

Practical Logic and Development Path of Urban Hawker Governance from the Perspective of Responsible Politics

Xin-Yu Liu^{1†} & Song-Zhi Yu^{2†}

¹ School of Public On Administration, Jilin University, Chang Chun, China

² Graduate School of Applied Intelligence Technology, The Kyoto College of Graduate Studies for Informatics Kyoto, Japan

† These two authors are equal contributors to this work and designated as co-first authors.

Correspondence: Xin-Yu Liu, School of Public On Administration, Jilin University, Chang Chun, China. liuxinyu9804@163.com

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Abstract

The governance issue of urban hawkers, as one of the manifestations of the informal economy, has a long history. However, responsibility, as the core value of governance, becomes a hidden factor in the process of hawker governance. This article starts with the concepts of responsible politics and hawker governance and explores the bidirectional logical relationships between hawkers, hawkers and the government, store operators, social organizations and residents in the process of governance practice in China. It proposes starting from the perspective of hawkers themselves, clarifying the responsibilities of each entity, improving legislation and institutional construction, strengthening the ideological and moral development of all entities, rational spatial planning, and management, and adopting a consultative approach to collaboratively addressing the development path of hawker governance challenges.

Keywords: Responsible Politics; Mobile Vendors; Collaborative Governance; Benefit Distribution

1. Introduction

The continuous growth of the informal economy is a universal phenomenon globally. In 2009, the United Nations Human Settlements Programme linked it as one of the significant challenges of 21st-century cities, along with poverty, climate change, resource depletion, and accelerated urbanization (Huang, Zhang, Xue, & Yao, 2019). The International Labour Organization identified "decent work for all" as a major obstacle in the informal economy (Frank & Mironowicz, 2009). As a manifestation of the informal economy, the hawker economy inevitably exists on the fringes of laws and regulations, making it an "undignified economic form" that requires legitimization of its status. (Rothboeck, & Kring, 2014; Huang, Xue, Xu, Yang, & Chen, 2019).

In China, in the year 2020, during a visit to Yantai, Shandong, Premier Li Keqiang praised the street vendor economy for injecting vitality into the Chinese economy amid the impact of the COVID-19 pandemic. In the same year, the Central Civilization Office removed the issue of mobile vendors from the inspection criteria for National Civilized Cities to encourage the development of the hawker economy (Chinese Government Network, 2020). Particularly in the post-pandemic era, the government has paid attention to the street vendor economy as a means to quickly stimulate economic vitality, which has led to further research requirements in hawker governance (You, 2022). Additionally, relevant data estimates that urban mobile vendors account for 5.2% of the total employed population in China. (Huang, 2015). The scale of street vendors corresponds to governance challenges related to economic development, environmental hygiene, food safety, traffic flow, employment levels, rights protection, and value identification. (Wang, 2016).

As a result, how to govern the complex hawker economy has become one of the focal points of current academic debates. Regarding specific governance approaches, modernists base their arguments on spatial planning, asserting that street vendors' presence contradicts spatial aesthetics and represents a misplaced urban element that should be banned or eliminated due to their mobility (Yatmo, 2009). On the other hand, postmodernists emphasize the informal nature of the hawker economy and advocate for space regularization while preserving its inherent characteristics (Huang, Xue, Xu, Yang, & Chen, 2019).

However, it should be noted that existing literature mostly focuses on the relationship between city administrators and street vendors (Huang, Xue, & Li, 2014; Roever, & Skinner, 2016). policy changes in hawker governance (Liu & Xie, 2021) and concrete practices to strengthen hawker governance (Zhang, 2008). Few scholars have explored the responsibilities of multiple stakeholders related to hawker governance from the perspective of responsible politics. This article will start from the viewpoint of responsible politics, taking the governance of Chinese street vendors as an example, accurately grasp the responsibilities and logical connections of all relevant stakeholders in the hawker governance process, and explore effective paths to enhance the quality and effectiveness of hawker governance based on the achievement of stakeholders' efficiency.

