

Examination of the Current Situation and Governance Suggestions of Chinese Domestic Enclave

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Abstract

Enclave is a special administrative area with unique governance value. The existing enclaves include administrative function dominant enclaves, base function dominant enclaves, population history dominant enclaves, and other types. Essentially, enclaves are the phenomenon of territorial changes caused by changes in personal jurisdiction, which have different causes in different periods. Improving the governance of enclaves requires clarifying the personal jurisdiction of enclaves, focusing on the development of residents, and promoting the improvement of enclave administrative management system in a typified and gradual manner. According to the inherent requirements of enclave governance, it is necessary to improve the jurisdiction system of enclaves, enhance the evaluation of enclave governance, and expand participation in enclave governance.

Keywords: enclave, administrative jurisdiction, public governance

1. Introduction

Enclave is a special type of administrative region, referring to a special area that belongs to an administrative division but is not adjacent to that administrative division. Enclave existed widely as early as the Warring States period, and the land of some vassal states was not adjacent to their own territory and separated by hundreds of miles. In the 28th year of the Qing Dynasty's Daoguang reign (1848), the Governor of Anshun, Guizhou Province, elaborated on the three types of flower arrangements in the Guizhou region: "Huali Land", "Canya Land", and "Outuo Land". Among them, "Huali Land" is currently the commonly used enclave. The phenomenon of enclaves, which involves various factors such as geography, culture, and history, is an unavoidable and important topic in modern national governance.

2. Sorting out the Types of Enclave Status Quo

The term enclave is widely used in modern times, encompassing both local government park cooperation and phenomena such as separation of people and land. Among them, "flying out" refers to an administrative region that has administrative management rights over an enclave but is not connected to it, while "flying in" refers to an administrative region that is connected to an enclave but does not have administrative management rights over it.

According to whether the government of the enclave has direct jurisdiction over any aspect of administrative affairs, it can be divided into administrative enclaves and non administrative enclaves. Administrative enclaves are a typical and traditional type of enclave, such as Sanhe City, Xianghe County and Dachang Hui Autonomous County in Hebei Province and Juntianhu Prison in Shanghai. Non administrative enclaves mainly refer to economic enclaves, especially various types of parks formed by economic cooperation agreements between local governments, such as the Shaoguan (Shenzhen) Offshore Science and Technology Innovation Center and the Shaoguan enclave marketing center established by Shaoguan City in the Pearl River Delta. More precisely, an enclave should specifically refer to an administrative enclave, which is a special area belonging to an

administrative division but not adjacent to that administrative division. According to incomplete statistics, the existing enclaves in China cover various levels including provinces, cities, counties, villages, and even village groups.

According to the functions, historical development, and evolution process of enclaves, China's enclaves can be divided into administrative function dominated enclaves, base function dominated enclaves, population history dominated enclaves, and other types.

2.1 Administrative Function Dominant Enclave

Administrative function oriented enclaves are characterized by the main purpose of their existence being to maintain specific administrative management activities. The most typical administrative function dominated enclave is the prison administrative enclave, and in addition, enclaves such as universities also belong to this type of enclave.

2.1.1 Prison Administrative Enclave

Prison administrative enclaves refer to enclaves that exist in detention facilities such as prisons and reform through labor, with a cross regional prison management system as the external manifestation.

This type of enclave mainly emerged after the founding of the People's Republic of China and is closely related to the crackdown on criminal activities in the early days of the country. Its purpose is to solve the labor reform of criminal offenders in mega cities. According to the Shanghai Prison Chronicle, within the first ten years of the founding of the People's Republic of China, the number of new inmates in Shanghai prisons was only two years lower than ten thousand. In order to solve this problem, on August 6, 1958, Jiangle and Taining counties in Fujian Province established the Minbei Shanghai Farm, mainly for accommodating reeducation through labor personnel. In June 1962, it was relocated to Anhui and renamed as Juntianhu Farm. In 1974, it was transformed into a labor reform unit and organized as the "Shanghai Third Labor Reform and Discipline Corps". Prison type enclaves mainly exist in the prison management systems of Shanghai and Beijing, covering Beijing Qinghe Prison Branch, Shanghai Baimaoling Prison, Shanghai Juntianhu Prison, Shanghai Sichah Prison, and Shanghai Wujiawa Prison, among others.

2.1.2 Separation of Jurisdictional Enclaves

Separation of jurisdiction type enclave refers to an enclave formed by the separation of part of the administrative affairs management authority of the enclave from the land jurisdiction of the enclave. Generally speaking, the government of the place of departure has the authority to manage some administrative affairs of the separated jurisdictional enclave, but mainly adopts the principle of territorial jurisdiction for matters outside of that administrative affairs.

