

“Cat VS Mouse”: a survey about the itinerant vendors’ living condition and their Interactive relationship with Chengguan in Guangzhou, Chongqing and Hangzhou.

Jiang Siyun Wu Xingyun Wang Siyu
From School of Sociology and Anthropology
Sun Yat-Sen University

ABSTRACT:

Recently, the living condition of the itinerant vendors and their game relationship with the urban administrators attracted much attention in China. Using deep interview and participatory observation, this article records and compares 15 street vendors’ life stories and their opinions toward the work of the most distal urban administrative law enforcers, Chengguan in three cities and two countries, then classifies the managing and resisting strategies used in the interactive game process by the Chengguan and vendors. We found the relationship between vendors and the first-line urban administrators has a trend developing from in opposition to each other to interdependent and inter-cooperated conspiracy against the policymakers.

BACKGROUND INFORMATION

With the rapidly social and economic development of China in recent years, pattern of interest has reformed, leading the society into a time of emergence of contradiction. Chengguan, a Chinese word for generalizing the typical city inspectors in China, whose system consists of regular staff and temporary workers, has become a keyword these years. We decided to use the Chinese word to demonstrate the specificity of related problems in China and distinguish the system from those in other nations. In the media, conflicts between itinerant vendors and Chengguan have been over dramatized. For instance, the murder committed by Chengguan in Tianmen city and a man named Xia Junfeng’s murder two Chengguan. The relationship between itinerant vendor and Chengguan has been shaped as synonym of violence in Chinese society, signifying the contraposition between public power and civil power. All bring the author of this article to the questions that what

the real condition of itinerant vendors is like, how the interaction between itinerant vendors and Chengguan is, and whether noteworthy distinction exists in means of management or the life of itinerant vendors among cities in China.

RETROSPECT

According to current studies, itinerant vendors in city can be defined as ambulatory self-hired people without certain selling places, business licenses, registered capital and legitimate booth₁, classified as diminutive business entity found by individuals, families or partnerships₂. They, as individual labor force, take on full responsibility for the success or failure of their business₃. Being a part of people in informal employment, itinerant vendors are laborers that work in informal department with low demand for skills and fund, simple business operation conditions and flexible mode of operation.

During the period of the 9th five year plan of Chinese government, the largest adjustment of employment structure in the history happened₄, with the percentage workers in state owned enterprises and collective owned enterprises among all workers dropping greatly, which led to unemployment of these sorts of workers. These people rushed into informal employment, together with migrant workers who answered the trend of urbanization. They are obstructed from “legal” market by high rent for fixed pitch, because of the lack of social security and capital needed. Meanwhile, the price of goods sold by them can be relatively low for saving booth rent, the low-wage inhabitants and migrant workers in cities have real demand for these low price products. Under such circumstances, the population of itinerant vendors has been expanding, which is estimated by experts to reach a population of over 30 million in 2011₅.

People rush to cities from rural area, which disturb the order and public circumstances from the perspective of managers of cities who focus on maintaining such characteristics of cities. Generally speaking, the concept of city management includes society, economy and culture. But from a narrowed scale, it mainly contains the management of public facilities and sites, together with sanitation and greening₆. The people who are set to enforce such functions are Chengguan, who can be also called “Chengguan” in Chinese. The media always describe itinerant vendors and Chengguan as a pair of contradicted concepts, because of

the metaphor that the complete freedom of merchandising activities contradicts to power of the state. Analyzing existing studies, idea that itinerant venders should be banned for their disturbance to both the appearance of the city and social order, together with the potential threat brought by products without quality assurance, always fight with another one that the job should be protected and legitimized because its supplementary to the market and its function in helping the weak of society⁷.

However, studies aiming at itinerant venders have the drawbacks below.

1. Many studies stand for management of city, to some extent ignoring idea of the venders themselves.

A relatively huge amount of researches analyze the issue from the perspective of city management, searching for and discussing methods to control the venders. Holding to macroscopic view, these discussions lack consideration of specific situation, ignoring microscopic view. For example, the research of Pan Dengke and Zhang Lei use mathematic model to justify that itinerant venders should be controlled by government to a main extent, by setting specific selling areas, demanding business licenses and examining their performance with credits(such as the 12-credit system)⁸. Another research from Qin Bo and Meng Qing developed the idea that itinerant venders should be managed by scientifically flexible, detailed and humanized systems aiming to various types, determined by space distribution, of them⁹. But if researchers view the issue from the perspective of venders who rely deeply on dicker, the significance of the thesis above are weakened, because many of the venders cannot find a better way to earn their life. In other words, it is more essential to study the condition and opinion of itinerant venders, despite the importance of city management only. It will be significant to study the actual need of the venders to build a balanced relationship and interaction between itinerant venders and city management, which is still lacked by current studies.

2. The media overly focus on the influence of the topic to the public.

Doubtlessly, the media can acutely capture and report the latest progress of both problems between venders and city management and reflection. But overly focusing on explosiveness, such as deep investigation into very few but extreme case, weakens its creditability to reflect regular condition. The observation and report can easily run

without taking generality, regular pattern and settled interaction mode into consideration. Without analyzing social meaning hidden behind such incidents, it sometimes misleads the discussion to a shallow level. A current issue named *How City Management Walk out from Vicious Circle* on People.com.cn, a topic named *Management or Destroy—Memoir of Violence and Conflict in the Work of Chinese City Inspectors* posted on websites and so on can justify this point.

