
An Informal Institutional Analysis of Policy Implementation Hindrances in China

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The term policy-implementation-hindrance is used to refer to a situation in which obstruction or even suspension occur, when negative factors in the implementation process cause a partial or total failure of policy goals. Policy-implementation, when so hindered, not only makes it impossible to achieve policy goals, such as maintaining social stability, social order, social demand, social welfare and social development, but also endangers the legitimacy of public authorities, thus inhibiting economic prosperity, political development and social progress. Of course, there are various factors contributing to the effectiveness of policy implementation, but institutional factors play a decisive role in determining the behaviors of those who implement the policies. For institutions are "the game rules in a society, they are man-made constraints determining interpersonal relations," and they "constitute a framework for men to interact with each other and set up a relationship of co-operation and competition which constructs a society, to be exact, an economic order" (North, 1994, p. 3, 53). The institutional framework confines one's set of selections, constraining individual behaviors while maximizing personal interests. So that the maximization of personal interest, in fact, consists of making the best choice for oneself within a given set of selections. In other words, institutions have constructed a structure of costs and benefits, and a mechanism of rewards and punishments for people's behaviors. An individual's behavioral selection is determined by their institutional conditions. People in real life can only "act under the constraints prescribed

by actual institutions" (Coase, 1993, p. 349), and one's behaviors are the functions of institutions. Therefore, the laws governing people's behavior and activities can only be made explicit by institutional analysis. There are no exceptions in the inquiry of causes of policy-implementation-hindrances, for these hindrances are ultimately the results of human behavior. The implementation of any policy is always conducted under the constraints of certain institutions, whose effectiveness is subject to its institutional environment. So it was no surprise when Deng Xiaoping remarked: "Institutional issues are fundamental, overall, steady and persistent... Good institutions allow no leeway for the evil tyrannize whereas poor institutions may make it impossible for the good men to maximize their good deeds but even go to the opposites" (Deng, Xiaoping, 1994, p. 333). Therefore, in order to remedy and prevent policy-implementation-hindrances, it is necessary to analyze the institutional factors inhibiting the effective accomplishment of policy goals. In discussing "institutions," we need to point out that traditional approaches to institutions are mainly concerned with such narrow institutional concepts as formal written laws. But what we have adopted here is the concept of institutions in a broad sense, as understood by institutional analysts in the west. That is, "Institutions are constraints made for men constructing social, political and economic relations, made up of informal constraints (moral constraints, taboos, conventions and codes of conduct) and formal rules (constitutions, acts and property rights)" (North, 1996). Because of space limitations and my analysis of the formal

Abstract: As the lever by which public authorities regulate social affairs, public policy must function through its implementation. The effectiveness of policy-implementation is affected by many factors, but it fundamentally depends on the institution. For people's behaviors are governed by institutions, and public policy is implemented by people. According to the theory of New Institutionalism, institutions consist of both formal and informal institutions. Based on the theory's explanation of the constraints placed on people's behavior by informal institutions, this paper will explore how informal institutional factors prevent public policies from effective implementation in China, specifically interpersonal relations and the consideration of faces. We must eliminate the negative impacts of informal institutional factors on policy implementation through enforcing hearings, coordinating policies, publicizing policies, strengthening supervision and bettering ideologies.

institutional factors inhibiting effective policy implementation elsewhere, in this paper I will focus on the informal institutional factors inhibiting policy implementation, their preventions and remedies, and call for further investigations in this respect.

Informal Institutions and Constraints on Men's Behaviors

Informal institutions are related to formal institutions. The latter refers to those rules regulating human behavior, consciously created by people, in the form of codes of conduct issued and implemented by organizations, political and economic rules, contracts, all kinds of organizational regulations, agreements, disciplines, state laws and policies, together with a hierarchical structure constructed by these rules. Informal institutions consist of conventional codes of conduct that govern social life, growing unconsciously out of people's interactions, ideologies, values, ethics, mores and conventions. Perhaps most crucial from among this list is ideologies, for they not only encompass values, ethics, mores and conventions, but also constitute, *a priori*, a model informed by certain formal institutions.

