



## Study on Policy Adjustments ---Based on Changing Policy from “Ban” to “Limit” Fireworks in Beijing

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### Abstract

Any policy adjustment has profound reasons, and policy of “ban” on fireworks and firecracker in Beijing changed to “limits” is also a response to specific issue under the concrete space and time. The discussion on the reasons of policy adjustment is helpful to understanding of the influencing factors of policy execution so as to bring the suitable policy into full display and unsuitable policy an end. Beijing city forbade setting off fireworks and firecrackers during 1993-2005, while now Beijing lays a limit to set off fireworks and firecracker, which is interactional result of policy environment, policy itself as well as policy subject and others.

**Keywords:** Policy adjustment, Policy environment, Policy issue, Policy subject

### 1. Introduction

Kindling fireworks to celebrate the Spring Festival and pray for harmony and good fortune has more than 2,000 years of history in China. In recent years, firecrackers are in much large quantity set off to express strong aspirations of a better tomorrow. As for the hazards of firecrackers, it is also very clear, air pollution, unpleasant noise, brain injury, fire disaster and so on. Since the 1990s, more than 300 large and medium-sized cities, in view of environmental protection and safety, prohibited setting off fireworks. Now, “permission” or “ban” is on increasingly fierce debate, and more than 100 cities have lifted the ban. September 9, 2005, the 22nd Session of the 12th Beijing Municipal People's Congress voted to adopt “Beijing Fireworks Safety Regulations” in replace of “Prohibiting Discharge of fireworks Regulations” which had been implemented for 12 years. In the new regulation, “limit” substitutes “ban”, and discharge of fireworks’ time, location and varieties is rigidly restricted. Is this policy adjustment good or bad? Why is this policy adjustment adopted? What are the necessary and sufficient conditions? This article will focus on the reasons for policy adjustment.

### 2. The Reasons of Policy Adjustment

Lindblum, a US renowned political scientist and economist, in “Policy Alignment procedure” wrote “we regard policy-making as a quite complex analytical and political process, no outset or end, extremely fuzzy border.” In the real life, policy is truly experiencing multiform adjustment. According to dialectical materialism, any development has inside and outside, subjective and objective and other reasons. This article inquires into why Beijing municipal employ “limits” on fireworks and firecracker but not “prohibition” from the subjective and objective aspects.

#### 2.1 Objective Reasons

##### 2.1.1 Policy Environment

2.1.1.1 As for the domestic politics, it can be divided into macro environment and microenvironment. Here so-called macro environment refers to macroscopic social atmosphere; microenvironment refers to concrete law enforcement place, time, and characters and the like.

Concerning the macro environment, law enforcement society atmosphere has changed greatly. With “The Three Represents” further developing and party's ruling ability strengthening, under the summoning of the comprehensive construction affluent society and harmonious society, the human-oriented scientific development concept, the populace sense of participation, democratic awareness, right consciousness enhancement and so on, the entire society's politics, economy, cultural atmosphere and so on are gradually breeding new connotations. All these are affecting each concrete policy and “limit” replacing “prohibition” is the natural result of such environment.

As regard with concrete law enforcement microenvironment, with the progress of the society, the law enforcement environment which prohibits the exploding during 1993-2005 has had the profound vicissitude.

First, law enforcement object has changed. At the beginning of prohibition regulations, the number of persons setting off fireworks, illegally, was small, but it enlarged to now tens of thousands, and more are glad to watch others to set off fireworks. This put the lawman in a dilemma that not-yet-abolished local code and regulation and numerous residents who broke the law to continue to stick to one's own way of doing things caused legal dignity and authority fall into an awkward stage.

Second, enforcement efficiency was worse. It was reported that every year Beijing Municipal party committee, municipal government organized several Functional departments to jointly manage discharge fireworks, in lunar New Year's Eve and other festivals. And even 100 thousand ordinary persons were organized to control discharge of fireworks in streets. So high law enforcement cost and the limited effect have formed an obvious contrast, which seemed to ridicule the government bad service.

Third, along with Beijing urban construction's development, the city expands unceasingly to peripheral and present area is over 16808 square kilometer. If across-the-board ruling is carried on in so ultra big city, the law enforcement difficulty is extremely huge.

2.1.1.2 For the domestic economy, because of some traditional reasons, under the planned economy system's sole management system, illegal and spurious fireworks enter the market.

At present, Beijing fireworks and firecrackers management was still on sole supply and sale under planned economy system. The middle link and the sales network use sole management convenience to increase price and cause the price high by legitimate production, sales channel. So customers are not willing to purchase. It is reported that in 2004 Beijing fireworks and firecrackers sales revenue reach about 12,000,000 Yuan, but the actual sales volume from the market feedback already tops 100,000,000 Yuan. That is to say, in Beijing 90% sales of fireworks and firecrackers are not completed through the excluding channel by the special permission, but through illegal channels. This kind of exclusion permission provides opportunities objectively for illegal, the spurious fireworks and firecrackers to enter the market.

At the same time, partial populace assume by mistake the Public security organ protect some department's benefit by law enforcement. So they not only do not resist illegal, spurious fireworks and firecrackers, but also hinder the law enforcement, so the stricter the public security organ investigation is, the heavier the populace resistance is.