3. The lack of the perspective that considers differences among various places.

Determined by different status of social and economic development, diversification shows up among various cities. Focusing on a single part of a single city may make general condition ignored, while particularity will be neglected if discussions are based on general understanding to the nation. So the perspective that comparing conditions of different cities can help more deeply and positively to analyze the core of problem.

RESEARCH METHOD

This article that adopts qualitative research methods uses observation and deep interview to collect data, and combined with the knowledge of urban management, sociology of consumption, and ethnomethodology. Through the collation of individual life history and its interpretation of meaning, the article reveals itinerant vendors' living condition, and compares the similarities and differences of different cities' regulations on administration and actual ways. Meanwhile, it also reflects the relatively true normalized interactive relationship between vendors and Chengguan, then according to it to analyze the formation and performance of status quo and future viable solutions.

In order to investigate the influence of regional differences and take lessons from trans-regional experience, this article interviewed vendors who were chosen from Hang Zhou, Zhejiang province in the eastern China, the southwestern city of Chongqing, the southeastern coastal city of Guangzhou, and a Thai rural town called Sichomphu. Interviewers mainly got information from respondents about their family background, life history, financial situation and interactive experience with urban managers. This research collects 18 cases from 4 cities in total, interviewed at transportation junction, scenic spot surrounding,

business district, residential area, city square, school and vegetable market. The respondents cover three age periods of elderly, middle age and youth, and their goods include foods, flowers, handicraft and electronic product and so on. This article also cites a questionnaire data which includes around 500 samples in Wuhan province from Huazhong Agricultural University students who did the questionnaire survey in the summer of 2012. Taking account of the data's integrity, this article cites information of 15 valid cases.

THE ITINERANT VENDER

The origin of itinerant vendors

Following the clue offered by the respondents, this article tries to explain the inevitability of the existence of the itinerant vendors and the reason why their appearance becomes a kind of "urban problem" from the perspective of "consumption space"¹⁰.

Some scholars described the division of consumer activities of the different social classes presented themselves as a divided structure of the consumption space. The product and service which aim to the advanced need or the carriage trade always concentrate in downtown or the centre of city, where could be called as "senior consumption space"; the product and service which aim to the more basic need or the lower social classes concentrate in the city periphery and suburbs where could be called as "junior consumption space".

However, this statement didn't take the instability and variability of human needs into consideration. Although maybe the space structure result from the structure of the consumer activities as a mirror of human needs, human needs would not be set on a immobile sequence from the bottom to the top of pyramid. With the dimension of time, the human needs fluctuate and change everywhere, so the consumption space cannot match the social position of consumers every minute. For example, the necessities can be run out suddenly and the consuming desire fall driven by impulsion. Also, the high incomes cannot insulate themselves from the junior consumption space such as vegetable markets and discount stores; the weak group and low income earner still appear occasionally in the high consumption space such as central plaza or shopping mall with high price tag on the product that they cannot afford.

Consequently, the itinerant vender is not only an occupation which satisfies the need of the low-income people and serves the low-level consumer market as the scholars said, but also an outcome of the development of urban economic and social process, blurring the boundaries between the senior and junior consumption space. They serve the city in two-way process. On the one hand, due to releasing from the restriction of the rent, transportation and city planning, the itinerant vendors satisfy, even create the basic daily consumption demand in the senior consumption space. Thanks to the land price, estate management and requirement of building city image, the senior consumption space with potential consumption ability walking inside always sweep the cheap small shops. The vendors have high sensitivity to find and catch the chance in this unbalancing relationship of supply and demand. For example, they sell scarf and glow stick outside a gym holding a concert, grape and orange in CBD, bottled water and small toys in a deserted open square. As a result, regional punctuate junior consumption space would appear separately in the broad senior consumption space. On the other hand, in the residential area, the vendors satisfy and create non-routine and advanced need, such as selling second-hand household electrical appliances or fur coats in house estates. This situation exists but not very commonly, since the senior consumption activities cost large amount of money, need the technical support from modern equipments, so prefer a formal occasion for the sense of safety and honor.

In a conclusion, the existence of the itinerant vendors breaks the competitive relationship between the senior and junior consumption space for the consumers, shaking the consumption structure. So as long as there is a relatively free market and the functional division among different urban area, there will be vendors' existence. On this basis, the condition of contemporary China, in which the urbanization is transforming the country-city society with distinct difference and opposition to an integrated harmonious nation, has expanded the scale of itinerant vendors into a tremendous amount in the past decades.

Itinerant vendors' living condition

There are demands and requirements to one professional birth, given people engage in this profession in the society naturally. Through the 13 cases of 3 cities, the author can sketch the contours of itinerant vendors' some common characteristics and living conditions roughly,

and can also compare and discover vendors' differences from different cities, different families and different life history backgrounds.

Itinerant vendors mostly come from towns and rural areas which stand outside their cities. For various reasons, voluntary or not, they come to city and have worked for many years with rural household registrations (except case 6), still owning some lands and relatives at home. The reasons they choose to be vendors include that their low educational level, no technical expertise, and no freedom and low salaries being workers. At the same time, shop rent is very expensive and risk is very high, but being vendors can control their time and place freely and they have more motivation to work for themselves (except case 1).

Besides the common reasons, different aged vendors' reasons are also various. The young vendors are mostly the kids of first-generation migrant workers. They may come to the city with their parents during early ages, or have finished their compulsory education in their hometown and follow their fathers' steps; The middle-aged vendors coming to the city is because their lands are expropriated or the agricultural income is insufficient, so they come to work in the city to earn money for their children's' education, marriage or building new houses; As for elderly people, they work in farming in the early days and then most settle down in the city following their children and do some available jobs in order to lessen the burden of the child support maintenance and sustain their own lives and store pension expense using in the future.

