Research on Hangzhou's "Courtesy to Pedestrians" Policy from the Perspective of New Institutionalism

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Abstract: Since 1970, new institutionalism has gradually become an important means and basis for analyzing various systems. This article takes the "Courtesy to Pedestrians" policy in Hangzhou as an example, and from the perspective of new institutionalism, studies the implementation process of this policy. It is found that it constructs legal elements through regulatory elements, constructs new moral standards through normative elements, and stabilizes the achievements of the above two elements through cultural cognitive elements. To achieve the goal of smooth policy implementation, and provide reference for the government to implement new policies more smoothly and achieve organizational goals more efficiently.

1. Research background

Since the reform and opening up, China has gradually moved towards marketization, industrialization, and urbanization, and people's production and living standards have greatly improved. At the same time, in pursuit of convenience, the number of private cars has been increasing year by year. This phenomenon has brought not only resource and environmental issues, but also pedestrian safety issues. The Traffic Safety Law of the People's Republic of China clearly stipulates that motor vehicles should slow down when passing through pedestrian crossings, and should stop and give way when encountering pedestrians passing through pedestrian crossings. However, there are still car accidents at pedestrian crossings, such as the "racing case" in Hangzhou, which has attracted high attention from the Chinese people. However, as of December 2022, Hangzhou has achieved "four consecutive championships" in the creation of a national civilized city. At the same time, as the first city to implement the "courtesy to pedestrians" policy, Hangzhou's successful experience can also be learned and implemented by many cities in China.

2. New institutionalism

In the 1970s and 1980s, the field of Western social sciences "rediscovered" the position and role of institutional analysis in explaining practical problems, thus forming a new paradigm of institutional analysis. In the perspective of new institutionalism, institution is defined as a multi-level stable social structure composed of social symbols, social activities, and material resources[1]. New institutionalism includes regulatory elements, normative elements, and cultural cognitive elements. Among them, regulatory elements are mandatory and can forcibly regulate people's behavior; Normative elements are considered from the perspective of the social environment of public life, and the social environment during a certain period of time also requires that everyone adhere to the code of conduct and moral requirements; The cultural cognitive element is the social consensus reached by the public based on their understanding, acceptance, and support for policies. These three elements are interdependent and interact with each other, forming a trinity of building a good social system.

Firstly, from the perspective of policy composition, it is the interaction between regulatory elements and cultural cognitive elements. By imposing mandatory rules on the behavior of the public and punishing those who violate the rules and regulations, a good social atmosphere is formed, which affects the original behavior habits of the public and guides them to accept the system or policy. Secondly, between regulatory elements and normative elements, regulatory elements are enforced and enforced by the public through mandatory means, but normative elements tend to be more flexible in terms of methods and methods. They guide the public to gradually recognize and accept through an informal means, forming a universal and correct value system to promote the effectiveness of regulatory elements, formulate relevant laws and regulations, reward and punishment mechanisms, and maintain Improve and develop this value system. Finally, between cultural cognitive elements and normative elements, the common understanding and behavioral activities of the public gradually form normative elements, which are understood and accepted by the public, gradually integrated into life, and form cultural cognitive elements in the mind and heart.

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3. Analysis of the Policy of "Courtesy to Pedestrians"

3.1. Policy Origin

In 2009, a shocking "70 yard racing case" occurred across the country. Hu killed Tan Zhuo while racing on Wen'er West Road in Hangzhou, causing him to die on the spot. Hu was sentenced to three years for traffic accidents. On August 27th of the same year, he was revoked his driver's license by the police for driving an illegally modified vehicle that was severely speeding on the main roads of the city. The zebra crossing is a guardian line for pedestrian safety. In order to prevent similar situations from happening, a traffic safety management action centered on "yielding pedestrians" has been comprehensively carried out in Hangzhou.

