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Passive absence study of the tourism management and the analysis of its corresponding measures

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ABSTRACT

With the rapid development of China's market economy, the improvement of people's living standards and coupled with the increase of foreign tourist arrivals, China's tourism industry develops very fast. However, along with the high-speed development, the good and bad intermingled situation in the tourist industry appeared. In recent years, scandals in this industry broke out one after another, such as rising ticket prices, fraud, hard sell, environmental pollution, which seriously affected the healthy development of China's tourism industry. One of the main causes of the non-standard phenomenon in China's tourism industry was the passive absence of China's tourism management, which included the lack of government management and the lack of Chinese law. Many local governments took tacit or inactive attitude in face of local non-standard tourist industry because currently tourism economy had gradually substituted the agriculture as the local finance source in many places. In order to ensure fiscal revenues, some local governments took that attitude. Some local governments were not aware of the importance of tourism economy and failed to fulfill their duties, leading to the low level of local tourism market development. The formally implementation of "Tourism Law" in 2013 ended the law-absent phenomenon in China's tourism industry. However, the implementation time is very short, the effect is not obvious, and the detailed rules are still not perfect.

KEYWORDS

Tourism management; Passive; Absence; Study; Measures.



INTRODUCTION

As the rapid growth of economy, so does the development of China's tourism industry. Some non-standard market behaviors gradually emerged in tourism market along with the gradually expanded of the tourism industry. The implementation of the "Tourism Law" in 2013, to some extent, strengthened the supervision power of relevant administrative authority to the management of China's tourism industry. However, after carrying out the "Tourism Law" for nearly a year, the problems of management absence in China's tourism industry still exist. The passive absence of tourism management is the main cause of the non-standard China's tourism industry. To strengthen the management, standardize the industry and promote healthy sustainable and rapid development of China's tourism industry, passive absence of China's tourism industry must be studied and the corresponding measures must be worked out according to the problems.

Government management absence in China's tourism industry

The absence of government management in China's tourism industry mainly reflects in three aspects, namely policy, public services, and lack of system.

(1) The lack of public policy

In China, departments which have the right to make public policy are the National People's Congress and its standing committee, the state council and the organizations under the authority of the state council and local governments (as shown in Figure 1). The government guides and regulates the behavior of citizens by making public policies. The government formulates rational and effective development and utilization policies and the use of their guidance function is the premise to realize scientific and healthy development of local tourism industry. First of all, the government's policies provide direction for the local tourism industry development. Getting rid of the government guidance and simply relying on market regulation, the local tourism industry will experience a long exploration process. The development process of tourism industry more or less cause damage to the local environment. If allowing the local tourism industry to grope repeatedly, it is bound to wreak havoc on local ecological environment. Once damaged, it is difficult to restore. Secondly, the government integrates resources and realizes the maxim utilization of tourism resource via the policies. It is unable for an enterprise to complete a local tourist attraction development project and it can only be achieved through the government's policy support or resources regulation. Finally, government standardizes the order of the local tourism industry and maintains the normal operation of the local tourism industry via polices.

The government's public policy and local tourist industry development is complementary (as shown in Figure 2). As mentioned above, the government's public policy decides the level and scale of the local tourism industry development. However, from another perspective, the local tourism industry development level affects the local economic development, thus influences the considered factors when government makes decision and ultimately affects the government's decision. Therefore, the government should attach importance to the role of public policy and make scientific decisions.

Full consideration must be given to the local ecological resources, local characteristics, tourist capacity and other factors when making government tourism policies. Research to the local conditions must be carried out before making the policies so as to avoid the discrepancy between the policies and actual situations. Policy absence or guidance errors bring adverse effect on local tourism industry development. Some local governments blindly pursue the increase of local fiscal revenue in the tourism development process, neglecting research before making policies and ignoring the bearing capacity of the local ecological environment and tourism. The overlook of investigation and evaluation of enterprise comprehensive situation during the introduction of tourism development projects brings about plummeted benefit of project in the late implementation and leaves a mess. This not only affects the local economy development, but also causes damage to the local ecological resources. For instance, because of the lack of policy guidance and the blindness in tourism projects development, some travel companies caused serious destruction to ecological system. The Eighteenth National Congress of the CPC puts ecological civilization construction in the important position. Governments should develop local tourism industry on the basis of protection of the local ecological environment. To achieve this goal, local governments should strengthen the scientific policy-making and system thinking, standardize local tourism market through policies, provide direction for market and guide the healthy and benign development of local tourism, drive the local industrial structure adjustment with tourism and promote local economic development.

