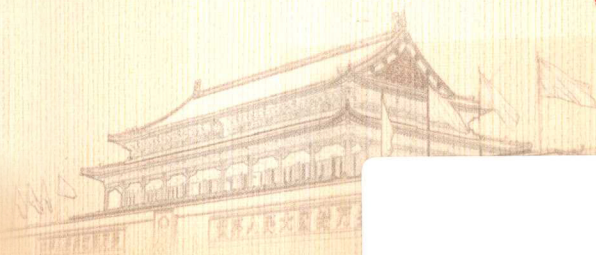


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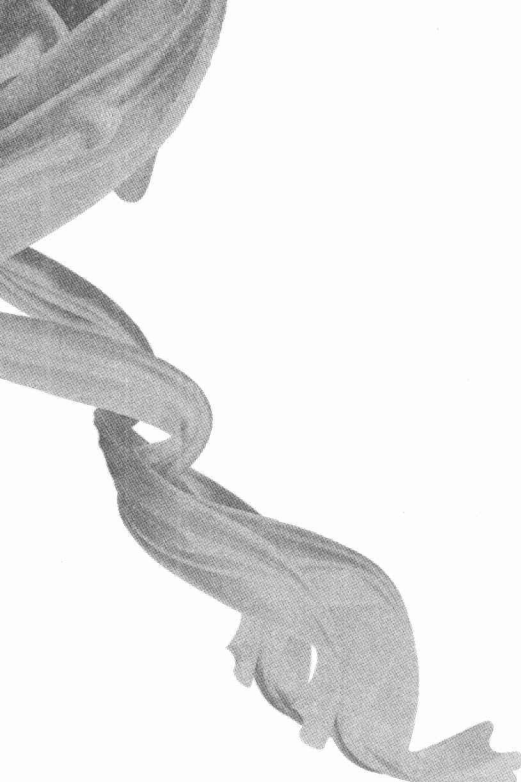
和谐社会的制度建设

People Can Carry Boat
System for Construction of Harmonious Society

林喆
主编



北京大学出版社
PEKING UNIVERSITY PRESS



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图书在版编目(CIP)数据

民可载舟:和谐社会的制度建设/林喆主编. —北京:北京大学出版社,2013.1

ISBN 978-7-301-21761-0

I. ①民… II. ①林… III. ①社会主义建设模式-研究-中国
IV. ①D616

中国版本图书馆CIP数据核字(2012)第301095号

书 名:民可载舟——和谐社会的制度建设

著作责任者:林 喆 主编

策 划 编 辑:孙战营

责 任 编 辑:孙战营 刘雪飞

标 准 书 号:ISBN 978-7-301-21761-0/D·3232

出 版 发 行:北京大学出版社

地 址:北京市海淀区成府路205号 100871

网 址:<http://www.pup.cn>

新 浪 微 博:@北京大学出版社

电 子 信 箱:law@pup.pku.edu.cn

电 话:邮购部 62752015 发行部 62750672 编辑部 62752027
出版部 62754962

印 刷 者:三河市北燕印装有限公司

经 销 者:新华书店

965毫米×1300毫米 16开本 18.75印张 238千字

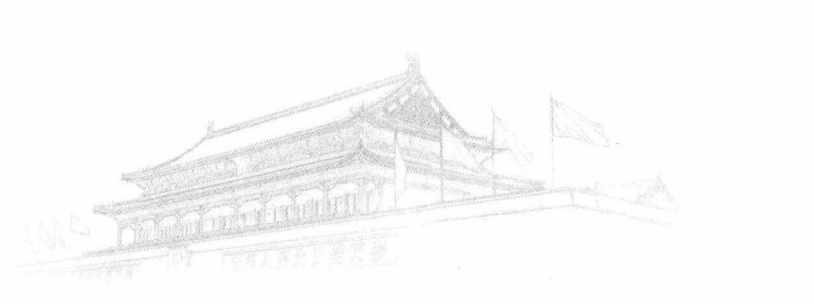
2013年1月第1版 2013年1月第1次印刷

定 价:40.00元

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People Can Carry Boat

System for Construction of Harmonious Society

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序

2004年9月19日,中共十六届四中全会在关于加强党的执政能力建设的决定中提出:“把和谐社会建设摆在重要位置,注重激发社会活力,促进社会公平和正义,增强全社会的法律意识和诚信意识,维护社会安定团结”^①。