3.2. Implementation Process of the "Courtesy to Pedestrians" Policy

Hangzhou Public Transport Group was the first to propose the idea of "yielding to pedestrians". In 2005, the company's articles of association included "slowing down and giving way to pedestrians at pedestrian crossings", highlighting the rules and regulations that buses must slow down and allow pedestrians to cross pedestrian crossings. However, although the regulations are very clear, relying solely on the self-discipline of bus drivers to achieve the goal is difficult to truly ensure the safety of pedestrians in traffic. After the "Racing Case", Hangzhou Public Transport Group began to pay more attention to the implementation of the "Courtesy to Pedestrians" rules and regulations. The bus group dispatched inspectors to inspect the roads. Drivers who do not comply with regulations will be deducted 3 to 15 points depending on the violation, and the monthly safety reward of 300 yuan will be cancelled; If the violation exceeds 15 points, an additional 30000 kilometers of safe driving will be deducted, and the mileage will be reduced depending on the level of safe service; Drivers who violate the rules 5 times within a year will not only be deducted all their safety bonuses, but also be suspended from work to participate in company safety training for 200 yuan.

Drivers who violate the rules multiple times may even be dismissed. After the implementation of measures such as institutional norms, training and education, assessment and punishment, and inspection by the municipal public transportation authorities, polite pedestrians in front of pedestrian crossings have gradually become a good habit and become a conscious action of tens of thousands of bus drivers, setting a standard in Hangzhou Pedestrian Street.

After the public transportation group took action, the Hangzhou Traffic Management Bureau and the Hangzhou Taxi Association called on taxi drivers to supervise each other, strengthen industry self-discipline, and promote the concept of "giving way to pedestrians". The Hangzhou Transportation Administration and the Hangzhou Taxi Association jointly launched the "Thousand Taxi Passed the Zebra Cross" event, calling on taxi drivers throughout the city to strengthen industry self-discipline, mutual supervision, and ensure the safety of citizens' travel. During the event, illegal "taxi drivers" will be exposed through the "industry exposure platform", and the company where the "taxi" belongs will be notified as an important basis for star rating of taxi drivers. Each taxi company has also formulated relevant rules and regulations, and has taken disciplinary measures such as criticism education, safety training, and withholding bonuses against the exposed "taxi drivers".

At the same time, 100000 households in Hangzhou have signed self-discipline agreements for civilized travel, allowing more and more private cars to gradually develop good habits of civilized travel in the community. And by organizing civilized teams such as traffic vanguards, road safety guides, youth, community residents, and driving schools, volunteer work is carried out in key periods and sections of road traffic. In cooperation with the media, a series of activities such as "zero accidents on the road, quality is loved by everyone in Hangzhou", "no crossing of zebra crossings and red lights" are carried out, allowing more people to participate in the "comity" ranks.

3.3. A Study on the Policy of "Courtesy to Pedestrians" from the Perspective of New Institutionalism

From the origin to the implementation of the policy of "giving way to pedestrians", there are three levels of regulatory elements, normative elements, and cultural
cognitive elements in the new institutionalism, as follows

3.3.1. Regulatory elements in the policy of "giving way to pedestrians"

Without the protection of legal systems, rights are only a dispensable gift. Only by elevating "courtesy to pedestrians" to the level of laws and regulations can they serve as the basis for traffic management departments to ensure road safety and pedestrian rights[3]. Issue status can be enhanced as a result of several influences, such as the flow of policy proposals, the passing of legislation, explicit signals of commitments from political authorities, or changes in the political stream. Conversely, issue status may decline as a consequence of slow pace in the generation of policy proposals coming from the alternative-specification process, policy interference effects, or the absence of political authorities' commitment[3].