Therefore, the dominant function of such enclaves is also reflected in the administrative management authority of the flying out government over separate jurisdictional enclaves. The most typical enclave with separate jurisdiction is the enclave of colleges and universities. For example, Hebei University of Technology is affiliated to the government of Hebei Province, but its registered residence and land in Tianjin Campus are under the jurisdiction of Tianjin City, which forms the situation that the administrative jurisdiction of higher education affairs is separated from the jurisdiction of other administrative affairs.

2.2 Base Function Dominant Enclave

The main function of a base function oriented enclave is to ensure the supply of industrial, agricultural and other raw materials in the central city. According to the differences in supply content, it can be divided into farm based enclaves and mining based enclaves.

2.2.1 Farm Based Enclave

Farm based enclaves refer to enclaves that exist in the form of farms to supply the city with staple foods, agricultural products, etc. From the perspective of their origins, there are two types: first, the establishment of enclaves was mainly aimed at supplying urban agricultural products and sideline food, such as the Lianjiang Grassland of Shanghai Agricultural Reclamation Bureau; Secondly, for a long period of time after the existence of the enclave, it mainly existed as a prison, such as Shuanghe Farm in Beijing.

In the era of planned economy, due to the rapid industrialization of central cities, a large number of non-agricultural populations were gathered, requiring a large supply of agricultural products to ensure the orderly development of the urban economy. On the other hand, industrialization would lead to the conversion of agricultural land in the suburbs of cities into industrial land, making it difficult for the supply of agricultural products in the suburbs of central cities to support the needs of urban residents. For example, important industrial cities such as Beijing, Shanghai, and Qingdao in China have successively been incorporated into agricultural counties in surrounding areas. However, due to the lack of reliable, stable, and diverse agricultural

product supply bases in central cities, coupled with the involvement of many local games in administrative divisions, it is difficult to obtain stable agricultural product supply solely by adjusting administrative divisions. Therefore, central cities have to seek to obtain agricultural product supply from farther regions. At the same time, in order to ensure the management of corresponding farms in the central city and avoid local protectionism issues caused by cross regional jurisdiction, it is necessary to transfer the jurisdiction of such enclaves to the central city.

2.2.2 Mining Area Base Type Enclave

Mining base type enclaves refer to enclaves formed by dividing mining areas into non adjacent cities in order to ensure the mineral supply of cities, such as Shanghai Datun Coal Mine and Meishan Metallurgical Base. In the “Shanghai Chronicle Industrial Branch Chronicle”, it is pointed out that the Meishan Metallurgical Base is aimed at “solving the problem of insufficient supply of pig iron in Shanghai.”

This type of enclave is related to the enterprise social system in the planned economy era: in order to ensure the supply of minerals in key cities, the state allocates minerals far away from the city to key state-owned enterprises affiliated with the city; At the same time, in order to ensure that the workers of state-owned enterprises enjoy the same social treatment as the original state-owned enterprises, the registered residence registration management of the employees of the base will be included in the registered residence of the city where they fly in, and they will enjoy the treatment of residents of the city. For example, in 2023, the Shanghai Municipal Education Commission issued a notice on the registration work for the 2024 Shanghai General College Entrance Examination, which allowed children of employees from Shanghai’s rear base units in Meishan, Datun, and Lukuang to participate in the Shanghai college entrance examination under certain conditions.

2.3 Population History Dominated Enclaves

Population history dominated enclaves mainly refer to enclaves formed by historical population migration and other factors, which are difficult to adjust in one go due to their long duration and are left behind.

2.3.1 Population Migration Type Enclaves

The population migration enclave refers to the enclave generated by the population’s active migration, land trade or reclamation, which leads to the population’s separation from its registered residence registration, and ultimately leads to the population’s location being managed in its registered residence registration.

Population migration type enclaves are the main source of enclaves, such as military reclamation during the Ming and Qing dynasties, agricultural reclamation and land trading after the founding of the People’s Republic of China, and land transactions during the feudal society, all of which can form population migration type enclaves. There are two management systems for this type of enclave: first, the land jurisdiction of the enclave is completely merged with personal jurisdiction, forming a strict sense of enclave, such as the flower arrangement land that has long existed between Guizhou and Hunan provinces; Second, territorial jurisdiction such as land jurisdiction in enclaves is separated from personal jurisdiction such as registered residence and education.

2.3.2 Historical Legacy Enclaves

Historical legacy enclaves refer to situations where there is a special historical and cultural connection between the enclave and the enclave over a long period of time, resulting in enclaves being placed under the jurisdiction of the enclave according to the wishes of its residents.