一年后,在中共十六届五中全会上,温家宝在《关于制定国民经济和社会发展第十一个五年规划建议的说明》(2005.10.8)中,将构建社会主义和谐社会作为“推动经济社会发展的重要目标”和“经济社会发展的重要保障”。“和谐社会”概念提出后很快地成为政治界和学术界最流行的概念。目前实现“和谐社会”已成为整个国家及其各项建设努力奋斗的目标。

2005年2月21日下午,中共中央政治局进行了第二十次集体学习,时任中共中央总书记胡锦涛主持学习。会上他强调,要加强对构建社会主义和谐社会重大问题的调查研究和理论研究,着力提高构建社会主义和谐社会的本领,把社会主义和谐社会建设的各项工作落到实处。

2006年10月,中共十六届六中全会在京举行,审议通过了《中共中央关于构建社会主义和谐社会若干重大问题的决定》,研究了构建社会主义和谐社会的若干重大问题,一致认为,社会和谐是中国特色社会主义的本质属性,是国家富强、民族振兴、人民幸福的重要保证。

^① 《中共中央关于加强党的执政能力建设的决定》(单行本),人民出版社2004年版,第24页。



构建社会主义和谐社会,是我们党以马克思列宁主义、毛泽东思想、邓小平理论和“三个代表”重要思想为指导,全面贯彻落实科学发展观,从中国特色社会主义事业总体布局和全面建设小康社会全局出发提出的重大战略任务,反映了建设富强民主文明和谐的社会主义现代化国家的内在要求,体现了全党全国各族人民的共同愿望。

和谐社会的建构与三大文明的建设密切地联系在一起。建立和谐社会必须有相应的制度,这就需要对旧有的管理模式创新。

2010年,在中央政法委员会上,中央政法委周永康书记提出三点要求:化解社会矛盾,廉洁公正执法,社会管理创新。

社会管理创新的理由在于:(1)社会各领域有不协调之处;(2)社会管理方面存在着薄弱环节。社会管理创新的目的在于深入推进与社会主义市场经济体制相适应的社会管理体系的完善,提高党的执政能力,巩固党的执政地位,保障人民的安居乐业,加快社会管理建设,促进经济社会发展,维护国家的长治久安。

根据中央精神,当前社会管理创新的关键环节是三个方面的问题:一是流动人口的服务管理问题。在这方面,要按照公平对待、服务至上、合理引导、完善管理的原则,把流动人口服务管理纳入当地经济社会发展规划,特别要结合积极稳妥推进城镇化建设,加快推进户籍管理制度改革,着力解决流动人口就业、居住、就医、子女就学等问题,探索“以证管人、以房管人、以业管人”的流动人口服务管理新模式,提升流动人口服务管理水平。二是特殊人群的帮教管理问题,在这方面,要预防打砸抢烧违法犯罪事件、预防个人极端事件、预防黑恶势力犯罪;要贯彻落实中央办公厅、国务院办公厅转发的《关于进一步加强刑满释放解除劳教人员安置帮教工作的意见》,建立衔接机制,落实安置政策,加强日常管理,帮助刑释解教人员更好地融入社会,对社会闲散青少年,要开展调查摸底,尽量解决就学、职业培训问题。三是社会治安重点地区综合治理问题,在这方面,要以城中村、城乡结合部为重

点,整治先行、服务到位、管理落实,把这些地方纳入当地经济社会发展规划,完善基础设施,改善生活环境,健全基层组织,延伸公共服务,努力使其成为经济发展、环境改善、安全和谐的地方。

这三方面的工作都需要构建党委领导、政府负责、社会协同、公众参与的社会管理新格局,需要积极探索一条符合中国国情、具有中国特色的社会管理之路。

社会管理创新的主渠道是扩大公众对社区、市政的参与度,这可大大减轻社会管理的成本,问题的关键在于制度的设计要周密。

建立和谐社会是我们的目标,这就需要我们全面建立全社会的协商机制。这一机制应包括和完善九项制度:首长接待日制度,发言人制度,听证制度,对话制度,党务政务信息公开制度,特别信息公开制度,谈话制度,举报人的保护制度,人大代表、政协委员公开述职制度。协商机制的建立和完善,实际上是民主和法制的建设过程,它们不仅需要党和政府有关部门的精心组织,更有赖于公民民主意识的不断提高和积极努力。