2. The Conceptual Definition of Responsible Politics and Hawker Governance

The concept is a generalization of things and is a prerequisite for clarifying the content of the discourse. Responsible politics and hawker governance are not entirely new concepts, and their research is relatively extensive. However, to better analyze the contexts in which they are applied, this paper will start from the basic meanings of "responsibility" and "hawker." (Heywood, 2015).

2.1 The Basic Connotation and Characteristics of Responsible Politics

"Responsibility" is a value link that runs through the entire process of human social development (Zhang, 2020). It forms a connection between individuals and individuals, individuals and society, individuals and the state, and even between nations (Auhagen, & Bierhoff, 2001). As a value, "responsibility" cannot escape the identity attributes within specific contexts (Jiang & Cai, 2022), and it arises due to "identity" and changes with the transformation of identity (Cheng, 2010). In political life, subjects with citizen identity engage in positive interactions concerning their positions and the needs of others, forming the key to building a social responsibility community and maintaining national stability and development (Zhang & Zhang, 2018).

Defining responsible politics requires clarification on three aspects: who is responsible, the scope of responsibility, and the demonstration of responsibility (Horton, 2017). First, "who is responsible" involves the issue of responsible subjects and reflects the social relations of responsible politics (Xue 2021). With the continuous deepening of modern governance by the state, interactions occur between the state and other social and market entities as different subjects. Second, "the scope of responsibility" refers to the content of responsibility determined by the laws and individual responsibilities in different situations. In other words, state and social administrators need to fulfill the responsibility of policy formulation and implementation, while various entities involved in governance also need to fulfill their respective responsibilities in their respective domains. Third, "the demonstration of responsibility" refers to the actions taken by responsible subjects based on their respective responsibilities, through shared responsibility or "responsibility complementarity," to jointly govern public affairs. It can be seen that responsible subjects, content, and actions are the three essential aspects of the progression of responsible politics, and all three are indispensable. (Xue, 2021).

2.2 Conceptual Definition of Hawkers and Hawker Governance

Hawkers refer to individuals engaged in non-specific commodity trading activities through non-fixed stall setups, relying on city streets or markets (Zhang, 2008). They possess dual attributes of both fixed and mobile nature and can be categorized into two types: fixed hawkers and mobile hawkers (Bhowmik, 2005). Fixed hawkers, as the name suggests, conduct their commodity sales activities at specific fixed locations in space, influenced by both management and profit factors. In the process of modernizing state governance, maintaining social order, and developing the urban landscape, hawkers are fixed at certain designated places. However, driven by economic interests, they may also linger in higher-profit street locations. On the other hand, mobile hawkers are individuals who engage in street vending activities at any location, whether authorized or not, by relevant authorities (Tang, Duan, & Jiang, 2016). In summary, fixed hawkers and mobile hawkers share common characteristics, including inevitable mobility, diverse identity attributes, and irregularity in commodity sales.

First, the inevitable mobility manifests in the fact that hawkers' selling activities are influenced by various factors, such as individual considerations, customer flow, management policies, and weather conditions (Gao & Li, 2019). Second, the diverse identity attributes arise from the relatively low entry barriers in hawker professions, attracting individuals from various backgrounds, which becomes an essential factor in the "governance challenge." Third, the irregularity in commodity sales is driven by market profits, causing hawkers to choose products with higher margins. Coupled with fluctuating market prices, hawkers do not stick to selling a fixed type of commodity.

Traditionally, the management approach views hawkers, especially mobile hawkers, as illegal entities that

contradict current government management goals and should be banned (Wang, 2016). In contrast to the traditional approach, "governance" represents a partial return of government power to society, emphasizing interdependence among various social entities, based on mutual trust and resource integration to achieve the goal of "good governance" through negotiation (Yu, 2000). The hawker governance defined in this paper is a non-violent governance model that seeks to address and balance the contradictions and interests between the government and hawkers, operators and hawkers, social organizations and hawkers, and the public and hawkers through education, negotiation, legislation, and other means while respecting the characteristics of hawkers. Ultimately, it aims to achieve mutual development as a result of hawker governance. In this process, responsibility, as a value attribute, should be emphasized.