This type of enclave is generally evolved from population migration enclaves, and due to long-term geographical isolation, there are difficulties in cultural integration with the incoming enclave, forming a strong cultural identity of the enclave towards the outgoing enclave. For example, Shicao Gou Village, Jingziguan Town, Xichuan County, Nanyang City, Henan Province, is of this type. Due to the recognition of Henan Province by the villagers, the zoning adjustment of the area in the early stage of liberation was opposed by the residents and could not be changed.

2.3.3 Boundary Survey Legacy Enclave

Boundary demarcation legacy enclaves refer to enclaves that occur due to boundary demarcation between administrative regions or adjustments in administrative divisions. This type of enclave includes two types: one is formed after the boundary survey interruption; Secondly, it is formed by adjusting the zoning according to certain purposes.

The interrupted enclaves mainly exist at the border of Gansu and Ningxia provinces, such as Wenbao Township and Xueyang Village in Longde County, Guyuan City. During the period of the Republic of China, the “Revised Chronicle of Longde County” pointed out that Longde County was already “crisscrossing its border areas, with a great disparity between China and the outside world.” In 1953, 1955, and 1956, the original Longde County in Gansu Province successively transferred and changed land with Xiji County, Jingning County, and Zhuanglang

County. In this zoning adjustment, Wenbao Township and Dian'an Township were merged into Longde County. After the establishment of Ningxia Hui Autonomous Region in 1958, Longde County, which was under the jurisdiction of Gansu, was merged into Ningxia, resulting in the difficulty of adjusting the enclave across provinces and regions, which has been maintained to this day.

The remaining enclaves formed by adjusting zoning according to certain purposes are mainly distributed in the suburbs of cities. The main reason for the formation of such enclaves is that after the urbanization or industrialization areas of the mother county where the central city is located are incorporated into the central city, the mother county of the original central city is divided into multiple areas, and the agricultural areas still belong to the mother county of the original central city. Moreover, due to the dispersion of agricultural areas, the original mother county has evolved into suburbs surrounding the central city, and there is a phenomenon of the mother county's areas not being connected to each other. For example, in 1951, Quanzhou City (county-level) was established by separating the original city gates and 8 townships in the suburbs of Jinjiang County, resulting in Xinjinjiang County being divided into two by Quanzhou City (county-level), forming an enclave.

In addition to the three major types of enclaves mentioned above, there are also economic development zone type enclaves in China. Economic development zone type enclaves are enclaves primarily carried by economic development zones. According to whether the land jurisdiction of the enclave belongs to the flying land, it can be divided into the following forms: first, the land jurisdiction of the enclave is completely transferred to the flying land, such as the Lutai Economic and Technological Development Zone in Hebei Province and the Lingjin Management Park in Hangu Economic Management Zone; The second is that part of the administrative management authority of the enclave is allocated or made special arrangements based on intergovernmental agreements or orders from the common superior government. For example, Article 4 of the Guangdong Shenshan Special Cooperation Zone Regulations divides the management authority of Shenzhen and Shanwei cities in the Shenshan Cooperation Zone. For purely economic enclaves that do not bear or enjoy administrative management rights, they belong to a broad definition of enclaves and do not belong to enclaves in administrative divisions.

In summary, the existing forms of enclaves in China are complex, with various reasons for their emergence. There are differences in the management systems of different enclaves, making it difficult to strictly follow a consistent plan to promote enclave governance reform. Therefore, research on enclave governance should focus on the common characteristics of different types of enclaves, examine the specific representations of individual enclaves, reflect on the difficulties of enclave governance, and ultimately serve the improvement of enclave governance.

3. Reflection on the Dilemma of Enclave Governance

The complexity of enclave types, diversity of sources, and multiplicity of management systems inevitably lead to many problems in enclave governance. The governance of enclaves involves both general common issues and special contradictions arising from special types of enclaves. Analyzing the dilemma of enclave governance can provide a window for examining the concepts, models, and methods of enclave governance, and help to reflect on the deep-seated factors of enclave issues.

3.1 The Difficulties of Enclave Governance

The geographical status constantly affects the performance of administrative functions, so in practice, the boundaries of administrative divisions are generally divided according to the shape of mountains and rivers, but enclaves are an exception. Due to the special geographical conditions between enclaves and their outgoing and incoming areas, there are many challenges in the management of enclaves. For example, in September 2013, an explosion occurred at the Zengbao warehouse in Guangzhou. The owner of the incident was Zengbu Production Society in Xijiao Village, Liwan District, but the administrative management was under the jurisdiction of Baiyun District, resulting in a blind spot in administrative management.

3.1.1 Difficulties in Administrative Management

Administration according to law is the fundamental requirement for modern governments to carry out public governance. According to the law, administrative agencies are required to have jurisdiction over the administrative counterparties they wish to govern. From the perspective of geographical distance between enclaves and flyouts, there are both Shanghai Dafeng Farm and Beijing Shuanghe Farm that are farther away from the flyouts, as well as those that are closer to the flyouts, such as Wenbao Township, Longde County, Guyuan City, Ningxia Hui Autonomous Region. There is a certain correlation between administrative management and the state of space. Overall, the administrative management issues in China's enclaves are reflected in the relatively weak control of the government over the enclaves.