这些年国内各地已或多或少地制定、推行、实践了这些制度,积累了诸多的经验。为了总结已有经验及在全国普及,并使之更具有可操作性,我们编著这本《民可载舟》一书,以推动和谐社会的制度建设。

中共十六届六中全会指出,新世纪新阶段,我们党要带领人民抓住机遇、应对挑战,把中国特色社会主义伟大事业推向前进,必须坚持以经济建设为中心,把构建社会主义和谐社会摆在更加突出的地位。到2020年,构建社会主义和谐社会的目标和主要任务是:社会主义民主法制更加完善,依法治国基本方略得到全面落实,人民的权益得到切实尊重和保障;城乡、区域发展差距扩大的趋势逐步扭转,合理有序的收入分配格局基本形成,家庭财产普遍增加,人民过上更加富足的生活;社会就业比较充分,覆盖城乡居民的社会保障体系基本建立;基本公共服务体系更加完备,政府管理和服务水平有较大提高;全民族



的思想道德素质、科学文化素质和健康素质明显提高,良好道德风尚、和谐人际关系进一步形成;全社会创造活力显著增强,创新型国家基本建成;社会管理体系更加完善,社会秩序良好;资源利用效率显著提高,生态环境明显好转;实现全面建设惠及十几亿人口的更高水平的小康社会的目标,努力形成全体人民各尽其能、各得其所而又和谐相处的局面。

民可覆舟,更能载舟。只要我们坚持以民为本,处处依靠人民群众的力量,共和国的这艘大船定能乘风破浪,勇往直前,从一个胜利走向另一个胜利。

Preface

On September 19, 2004, it is proposed at the Fourth Plenary Session of the Sixteenth Central Committee of the Communist Party of China on enhancing the Party's ruling capability that, "Priority should be given to the construction of a harmonious society; attention should be paid to arouse social vitality, promote social equity and justice; strengthen the legal awareness and integrity of the entire society, and maintain social stability and unity".^①

One year later, at the Fifth Plenary Session of Sixteenth Central Committee, Premier Wen Jiabao pointed out in his report, "*The Explanation of Proposals for the 11th Five-Year Plan on Development of National Economy and Social Development*" (August 10, 2005), that the construction of the socialist harmonious society should be regarded as "the important target to promote economic and social development" and "the vital safeguard of economic society advancement".

"Harmonious Society", once it has been put forward, soon became the most popular concept in political and academic areas. The realization of a "harmonious society" has become the goal for the whole nation and its various constructions.

In the afternoon on February 21, 2005, Political Bureau of the Central

^① "The CPC Central Committee on strengthening the party's ruling ability construction decision" (Reprint), people press 2004 edition, page twenty-fourth.



Committee of the CPC had the collective study for the twentieth times, which was hosted by Mr. Hu Jintao, General Secretary of the CPC Central Committee. In the meeting, he stressed that efforts should be given to conduct investigation into and make theory study of major issues concerning the construction of socialist harmonious society, to improve skills to construct socialist harmonious society and put into practice of all works concerning the construction of socialist harmonious society.

In October 2006, the Sixth Plenary Session of the Sixteen Central Committee was held in Beijing, deliberated and approved the “*CPC central committee decision on certain major issues of the construction of building a socialist harmonious society*”, the research of certain major issues on building a socialist harmonious society, agreed that the social harmony is the essential nature of the socialism featured with Chinese characteristics, and the imperative guarantee of the national prosperity and rejuvenation, and people's happiness.

To construct a socialist harmonious society is the vital strategic goal put forward by our party, it follows the guidance of Marxism-Leninism, MAO Zedong Thought, Deng Xiaoping Theory and the important thoughts of Three Representings, comprehensively apply the Scientific Outlook on Development, and in correspondence with overall arrangement for the cause of socialism with Chinese characteristics and building a moderately prosperous society in all respects, which reflected inherent request for building a powerful, democratic, civilized and harmonious modern socialist country's and embodied the common aspiration of the people of all ethnic groups and the entire party.

The construction of a harmonious society is closely linked with the Three Civilizations. To build a harmonious society must have the corre-



sponding system, which requires innovation of the old management model.

In 2010, Zhou Yongkang, Secretary of Central Committee of Political Science and Law, put forward three requirements: (1) to dissolve social contradiction; (2) to implement the law impartially and honestly; (3) to innovate social management. Social Management Innovation has become the common concept of the whole society since then. Social management innovation is aimed to perfect social management systems which corresponds to socialist market-oriented economy system, improve the Party's ruling capacity, safeguard the people's living standard, promote social management construction, stimulate economic and social development and maintain the society's long-term stability.

