is adapted to different objects (see Figure 3).

Table 3

Echelon of Urban-Rural Planning Management

Echelon	Policy	Technology	Interest	Resource
Macroscopic decision-making (main leader)	Local urban planning; management regulations; public facilities operating policy; private house control policy; land planning and coordination policy; city supporting fee policy; rural development direction and policy	Decisions of urban development objectives and strategies; decisions of the nature and scale of the city; direction and the overall layout of urban development; organization that implements urban planning; approval of major construction project; selection of rural demonstration construction	Volume control of the land market; land floor price and differential rent regulation; focal point of investment in urban infrastructure	Protection of natural ecological resources; protection and utilization of water resources; protection of historical and cultural resources; intensive use of land resources; exploration of local style characteristic
Middle-level decision-making (leader)	Planning project approval procedures and responsibilities determination; coordination of industry management policy which is related to planning; transportation facility location sitting; implementation of tax and industrial policy; rural management mechanism	Zoning plan approval; detailed planning approval; new construction approval; layout coordination of large industries; streetscape façade approval; major infrastructure sitting approval; rural technical guidance approval	Development intensity approval; land consolidation based on a total regulations; urban renewal policy; raising funds for transportation and infrastructure; rural land market control and pooling of construction funds	Protection of historical and cultural areas; land consolidation and development of old areas; regional coordination of water resource; ecological resources occupancy audit; protection of arable land resource
Micro-level (planning bureau)	Administrative licensing system of general projects; signature and joint hearing system; after-approved enforcement system; rural management system and institutional settings	Technical approval of general projects	Providing land dealing conditions; audit of planning indicators; planning monitoring and litigation judgment	Approval of urban integrated resources development and utilization; coordination of related planning

Integrating the policy and technological tools. The improvement in resource allocation order has promoted the continuous integration of administrative tools. The main directions of China's economic reform are the reform and opening up, the reform of state-owned enterprise, township enterprises, rural lands, finance, taxation, and currency (Coase, 2013). Things arising under these reforms such as special areas, markets, urbanization promotion, and financial operations have pushed urban and rural planning management into many segments of market. How to get efficient management and international demonstration in these areas and how to avoid the risk of social economy coordination have become a problem of urban and rural planning and management reform. Multi-integration of policy tools and technical tools has become a key to solve those problems. The integration of policy instruments demonstrates as unified public service in an area, special public policy of regional development, files for coordinated development of town, planning formulation and

management system. The integration of technical tools demonstrates as the trends and practices of the integration of various rules, which is an important way to respond organization coordination, and to improve the efficiency of the administration management and implementation.

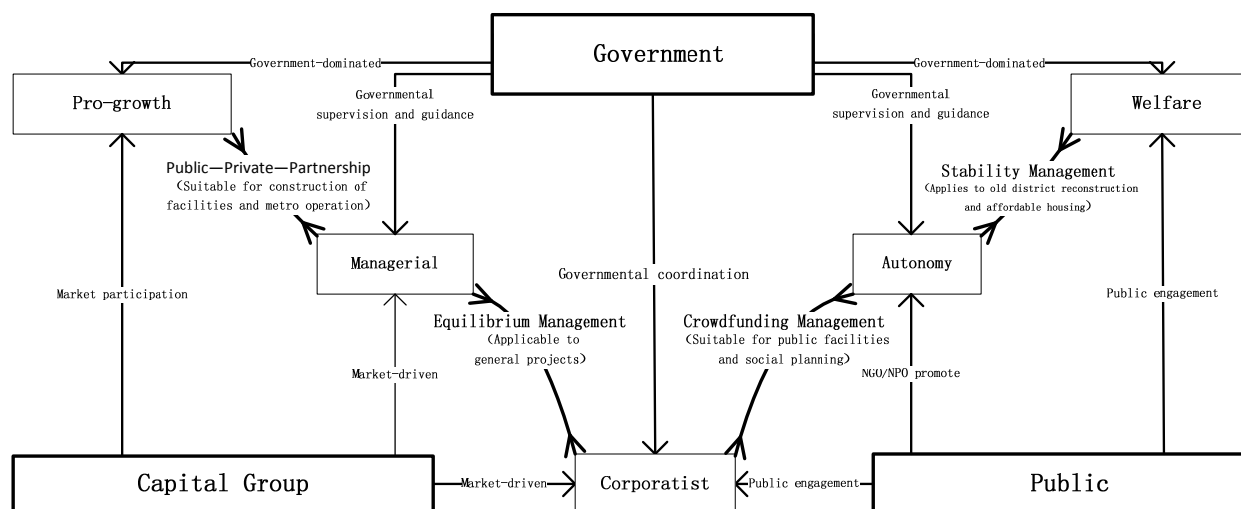


Figure 3. The framework of urban governance model.

Notes. NPO mainly refers to non-political, non-religious, non-secret organization. In China, it performs as social organizations under government leadership. NGO refers to the third power sectors or private institutions besides government and market, representing special social group or group interests, providing special public goods or researches.

Conclusions

Contracts arise from different backgrounds so that they have different values and tools, and they affect human society through different agencies. The rule of man and the rule of law are both social management methods based on the contract spirit which demonstrates the logic of collective management. The difference is that the rule of man focuses on market and society, emphasizing on the interests and relationship coordination in the system operation process while the rule of law focuses on the politics and administrative management, emphasizing on the rights and system construction in system construction process. Changes in human society originate from the issues produced by the rule of man and fulfill the requirements of the rule of man through the adjustment of rights and systems in the rule of law. For the reform of urban and rural planning management, the first thing for us to realize is that government efficiency is entirely different from industrial efficiency. It is wrong for those who want the bureaucracy management which is under the rule of man to follow enterprise management. Any reform cannot transform the public sector into a private enterprise. Because the government does not pursue profit, its behavior cannot be constrained by profit and loss, and its results cannot be measured in monetary terms. System reform requires a social perspective and a separated but complementary reconstruction manner, excluding market-oriented sector and adding collective governance features of the rule of man. All those above make it a way to deal with the specific issues in urban and rural planning management operation.

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