Firstly, it is difficult for the local government to effectively implement normalized administration. In order to maintain administrative management of the enclave, the government of the enclave adopts two models in

practice: first, the government of the enclave maintains administrative law enforcement forces in the enclave and is ready to respond to various governance issues that may arise. For example, Hebei Province has maintained the establishment of three county-level administrative regions in the three northern counties of the enclave; The second is that the government of the enclave does not maintain administrative law enforcement power in the enclave, but only handles disputes among the residents of the enclave, such as the widely existing various types of population migration enclaves.

The administrative management model of enclave areas can easily lead to two opposite directions of enclave governance: insufficient law enforcement and excessive law enforcement. Insufficient law enforcement has led to the ineffective governance of enclaves by the local government. For example, in ancient times, enclaves were often reduced to three neglected areas. According to the “Guanxian Annals”, the 18 villages in Guanxian County, an enclave, “stand out between Qinghe and Weixian in Hebei Province, 130 miles away from the city. The terrain is far apart, customs are diverse, bandits are rampant, and there is a mix of people and education.” Excessive law enforcement makes it difficult to effectively stimulate the economic vitality of enclave areas, wasting limited financial and staffing resources. Regardless of the governance tendency, it is extremely easy to cause waste of administrative management resources, leading to disorderly enclave governance and difficulty in effectively maintaining normal administrative management levels.

Secondly, the crisis of enclave administrative management is further highlighted in response to abnormal emergency management such as accident handling and public health incidents. Emergency administration mainly targets sudden events such as natural disasters, public health, accidents and disasters, and social security. Emergency administrative power refers to the administrative power that the government should have in response to emergencies, which differs from normal administrative power. On the one hand, although the government of the enclave has the ability to quickly handle emergencies within the enclave, for example, Qiqihar City in Heilongjiang Province has the ability to quickly handle various accidents at Shuanghe Farm in Beijing. However, due to the division of administrative management power, the enclave does not have emergency response power; On the other hand, although the local government has emergency administrative power over the enclave, it lacks the ability to handle various unexpected events in the enclave. In addition, emergencies such as fires have a certain degree of contagion, which can easily lead to risk events in enclave areas spreading to the ground, and the risk hazards continue to expand.

3.1.2 Unequal Public Services

Basic public services are a necessary condition for the survival and development of people in a society, and equalization of public services emphasizes the equalization of basic public services enjoyed between individuals. In practice, the government of the enclave has adopted policies such as financial and tax support, and equalization of education levels, but the governance of enclaves still inevitably leads to insufficient public services. The unequal distribution of public services in enclaves is mainly reflected in the unequal supply of public goods such as education, healthcare, heating, electricity, and water supply.

One is the gap in public service levels between enclaves and flyouts. Taking mining and farm base types as examples, the governments of fly out areas such as Beijing and Shanghai have implemented education policies consistent with those of fly out areas, allowing them to enjoy the same employment, medical, and education policies as those of fly out areas. However, it is difficult to bridge the actual gap in public service levels between fly out areas and fly out areas. In practice, adopting a high fiscal subsidy model is also difficult to effectively curb the gap between enclave talent reserves and central cities.

The second is the gap in public service levels between enclaves and landing areas. Due to the fact that enclaves generally belong to administrative regions with higher levels of public service compared to enclaves, it is easy to create a gap between enclaves and enclaves in areas such as healthcare, education, employment, and social security. As a result, it is difficult to streamline the management system of enclaves: enclave residents who enjoy higher levels of public services are not willing to adjust to enclaves with lower levels of public services.

3.1.3 Inconvenient Living Conditions for Residents

Generally speaking, the registered residence management of residents in enclaves belongs to the mode of flying out, for example, several enclaves in Shanghai and Beijing are all in this mode, except for the isolated enclaves. For example, Hebei Province is only responsible for managing the higher education related business of Hebei University of Technology, but not the registered residence business of the university. In reality, because residents rely on the registered residence management system to handle many affairs, it is difficult for enclave residents to achieve rapid and convenient settlement.

The inconvenience of residents' life is mainly reflected in: (1) inconvenience in handling administrative affairs: relying on the registered residence management system, all administrative affairs of enclave residents need to be handled by the government of the enclave, for example, the handling of resident identity certificates, judicial

litigation business, etc.; Secondly, there is a regional cultural conflict between the enclave and the landing site, resulting in a high incidence of public security cases.