(2) The absence of public service

The absence of the government public service exists in some counties in China. Some places possess rich tourism resources development potential but fail to play economic power due to traffic inconvenience, low level of local service and other factors, taking Qinling tourist area as an example. With the improvement of standard of living, requirements for tourism living conditions are also emphasized. Backward traffic, low level of service of the restaurants and hotels, especially the hygienic problems in restaurants and hotels, all leave very negative impact on the local tourism industry development. Now tourism industry begins to create local brand and the regional public service quality is one of the most important parts of local brands. Providing public services and public facilities are basic function of government. However, some local governments failed to perform public service function and took a negative attitude to the local tourism industry development, which slowed down the pace of the local tourism industry development and affected the living standards of local residents.

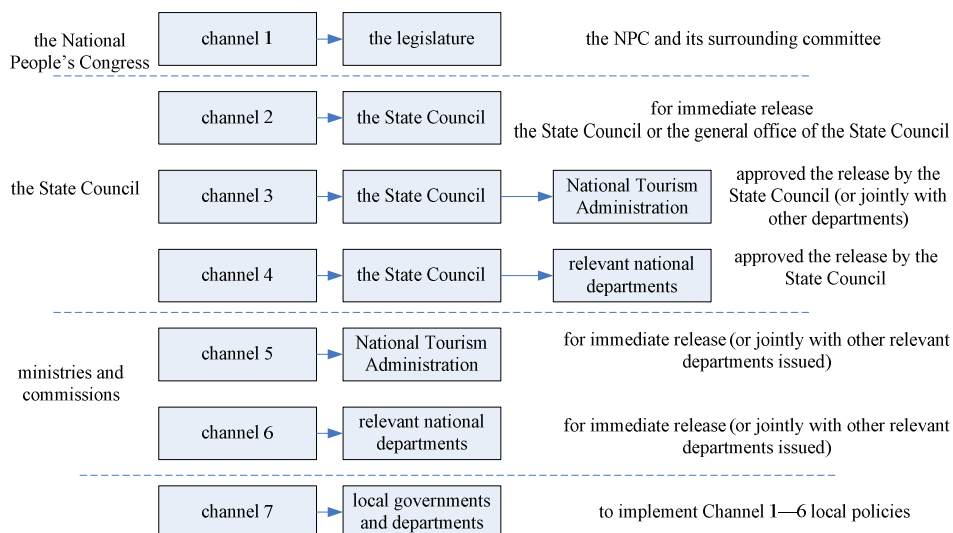


Figure 1 : Policy-maker of the tourism industry

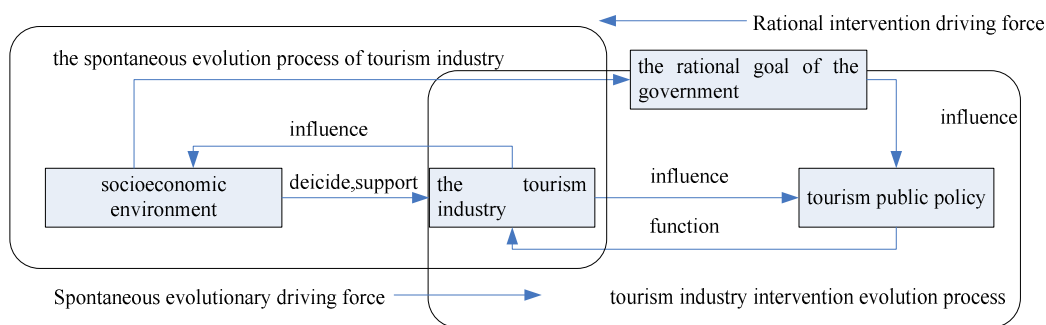


Figure 2 : Figure of tourism industry evolution process

(3) The absence of system

In recent years, scandals in China's tourism industry appeared one after another. Every year, the National Day holiday should be a golden week for tourism, however, all sorts of disharmony appear in the process of tour every year, for instance, a pair of lovers was blackmailed when they developed pictures shot by a vender photographer in the National Day holiday in Xi'an, 2014. Failing to pay the massive fees, the girlfriend was detained. When the news reported, internet users carried out extensive discussion. From the point of current situation, China's tourism market system is not standard; there are many flaws and problems. The root lies in the lack of regulation on tourism market and the government's failure to establish a sound system for tourism industry. First of all, many local governments do not attach great importance to the local tourism industry regulation. Therefore, hard sell and even blackmail appear in some tourist attractions. Secondly, the operation of tourism market across the country is still not mature, lacking of perfect industry discipline. The discipline construction of tourism industry not only relies on the self-discipline of the practitioners, but also on the government's guidance and enforcement. Finally, government is not strict with the management of located tourism enterprises and short of supervision and restriction on enterprises' irregularities due to the lack of unified management system.