The questionnaire survey aiming at the vendors in Wuhan reveals that 50% of them are young people varying from 20-30 years old, and 30% of them are middle-aged people¹¹. Among them, 70% are outsiders, 92% have no subsistence and 70% have no other sustain income. Half of them choose the job for its flexible working time and relatively freedom, then 36% are for their limited educational background, and 28% are for their age and health. The cases cited in this article are mostly fit the results of this survey.

The vendors basically narrow the scope of business mainly on commodities with comparatively low costs and wide purchase channels, such as: small articles of daily use, breakfast snacks, agricultural and sideline products and so on, which have lower profits. In this condition, it is necessary to increase profits depending on sales volume, which

leads to their marketing strategy of decreasing commodity prices, increasing operation hours and delivering goods to the customers. Take Case 7 as an example, the price that the vender set is lower than 1 to 2 Yuan, compared with the same food in the breakfast shop. Every morning, they can sell at most 100 Yuan or so, if lucky, 20 Yuan as a balance, however, they are always unlucky.

Some venders take small business as their most suitable job. They are willing to name the process of setting up a stall for sale as going to work and the process of packing up stakes for return as coming off work. And what they pay special attention is “freedom”. While weekdays are set on fixed daily schedule featured with regular work and sleep; some get up early and go home late to lengthen their business hours; some work start at dusk and end in the midnight to avoid Chengguan’ working hours and their rivals’; some are restricted to do their business only in early morning by the merchandise they offer; some wait for day long in the large-flow-people public places. However, the time when office workers are on duty and the students study at school is their resting time, but Chengguan will limit their trading hours and sites.

Besides other occupational groups’ working-and-resting hours, what affect venders’ lifestyles are the goods and place they sell , the weather and working hours of Chengguan. When it comes to goods categories, for example: barbecue sellers will work at night and later to meet the demand of people for stokes of midnight; snack peddlers tend to serve during meal intervals; people who sell small articles, beverages and electronic products tend to choose show up during leisure time from nightfall to the deep night. As for selling spots, in the scenic surroundings, venders sell beverages, frozen suckers and maps for tourists during the day and on holidays as long as the scenic spots are on service; in bus stations and underground stations choose on-and-off-duty peak time; around residential areas, they appear timely when people seek for stroke of midnight and return home after entertainment; in the railway stations, there are venders day and night, even some of them work voluntarily at night to reduce competition. High temperatures and rainy weather in these three cities have an influence on their sale, so they go out in the morning or at night, and peddlers in the spots with shades of trees will avoid high temperature period at noon.

The incomes of vendors vary from city to city. The average income per month in Hangzhou and Guangzhou is 2000 to 3000 Yuan, while

6000 Yuan in Guangzhou (maybe a special case). In Wuhan, more than 80 percent are below 2000 Yuan, almost half of which are below 1500 Yuan. Meanwhile the consuming attitudes and behavior of these vendors are distinguished according to their age and family composition. They mainly spend their money on maintain their livelihood in the city, savings or building a house after their children are married and return home, which is closely related to their limited interpersonal communication and narrow social network, because they usually contact with the other vendors of the same site and their regulars.

The youth vendors spend a part of their incomes on entertainments and are willing to go out with their friends. According to Case 8, the children of the itinerant vendors rely on their parents and spent the majority of their income on playing cards, whereas (in Case 10) the married ones often restrain their consumption but choose to go out with their friends on weekends, such as strolling in the park and karaoke. The middle-aged vendors generally can't afford the expensive tuition and fees in Guangzhou and send their children home. They often contact or keep in touch with their family members. Besides they usually save their money and spend them on supporting their parents and bringing up the stay-at-home children. So the middle-aged vendors are more focused on saving and restraining the consumption. The old vendors peddle in the same place if they are lacking in the family supports. Besides, they communicate with others less and save money in case of the emergency, like illness.

The mental state of these vendors is closely bound up with their family burden and the thought of the relationship between the Chengguan and the vendors. According to Case 6, the farmers are driven to live in city when they lose their land. But their incomes are limited, and their products are confiscated. They are warned of putting stalls on the street illegally and are dissatisfied with the Chengguan. In Case 8, the vendors are relaxed on the money and future life and have a calm attitude towards the supervision of Chengguan with the family's support. Besides, in the Case 9, aiming at building a house for their children and bringing up their children, they are satisfied with the current situation and relaxed. But in Case 13, old vendor, who lost their family or experienced misfortune, are anxious about their income and subsistence

guarantee in the future, and even are desperate and hostile towards the Chengguan or even the whole society.

Besides, vendors are concerned about their incomes, the weather. Case 9 care about the compensation of Black Events in Guangyuan Road, instead of the possible threat to health when they peddle on the streets. Case 10 is concerned about the weather, since they cannot afford the expenses of two children in Guangzhou if the weather doesn't allow them to peddle. It is a hot topic for vendors that whether the Chengguan will inspect seriously or not, how often they inspect, and whose attitude is better. These are closely bound up with vendors' life.