3. The Practice Logic of Hawker Governance from the Perspective of Responsible Politics

Modern state governance requires all entities to fully exert their functions, participate in the governance process of public affairs, and fulfill their responsibilities. In the public domain, the interaction between hawkers as key subjects of hawker governance and other entities is closely related to the advantages and disadvantages of hawkers themselves. Hawkers possess advantages such as igniting urban vitality (Ma, 2021), and alleviating employment and poverty pressures (Tang, Duan, & Jiang, 2016; Liu, & Shi, 2014), while also exhibiting disadvantages like disrupting traffic order, posing health and safety hazards, interfering with market rules^[28], and affecting residents' lives (Sun, Li, & Dai, 2009). These factors collectively determine the irreplaceable position of hawkers and the conflicting interests involved in governance.

3.1 The Dispute between Mobile Hawkers and Government Governance

"The most important political division between countries lies not in their forms of government but in the effectiveness of their governments," and the effectiveness of the government is determined by its capacity. (Huntington, 1968). The capacity of the government is reflected in its ability to maintain the legitimacy of the state and public order, which is also the main responsibility of modern governments. While exercising the responsibility to maintain order, mobile hawkers, being subject to "management," may lead to intense contradictions with the government within the framework of regulation and anti-regulation (Cui & San, 2020), and even trigger violent conflicts (Zhang & Luo, 2017). For example, in the behavior patterns of hawkers and urban management, three sets of game models are often observed: escape and pursuit, persuasion and education, and violent protests and confiscation of property (Huang, Xue, & Li, 2014).

However, it is also essential to recognize that to achieve an orderly and civilized governance model, the primary choice for city administrators is often to "fix hawkers in designated stalls and reduce their mobility." For instance, Guangzhou city has established "diversion zones" to manage hawkers, but this approach contradicts the mobile nature and low-cost characteristics of hawkers, leading to their decline in Guangdong Province, China (Huang, Xue, Xu, Yang, & Chen, 2019). Balancing the responsibility of city administrators while preserving the living space of hawkers and stimulating economic vitality has become one of the challenges in hawker governance in the post-pandemic era.

3.2 Expulsion and Win-Win between Store Operators and Hawkers

Store operators and hawkers have three modes of coexistence: mutually beneficial and win-win, competition for interests, and unrelated relationships. On the one hand, theoretically, when the business content of store operators is similar to that of hawkers, it is considered unfair to legitimate taxpayers and rent-paying store operators. In reality, store operators often exercise the right to expel or report informal hawkers (Huang, Xue, & Jin, 2016). According to a store operator in Shaanxi Province, China, stall vendors put booths directly in front of the store, causing problems for store staff to commute and customers to visit, at the same time, customers will compare the price of goods in the store and stall vendors, making the store sales pressure. (Li, 2020). On the other hand, when hawkers and store operators sell complementary or mutually beneficial products, store operators often choose to tolerate or cooperate, forming self-organized spaces (Devlin, 2011). For example, in the Linghe Night Market, food store operators may not complain about food hawkers because they can provide resting areas for customers, and instead extend their business hours to profit from this arrangement in Jinzhou City, Liaoning Province, China. In this case, customers visit food store operators to obtain a place to rest. Moreover, when there is no related interest between store operators and hawkers, a laissez-faire strategy is often adopted.