3.2 Reflection on the Governance of Enclaves

The administrative difficulties, uneven public services, and inconvenient living conditions of residents in enclaves reflect the problem of lagging public supply caused by the spatial separation between enclaves and enclaves. From the perspective of convenient governance, the existence of enclaves itself is a violation of the modernization of the governance system. However, adjusting the management of enclaves at once is susceptible to interference from stakeholders such as enclaves, flying out, and flying in residents. Therefore, after summarizing and reflecting on the root causes of the difficulties in enclave governance, it is necessary to analyze the governance concepts and models that modernization of enclave governance should have.

3.2.1 The Essential Reasons for the Existence of Enclaves

The division of administrative jurisdiction is based on administrative divisions, which determine the scope of administrative jurisdiction of a specific administrative region government. The boundary of administrative regions is generally aimed at maximizing administrative management efficiency, strictly following the principle of convenient mountains and rivers, and rarely encountering situations where the administrative region government and its jurisdiction are not adjacent to each other. According to the previous discussion, the existence of enclaves is influenced by various factors such as economy, military, culture, etc., and different types of enclaves have also developed. Different types of enclaves have different causes, but generally have certain commonalities.

From the perspective of the development process of enclaves, most of them have gone through the mode of “population migration in the enclave – land transfer in the enclave – enclave management right in the enclave”. In some cases, this mode will be transformed into “enclave management right in the enclave – land transfer in the enclave – enclave population management right in the enclave” or “land transfer in the enclave and migration in the enclave – enclave management right in the enclave” and other modes. In special circumstances, population migration, land allocation, and acquisition of enclave management rights can be carried out simultaneously. Under the influence of the existing registered residence management system, personal jurisdiction can, to a certain extent, break through territorial jurisdiction. In addition, the functional requirements of the local government for enclaves lead to the corresponding changes in territorial jurisdiction of enclaves, resulting in the consistency of personal jurisdiction and territorial jurisdiction, thus forming enclaves in a strict sense.

Therefore, the essence of an enclave is that, due to the functional requirements of the enclave, when the government of the enclave needs to maintain personal jurisdiction over the residents of the enclave, it involves transferring part or all of the territorial jurisdiction of the enclave to the management of the enclave.

3.2.2 The Fundamental Path to Good Governance in Enclaves

From the essential reasons for the existence of enclaves, the fundamental path of enclave governance lies in clarifying the personal jurisdiction of enclave residents. By streamlining the personal jurisdiction of enclave residents, it is possible to achieve stable equalization of public services, and on this basis, gradually adjust the enclave zoning in a timely manner.

According to the existing mechanism, the personal jurisdiction of enclave residents that needs to be clarified mainly includes: (1) the relationship between the public service system of the enclave and the enclave residents: determining which type of service needs to be integrated with the enclave and the enclave, and determining which type of public service can significantly improve the convenience of enclave residents after being transformed into enclave jurisdiction; (2) the relationship between the administrative management system of the enclave and the enclave residents: clarifying the relationship between the enclave residents and the enclave and the enclave in administrative affairs management; (3) the social and economic support policy of the enclave: clarifying the impact of the enclave on the development of the enclave. The types, contents, and mechanisms of support policies that should be undertaken. By clarifying the personal jurisdiction of enclave residents, the territorial jurisdiction of enclaves can be gradually and timely adjusted based on this, achieving an orderly unity of personal jurisdiction and territorial jurisdiction, and gradually eliminating administrative divisions that lead to chaos in enclave governance.

4. The Transformation Concept of Enclave Governance

The purpose of public governance is to achieve modernization of governance and share development achievements. As a special form of public governance, enclave governance should gradually, orderly, and classified improve the governance system while ensuring the development rights of residents.

4.1 Centered on the Right of Residents to Development

The sound and perfect governance of enclaves should adhere to the concept of putting the people at the center,

promote the integration of enclave governance with the development of residents, realize and protect the rights of enclave residents in development, and promote the systematization of enclave governance.

Firstly, the governance of enclaves should adhere to the center of residents' development rights and orderly streamline the management system of enclaves. The adjustment of administrative divisions is related to the immediate interests of enclave residents, and the practice of administrative division adjustment in China has also proven that only by fully respecting the opinions of regional residents can the reconstruction of administrative divisions be quickly, steadily, and orderly achieved. Especially for the large number of historical legacy enclaves at the village level and below in the existing enclaves, the economic and cultural connection between them and the enclave is relatively weak, lacking a sense of geographical identity.