PERSPECTIVE OF CITY MANAGEMENT

Making the existence of itinerant vendors a problem

The certainty for a phenomenon to exist does not equal to its legitimacy, for legislation is ruled by people with certain interest. In the meantime, development of public facilities may exceed or fall behind the real level of economic development. For instance, Hangzhou focus on develop the space for senior consumption in the process of making itself a well-known city of tourism. But the space is not only the spatial environment for activity of consumption, but also the object of consumption, including visual and mental factors. The existence of itinerant vendors disturbs the splendid plan and construct of city management. They run their business without control from government; occupy city streets; harm city sanitation; sell low quality products. These all make their existence a relatively serious problem from the perspective of city management. In late 1990s, government of Hangzhou established Department of City Management creatively in China, in charge of city sanitation, landscape, environment protection, public security, traffic management, industry and commerce etc., cooperating with over ten departments of Hangzhou government. The establishment of the department was a reaction to the chaotic situation in which problems brought by several departments administrating similar issues¹². Meanwhile, the establishment is also a reflection of inner problems, such as unintelligible responsibility, lacking of supervision of government. Also, violent means used in the past has intensified contradiction between itinerant vendors and Chengguan. However, aiming to maintain stability makes local governments divert their attention to order and

effect of city management, and the strengthened power of internet and public itself gives people more power to evaluate and criticize city management. These all makes the problem in big cities brought by itinerant venders draw more and more attention.

Comparison of relative legislation in the three cities

Laws in the three cities all involve the phenomenon of itinerant venders. They all come to a common point that occupying city site without permission is against law.

Hangzhou has no specific law aiming to control the activity of city management, but rules in other laws or legislation involve with similar issue. According to the *Management of Public Facilities of Hangzhou*, it is illegal to occupy and use public site without permission and such activity is sure to be punished, although specific legislation has not existed. However, temporary occupation with permission is justified.

In Chongqing, legislation of management to itinerant venders is included in the framework of circumstances and sanitation management. The amount of fine has been ruled. And referring to the Legislation of *Administration to Circumstances and Sanitation in Chongqing*, which has been applied since May 1st in 2005, temporary occupation with certain qualification and permission is also justified.

Unlike in Hangzhou and Chongqing, legislation released in Guangzhou shows toleration to itinerant venders, and focuses on standardization. The *Regulation of City Management in Guangzhou* in 1998, the *Detailed Rules and Regulations for Comprehensive Law Enforcement to City Management in Guangzhou* in 1999, together with the *Regulation for Comprehensive Law Enforcement to City Management* released in 2009 and new *Detailed Rules and Regulations for Comprehensive Law Enforcement to City Management in Guangzhou* performed in 2011, reveal the development of legislation in the field of city management in Guangzhou. But no word has shown any permission to temporary road occupation.

Perspective of Chengguan

Being the mediator between legislator and itinerant venders, Chengguan play a role as the executor of city management regulation, the agent of government's motivation and the direct manager to itinerant venders. Part of their function is to help solve problems in

fields in which contradiction relatively imploded in the course of development in modern society in China. The role as mediators makes Chengguan centralize in problems of city management while showing ungenerous to the power. The system of Chengguan undertakes complex function, but it is an outsider of administrative system or any other governmental systems with actual power. It runs without specific regulation and department in charge in central government in China¹³. Both particularities of its function and uncertainty of its position exert pressure to the system of Chengguan and expose it to question.

Research in Wuhan shows that, 90% respondents agreed with the statement that Chengguan played a positive role in regularizing circumstances, sanitation, business order and traffic order. But over 40% of people included in the research viewed Chengguan as violent law executor. Viewing the 14th case of our interview as an answer to this, this Chengguan clearly expressed the idea that the most “troublesome” regular work is itinerant-vender management problem. This mission of Chengguan and their attitude toward this issue may lead them to violent law executor, which may, to some extent, determine citizen’s impression and evaluation toward them.

Chengguan are faced with three main problems at work.

First of all, Chengguan cannot punish itinerant vendors easily. The Chengguan interviewed pointed out that “Things will be much easier if punishment is exerted to units or business entity with official business license and permission from certain department of government.” On the one hand for itinerant vendors, they cannot avoid breaking the rule and exposed themselves to potential punishment for their own reasons. But on the other hand for Chengguan, they may meet a dilemma when the vendors run away from punishment and play tricks but Chengguan can neither use violence nor make vendors obey regulations by oral education only. Chengguan may feel anxiety brought by their identity, and pressure brought by both failing to implement their mission and exception from their supervisor.

Another one is the indiscernible pressure originated from opinions of the media and citizens on the spot. The pressure, viewed as itinerant vendors, carries positive function, for it can restrict attitude and action of Chengguan. But the standpoint of the media and inhabitants is sometimes negatively obstructing regular work of Chengguan. It is actually a shield or even connivance to vendors and even group of crime

occupying public resources and threatening public security, when it protect private right of common venders.

Furthermore, complexity of itinerant venders' identification intensifies the difficulty of Chengguan' work. If the identification of venders involve with other complex problems in city management, such as regularizing urban villages, ethnic problems in the city or security maintenance in large-scale activities, Chengguan have to change their mode. They usually find it relatively hard to solve these problems in the condition that work is complex and tender but available resources are limited. In the 15 cases that run without problems of ethnic problems or conflict originated from property or land in our research, the identifications of itinerant venders are relatively simple. Most of the venders enter the career to support their family or their own life, belonging to the type that can be easily controlled. However, in big cities with developed economy, a huge population of migrant and complex structure of population, such as Guangzhou and Shenzhen in Southern China, obstacles to the work of legislators and law executors cannot be ignored.

THE GAME BETWEEN CHENGGUAN AND VENDERS

Chengguan's early law-enforcement ways

The collected cases from the three cities basically reflect the violence law enforcement mode of the Chengguan several years ago.

In the Case 1, 5, 6, 7, 9, 11, 12, 13, the venders all have the experience of being fined or forced of confiscation, and it is hard to recover their forfeited tools and materials.