3.3 Care and Supervision from Society to Hawkers

Social entities involved in hawker governance include social organizations and residents. With the continuous expansion of urban space and increasing urban-rural disparities, a large number of villagers who have lost their

sources of livelihood move to cities for survival and development (Chen & Wei, 2013). In this process, unregulated informal spaces are extensively used for the development of the informal economy (Wang, Huang, & Liu, 2022). At the same time, hawkers also include a significant number of impoverished, disabled, and unemployed residents, or urban immigrants seeking better opportunities (Swider, 2015). For social organizations such as women's federations, disability federations, and trade unions, their role in hawker governance involves assisting government governance by promoting hawker reemployment in China. According to the China Women's News, the Women's Federation of Tiantai County in Zhejiang Province, China has established a women's entrepreneurship network called "Home-based Entrepreneurship Circle". This initiative aims to create an entrepreneurial ecosystem by setting up a "1-kilometer business circle, 3-kilometer cooperation circle, and 5-kilometer economic circle", providing convenient market stalls to support women in starting their own businesses. As of early October 2021, this program has helped nearly 1000 women solve their livelihood issues right at their doorstep. (The All-China Women's Federation, 2021).

Secondly, for residents, the convenience of meeting their daily needs through hawkers and the level of disturbance caused by them become an inevitable contradiction. In the process of hawker governance, residents often take temporary measures or make supervision complaints to safeguard their rights when facing disturbances. Moreover, the Political Consultative Conference has functions such as political consultation, participation in politics, and democratic supervision, its role in hawker governance includes facilitating the communication between the government and the grassroots and assisting in political decision-making. In March 2021, the government portal website of Jinzhou City in Liaoning Province, China received a report accusing street vendors of occupying parking spaces and bus stops. The letter listed five charges including safety hazards caused by vendors occupying these areas, difficulty in cleaning up garbage left behind at their stalls, traffic congestion and noise pollution during student commutes. The writer hoped that the government would handle the situation appropriately. (Jinzhou Municipal People's Government, 2021).

3.4 Exclusion and Alliances among Hawkers

Driven by economic interests, hawkers tend to choose the most optimal locations for their businesses. However, due to the limited public space, the "first come, first served" principle is applied in mobile stalls or street blocks (Huang, Xue, & Jin, 2016). In addition, China's relationship-based social model puts people under the collective moral feeling. Exclusion and alliances among hawkers also arise based on this principle, mainly manifested in the "acquaintance" pattern, where strangers are excluded. This includes the exclusion of newcomers or outsiders by long-term stall occupants forming alliances or alliances based on their common hometowns. According to Ma Deyong of Wuhan University in China, the relationship between street vendors is a complex network, which includes three kinds of family relationships that are operated jointly by family members, the relationship of fellow villagers centered on a particular vendor, and the relationship of peer groups formed by common life experiences. (Lu, 2020).

4. The Practical Path of Hawker Governance from the Perspective of Responsible Politics

Fair access to urban space for survival is a right of hawkers as a socially vulnerable group (Wei & Huang, 2022). In this context, hawker subjects in hawker governance are often in a passive position of accepting government policies or societal discourse, which may neglect the true demands of hawker communities (Chen, Yang, Liu, & Song, 2021). Therefore, in this section, specific cases of governing street vendors in China are cited to explore the perspectives of the vendors themselves, clarify the responsibilities of various stakeholders, improve legislation and institutional development, enhance the ethical and moral values of all parties involved, rationalize spatial planning and time allocation, and address challenges faced by street vendors through negotiation-based collaborative governance.

4.1 Upholding the Principle of People-Centeredness and Strengthening the Ideological Construction of Responsibility among All Parties