Secondly, the governance of enclaves should adhere to the key of maximizing the development rights of enclave residents, and efficiently achieve the integrated development of enclaves, enclaves, and enclaves. The enclave simultaneously connects the enclave and the enclave, especially when the enclave owners of prison administrative enclaves, farm base enclaves, and mining area base enclaves are mainly from economically developed areas. By relying on the geographical advantages of enclaves, a base based enclave centered economic development support linkage system can be constructed, gradually transitioning to economic development zone enclaves, optimizing the industrial and commercial layout of enclaves in a timely manner, adjusting industrial structure, and achieving the transformation of enclaves into economic highlands. For example, Hebei Province has transformed the original Hangu Farm into the Tangshan Hangu Management Area, undertaking over 200 Beijing Tianjin transfer projects, introducing multiple Beijing Tianjin scientific and technological achievements, and forming six major industrial pillars.

Thirdly, the governance of enclaves should adhere to the center of safeguarding the development rights of enclave residents, and gradually achieve the efficiency, equality, and intelligence of enclave public services. By optimizing the public service system of enclaves, we will gradually achieve equalization of public services between enclaves and flyouts, as well as between enclaves and fly into the ground, promote the intelligent construction of enclave public services, and gradually achieve efficient construction of enclave public services.

4.2 Categorize and Streamline Management System

The reasons for the emergence of different enclaves vary, and there are also differences in the actual state. The Regulations on the Administration of Administrative Divisions state that "when establishing, revoking, or changing the affiliation or boundaries of administrative divisions, economic development, resources and environment, cultural history, topography and landforms, and governance capabilities should be taken into consideration." From the difficulty of adjusting the enclave, population composition, and historical and cultural factors, it can be sorted out in the following order.

Firstly, enclaves dominated by administrative functions should adhere to the principle of strict preservation, unless the original administrative management functions are transferred or eliminated. The necessity of adjusting this type of enclave is relatively small: firstly, prison type enclaves are mainly used as places for labor reform, and the correlation between administrative affairs, public services, etc., and the enclave is relatively small; The second is a separate jurisdictional enclave, in which, except for specific administrative operations that belong to the management of the destination, other administrative management rights generally belong to the destination, and there is no need to adjust the administrative management system for such enclaves. Administrative function oriented enclaves need to pay attention to intergovernmental cooperation issues in emergency administrative states, ensure that risk events are controlled within the minimum scope, and if necessary, establish intergovernmental cooperation mechanisms and groups to improve emergency administrative cooperation.

Secondly, the function oriented enclave of the base can gradually adjust the management of registered residence and gradually integrate into the economic development of the enclave. In the practice of the functional oriented enclave of the base, it is mainly under the jurisdiction of state-owned enterprises. Its registered residence management system continues the method of the planned economy era, and follows the management of the location of the centralized state-owned enterprises. However, with the increase of population mobility and the gradual improvement of the national unified market, it is not conducive to the development of such enclaves to continue to adhere to the link between registered residence management and the subordination of state-owned enterprises. This type of enclave can be adjusted from public services such as public transportation to the management of the flying in government, gradually reducing the attribute of state-owned enterprises running society, while retaining the ownership of the flying out government's enclave land and land planning rights. On this basis, we will adopt the "new method for new people and the old method for old people" to gradually freeze the system that links registered residence management with the subordination of state-owned enterprises.

Thirdly, population history dominated enclaves should be strictly investigated for their causes and difficulties in adjustment, and gradually and steadily promote the management of enclave systems. According to the difficulty

of adjustment, it can be divided into two types: first, if the geo cultural difference between the flying out place and the flying in place is small, and the integration between the flying in place and the flying in place is good, the change of personal jurisdiction can be gradually promoted by gradually adjusting the registered residence management policy, and on this basis, the complete change of territorial jurisdiction of the flying in place can be realized, and such enclaves can be gradually eliminated; The second is that there are significant geopolitical differences between the flying out and flying in areas, and there are high incidence of various types of conflicts and disputes between the flying in areas. If the residents of the flying in areas have significant opinions on zoning adjustments, such flying in areas should adhere to the principle of prudence and prudence; Thirdly, if the flying out and flying in areas are already under the same administrative region and the difficulty of adjustment is extremely low, the boundary of the administrative region can be adjusted.

4.3 Gradual Clarification of Enclave Jurisdiction

The existence of enclaves has its historical inertia, and the adjustment of their management system cannot be achieved overnight. In practice, for example, the adjustment of enclaves in northeastern Sichuan has gone through a long period of time. Gradual adjustment emphasizes that local governments should follow certain plans when adjusting the administrative divisions of enclaves, and gradually promote the transformation of the enclave management system.

Firstly, an intergovernmental cooperation mechanism should be established to prudently evaluate the types of enclaves and adjustment plans. In practice, a joint working group can be jointly established by both flying out and flying in to determine the causes, types, and adjustment difficulties of the enclave based on historical analysis, population structure, functional orientation, and other methods. If necessary, a list management approach can be adopted. For those that can be adjusted in one go, the method of zoning adjustment should be adopted; For situations where it is not possible to adjust and change the status quo of an enclave at once, personalized enclave adjustment plans can be designed based on the characteristics of the enclave. In addition, if necessary, it is possible to rely on intergovernmental cooperation mechanisms to establish joint law enforcement working groups at the boundaries of enclaves, allowing the working groups to cross administrative boundaries for law enforcement, avoiding confusion in administrative management work such as enclave security and transportation.