2.1.1.3 On international environment, other nations' regulations on fireworks and firecrackers have also transformed.

When Beijing started to forbid discharge fireworks and firecrackers, many big cities in the world comprehensively forbid setting off the fireworks and firecrackers. But recently, besides many domestic cities lifted the ban, Singapore also lifted a ban after 34 years' prohibition, New York have relieved the related prohibition rule for the first time after the prohibition during 1997-2005. These cities' actions created the very big impulse to Beijing. Especially setting off fireworks in cities that allow it spread the strong festive atmosphere objectively impelled Beijing city populace's historical complex to set off fireworks and firecrackers, and requested their city municipal to learn from them, revised the present laws and regulations as soon as possible, then enabled them to experience again traditional festival lively, happy and auspicious atmosphere.

2.1.2 Policy Issues

Both policy issues and environment undergo complex changes. Ban on discharging fireworks and firecrackers is aimed at insuring public safety. When harm to people's lives and property safety by discharge of fireworks is done to most people who ask the authority to take appropriate measures, and the authority consider it really a public problem, then Ban will be put on government agenda.

However, after all kinds of change during the past 12 years, the original security issues have been gradually reduced to a lower level. Whereas the remembrance of traditional festivals, national customs and culture get the run upon, so respecting this folk, or despising them as vulgar became an issue requires Beijing municipal government's careful consideration.

2.2 Subjective Reasons

People's understanding of policy issues, policy environment and policy options always grow from one-sided to full, imperfect to perfect. When policy subject, that is, individuals, groups or organizations who participate directly or indirectly in policy formulation, implementation, evaluation, monitoring, deepen the understanding of policy issues, objectives, functions, environment and so on, it is necessary to correct, update the original policy. On the composition of the policy subject, it generally can be divided into official subject and unofficial subject, but the composition and function of policy subjects may be different in different countries.

2.2.1 Unofficial subject

2.2.1.1 The masses. Around 2002 Spring Festival, the survey from Beijing Municipal Bureau of Statistics showed that 62 percent of the people (a 22 percentage point decrease compared with that at the beginning of new legislation

enforcement) support the ban, 38 percent of the mass stood for restrict. In 2005 Beijing Center poll survey showed that 86.3 percent of people oppose the ban, and the ban regulations will be asked to revise to limit. This showed that the public opinion from the beginning of the ban had taken on a major turning point, and the public's reservations and regress of traditional practices become one of the important reasons affecting policy adjustments.

2.2.1.2 The media. Some scholars have claimed media is the fourth power, besides legislative, judicial, administrative power. Whether it is correct or not, this reflects media plays an extraordinary role in real life. At the 2004 Spring Festival, China Central Television, Beijing Television, and Central People's Radio Station, etc., invited legal experts, academics to hold a wide range of discuss on this public concerning on the current ban. During the discussion, the majority of public opinion figured that Beijing authorities' plight offer a vivid lesson for other departments, the inspiration to public policy also very deep.

### 2.2.2 Official subject.

Official subject are the direct participants who exercise public power in the policy-making, which includes the Communist Party of China, the various organs of power and government officials etc.

From October 23 to November 6 in 2005, in "China's Reform International Forums", president of Chinese Economic Reform Research Society, China (Hainan) Reform Development Institute Executive Dean Chi Fulin pointed out those profound changes of public demands would become an important driving force for Government transformation. For restructuring, first change is up to thinking and concepts, so the Government's public policy must incarnate humanity and people's overall development and various needs should become the focus of attention. In recent years, Chinese central government has gradually realized that there were some problems in development in the past, and has made positive changes and improvement. Human-oriented scientific development concept requires full respect for human, social and natural harmony. To govern for the people, to be friendly to people are reflected by transformed "ban" to "limit" regulations.

Through the actual situation in recent years, law enforcement agencies recognized that the ban cost becomes more and more, but the effect is deteriorating. Other public power agencies such as Quality Inspection Bureau, Industry and Commercial Bureau and other departments have gradually recognized that the harm mainly from the "production" of firecrackers, instead of "setting off". Harm can be reduced, by controlling the production, marketing, improving quality of fireworks, reducing shoddy, as is much better than "ban".

### 3. Conclusion

Setting off firecrackers, similar to keeping pets, drinking alcohol, are related to millions of households, if not well managed, they can give the community a hazard. Management can not simply be equal to prohibition, and a complete ban on such matters in fact is almost useless. Transforming ban on discharge fireworks to limit in Beijing bring government in managing a very profound enlightenment. First, the law is not a panacea, not all the services are suitable for restraint by laws, particularly in relation to culture, tradition matters. If a custom is not apparent violations of human common sense, its historic habit of force can not be inhibited by laws and regulations; second, policy decision-making about the general life of public should hold prohibition as exceptions; third, government is not an omnipotent government, but a finite one. Governments simply to find a matter within the scope of responsibilities, do what they can do well. For example: for discharge fireworks, what Government should do is to develop mandatory standards and eliminate potential safety problems, and not to intervene in survival of traditional customs dispute; fourth, it is of great importance to allow wider public participation before and during lawmaking, without public support without implement. This can avoid events that public does not endorse an enacted decree and use prohibited acts to express their dissatisfactions.

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