"In the past, they (Chengguan) will take things away without saying anything; many years ago, my flour barrel was taken away." (Case 5)

"While my stall was here, he towed my phone (public telephone) and umbrella away, only after I was fined for 30 Yuan that I could get them back. "(Case 6)

"They dragged! They dragged the table onto the car, but the people around helped me to grab the leg of table out, so they could only to drag two stools away." (Case 7)

“Previously, the city inspectors managed severely and we had no chance to vendor on the street! They always administrate us on the street! The items in a car all were loaded onto the supervisors’ car; we lost much money in the business! While we did the small business for these years, the bikes often were carried on to the urban management’s cars.”(Case 12)

"If we had nothing to give them, they robbed! Hey, commonly you ignored other peddlers, but when you take any action, the way you treat us just likes the devil! They are rascals!" (Case 13)

"They said the confiscated grape was sent to the geroconomium, who knows, those things may also be divide up by them." (Case 1)

Some scholars summarize the previous urban management enforcement method that it embodies the traditional social management system. "They attach importance to target control, slight rights; for state, they pay attention to static stability, despise the dynamic stability; for the mechanism, they value the set up of organization, contempt network operation; for the means, they attach importance to rigidity, belittle the characteristic of flexible¹⁴. The governance philosophy falls behind ,the main single means are too simple, the mode also lags behind, the cost is high, and the rigid and punitive regulatory approach to itinerant vendors are rather extreme, brutal and short-sighted.

Wu Wenliang thinks the management problems of itinerant vendors arise because we did not deal well the relationship of "strict control and guide", "minority and majority ", "moderate and limitations", "the rule of law and human"¹⁵. The survey in Wuhan shows, 27% of the people chose the answer that "Chengguan enforce the law uncivilly", 55% of respondents chose the answer that "irrationality of the relevant laws and regulations", and another 18% chose to attribute the conflict to the low qualities of undocumented itinerant traders or their violent resistance to law. The narrative of the urban management in the case 14 avoided discussing this problem, and highlights "we always give priority to the persuasion and education, and regard punishment as supplementary".

The change of Chengguan’s law-enforcement ways

“In recent years, Chengguan rarely administrates us, at most driving.”(Case 1)

“That hipshot man scolded them and they said nothing after that. Before, when they came, they asked us to pack up and hurry up.”(Case 4)

“Now I feel good about them, because they will caution us and allow us spot here, but we should shut the shop on time.”(Case 7)

In recent five years, with the promotion of policy principles of “harmony society”, “people first”, “Citizens participating politics” and so on by the government, as well as social criticism on “violent law-enforcement”, cities have tried to ameliorate their law-enforcement ways of Chengguan gradually. The way of Confiscation and penalty declines, and start to set up laws which are aiming at Chengguan. For example, there were only moral and wide-meaning regulations for Chengguan in old rules and regulations by-law when relate to itinerant venders problems; while the new detailed rules and regulations by-law defines the definite scope of urban management and regulates clear and uniform law-enforcement scale. In addition, establishes superior departments’ supervise responsibilities. According to these interviews, Chengguan’s administration in Guangzhou was most severe three or four years ago, however, in recent one year, relatively humanized. This change is very likely related to the issue and application of new rules and regulations.

Except case 12 and case 13 which are still confiscated by Chengguan, most respondents, especially from Chongqing and Hang Zhou, mention that Chengguan’s attitude has changed in recent years. For example, now they base on caution and dissuasion instead of forcibly confiscating stuff. According to Chengguan’s own personality and mood, as well as venders’ reflections, different regions have different administration situations, and venders’ experiences are also different.

The change of laws and regulations has defined and restrained definite patterns and scale of Chengguan, and also guarantees superiors’ supervisory mechanism for Chengguan’ law-enforcement. It leads to Chengguan more explicit about their duty and power, and makes them take social long-term stability into account when they enforce. Laws and regulations’ progress perhaps results in Chengguan’s law-enforcement more normative and humanized, which is the objective condition of interactive relationship’ improvement between Chengguan and itinerant venders as well.

The Game

Today Chengguan are taking four measures to respond the enlarging population of venders and various social conflicts.

a) Patrol

Referring to the arrangement of administrative law enforcement of Hangzhou, Chengguan go to work at 7:30 am, patrol the district, and repeat on 15:00 or 16:00. They set different arrangement for different place and occasion: in the scenic area and shopping centre with narrow streets and big crowd, two Chengguan patrol together on foot with armband and uniform; On the main streets and open public institutions, the particular patrol cars go around with striking sign on them; In the houses estates and blocks, single Chengguan rides a motor-bike also with official sign on that. Combining such diverse measures, as a result, there are few venders on the main streets downtown during the day. Only some venders who can respond the appearance of the officials quickly would park their bike or tricycle along the streets or near the bus stop for a while, paying attention to the surrounding on the alert.

b) Man-marking

“Keep a close eye on those sensitive spots, like main traffic thoroughfares, we would send some members to be on the watch for the venders.” Chengguan have a clear judgment and distinction on which place belongs to “sensitive” spot and which area just needs regular patrol. “Having asked you to leave but you stay, we have no alternative but make your business void by standing by and watching.” For the venders who have began their business, man-marking takes place of violent law enforcement, trying to prevent and drive the venders by deterrent and disturbance. For this reason, after them find out where are the sensitive places, most venders would avoid to peddle at train stations, city squares and overpasses.