Second, the registered residence management and public service system of enclaves should be gradually adjusted to achieve the orderly integration of enclave development and enclave entry. Registered residence management can be set up in a certain adjustment transition period according to the “new method for new people, old method for old people”. After the transition period, the registered residence management of enclave residents can be unified into the administrative organs of administrative divisions under the new management system; During the transition period, the registered residence management of enclaves should implement strict inventory management to reduce the migration of people outside the region. For the public service system in enclaves, the relationship between the content of public services and administrative management should be gradually adjusted. For issues that do not involve administrative jurisdiction, such as heating, water supply, and power supply, they should be first included in the management of enclaves.

Thirdly, the administrative management system of enclaves should be gradually streamlined, and the jurisdiction of enclaves should be adjusted in a timely manner when necessary. In practice, the administrative jurisdiction of an enclave can be transferred in the order of administrative commission, administrative assistance, and administrative jurisdiction when flying out or in. For example, the flying place grants the government or state-owned enterprises of the flying place the power of delegation to perform specific administrative management matters on the flying place, allowing them to accept various registration matters submitted by the flying place residents on behalf of the flying place government, and uniformly transfer them to the flying place government, which determines whether to handle them. At the same time, when the conditions are ripe, the flying out government can allow the flying in government to assist in managing the flying in area, and even the competent civil affairs department can decide to classify the flying in area for management.

5. The Improvement Path of Enclave Governance

Improving the governance of enclaves should be carried out in a typified and gradual manner, while respecting the wishes of enclave residents. In the long run, the fundamental path to improving enclave governance is to orderly promote changes in enclave zoning, but due to the difficulty of changing enclave zoning. Therefore, at present, we should adhere to a stable and orderly improvement of the jurisdiction system of enclaves, improve the evaluation of enclave governance, and expand participation in enclave governance to achieve orderly governance of enclaves.

5.1 Improve the Jurisdiction System of Enclaves

The jurisdiction system of an enclave refers to the management and arrangement mechanism for specific

administrative, economic, and cultural affairs within the enclave area. The jurisdiction system of enclaves can rely on the path of organizational law to seek a reasonable system arrangement. According to the requirements of different matters related to enclave governance, the jurisdiction system involved in enclaves can be divided into agreement jurisdiction, delegated jurisdiction, and emergency jurisdiction.

Firstly, the jurisdictional agreement refers to the intergovernmental agreement reached between the governments of the place of departure and the place of entry regarding the management system of the enclave, which determines the authority or jurisdiction over specific public affairs of the enclave in accordance with the provisions of the intergovernmental agreement. From a nature perspective, the jurisdiction of the agreement depends on intergovernmental agreements, such as the intergovernmental economic cooperation agreements widely existing in China's economic development zone enclaves.

From the perspective of the content of the agreement jurisdiction, it can include the following contents: (1) Administrative assistance matters. The flying out and flying in places can clarify the specific administrative assistance matters undertaken by the government of the flying in place, such as the transmission and registration of administrative documents, partial administrative confirmation and investigation assistance, etc. (2) Matters related to the division of fiscal and economic powers, such as the division of taxes on flying in places between flying out and flying in places. (3) Matters related to public services, the flying out place can agree with the flying in place on the public service functions undertaken by the flying in place for flying in places. In practice, Tianjin Hongqiao District transferred the territorial management of 13 enclaves to Beichen District, which is an example.

Secondly, delegated jurisdiction refers to the management mechanism in which the government of the enclave entrusts some government functions to the government or other organizations of the enclave. For example, for farm based enclaves, state-owned enterprises managed by farms can be appropriately entrusted to exercise some government functions.

According to the relationship between the exercise of government functions and enclaves, delegated jurisdiction can include: (1) delegation of public services such as social affairs, such as education, heating, etc. (2) delegation of some administrative functions, such as investigation of administrative confirmation matters, service matters of administrative registration, etc. (3) delegation of some emergency functions, such as delegation of emergency management for enclave fire safety.

Thirdly, emergency jurisdiction refers to the temporary and temporary management or assistance of emergency matters within the enclave by the local government based on the urgency of emergency administration. Specifically, it includes the following: (1) emergency assistance for fire protection, (2) assistance in sudden public health emergencies, and (3) assistance in public safety incidents. The government of the destination can actively intervene in the emergency management of the enclave, such as exercising health and quarantine functions at the boundary between the enclave and the destination. When necessary, the incoming government may temporarily exercise the management power of emergency administration within the enclave in response to the requirements or authorization of the outgoing government. After the elimination of emergency administrative events or the cancellation of authorization or delegation from the government of the place of departure to the government of the place of entry, the government of the place of entry shall cease to exercise emergency jurisdiction.