In line with the spirit of central government, the current social management innovation has focused on three problems: The first is the service management for floating population. In this respect, in the principle of fair treatment, the priority of service, rational guidance and perfecting management, the service management of the floating population should be brought into local economic and social development planning, especially while promoting urbanization construction actively and steadily, accelerating the reform of household registration system, and sparing no effort to solve floating population's problems such as employment, housing, medical treatment, children's schooling and so on, efforts should be made to explore the new mode of floating population service management with "regulating the life of people with residence permit, house property and work unit", to improve the service management of the floating population level; The second is the helpful and educational management for special groups. In this respect, it should prevent looting and illegal and criminal events, individual extreme events and black evil forces crimes; seriously apply "To



further strengthening the help and education on the released from prison and the re-education through labor", distributed by the General Office of CCCPC and the General Office of the State Council, establish cohesion mechanism, carries out resettlement policy, strengthen daily management, help the released from prison and re-education through labor better reintegrate into society, carry out further investigation on the social idle youth, try to solve the problem of education and vocational training; The third is social security comprehensive management in the key areas. In this respect, it should pay attention to take villages which existed in urban and rural-urban fringe zone as the key point, give priority to improvement, make service perfection and ensure the management become true, put these places into local economic and social development planning, keep infrastructure well-established, improve the living environment, sound organizations at the grass-roots level, extend the public service, and strive to make it become economic development, environmental improvement, secure and harmonious place.

These three aspects above are required to construct the new pattern of social management through building the party committee's leadership, the government's responsibility, whole society's collaboration, and public participation, for exploring a social management road which suits the national conditions and characteristic in China.

The main channel of the society management innovation is to expand public participation in community and municipality, which can greatly reduce the cost of social management. The key lies in the careful design of the system.

To build a harmonious society is our goal, we shall establish the consultative mechanism in the whole society. This mechanism should include



nine systems: Heads reception day system, Spokesman system, Hearing system, Dialogue system, Party and government affairs information publicity system, Special information publicity system, Conversation system, Informer protection system, Deputy to the National People's Congress and members of political consultative conference (CPPCC) public reporting on activities system, etc. In fact, the establishment and consummation of Consultation mechanism is the construction process of democracy and the rule of law, which not only needs elaborate organization by our party and relevant government departments, more depends on citizens' democratic consciousness constantly improvement and positive efforts.

Recent years, these systems are, to certain extent, formulated, implemented and practiced in all parts of the country, which accumulated a lot of experience. For the purpose of experience summary and popularization nationwide and making it more practical, "The People Can Carry the Boat" was compiled in order to promote the system construction of the harmonious society.

It is pointed out at the Sixth Plenary Session of the Sixteen Central Committee of the CPC that at the new stage of the new century, our party have to lead the people to seize opportunity and cope with challenges and advance the great cause of socialism with Chinese characteristics; have to persist in taking economic construction as the center task and put the construction of a socialist harmonious society on a more prominent position. By 2020, the goal and the main task of building a socialist harmonious society is: the socialist democracy and legal system should be more perfect, the basic strategy of rule of law be fully implemented, the rights and interests of the people should receive respect and safeguard; urban and rural area, regional development gap trend will be gradually reversed, a reasonable



and orderly pattern of income distribution will be basically formed, people will have more family property and lead a more prosperous life; a higher rate of employment, and a basic social security system covering both urban and rural residents should be established in general; basic public service systems should be further improved and the government will attain relatively significant improvements in administrative and service levels; the whole nation's ideological and moral qualities, scientific and cultural quality and health quality are obviously improved and the good morality and harmonious interpersonal relationship should be further developed; creativity of society as a whole will be enhanced markedly and an innovation-based nation will be established in general; the system of social management will be further improved and social order made sound; resource utilization efficiency improved significantly and the ecological environment improved obviously; to realize the goal of building moderately prosperous society in all respects with a high level and benefit over one billion people, try hard to form the situation which all people do their best, obtain proper social position and get along with each other harmoniously.

People can turn a boat over, and can carry the boat as well. As long as we insist on regarding the people as the foundation and depend on people's strength everywhere, the ship of the republic will be able to brave the winds and waves, moving forward, from one victory to another.

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第一章

首长接待日制度