According to relevant statistics, in the process of hawker governance, 57.69% of violent conflict incidents were caused by improper urban management law enforcement, and 35.15% of violent conflicts were triggered by hawkers' reactive response to the law enforcement actions of city administrators in China. (Li, & Zhu, 2015). With the increasing value of the vendor economy and the call for humanism, China's management of vendors is gradually becoming transparent and fair. In 2021, Beijing's urban management enforcement department issued the "Regulations on Classification and Graded Enforcement of Comprehensive Urban Management Enforcement in Beijing (Trial)", which provides three aspects of law enforcement interpretation. Firstly, it classifies and grades law enforcement targets, dividing them into four levels - A, B, C, and D - based on different risks posed by market entities. This allows for flexible law enforcement and punishment discretion based on differentiated

principles. Secondly, specific law enforcement standards are clearly stated with graded information disclosure to achieve "non-interference with law-abiding individuals while strictly managing violators". Thirdly, rewards are given to honest vendors as an incentive for compliance. These series of measures reflect the progress made by China's urban management from being strict to being compliant as well as clarifying the responsibilities of merchants, vendors, and government. (The Beijing Municipal People's Government, 2021).

From the perspective of the government as urban administrators, the ultimate goal of city management should be "respecting and serving the people"(Wang, 2016). City administrators need to fully consider the survival issues of hawkers and establish a humanized, non-violent approach to responsible governance. For hawkers, they should also use legal means to avoid conflicts with city administrators, such as seeking help from relevant government departments, and social organizations. At the same time, the government and social organizations should provide timely, accurate, and reasonable responses to hawkers, avoiding objectifying and marginalizing them.

4.2 Following the Logic of the Rule of Law and Improving National and Local Legal Construction

In the process of constructing the rule of law in China, regulations regarding the governance of street vendors are mostly indirectly proposed at the top-level construction level and view street vending as an informal activity, although there is no specific legislation specifically addressing the governance of street vendors. For example, Article 14 and Article 37 of the 'Regulations on Urban Appearance and Sanitation Management' concerning street vendors occupying public spaces state that 'non-permanent structures shall not be erected' and 'buildings or facilities that do not meet urban appearance standards or environmental hygiene standards' can be forcibly demolished. Although these regulations can be applied to govern street vendors, there still lacks relevant national-level laws and regulations specifically addressing their governance, which is an area that needs improvement in China's future development. It is worth mentioning that with the promotion of civilized law enforcement at the central level and support for the development of street vendor economy, some local governments have already formulated specialized regulations for governing street vendors. Examples include Sichuan Province's 'Regulations on Small Food Workshops, Small Businesses, and Street Vendor Management' (National database of laws and regulations., 2017) and Shanghai's 'Measures for Managing Food Vending by Street Vendors in Shanghai' (General Office of the Municipal Government, 2020). Therefore, it is urgent to introduce specialized and comprehensive laws and regulations specifically addressing the governance of street vendors to safeguard their legal status.

4.3 Focusing on Spatial Justice Theory and Accelerating Reasonable Spatial and Management

Flexibility and mobility are the main characteristics of the hawker economy, and forcibly fixing individual hawkers in a specific area would eliminate the vitality of the street vending economy (Swider, 2015). Therefore, on one hand, according to the principle of spatial justice, respecting the entry of vulnerable groups into urban spaces and ensuring their legitimate business activities that can be profitable. On the other hand, in terms of hawker spatial planning and operating time setting, the interests and needs of multiple stakeholders, including hawkers, citizens, and shop operators, should be taken into account (Du, & Li, 2017). In September 2023, Shenzhen, China revised the 'Regulations on Urban Appearance and Sanitation Management in Shenzhen Special Economic Zone', stating that 'street offices can designate operating areas for street vendors based on principles of convenience for the public, reasonable layout, and orderly supervision.' This revision provides guidance for integrating the interests of street vendors, residents, store operators, and urban managers in Shenzhen, unleashing further economic vitality among street vendors. (The Standing Committee of the Shenzhen Municipal People's Congress, 2023), Under these regulations, Shenzhen has implemented market design and management in high- Gongming Street in Guangming District, Qiaochengfang Square in Nanshan District, and Yantian Street in Bao'an District. A vendor mentioned that 'as long as we meet the requirements and go through the application process with the street office's approval to set up tables outside our stalls,' this has increased customer flow daily and improved business. (Shenzhen Government Online, 2023)

In conclusion, by establishing mobile markets such as morning markets , day markets , and night markets in areas with high citizen mobility while avoiding conflicts with store operators through time-based coordination of diverse stakeholders' interests; setting up dedicated management stations within these mobile markets with cooperation from market supervision and sanitation departments to ensure food safety and urban hygiene; resolving conflicts between vendors themselves or between vendors and store operators or citizens; we can truly build a social governance community where everyone takes responsibility."