5.2 Evaluation of the Governance of Sound Enclaves

Article 13 of the Administrative Division Management Regulations states that when applying for administrative division changes, the basic information of the administrative division, risk assessment report, expert argumentation report, public opinion, and other materials shall be submitted. According to this regulation, the administrative division of the changed enclave shall submit the aforementioned materials. In order to further improve the governance system of enclaves and effectively safeguard the right of public participation, it is necessary to improve the governance evaluation mechanism of enclaves.

Firstly, the governance evaluation of enclaves has an inherent correspondence with the provisions of Article 13 of the Administrative Division Management Regulations. This article proposes the main content of the application materials for administrative division change, which essentially requires the shoe machine authority to submit an evaluation report on the current and future status of enclave governance. For example, the risk assessment report focuses on the main problems of enclave governance and the social risks that may exist after the change of division.

Secondly, the governance evaluation of enclaves has the characteristics of multi-level and diversified evaluation. (1) Combining static and dynamic characteristics. According to Article 13 of the Administrative Division Management Regulations, the basic information of administrative divisions includes "the basic information of history, geography, ethnicity, economy, population, resources and environment, administrative area and

affiliation”, which reflects the static governance structure of enclave areas. The risk assessment report, on the other hand, takes a closer look at the potential governance risks that may arise after changes in enclave planning, and elaborates on the dynamics of enclave governance. (2) The combination of internality and externality. From the perspective of the evaluation subject, it not only includes the argumentation report of third-party experts, but also the opinions of the enclave residents as participants in enclave governance.

Thirdly, the governance evaluation of enclaves should adhere to long-term evaluation to determine whether the administrative division of enclaves has changed. According to the Regulations on the Administration of Administrative Divisions, an application for a change in administrative division should go through at least two evaluations and investigations: firstly, the evaluation before the application is submitted by the local government, and the local people’s government should actively evaluate the current situation of enclave governance and determine whether to apply for adjustment; The second is the verification and evaluation of the application materials by the superior people’s government, which can take this as an opportunity to conduct another evaluation of the governance of the enclave. Only when it is confirmed through evaluation that there are no serious social consequences for adjusting the enclave, can the administrative division of the enclave be adjusted.

5.3 Expand Participation in Enclave Governance

The enclave objectively connects the flying out and flying in, and the public affairs of the enclave require the collaborative participation of the flying out and flying in. Adjacent relationships refer to social and legal relationships that occur through the use of adjacent immovable property as a medium. Therefore, in civil law, adjacent parties are granted neighboring rights, and the exercise of these rights should not infringe upon the legitimate rights and interests of the other party in the adjacent relationship. Although there is no adjacent relationship similar to civil law in administrative law, there is a commonality between the two in terms of governance of adjacent areas.

Firstly, improve the planning and evaluation participation of the enclave and its adjacent areas. Article 4 of the Urban and Rural Planning Law points out the principles of “reasonable layout, land conservation, intensive development, and planning before construction”, emphasizing that planning should “meet the needs of regional population development”. As a special administrative area, the planning of enclaves has unique characteristics that differ from other general types of areas, affecting the social and economic development of enclaves and their adjacent areas. Therefore, the urban and rural planning of enclaves should match the planning of their neighboring areas. Therefore, in practice, the planning of the enclave and its adjacent areas can be determined through a joint evaluation and decision-making process before submitting the plan to the flying out and flying in areas. If necessary, the specific content of the plan can be submitted to the joint superior administrative authority for confirmation.

Secondly, improve the participation of public service construction in enclaves and their adjacent areas. Firstly, in practice, intergovernmental agreements can be adopted to determine the public service system of enclaves and their adjacent areas. For example, the government of the flying out and flying in areas can form a comprehensive system agreement on public roads, public transportation, collective heating, water and power supply, etc. in the flying out and adjacent areas. Based on this intergovernmental agreement, improve the integration and equalization of public service construction between the outbound and inbound areas. Secondly, the public service policies of enclaves can be optimized, guided by the principle of reciprocity, allowing enclaves and their adjacent areas to share the achievements of public service development.

6. Conclusion

Enclave governance is an important form of national governance and a significant challenge to administrative management and intergovernmental relations. By typifying and gradually improving the governance system of enclaves, it can not only meet the equalization of public services but also conform to the development rights of enclave residents. In the long run, enclaves need to implement timely adjustments in administrative divisions to fundamentally improve the governance of enclave areas.

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