As we have mentioned above, everyone acts under institutional constraints prescribed by actual institutions. In other words, an individual's actions in order to realize certain goals are subject to specific formal and informal institutional constraints. The impacts of the latter are sometimes even stronger and more persistent. As the German sociologist Max Weber once vividly put it, "The world image created by ideas, often determines the direction of the interest-driven behaviors like switchmen" (Weber, 1964, p. 280). He believed that there is a spiritual force behind interest-driven behaviors, determining the direction of interests, and thus of behavior. The greater significance is in the behaviors than the drive for interests itself.

Indeed, informal institutions, with ideologies at their core, are very influential to man's selection of behavior. As we all know, the world is complex, and human reason is limited. When an individual can't make a rapid, accurate and low-cost rational judgment in the complex world, when the complexity of real life is beyond his rationality, he will take an ideologically assisted "short-cut," relying on values, ethics, and mores and conventions. In fact, informal institutions, like ideologies, present elaborate sets of rules regulating social relations. Each instructs people on how to realize their interests in different facets of social life and in different ways, thus regulating human behavior. But unfortunately, in comparing informal and formal institutions, people tend to simply

think of formal institutions as truly authoritative, discounting the significance of informal institutions. But contrary to this, people's behavior in many situations is governed more by informal institutional rules than formal. Although the rewards and punishments of formal institutions are tempting and scary, people will often adhere to informal rules, because they are not the expression of the subjective demands of a single group, but rather stand for a means of realizing certain interests in society and maintaining social relations. Violation of these rules means a breakup of certain social relations and the sacrifice of certain interests.

The ideas of American behaviorist B.F. Skinner are particularly illuminating here. He argued, "Any rule or law embodies a statement of a universal interdependence (natural or social). The reason why a man abides by a rule or law is that the rule or law represents a relation of mutual dependence" (1988, p. 114). By mutual dependence, he refers to a system of related interests, bolstered by rewards and punishments, together expressed as rules. Skinner pointed-out that, "because of the distinction between explicit and implicit control measures, we are often misled by such distinction. ... We are inclined to select those obvious control measures. Because their effects are direct and obvious, their roles are easy to observe. But it is a big mistake to ignore those implicit control measures" (1988, p.168-169). Skinner's arguments reveal the complex and interactive nature of control mechanisms. This is very important to us. However, his invocation of implicit controls is geared primarily at avoiding them, to liberate the controlled. However, he failed to recognize the multiplicity of levels of control in society. It is this multi-level set of controls, as exercised by informal and formal institutions together with the relational interdependence of interests, that account for the complexity of human behavior.

Why does one tend to select the informal rules, as opposed to formal institutions, when confronted with the demands of the latter? When we have gained an understanding of the relations of interests behind these rules, it is not difficult to understand such phenomena. Formal institutions are systems of distributing interests, so are informal rules. Although informal rules are not as powerful as state constraints, they are nonetheless imperative. To an individual, such constraints are crucial and clear, and their rewards and punishments are undeniable. Anyone who deviates from these rules will suffer social rejection. In addition, compared with formal institutions, these informal rules are somewhat obscure, so their rewards and punishments take on a more general quality. When a person does not fulfill what was required of him in a contract, he will suffer the direct formal

consequences, such as prohibition from signing future contracts. Whereas a loss of trust, as a result of lying, will not be confined to this single matter, but affect this person's image and interpersonal relations. He may be treated by people as a wholly dishonest and unreliable person, perhaps inhibiting his pursuit of interests. Therefore, consequences of deviation from informal rules are not confined to the territory governed by the rules. Such deviation may often be denied by moral principles behind the rules. One who deviates from conventions tends to be treated entirely as a deviant and is rejected by his peers. This function of informal institutions explains their strength in constraining people's selection of behaviors.