c) Expanding personnel

Man-marking and patrol work need a large amount of personnel, so in the practice, “Xieguan” and “Wuguan” enter the team of urban management officers without any formal contract and official confirmation. The phenomenon which offers the possibility that the official passes the buck to the “temporary workers” after the public events is criticized strongly by the public opinion. As the temporary employees, Xieguan which means helping to manage without the law

enforcement qualification are using the enforcement power on behalf of the public authority. Meanwhile, lacking of the legal training and the definition of their right and obligation, they may enforce the law oppressively; lacking of the employment security and legal identity, they may become the victims of the combination of the venders' violent resistance and chaotic management of related departments.

d) Sole rectification action

As a method of working of the government, in order to welcome some important festivals, activities and senior inspectors, we can always see the reports about the sole rectification on media. The cases in these three cities all mentioned that Chengguan would notify them in advance before the superior's check in the area where they could peddle at ordinary times. Thus, although the so-called rectification seems effective in a short time, the venders would appear again after the events. On the one hand, this kind of campaign and movement is used by the junior department as a formalistic vanity project which aims to respond the check of superiors and the change of macro-policies. On the other hand, rectifications permit the existence of venders and avoid face-to-face serious conflicts with venders. The notice in advance even could be understood as a human measure to protect the venders from implicating in the campaign objectively.

Contrary to the transformation of the method of law enforcement, the measures taken by the itinerant venders to survive in the cities didn't change much. In the previous period facing violence law enforcement and this period facing relatively mild rival, venders take four measures to respond Chengguan. These four measures cumulatively progress from avoiding totally to facing Chengguan directly. Different types of venders have explored out their own ways to survive in this game.

a) Rent fixed pitch

Although the reason why most venders choose this job includes "high cost and risk for renting a shop", when the fortune accumulates, or the family members want to settle down in the city, many venders will choose to rent a booth in vegetable markets or shops along the streets. This is the most thorough solution to avoid the conflicts with Chengguan and end the mobile life (case 3, 4).

b) Stagger working time of Chengguan

Most of the cases reflect this type. Case 2,5,7 selling vegetable and running a breakfast stand, choose to start and finish working early; Case 11 starts his business at noon for staggering the period when the management of the market is strict in the morning; Case 10,13 begin in the afternoon and working into the midnight. In this way, they make use of the gaps between the working hours of Chengguan and guarantee their own safety and business.

c) Fleeing

One of the reasons that Chengguan consider the itinerant vendors as a hot potato is their mobility. Case 8 said that the way that Chengguan catch vendors was like "cat and mouse, the moment we see them, we run". Case 9 said that "If you see them you go automatically; when they see you, they will give face to you, because both sides are working for earning money." When Chengguan appear, some vendors pack up their stalls, leave that area and find a new place as soon as possible, but some vendors will wait for Chengguan's leaving and return under the consideration about the human traffic and comfortable environment.

d) Attract the public attention

Case 7 from Chongqing described the experience that, in early years, she resisted the violent law enforcement of Chengguan directly relying on the public opinion around. "They drag our tables and benches into their car. It was the people around me that suggested me to grab them, stop them and ask them to supply me subsistence. With their words, I went to stand in front of the car and drag my benches out unyieldingly, but they still took away two benches of mine." Thus the compassion and support from the audience around can encourage vendors to defend themselves and take a more aggressive attitude.

Case 14, the Chengguan also mentioned that because the vendors knew the bottom line of Chengguan is "maintaining stability", they would use many methods to attract attention and express their discontentment. For example, making use of the compassion for elderly and children, the anger of the people to pressure Chengguan and impede them to enforce the law. They insisted on the stalls, sat, even lay in front of your car, and call out those old men, children to block your car, such as these conditions which instigated the popular indignation

and drive the villagers to help them.””Even someone will scream easily, ‘Chengguan hit people!’” Lacking of the exact information about the situation, we cannot judge who was right or who really destroyed the public order in this statement. Commonly, there are some individuals in both sides having some acute aggressive behaviors. For innocent or illegal venders, attracting the crowd and having the aid of public opinion is a form of struggle, embellishing their own position. Also, people may tend to abreact their existing negative emotion aiming to the work of government on the work of Chengguan, who is the bottom representative of the public authority. The legitimacy of their position as the law-executor was doubted. Their behaviors were seen with people’s own eyes. The right or wrong of the venders means nothing at this moment, instead whether the official power is exceeding so that it violates the individual right under people’s definition becomes the core of the conflicts, even though there is no such provision for this private right in the law.

Enmity and cooperation

When the working time staggers with Chengguan’s or few Chengguan once came to them, the venders hold an indifferent attitude (Case 1, 2), caring about little this topic. According to the living stress and way Chengguan treat them, the other venders hold two different kinds of opinions to Chengguan.

a) Aversion and Enmity

Case6, 11, 12, 13, these four cases, to some extent, express their negative emotion of Chengguan. Also, it is related to their living problem and experience that their family or individual once suffered the unfair treatment of the system.

“I just want to peddle for the money of a bowl of porridge, but you don’t allow me. No wonder that people will have objections.”

“At short intervals, they would come to supervise. We have to make a living by running a stall, after moving from the countryside without any skills to find a job. They ask us to move to urban area, but what can we do here? 90% people have objections.”

Case 6 lost her land in her hometown and moved to city passively. As she insisted on a stall on a main street even after being confiscated in the early years, she has been warned for several times.

“I hate their guts.”

Case 8 once suffered from discrimination for his foreign identity. “I hated them to call me Laozhai (Cantonese words which refers to the foreigners coming to Guangdong for earning money). I hate it.” He is working along far away from his family, and remits home every month stressfully.

“I hate them, robbing of all our things. I have very bad mood in that period.”