The absence of China's tourism industry law

On October 1, 2013, the tourism law of the People's Republic of China" implemented formally. The formal implementation was a milestone in China's tourism industry legislation. It changed the fuzzy status of management institutions and defined the functions of government and relevant departments. Regulations were set according to some basic situation of tourism industry, which effectively improved the protection of consumer rights and interests. The role of "Tourism law" played on the tourism market was very obvious. By defining the responsibility of the government and the relevant institutions and enhancing the supervision of the administrative organ on tourism market, the reform pace of China's tourism industry was speeded and the sustainable development of tourism industry was promoted.

Although the "Tourism Law" has played a significant role in China's tourism market management, China's tourism law legislation is still in its infancy and legislation is not fully mature. Every perfect law needs to experience long-time practice and revision. Compared with the present criminal law which was enacted in 1987 and has experienced eight times revision, China's "Tourism Law" is a relatively young law and many drawbacks still exist at the time being. From the conflicts happened in many scenic spots during this year's golden week holidays, it is easy to find out that the implementation

of the "Tourism Law" is not a plain sailing. The effect of implementation of the "Tourism Law" is not obvious and the reasons are as the follows.

First of all, the provisions of "Tourism Law" lack corresponding operation details. For instance, "Tourism Law" requires the official data of maximum bearing capacity of the scenic spots but fails to set corresponding statistical standards. Because of the lack of operating conditions, many scenic spots cannot offer their maximum capacity. The imperfect operating details result in the "Tourism Law" rules existing only in name, and the problems of this industry are still not solved.

Secondly, the supporting system is still in the development. To implement the "Tourism Law" needs the corresponding supporting system to match the implementation. After implementing the "Tourism Law" for nearly a year, nationwide supporting system of industry management system has been developed. For example, the relevant departments in many places organize law enforcement teams and carry out regular or irregular checks on local scenic spots. The malpractices and irregularities, once found, shall be banned. However, due to the short-time of the implementation, the nationwide supporting system is imperfect and immature, which leads to weak law enforcement and non-standard local tourism industry.

Thirdly, the nature of "Tourism Law" is modest. Wang Yang, vice premier of the state council, proposed it was in troubled times that heavy penalties were used. The unhealthy phenomenon of tourism industry should be governed by law. According to Chinese law scholars, Tourism law is not a tool used by the government to control the tourism market, but only a measure to standardize it and keep a good balance between tourism consumers and the interests of the tourism market so as to realize the balance of interests legally and make the market enter benign track. Therefore, it is impossible for "Tourism Law" to show an immediate effect in the governance of the market.

In addition to the Tourism Law, local regulations were also introduced in many places. Actually, big tourism provinces had introduced some relevant local administrative regulations to standardize local tourism market management since the reform and opening up and also had obtained some certain effect. Such as "Speeding up the Cultivation of Tourism Pillar Industry and Construct Tourism Economic Province" issued by Sichuan province, "Some Suggestions on Speeding up the Tourism Economic Development around the Huangshan Mountain, the Jiuhuashan Mountain and the Taiping Lake" issued by Anhui province. However, with China's accession to the WTO, China's tourism market also develops quickly along with China's economic growth. The rapid development of tourism, the increasingly complex situation of tourism market coupled with the neglect of some local governments lead to the local administrative regulations gradually losing their functions.