Informal Institutional Constraints on Policy Implementation

Since informal institutions have such a significant impact on human behavior, attention should be paid to their potential effect on policy implementation. In general, when informal institutions, such as ethics, traditional values and conventions, are in accordance with a policy's rationale, they function as an impetus for or defender of policy implementation. That is to say, if these rules correspond with policy demands, so too, it is likely, will one's behavior. On the other hand, informal institutions can just as easily present stumbling blocks in policy implementation. And it is not solely in terms of internal regulation and self-discipline that they function. They are external constraints on the members of a given group, and their impact must be taken into consideration in the investigation of policy-implementation-hindrances. Although such constraints are perhaps not as common or powerful and significantly harder to pinpoint than those of formal institutions, such as the state, they, like the state, can bring about tremendous repercussions for those who deviate from the rules. Deviation from the rules in the case of informal institutions can result in chastisement and alienation within a group or organization, and in turn, the breakdown of the set of inter-relational interests. Therefore, the tension between policy implementation and informal rules is essentially a conflict between different systems of pursuing interests.

An instructive case in the limitation of effective policy implementation by informal institutions is that of the American Prohibition movement of the 20's. In 1919, American reformers passed the 18th Amendment to the American constitution specifying the "Prohibition of any drunk-inducing alcohol brewage, trades and transportation as beverages in the States and all other territories in its sovereignty; Prohibition of any alcohol imports and exports to the States and

all other territories in its sovereignty." Following the adoption of the amendment, Congress passed the Prohibition Act and each state formulated detailed rules for its implementation. However, all of these were met with strong resistance when implemented, because they conflicted with people's lifestyle, habits and personal interests. In 1933, with the passing of the 21st Amendment and rescinding of the 18th, the implementation of Prohibition Act finally ended in total failure. Accounting for this failure the British scholar Roger Cotterrell wrote, "Now there is almost a consensus on the primary cause for the total failure of an attempt to govern a society by law: Policemen are for the best only half-hearted while on duty; Institutes for law enforcement don't either cooperate well or have enough resources to rival the organized groups who manipulate the illegal profitable alcohol trades. Neither the Congress nor state government has set up any proper executive institute. And the Congress refused to allocate big funds in this regard. More important is that social forces are opposed to the law. Such resentment is stirred by the religious aspects of the prohibition movement, which is inevitably related to the conflict with inherent moral values and modes of life" (1989, p. 64).

The policy conflicted with social values and modes of life, and consequently, what confronted the implementation was not one or two deviances, but a continuous surge of deviation. To punish every single act of deviation was well beyond the policy's resources, and thus the policy becomes an encumbrance for the government. So many deviances went unpunished, thus encouraging others to act similarly. This is the essence of Cotterrell's analysis: on the one hand, many people were arrested and their properties confiscated; on the other hand, there was no decrease in alcohol trade. The American scholar, Robert L. Kidder commented in this way: "The failure of Prohibition Act has become a legend. The large scales of deviation conducted by ordinary civilians, organized criminals and governors have led to the abolishing of the law because of obvious failure to implement it. The 'social convention' of drinking alcohol hasn't been altered by 'legal means'" (1983, p. 38).

That informal institutions opposed to a given policy may constrain its implementation is not unique to any one country. Indeed, in contemporary China, instances of policy-implementation-hindrances caused by informal institutional constraints are far from rare. These range from the long-implemented birth control policy, which has met strong resistance in China's rural areas, to the ineffective implementation of the policy for expanding domestic needs to stimulate consumption. Both policy failures are the results of informal institutional constraints. As for the former,

the conception of the clan and the idea of raising offspring to assist later in life are two major informal institutional factors that account for the difficulties in implementing birth control policies in Chinese rural areas. The conception of the clan is deeply rooted in Chinese culture. As is well known, the patriarchal system of blood relations in China has a history dating back over two thousand years to the rule of the Xia Dynasty. Under the patriarchal system, every individual is integrated into the clan and exists primarily as a clan member, subordinate to the group. Such patriarchal ideas of prioritizing clan (family) over oneself have a tremendous impact on birth practices. In order to defend and expand the power of the clan, families encourage their members to get married earlier and bear more children. Every clan member also seeks to bring up more children, particularly boys, in order to strengthen and elevate his position in the clan. In contemporary China, though normalized social organizations have replaced the patriarchal systems and play an important role in social activities, the conception of clan as an ideology hasn't died away with the disappearance of patriarchal systems. Especially in the rural areas, since the adoption of the responsibility system of cooperation in production and contract (LIANCHANCHENGBAO), the clan still plays a great role in coping with personal relations, family conflicts, social life and even the construction of political power at the grass-roots level. As the saying goes, "More heads, more power!" In China, numbers equal force. The reason why one clan outweighs another is because it is larger, and therefore more powerful. We can say that the conception of the clan as a remnant of the patriarchal system exerts a great influence on the practice of bearing and raising more children, constituting the major resistance to the implementation of birth control policy in the rural areas in China.