Case 11 once was chased running into an alley and her “expensive bicycle” once was confiscated by Chengguan before. Until recently, Chengguan still confiscated her things from the stall.

“Maybe I will revenge Chengguan someday, since most of my fortune has been robbed by them. When I take any measure, I won’t be stopped easily. I will return my village and bring something back to fight with them. They are too bad people.”

“I have no idea. This is the world. You, you don’t want to hurt anyone but they force you to harm others. You don’t want but they drive you, which is out of your control. ”

Case 13 lost his family and has been working alone for more 20 years. He had been driven and punished for several times so that he felt that he wasn’t treated fairly by Chengguan and he had lost the hope and security for any future.

b) Tacit agreement

However, different with the bad relationship reported by the media, according to the description, many venders could understand the work of Chengguan without resentment and opposition. In the process of cooperation, they even formed a kind of tacit agreement with Chengguan.

“They came, fined and called us to change a place. Then we pretended to pack up and moved our tricycle to the alleys. They left soon and we came back to the main street, continue our business.”(Case 3)

“Now they just shout and inform us that ‘you need to pack up’, then we would reply ‘thank you and we are leaving soon’. They just urged. For us, we cannot fight with them. We’d better listen to them. That’s their

job, so they have their mission and duty. If we show animosity, they would play with you. If it happened, no doubt you would fall in trouble.”

“They asked me to pack up at 8:00 am, but it is hard to do. Sometimes we were afraid of their coming and chose to discounting sale, or pack up straight. I will embarrassed and sorry if we need to be reminded every time. (Case 7)

“It is regulated in that way. It is law.” (Case 8)

“We are both making a living. They earn only 1000 Yuan per month, right? We both have tough time.”(Case 9)

“It is easy to understand them, working for salary. They would not rob my stall if I was still there when they arrived.”(Case 10)

In these descriptions, we can find that, before Chengguan begin their office time, they will remind venders that what time and where they can peddle; during their working time, sometimes they drive the patrol car in a low speed so that the venders can have the time to pack up or leave. When venders see some familiar or kindly Chengguan who they know won't forfeit things, they will pack up slowly, leave for a while and then return to the place. Chengguan sometimes turn a blind eye to these venders, but there mustn't be too much venders in the same area. When they begin to take action, they catch one or two of the venders to confiscate and penalize. After their working time, Chengguan totally ignore the existence of them except when they want to buy something too.

Some scholars criticized this way of management and inspection is a kind of Guerilla management, saying that “the cat and mouse game between Chengguan and venders cannot resolve this problem. It wastes much human resource and decreases the happiness index of the whole society by making Chengguan feel reluctant and distressful, venders feel anxious and scared₁₆”. Although it seems reasonable at the first glance, it lacks the consideration about the dimension of time. The relationship between each other has memory. In the long daily process of interaction, venders will adjust their location and time to adapt the different requirements and characters of Chengguan, running business in their tolerance.

In the description of Case 5, 7, 9, 10, Chengguan and venders both got used to the daily patrol and inspection, cooperating and giving face

to each other. The interaction between them operates like a ritual in which they maintain each other. Chengguan rely on the existence of vendors to embody the value of the existence of their own occupation. The fleeing and fear of the vendors build the authority of Chengguan and city manager. Meanwhile, as the bottom officials, Chengguan themselves, especially the first-line members belong to the low-income weak group. They need to finish the assignment and reach the performance indicators set by the senior rank and related departments at least in form. On the other hand, the vendors cannot get rid of Chengguan totally, because the basic order of urban environment kept by the Chengguan is the basis of their business. The conflicts between vendors, vendors and citizens need Chengguan to arbitrate and coordinate, and in present ritual, some vendors even need the cooperation with Chengguan's work to relieve the guilty for occupying the public space illegally.

The regulation saying "all provisional occupancy without submitting application of road resources is prohibited" is utopian, since in the practice, it would cost too much resource to prohibit the business of numerous itinerant vendors separately in the broad city space. However, the setting of Chengguan's mission demands they do something to solve this so-called urban problem, also without violence and dogmatism. They cannot complete this impossible task, so they choose to reach a compromise with the vendors, achieving a collusion aiming to the superior city managers. In return, the vendors' opinion and attitude towards Chengguan relates partly to the measures taken by Chengguan. With the transformation of the law enforcement, the space left by Chengguan's overlooking purposely, vendors tend to agree the game rule. This kind of tacit agreement is the optimal choice created by the rational thinking and comprise under present institutional arrangement. It can explain the results in the survey of Wuhan that more than 60% vendors didn't have conflicts with Chengguan ever and 30% sometimes. It may be helpful for breaking illusions about the antagonism and opposition on media between Chengguan and vendors.

THE COMPARISON BETWEEN CHINA AND THAILAND

Thailand is a significant developing country in southwestern Asia, and the author especially paid attention to city environment and

itinerant vendors' living condition traveling its capital and a northeastern town. Because of language obstacle, time limit and lacking understanding of local social economic situation, we only recorded limited experienced observation to have a comparison and introspection instead of making a thorough and comprehensive survey.

Itinerant vendors are common in cities and rural areas of Thailand. A large quantities of vendors set up street stalls that can be a modified motor van, a plastic shelter or a simple cloth on the ground, along the street whose width is less than 2 meters filled with vendors so that it is hardly to drive or walk in high visitors flow rate docks, scenic spots, markets or concentrated areas of Thailand.