CORRESPONDING MEASURES TO CHANGE PASSIVE ABSENCE OF CHINA'S TOURISM MANAGEMENT

Perfect China's tourism industry management system

Firstly, the government should strengthen the guidance of tourism industry. The third plenary session of the eighteenth central committee pointed out that the core issue of the economic system reform was to handle well the relationship between the government and the market. Government should avoid of excessive intervention and laissez fair. The development process of tourism industry needs to consume local ecological resources, which will affect the local ecological environment to some extent. Affected by this characteristic of tourism industry, the government must strengthen the guidance of the industry and solve the problems of absence, dislocation and inadequateness in tourism management. According to the spirit of the eighteenth central committee, in order to achieve the goal of setting up a service-oriented government, the government should, on the one hand, leave the solvable problems to the market, and on the other hand, pay special attention to the development direction of the tourism industry, shoulder government responsibilities and promote healthy development of local tourism industry. The development pattern of tourism industry under the guidance of government is shown as Figure 3.

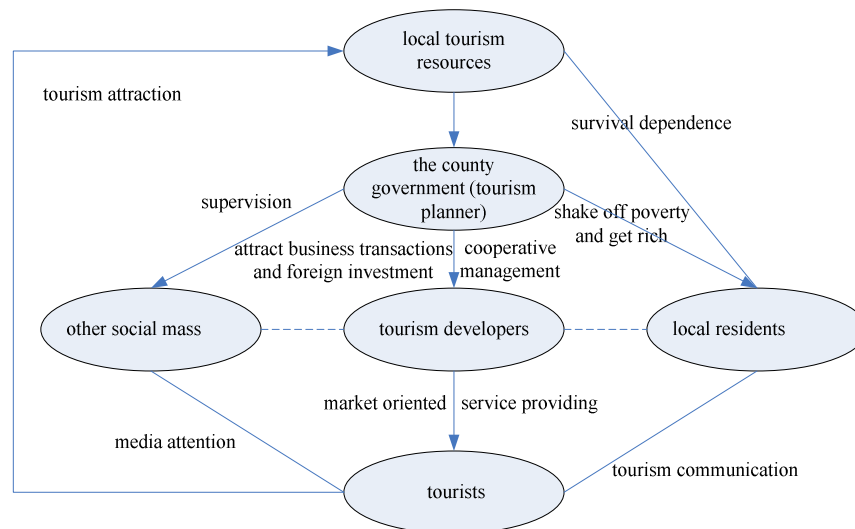


Figure 3 : The development pattern of tourism industry under the guidance of government

Local governments should unveil timely corresponding policies according to the local situations and support the development of local tourism industry. When making out tourism policies, the local tourism environmental bearing capacity must be fully considered. Tourism environment carrying capacity refers to the load of ecological environmental bearing capacity, the number of tourists and local residents' psychological bearing capacity of the tourism business area in a certain period of time and under the premise of no destruction. The calculation of tourist environmental bearing capacity generally use the model of economic capacity, namely,

$$DEBC = \min (DEBC1, DEBC2, DEBCi,) \quad (1)$$

$$DEBCi = SSi / DDi \quad (2)$$

Secondly, the construction of China's tourism law enforcement team should be strengthened. The advanced laws and policies also need to be implemented by law enforcement. Currently, the relevant law enforcement inspection departments have been established across China and the inspection gradually becomes a routine. China's local governments should attach great importance to the enforcement of the industry, enhance the quality of law enforcement members and strengthen the supervision of the local tourism market.

Perfect the legal system of China's tourism industry

To standardize China's tourism industry and strengthen the management of tourism industry, it is necessary to speed up legislation. Strong legal system is the management basis. In Asia, Japan has perfect relevant legislation in tourism industry; the level is up to those of the developed countries in the world. Therefore, Japan can be used as a reference for China. Because of the relative small size, Japan attaches great importance to the domestic tourism industry development. Japan' perfect tourism law system was set up in correspondence with its developed tourism. Japan's tourism law system includes the civil and commercial law, the basic law of tourism, the special law of tourism, decrees, bureau (department), standard system and trade contracts. In general, the implementation time of Japan's current tourism law is long and the laws and regulations are mature and perfect, which offers a very powerful legal support and protection for Japanese tourism industry. Both China and Japan are the civil law countries. Therefore, Japan's legislative lesson can be drawn so as to speed up the pace of China's tourism legislation. In addition, local governments should formulate the corresponding administrative law according to their local conditions and implement the national norm tourism market policy.

CONCLUSION

In order to achieve healthy and rapid development of China's tourism industry, the management of this industry must be strengthen and the industry market must be standardized. And to achieve the above purposes, the problem of China's current passive absence of tourism management must be faced. By solving these problems and the system of tourism management will be gradually perfected.

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