Respecting and attending to one's elders are traditional Chinese virtues and the primary content of Confucian ethics. For ages, the Chinese have observed a doctrine, which states that filial piety is "the essence of benevolence," and that it "goes first among all obligations." It is believed that in ancient China dutiful sons abounded. Today, although dramatic changes have taken place in many aspects of people's social lives with the development of modern Chinese society, the family-based pattern of attending to the elders (mainly in the rural areas) remains a vital part of daily life. Late in life, elders still rely on the family. In this way, the number of offspring not only determines the quality of life of an elder, but also affects the share of their offspring's responsibilities. So the family-based pattern of attending to the elders is a large obstacle in diminishing the birth rate in Chinese rural areas. Although there are many factors

accounting for the marked gap in comparative birth rates between urban and rural areas, differences in social security for the elderly is undoubtedly an important one. Consequently, the convention of raising offspring to support one later in life is an undeniable informal institutional factor affecting the effective implementation of birth control policy in rural areas.

As for the policy aimed at expanding domestic needs to stimulate consumption, conventional practices and ideas about consumption are undoubtedly one of the greatest constraints on its effective implementation. It's well known that human behavior is governed by their ideas. Conventional ideas about consumption exercise their restrictions on effective policy implementation by playing two negative roles in people's consumptive behavior. Firstly, conventional ideas like "Expenditure meets income with some savings." and "No debts, no worries." have made people's immediate income the maximum limit for their present consumption. People would rather be frugal than "get into debt" or "consume beyond their income." They won't draw their future money earlier to spend at present, namely, "to spend today what is for tomorrow." As a result of these conservative spending habits, there is a major slump in consumption in China. Secondly, these same conventional ideas have made people fall into the habit of "future-oriented" consumption. Whenever they have some savings, people tend to lay them aside for long-term consumption, for instance, for housing, aging and disease, but dare not expand their short-term consumption. This has brought about inappropriate allocations of people's expenditures and inadequate structures of individual consumption. Conventional ideas about consumption, with their negative impacts on people's consumptive behavior, have weakened the sensitivities of citizens, both urban and rural, as target groups for policies directed at stimulating consumption. To a certain extent, they have offset the powers of these policies and weakened their prospective role. In other words, informal institutional constraints have been at least partly responsible for the ineffective implementation of consumption promotion policies.

Humanistic Commitment, Face, and Web of Interpersonal Relationships (Renqing-Mianzi-Guanxiwang): A typical Chinese Version of Informal Institutions Inhibiting Effective Policy Implementation

"Humanistic commitment" (Renqing),
"face"(Mianzi) and "web of interpersonal

relationships”(Guanxiwang) are concepts very familiar to the Chinese- eternal subjects in Chinese life, from emperors to civilians, from past to present. Although people have never ceased trying to improve themselves, many of these ideas, affected by traditional values, have remained unchanged for ages. These concepts are interwoven with so many conventional ideas, that a three-pronged force of humanistic commitment/face/web of interpersonal relationships functions as a very powerful informal institution. This informal institution plays an important role in the social, political, economical, cultural and daily lives of the Chinese people, from the appointment of intimate associates in politics, humanistic commitment-based consumption in economics, formalism in culture to the “back-door” and “backup” practices, and entertaining guests and presenting gifts.

What does “humanistic commitment” mean? What about “face”, and “web of interpersonal relationships”? To the Chinese, the concept of “humanistic commitment” has two senses. One is the principle that one should see and treat others as human beings. One should have a general sense of humanity, for people are humans, not spirits, and deserve to be treated as such. One’s words and actions should be reasonable. Obviously this is an ethical notion of humanistic commitment. The other meaning of “humanistic commitment” is more pragmatic in nature. That is, in social interactions, men should care for and help others physically or spiritually, working out their problems together. This is what people mean by “buying a humanistic commitment,” “sacrificing a humanistic commitment,” “begging a humanistic commitment,” “requesting a humanistic commitment” and “owing a humanistic commitment” in their daily lives. It is essentially a mode of social interaction, characterized by reciprocity. It tends to be a medium and indicator of interpersonal relationships, and functions as a system of exchange, guaranteeing the mutual benefit of respective social resources. It is this aspect of “humanistic commitment” we are mainly concerned with in our discussion.

