

Research on the Elements of Public Administration Participation in China

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Abstract: Public administrative participation in China is an organic system centered on the legal relationship between the administrative subject and the administrative counterpart. This organic system consists of multiple elements, mainly including the subject, object, method, and effectiveness of public administrative participation. Factors affecting the effective integration of various elements of public administrative participation in China include imperfect legal systems, insufficient operability, and the absence of incentive mechanisms. Therefore, it is necessary to establish an equal public administrative participation model from the legal and institutional levels, enhance the public's willingness to participate in public administration and enrich the ways of public administrative participation.

Keywords: Public administration; Public administrative participation; Elements

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1. Background

China's public administration participation is an organic ecosystem composed of multiple factors and internal and external environments. This ecosystem relies on a static legal and institutional system, as well as a dynamic operating mechanism. In a broad sense, public administration participation refers to the activities in which citizens, legal persons, or other organizations participate in public administration directly or indirectly to express their wishes and protect their rights following the constitution and laws and according to certain legal procedures. The so-called public administration participation is a combination form and interactive process of various elements involved, which are interrelated by certain rules to form different combinations and exert different utility functions. Generally speaking, public participation in complete administration mainly includes the following elements. First, the participating subjects, that is, the participants in the administrative process, mainly refer to the government, the public, and social organizations in this article. Second, the object of participation refers to the issues and goals that public administration participation is directed toward. The third is the mode of participation, which refers to how to participate, including the time, steps, and forms of

participation. The fourth is the effectiveness of participation, that is, whether the results of participation and communication are binding on both parties and what kind of binding force they have. Specifically examining the various elements of public administration participation in China and the problems that exist in them will help to analyze the advantages and problems of public administration participation in China from a detailed and micro level, and further promote the development of public administration participation in China following the law ^[1].

2. The main body of public administration participation in China

2.1. The government departments that carry out administration according to law

In China, government departments are the core subjects of public administration participation. If public administration participation is a process of pluralistic governance, then the government is the most important leader, dominant player, and guide in this process. In recent years, with the local governments at all levels having made a lot of efforts and achieved certain progress in promoting the legalization, scientification, and democratization of decision-making, the government's awareness of public administration participation has gradually increased, and it actively seeks public opinions and suggestions before making major decisions. However, due to the influence of traditional customary thinking and institutional factors in China's current administrative decision-making mechanism, there are still some problems that need to be improved urgently.

2.2. The free and equal citizens

Public administration participation has the characteristics of inclusiveness, openness, and responsibility. At the legal level, every citizen has the right to participate in public administration according to the law, regardless of their social status, economic conditions, and level of education, whether they are from a powerful group or a disadvantaged group. In practical practice, the subjective role of citizens in the process of public administration participation is influenced by factors such as their political enthusiasm, their educational level, their interests, their way of thinking, their legal awareness, and their awareness of policies ^[2].

2.3. The legal persons and other organizations

The main body of public administration participation also includes private power subjects corresponding to public power, such as for-profit organizations and non-profit organizations that exist in the form of legal persons. In China, with the continuous advancement of social management system reform, the space for government administrative intervention in social management has gradually been compressed, and replaced by several emerging market organizations and social organizations, which have made certain contributions to sharing government management functions, making up for market deficiencies, and promoting social equity. As the main participants in public administration, these organizations have gradually played an active role in participating in administrative decision-making, supervising government administrative behavior, and mobilizing social participation.

3. The object of public administration participation in China

3.1. The meaning of the object of public administration participation

The object of public administrative participation refers to the target orientation in the process of public

participation, as well as the content of directly or indirectly solving public problems. The object of public administrative participation refers to the subject matter of the problems to be solved by the act of public administrative participation, that is, the public interest issues that both parties need to solve. If no public interest issue requires public administrative participation, the two parties of public administrative participation do not constitute an equal dialogue relationship. From a practical perspective, public administrative participation is an activity to solve public problems based on dialogue, debate, and communication between administrative organs and citizens.

3.2. The content of the object of public administration participation

The object of public administrative participation, which refers to the objects to which the rights and obligations of participants in administrative legal relations are directed, covers a wide range but can be summarized into the following three types: objects, intellectual achievements, and behaviors. In practice, all factors related to the subject matter can become the object of public administrative participation, such as facts, evidence, administrative structures, administrative functions, participation procedures, relevant laws and regulations, and so on. These factors restrict the deviation and specific content of public interests to a certain extent. Balance and fairness of interests are the basic requirements of the object of public administrative participation, but from a practical perspective, the interest game between public sectors and citizens may lead to artificial bias in the publicization of subject matter interests. Objectively speaking, not all issues are suitable for introducing the form of public participation in terms of the object of public administrative participation.

4. The ways of public administration participation

4.1. The meaning of forms of participation in public administration

The methods of public administrative participation refer to the forms and channels through which the subject engages in public administration, including the time, steps, and forms of participation. According to different classification standards, public administrative participation can be divided into seven types. First, formal participation and informal participation. Second, institutionalized participation and non-institutionalized participation. Third, regular participation and irregular participation. Fourth, individual participation and organizational participation. Fifth, active participation and passive participation. Sixth, violent participation and peaceful participation. Seventh, supportive participation and protest participation. In practice, the methods of public administrative participation in China are diverse and rich, including hearing participation, decision-making participation, advisory participation, coordination participation, and so on.