At a rural area's small town, some vendors mainly run businesses locally, and always present to local schools and markets. Because their income is not much and stable, these vendors' businesses may be not their families' main income and sometimes it just as a part-time job besides farming, and maybe other family members' income is relatively more (case 15). However, more vendors are "professional marketing people" who bustling through different markets at different time periods every week. Although this job is very hard, income is comparatively stable. Because time cost of going to market and equipment cost is high, so if vendors want to switch to another job is also costly. According to the cases, skilled vendors can earn 15 thousand THB; and for those farmers who have own house and land, 15 thousand THB are enough to make a living.

City managers exert tiny pressure on vendors. Neither of the two cases have mentioned they should pay taxes nor government staff limit their business activities, that is to say, engaging in itinerant vendors businesses don't need government's permission, and they just in charge of their families and consumers. There are inferior goods in open and low threshold markets and they also will be weeded out in the markets. In addition, since vendors' goods mostly are low-cost, low-price and low-tech small wares, and their businesses are scattered and small-scale, arise important quality safety problem and liability accident are less possibility. Although itinerant vendors will have adverse effects on city environment and consumer's interests, this business pattern solves employment and living problems of millions of social vulnerable groups every year. Itinerant vendors' activity and Thai city managers' "nonfeasance" is natural product of compromise among market,

personal and government. It offers us an example of governing by non-interference on itinerant vendors.

Compared with Thai streets and vendors' business, reasons of our country's itinerant vendors' magnify one may marketing admittance mechanism' demand is high, the other may our country's urbanization progress, city planning and construction and even urban community' order construction are all dominated by government, and it is difficult to dispense country's direct control and plan on individual. There is lack of an intermediate level which can be independent negotiation and self-regulation to have a buffer action. That what kind of cities and urban life style government hopes will be reflected directly on city's infrastructure, architectural style and functional layout. Though it can avoid Thai cities' clutter, it constrains people's imagination and participation for constructing cities' living space.

CONCLUSION

The existence of urban itinerant vendors blurs the boundaries between the senior and junior consumption space, which means the necessity and inevitability of the appearance of vendors. Most itinerant vendors come from the suburbs and rural towns around cities. Belonging to the less educated underclass with little skills and capital, they choose this occupation passively for supporting the family and maintaining their living in cities. According to the different degree of living stress, the regulations of city management and the ways of law-enforcement, they formed different attitudes and opinions, followed by different ways of defense and struggle. The conflict between Chengguan and vendors is rooted in the phenomenon that, in the process of urbanization from divided countryside-city society to one fusional nation, city planning and public administration excessively relied on the government and the policy makers paid so little attention to the practice logic that related legislation and regulation lagged behind imperfectly (or it exceeded too much, too far away from the facts). In the existing city institutional environment, some Chengguan and vendors have reached a tacit agreement, under which they gave up the antagonism and opposition, cooperated and formed a conspiracy against the senior city managers. The relationship of managing and being managed on the surface actually operates as two-way interaction.

If the development of society could supply the land-lost farmers, laid-off workers and other low-income citizens a more perfect social safety net; if someday government and social organizations could offer preferential policies, skill training and various jobs for building a better market and encouraging the people in informal employment to legitimize, normalize and scale up their work; If Chengguan, presenting the most distal public authority, needn't manage the vendors directly, instead, existing as an intercessor among vendors, citizens and communities; If different communities could communicate with vendors' trade associations selectively as local inspectors in accordance with their need¹⁷, it will not only avoid that the public resource and credibility consuming meaninglessly in the trivial combats, but also develop the consciousness of self-management and self-development of the cities. That will be an ideal state for every stakeholder in the city to participate jointly in city management and problem solving¹⁸.

Reference

1.2.3.4 Hu Angang, Yang Yunxin The transformation of employment pattern from normal to informal: an analysis of the situation of China's informal employment, Management World NO.2 2001.

- 5.15 Wu Wenliang, Fang Lizhou, An simple analysis of the dilemma of China's itinerant vender management problem and strategy, Urban management Science and Technology, January, 2011
6. Yang Shuwen, Research on the urban administrative comprehensive law enforcement system in China, Tianjin Renmin Press, Tianjing, October, 2009.
7. Li Jin, On the low-end demand in the process of urbanization: taking urban vendors for example, Urban Problems, NO.3 2009.
8. Pan Dengke, Zheng Lei, The Research of Governance Model on Street Vendors, Journal of Capital University of Economics and Business, NO.3 2010.
9. Qin Bo, Meng Qing, Street Vendors in the Cities: Policy Debate and Planning Management, Urban Studies, NO.2 2012
10. Wang Ning, The Sociology of Consumption (Second Edition), Social Sciences Academic Press, Beijing, July, 2007
11. College students 'experience of being Chengguan: They tried to find a vent for the conflicts between two jobs, Southern Metropolis Daily, Nov.15 2012 http://epaper.oeeee.com/A/html/2012-11/14/content_1753184.htm
12. Chengguan's Confusion will last for more decades, Shanghai Business Daily, Oct.31 2012. <http://finance.jrj.com.cn/opinion/2012/10/31080514598090.shtml>
13. Chengguan system seeks setting Central management department, Southern Metropolis Daily, Oct.28 2012 <http://gcontent.oeeee.com/e/0e/e0e9ac104fdeb345/Blog/74e/559e5c.html>
- 14.16 Xie Zhiju, The itinerant vender management from the perspective of social administration, Journal of Socialist Theory Guide, NO.10, 2011
17. Shi Lei, Chen Wei, Xie Jianbo, Six factors as a whole: Exploring the mode of public service of itinerant vender management, Enterpriser World, NO.4 2010
18. Wang Dianli, The behavior mechanism of stakeholders in city management, China Renmin University Press, Beijing, 2009.