The term “face” is a bit more complicated. It implies, not only men’s sense of self-esteem and dignity, but also includes the notions of fame, shame, shyness, vanity, consciousness of identity and fear. In a broad sense, “face” can be understood as a state of mind in which one seeks to gain others’ respect and recognition. This state of mind can be divided into ethical and pragmatic ones. The former grows out of one’s self-esteem and a sense of fame, while the latter arises from his vanity and consciousness of identity. In general, people’s concern with face is often related to their vanity, which is especially obvious in traditional Chinese society (Lu Zhen, 1996, p. 140-

142). It is well known that traditional Chinese society is marked by hierarchal ideas. In everyday social interactions, people are ranked based on their position and power. This hierarchal structure is closely related with people’s concerns regarding face. The loss of face means the degradation of rank in relation to others; on the other hand, gaining face means just the opposite. Therefore, people are always attempting to gain face and improve their higher rank. As the Chinese scholar Ying Haiguang put it, “In the Chinese cultures, the outer layer of position and power is face...Face is the second life to Chinese intellectuals, representing strongly their self-esteem. Those who don’t mind their face were looked down upon in the past. If ‘faces are split’, what follows immediately is the split of personal relationships, which in turn makes it difficult to get things done” (1988, p. 145). It can be seen that face is closely related with interests, in that the split of faces means the loss of interests. “Face” is also a very important concept in China’s system of conventional values, so that there are still many people in China today who merely care about their appearance, living for “better face.” As the Chinese scholar Zhuang, Zexuan said, “The thought of concern for reputation and face has been governing the psyche (mind) of the Chinese people for thousands of years. It’s reflected everywhere in people’s daily lives. In order to save face, one sometimes has to be perfunctory, or even hypocritical” (Sha, Lianxiang, 1989, p. 94).

“Web of interpersonal relationships” is an originally neutral term borrowed from sociology, referring to vast relationships of individuals’ comparative power, prestige and rank (status), and hence their location on the web. In western sociology, “web of interpersonal relationships” is a key concept in applying theories of social resources to studies of social structures. According to the basic assumptions in the theories of social resources, social structures are created through webs of interpersonal relationships. The height of one’s location on the web is determined by the amount of social resources, describing a pyramidal structure. The higher the location, the less room there is for others, the more informed of the whole structure and the greater their access to other sites on the web their occupants are. A great feature of the web of interpersonal relationships is the mutual share of resources among individuals on the web, namely, exchanging and distributing every one’s social resources to benefit each other. In any society, people have different resources because of their different locations on web of interpersonal relationships. Those who have power may not have money, while those who have money may not have power. As a result, an exchange arises. It is because any kind of resources can be exchanged that the

advocacy of humanistic commitment and concern with face are popular with the Chinese. Many Chinese think that as long as they have a social resource of some kind, even if it is not connected with power or money, they will weave their web of interpersonal relationships to obtain greater social resources and interests, even if it entails losses. While for western sociologists, valuable resources mainly refer to properties, prestige and ranks, for the Chinese the interpersonal relationship itself is a valuable resource, which accounts for the Chinese emphasis on "relationships," and the negative impacts of their webs of social relationships. This is also why "web of interpersonal relationships" is often in China considered as a term denoting something negative, associated with "backdoor practices" or "female relatives" (QUNDAI), implying the acquisition of an official post through nepotism, or other such interests realized through humanistic commitments (Zhai, Xuewei, 1996).

In China, "humanistic commitment," "face" and "web of interpersonal relationships" are three concepts closely related to one another. When one neglects humanistic commitments, he will lose face. Those with "better faces" are more likely to make others sacrifice humanistic commitment, because they can give "humanistic commitment" with greater ease. And to attain "better face" requires great humanistic commitment. Only when one has gained his face in social life is he able to give others face. Such behaviors are the process of practicing humanistic commitments. If this process becomes strengthened and steady, a web of interpersonal relationships will be woven, whose existence will in turn affect and expand the face of those on the web, creating further strands. Therefore, the operation of "face" in China brings about humanistic commitments, and that operation of humanistic commitments leads to webs of interpersonal relationships. The three depend on and interact with one another, constituting an interrelated unified whole.