4.2. The content of forms of participation in public administration

Currently, there are three main ways of public participation in China's public administration. First, public departments invite important stakeholders' representatives to hold consultation meetings to discuss the public policies that will be proposed. Second, public department leaders, based on the needs of the situation, invite citizens' representatives to hold small-scale discussion activities at irregular intervals to exchange ideas and opinions. Third, public departments hold forums for citizens' representatives to report or exchange important information, convey important documents, listen to policy suggestions, or discuss certain special topics. The above three methods complement each other. First, they are conducive to opening up the channels of communication and drawing on collective wisdom. Second, they are conducive to discovering problems and

correcting mistakes. Third, they are conducive to forming consensus, coordinating relationships, and promoting the scientific and democratic decision-making of major administrative decisions. However, in the practice of public participation in public administration, the existing methods of participation are far from meeting the diverse and complex practical needs. The scope of public participation in public administration still needs to be further expanded, and the forms of public participation in public administration still need to be further enriched.

5. The effectiveness of public administrative participation

5.1. The meaning of the effectiveness of public administrative participation

The effectiveness of public administrative participation refers to the legally binding force of the results formed by public administrative participation. Although public administrative participation itself is non-compulsory, the consensus results reached through negotiation between both parties have legal effects and are equally binding on public sectors and citizens.

5.2. The factors affecting the effectiveness of public administrative participation

The effectiveness of public administrative participation depends on factors such as the nature and complexity of the participation object, the perfection of the participation system, and the execution ability of the participants. Under special circumstances, the effectiveness of public administrative participation may be subject to artificial biases. Due to the imperfect response mechanism of public administrative participation, it may lead to the failure to effectively implement the consensus reached by the participants.

6. Factors influencing the integration of elements of public administration participation

6.1. The legal system is not sufficiently perfected

Currently, legal provisions about public administrative participation are scattered across various separate laws, lacking a dedicated substantive and procedural law specifically addressing public administrative participation. Firstly, public interest is the cornerstone of public administrative participation, yet defining what constitutes public interest and how to delineate it remains challenging in practice, given the significant discretionary power vested in public authorities. Secondly, procedural regulations governing public administrative participation are relatively vague, with a lack of specific and feasible provisions regarding how to initiate and conduct public administrative participation, as well as how to implement the procedural rights of both administrative entities and administrative counterparts^[3].

6.2. Public administrative participation lacks operable institutional norms

Overall, the institutional framework for public administrative participation in China has been established and is relatively complete, yet its operability is relatively lacking. The scarcity of procedures and technology makes it difficult to implement the system of public administrative participation in practice effectively, and the original intention of the system design cannot be fully realized. Therefore, it is necessary to refine the system, transforming general, vague, and rough regulations into specific, clear, and quantifiable standards.

6.3. The incentive mechanism for public administrative participation is lacking

Compared to the administrative subject, the administrative counterpart is the weaker party in public

administrative participation. Individual citizens, especially, are more likely to be in a vulnerable position. They face higher costs and greater uncertainties in participating in public administration. Therefore, the safeguard mechanism for administrative counterparts in public administrative participation is particularly important, otherwise, it will affect their initiative and enthusiasm. Currently, the safeguard and incentive mechanisms for administrative counterparts in public administrative participation in China are far from sufficient, which has led to alienation and even resistance among administrative counterparts towards administrative public involvement.

7. Suggestions and prospects

7.1. Achieve equal public administrative participation

At the entity level of public administrative participation, it is imperative to clarify that administrative counterparts enjoy equal participation rights, and these statutory rights are not subject to the constraints of public sector power. In particular, citizens' statutory rights to know, express, access information, supervise, and seek remedies are inviolable. At the procedural level of public administrative participation, the design of procedural rules for public administrative participation should eliminate discrimination from public sectors and other powerful groups to the greatest extent possible, and grant citizens full and equal opportunities for public administrative participation ^[4].

7.2. Strengthen the public's awareness of expression

Creating favorable conditions for the public to actively participate in public administration involves establishing clearer and more comprehensive legal and institutional safeguards for public participation rights, more operable procedures for public participation, a broader scope of public participation, more comprehensive expression of interest demands, and more fair and transparent government administrative actions. Only a people-oriented public participation model can gain public recognition and support. Public sectors should conduct more refined institutional design in terms of the rights, procedures, methods, and safeguards of public participation in public administration.

7.3. Improve the mechanism for orderly participation in public administration following the law

Adhering to the principle of law-abiding and orderly participation, public departments at all levels need to guide the public to participate in public administration in a law-abiding and orderly manner. Public departments need to ensure that public participation in public administration is promoted through standardized, orderly, legal, and institutionalized channels. On the one hand, orderly participation in public administration allows the public to fully express their interests and demands, avoiding the concealment of contradictions. On the other hand, orderly participation in public administration requires the public to express themselves reasonably and not break the framework of laws and systems. Law-abiding and orderly participation in public administration is advocated, which is conducive to stimulating public participation enthusiasm and maintaining social harmony and stability ^[5].

7.4. Provide diversified channels for public administrative participation

In terms of specific ways of participating in public administration, the public sector should fully summarize the existing practical forms across the country. At the same time, it is necessary to strengthen the research, analysis, and absorption of new ways of participating in public administration, grasp the operation mode and

rules of public administrative participation, improve the credibility of the public sector, allow localities to adjust measures to local conditions, enrich the forms, channels, and ways of grassroots public participation, fully respect the public's initiative, and build a positive interactive relationship between the public and the public sector.

Disclosure statement

The author declares no conflict of interest.

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