Therefore, in terms of regulatory elements, "courtesy to pedestrians" has evolved from the rules and regulations of Hangzhou bus and taxi companies to becoming a part of the "Three Year Plan for Building a Traffic Civilization Demonstration City in Hangzhou". On October 30, 2015, the 32nd meeting of the Standing Committee of the 12th Hangzhou Municipal People's Congress passed the "Hangzhou Civilized Behavior Promotion Regulations", and in November of the same year, the "courtesy of pedestrians" was included in the regulation. Hangzhou has gradually evolved the concept of "giving way to pedestrians" from the rules and regulations of buses to a reward and punishment system with complete implementation, supervision, and rewards and punishments. It has adopted a relatively tough approach to "cram" this policy into the lives of drivers, forcing them to comply with it. In terms of implementation areas and law enforcement equipment, it is constantly limited to iterative updates, and the reward and punishment system has been strengthened. In addition to fines, the driver's license must also adopt a deduction system. As the initiator of using the "courtesy to pedestrians" standard to punish motor vehicle drivers in Hangzhou, the Supreme People's Court has also recognized its legality in the form of guiding cases[3].

3.3.2 Normative elements in the policy of "giving way to pedestrians"

The general public is the main force of social governance, and the indifference or "explosion" of public social participation in social governance can lead to disorder in social governance. The government needs to adopt reasonable organizational mobilization mechanisms to guide it[4]. Always adopting tough measures will stimulate the public's resistance, thus stimulating the public's sense of social responsibility and forming a new social moral standard is an important step in promoting the policy of "giving way to pedestrians". Through the activity of "evaluating taxis before the thousand taxi zebra crossing", the social responsibility of drivers is stimulated. By using mutual supervision mechanisms, an invisible constraint is formed between the bus and taxi groups, while illegal drivers influence the evaluation. Encouraged drivers' competitiveness and created a good social atmosphere for the new social moral standards. The government's strategy of prioritizing public and private use has set an example for various types of drivers, making the "courtesy to pedestrians" policy more widely accessible to the public.

3.3.3 Cultural Cognitive Elements in the Policy of "Courtesy to Pedestrians"

Culture can be understood as a complete conceptual system that dominates human behavior with ideology as its core. On this basis, the cultural system can be summarized as a series of rules composed of policies, regulations, codes of conduct, and moral norms that regulate human cultural activities[5].

At this level, the government has improved laws and regulations and established new moral standards in society, enabling drivers and the public to achieve cognitive consensus and behavioral activities. The frequency of people giving way to cars and "racing cases" in Hangzhou has become lower and lower, and the policy of "giving way to pedestrians" has been implemented to break the mentality of pedestrians avoiding vehicles due to fear, reconstruct the concept of pedestrians being the first among drivers, and achieve cognitive consensus. Reshaping the civilized landscape before the zebra crossing, pedestrians will experience the benefits of the policy and comply with the relevant requirements of the policy when converting to driver status, thus achieving consistency in behavior and cognition. In summary, see Table 1.

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4. Summary

Although the implementation of the "courtesy to pedestrians" policy faces a fixed group of drivers, there is a huge difference in the number and acceptance ability of the group. Therefore, Hangzhou prioritizes public transportation such as buses, gradually drives taxis and private cars from point to area, and improves relevant laws and regulations. It adopts mandatory methods to regulate drivers, supplemented by flexible reward mechanisms, and the two rely on each other, while using flexible means, promote people to reach consensus and achieve the goal of establishing reward mechanisms. Institutions simplify political life by ensuring that some things are taken as given. Institutions provide codes of appropriate behavior, affective ties, and a belief in a legitimate order[6].

The regulatory elements, normative elements, and cultural cognitive elements in new institutionalism are effective methods for the government to implement policies, which can form a good interaction and restraint relationship between the public, society, and the government, ultimately achieving the desired effect of the policy. Therefore, before promoting policies with a wide audience, the government can refer to the three elements of new institutionalism, adopt flexible and tough methods, and update the original social consensus, In order to promote new policies more smoothly.

Reference


3. Zeng Fanyan The Implementation Path of the "Courtesy to Pedestrians" Norm - Analysis of the First "Zebra Crossing Penalty Case" in China [J]. Administrative Law Research, 2019 (03): 64-77