Why do people think so much about this informal institution comprised of humanistic commitment/face/web of interpersonal relationships in traditional Chinese society? Why does it play such an important role in social operations and in people's minds? It is because traditional Chinese society was fundamentally a man-ruled society, in which humanistic commitment/face/web of interpersonal relationships was not only the means by which to realize interests, but also the nature of this man-ruled governance. Man-ruled governance is essentially rule through humanistic commitment/face/web of interpersonal relationships. It is this traditional mode of ruling that has been exercising its power on the effectiveness of many policy implementations in

contemporary China. The Chinese scholar Xia, Shuzhang has specified three factors affecting effective policy implementation in China: "The first is to replace policy with personal feelings or to assent to one's sentiments; the second is to distort policy out of selfishness; the third is to intervene policy implementation in terms of money." Of the three, the first in fact refers to humanistic commitment/face/web of interpersonal relationships. To him, "Feelings are on the one hand out of blood-relations and friendship; on the other hand out of interests. One has parents, siblings, spouses, relatives, friends, classmates, townsmen and colleagues, constructing a feeling of different intimacy. If it is not properly handled, the integration of the feeling into policy operation often obstructs policy implementation" (Xia, Shuzhang, 1991, p. 156). Why are such descriptions of policy-implementation-hindrances as "Given regulations and prohibitions, what matters remains unchanged" and "Policies go off the track" so commonplace in contemporary China? One important cause is certainly our triune informal institution of humanistic commitment/face/web of interpersonal relationships.

The basic feature of humanistic commitment/face/web of interpersonal relationships is its great emphasis on face and relationships. In traditional Chinese society, the most effective means to pursue interests and avoid losses lies not in reason, regulations or talent, but in face and relationships. In this way, in response to any occurrence people will first think of fostering relationships, opening up routes, sacrificing humanistic commitment or requesting face. Other behaviors are at the best supplementary. This is what people mean by "Men request each other, help each other and promote each other." That "Men request each other" is to request humanistic commitment, beg faces and establish relationships. That they "help each other and promote each other" means to sacrifice humanistic commitment, give face and assist in building relationships. In practice in society, aren't there still some people who subordinate policies and principles to face and relationships, leading to many deviations from policy implementation?

Another feature of humanistic commitment/face/interpersonal relationships related to the above is that it often expands people's vanity beyond rationality, so that they fall into a state of what's called "face allergy." Those who suffer from this vanity place face above all else. Sometimes in order to satisfy personal vanity, save their face or gain face, they may even sacrifice the public interests, bringing the country losses. Such instances are not uncommon in contemporary China. For instance, although the central authorities have made orders prohibiting officers from dining and traveling on

public money, buying cars above their ranks and building houses beyond official standards, why are there some officers indifferent to these policies? Of course, their decadent thoughts and indulgences can be one of the causes, but it is undeniable that their expanding vanity and excessive concern for face is a crucial reason why they resist the policies of the central authorities.

Indeed, as an informal institution, humanistic commitment/face/web of interpersonal relationships has a wide impact on people's social behaviors in contemporary China, visible in the humanistic commitment-based transactions in business, face-induced prescriptions in medicine, and relationship-oriented loans at the banks. Even in governmental sectors, which ought to operate on behalf of the public and by the standards of the law, we find such phenomena as humanistic commitment-based case handling in the department of public security, face-based taxation in the department of taxation and relationship-oriented appointments in the department of personnel. Too many policies in China find themselves, rather than effectively implemented, bumping into the soft wall of humanistic commitment, falling down the protective screens of face or trapped in webs of various interpersonal relationships, tangible or intangible.