4.4 Establishing a Diverse Participation Concept and Enhancing Hawker Governance Capacity through Negotiation

Public participation is an important means of modernizing urban governance. Through communication networks, public opinions formed in various public domains are filtered to form a collective on specific issues (Jürgen, 2003). In 2021, the Tongzhou Demonstration Zone in Nantong City, Jiangsu Province, China conducted negotiations on the issue of street vendors occupying the main road in Dongyu Village at the "Consultation Room". The representatives consisted of 12 individuals, including 1 member of the District Political Consultative Conference (CPPCC), 6 resident representatives, 3 representatives from mobile vendors, 1 market manager, and 1 responsible person from the Town Comprehensive Administrative Law Enforcement Bureau. Prior to the negotiation, after determining the agenda, representative personnel conducted on-site visits and research to gather opinions from both street vendors and residents in disputed areas. They formed their respective viewpoints and engaged in thorough discussions to reach a consensus. Finally, the delegation formulated a list of responsibilities for implementation and reported it to higher-level Party committees for specific measures. (Nantong Municipal Committee of the Chinese People's Political Consultative Conference, 2023).

Therefore, regarding various aspects of hawker governance, such as the macro-level policy and regulatory construction, the mid-level spatial planning, and the micro-level stakeholder conflict coordination, the government should encourage participation from various relevant stakeholders to form a consensus. This will truly enhance the capacity for hawker governance, and gain public trust and satisfaction in the government.

5. Conclusion

How to achieve 'good governance' in the management of street vendors? As a part of the national and social governance system, the management of street vendors essentially requires operating within the framework of order. It involves ensuring that all stakeholders involved in street vendor governance actively participate in 'co-governance' through negotiation, transforming the confrontational mode into a responsible system focused on achieving results.

From a perspective of responsibility, although most street vendors are composed of vulnerable groups who engage in informal economic activities due to livelihood pressures and lack support for formal economic development, it does not mean they should be exempt from fulfilling their responsibilities in governance. Therefore, they need to conduct their business activities within the bounds of legality and compliance. Meanwhile, when their rights are infringed upon, they should resort to non-violent means to lodge complaints with relevant departments or social organizations. However, it should also be recognized that the government, as the most "conflicting" party in hawker management, needs to maintain public order in a "humane" and "civilized" manner, respond to hawkers' various needs, and even show benevolence in formulating policies, so that hawkers can actively participate in the governance process and jointly maintain the stability of the "mobile market." Social organizations, citizen groups, and the political advisory body, as other components of society, also need to fulfill their responsibilities as stakeholders and provide a favorable business environment for hawkers. Additionally, citizen groups need to consider safeguarding their legitimate rights as a crucial aspect of the joint governance process involving the government and hawker operators.

From the point of view of democratic communication, "consultative democracy" is an important manifestation of the Chinese people's democracy, and is different from "deliberative democracy" which advocates voting in elections and decision-making at the national level. China's consultative democracy, based on the principle of "consultative means and consensus is the goal", runs through different links and gaps in national and social development, and has become a help to promote the development of responsible politics. Therefore, under the leadership of the Communist Party of China, the embedding of consultative democracy in various scenarios of state and social governance has also become an important means to solve practical problems of concern to the Chinese people. The same is true of stallholder governance.

To sum up, if a country or a society wants to achieve better governance, order is much higher than the value of freedom, and the existence of authority can precisely integrate social resources and ensure the reasonable operation of various kinds of order. China's "people-centered" accountability system, based on democratic communication and mutual understanding under authority, offers the world a unique experience in stallholder governance.

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