Conclusions and Policy Suggestions

From the above analysis it is not hard to see that policy implementation is not only affected by formal institutions, but also strongly constrained by informal institutional factors. When there are contradictions or conflicts between public policies as formal institutions and traditional ideas and conventions as informal institutions, the public policies will be implemented as a mere formality. It will meet strong resistance or become distorted, its benefits weakened, potentially winding up a mere scrap of paper. We must not underestimate the deep impacts of informal institutions on policy implementation. Especially in China, with its age-old traditions, changes in informal institutions are much slower and harder to enact than in formal institutions. As the American scholar Gabriel A. Almond said. "No matter how adequate a new regulation appears to its makers, administrative organizations may find, it is very difficult to break through and get rid of traditional social rules"(1987, p. 59). Given this, I have proposed the following suggestions for the remedy and prevention of informal institutional factors causing policy-implementation-hindrances:

1. Pursuing a policy-making hearing system to increase policy feasibility

Effective policy implementation is based on high quality policies, which best represent the actual interests of the public. High quality policies rely on scientific democratic policy-making systems. The policy-making hearing system is such a scientific democratic procedural policy-making system, aimed at making the government listen to the opinions of relevant groups and experts, especially those target groups whose interests are vital to the policies. It plays an important role in enhancing the adequacy and feasibility of the policies. In the case of the implementation failure of the Prohibition Act in America, it is not hard to see that policy implementation is a matter that needs the public's recognition and approval. If the public resents a policy because of lack of knowledge about its content and feel they were not included in the democratic process, if the policy cannot truly represent the actual interests of the public because of a lack of transparency in its creation, the policy will meet resistance in its implementation. However, setting up a policy-making hearing procedure allows policy target groups or their representatives opportunities to best express their opinions. This can to a great extent prevent errors in policy-making, reconcile and eliminate potential resentments from the target groups, and increase their recognition of the policies, reducing resistance to policy implementation. The implementation failure in the Prohibition Act was to a certain extent due to a violation of conventions. But if the policy makers had allowed opportunities for public participation, like hearings, while making these policies, they could have better understood these conventions and taken them into consideration in considering the feasibility of the policies. At present in China, many changes are taking place across the entire social structure, with more to come in the future. The diversity of interests affected by reforms will naturally make people more concerned with policy as a means for pursuing social interests. The structure of this diversity of interests makes conflict inevitable. "In order to provide a means for institutional expression of various interests and powers, in order to reconcile the conflicts at certain level, and in order to allow people to participate directly in policy-making to have a real understanding and express their opinions based on their actual interests and professional knowledge" (Luo, Chuanxian, 1993, p. 185-189), and in order to make policies better represent public interests, and thus increase their feasibility, we are in an urgent need of a policy-making hearing system.

2. Improving and coordinating related policies to strengthen policy systems.

It is well known that the policy systems in any one country constitute a huge organic unity, made up by the policies of different spheres (political, economical and cultural), different levels (basic policies, substantial policies and operational policies) and policies of different periods (new policies and old ones). These policies are interrelated and interdependent. Consequently, in complicated modern society, the solution of any policy problem can't rely solely on any single factor but is subject to many factors with the help of coordination from other related policies. A disharmony of interrelated, and interdependent policies will necessarily add to difficulties in policy implementation. As for the policy of "expanding domestic needs to stimulate consumption" that we mentioned earlier, a close examination reveals that the lack of coordination among the policies has in fact helped those conventional values, which are detrimental to implementation, guide people's behavior. Most of the civilians, although their lives have been improved and incomes have been increased because of the reforms and openings, feel the need to set aside savings for the future, because the reforms are still in an exploratory phase. People in times of reform are uncertain about their future earnings, so they believe they must increase their preparedness. Therefore, in order to eliminate the negative impacts policy implementation of informal institutional factors like conventional values, it's necessary to improve the relations between complementary policies. It is essential to perfect the coordinating function of policy systems, so as to maximize the smoothness of policy implementation.

3. Expanding policy publicity to increase the public's recognition of policies

Any policy implementation is based on a target group's cognition and recognition of its values. "If people don't subordinate to the demands of the policy, if they don't embrace the policy, if they don't act as expected, the policy will then be ineffective or won't work at all" (Anderson, 1990, p. 140). In general, the interests embedded in policies include not only present interests, but also long-term interests. Because these interests will not be realized until a later date, it is only through forms of policy publicity that target groups may come to understand their close intrinsic relationship with the policies. Also, it is only through this understanding that they may consciously accept the policies and actively follow them, thus laying a solid foundation for effective policy implementation. In fact, in actual policy implementation, most

members of a given target group get to know the values of a related policy only through its visibility. Often, the reason why the implementation of some policies is not effective is that their publicity is not extensive enough to inform those affected by the policy. For instance, the ineffective implementation of the birth-control policy, as we have mentioned above, is to a great extent due to the fact that the farmers lack a solid understanding of the values, especially the long-term values, embedded in the policy, as a result of deficient publicity of the policy. Therefore, expanding policy publicity is a necessary means to increase policy recognition and prevent policy-implementation-hindrances.

4. Strengthening the policy supervision mechanism to increase the effectiveness of policy implementation

Policy supervision is essentially a formal constraint on the use of public power in the process of policy implementation. Power, in the words of Dye, an American politic scientist, refers to "the ability or potential of a person in a certain position while making decisions, and such decisions can affect the others in the social system" (1985, p. 9). As an organized managerial government activity, policy implementation cannot come without the guarantee of power. For any organized activity cannot be separated from the power exercised in it, that is, a relationship of command and subordination among people. However, in the case of policy implementation, the only suitable body to supervise the government is the public, for that is the source of their power. Whether the policy implementer can adequately exert the powers under their control is to a great degree determined by whether the mechanism of policy supervision is efficient, because "any person with power is liable to abuse it, which is a lasting experience for ages. People with powers will exert their powers to the limits" (Montesquieu, 1978, p. 154). The reason there are so many instances of policy-implementation-hindrances stemming from humanistic commitment/face/web of interpersonal relationships is mainly because there is no necessary supervision over policy implementers. There is no transparency during the exertion of power in policy implementation. If the public power of the policy implementer is exercised in dark and mysterious ways, and the public, the supervision mechanism, has no knowledge of this, there will be no supervision of power. Power with no supervision will go astray. Therefore, the Party and the State must act in accordance with regulations and procedures, and make every policy implementation under the supervision of the public. Only in this way can policy-implementation-hindrances be avoided.

5. Increasing investment in ideologies to reduce the possibilities of policy implementation hindrance

Ideology is at the core of informal institutions. It "is a whole set of logically interrelated values and beliefs, providing a simplified picture of the world and guiding people's behaviors" (Anderson, 1990, p. 20); "[i]deology is an economical mechanism through which people get to know their environments and are guided by a worldview" (North, 1994, p. 55). It can reduce the cost of implementing formal institutions. More importantly, the ideological belief in the legitimacy of ongoing institutional arrangements tends to limit opportunist behavior, which supports policy implementation. Investing in ideology means an increase in capital spent on ideology by policy implementers, thus endowing them with a sense of right and wrong, so as to produce an internal antipathy to deviations in policy implementation. In general, people's behaviors are the results of their calculation of costs and benefits. Their basic motive for action is to pursue maximum interests. The distinction in people's behaviors consists of the differences of interests in proportion to cost, which is mainly brought about by ideologies. People may make different judgments as to the costs and benefits of certain behaviors, because of differences in their ideologies and subjective preferences. Therefore, in addition to perfect systems, comprehensive laws and effective social supervision, internal moral constraints are important for preventing deviations of policy implementers. To a certain extent, such informal institutions as internal moral constraints can play a role unrivaled by systems and laws, internally regulating people's behaviors and activities. Its role is fundamental. That's why North stressed that ideologies are systems of moral and ethical beliefs with strong constraints on people's behaviors. In a country as big as China, there are so many involved in policy implementation, that formal institutions can't wholly solve the problems of policy-implementation-hindrances. They must be buttressed by an increased investment in ideologies.

In summary, in order to make sure policy implementers keep away from deviations, it is not enough to rely on any one force. Rather, we incorporate capital investment in ideologies with formal institutional constructions, so the two supplement to each other. If ideologies, such as moral principles and norms, can penetrate into the minds of policy implementers, than (together with the constraints of rules and laws) deviations and rejections in policy implementation will be minimized, as will, in turn, policy-implementation-hindrances. What I am

calling for here is nothing short of "governance by law" and "governance by virtue."

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