

"City Psoriasis" Empirical Investigation and Legal Thought

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Abstract: In recent years, constantly promoting the urbanization construction in our country, many sensitive and stubborn problem increasingly exposed. City streets, ubiquitous small advertising is one of them, be known as "city psoriasis" image. It not only has great social harm, such as impact various eyesores, harassment residents life, but also contained in the small ads and the spread of the illegality of various kinds of illegal information is more serious. In the face of this city ills, many cities in China are taking steps to deal with problems, small advertising but to little effect. This paper is located in Beijing Huilongguan communities, for example, empirical investigation, the problems of the city small advertisement from the legal level, and put forward practical and effective legal advice.

The Background Introduction, Empirical Investigation:

The Dangers of Small Advertising. It is regarded as the city management ills, is harmful to the society: "Urban psoriasis" is an image of the metaphor, refers to the city without approval, ubiquitous, pervasive illegal printing, sending out all kinds of wild advertising, post, spraying, difficult to effect a radical cure and recurrence. Whether it is at the heart of the bus station, overpasses, or quiet living community, always can see the figure of small advertising. The first manifestation of social harmfulness is caused great distress for community residents. Small advertising practitioners in the process of distributing, post, spraying, and pedestrians, residents, and law enforcement personnel dispute, disrupting traffic, even to the opposite sex sexual harassment. Another manifestation of social harmfulness, is a small advertising seriously affected the environment of the city construction and external image, damage the good various eyesores.

Part of illegality in small advertising, is not conducive to the construction of the rule of law society: Most small illegal or contents of the advertisements are prohibited by the law, such as some provide forged identity documents, offering a variety of fake diplomas, fake diplomas, etc.; Some porn service, the above text, images, a pornography, sexually explicit, will seriously affect the physical and mental health of minors, the corrosion of the inner world of adults, induced crime; Even some small ads, contains all the information for the false information, its purpose is to fraud and misleading customers for pedestrian, such as the folk prescription of traditional Chinese medicine, inferior health supplies. All of these advertising content, different levels of violation of the stipulations of relevant laws and regulations, is not conducive to the construction of the rule of law society in our country.

The Flood Cause of Small Advertising. Against the dangers of small ads, to put forward effective control measures, especially the legal measures, this paper analyzes the causes of small advertising must be flooded. The author believed that the cause of "urban psoriasis" spread mainly include:

The most fundamental reason is the economic factors: Compared with the commercial advertisement issued through formal channels, small advertising is a cheap means of business promotion. Released by low cost, convenient and quick effect of small ads, publishers can achieve its economic goal. This small ads get the favor of the small-scale operators or illegal operators, become a "shortcut" for management, cost savings. Empirical investigation, we found that some managers use this small advertising propaganda way also feel very helpless: they know that their behavior can damage the public sanitation and the city much more, but in the cruel, competitive market economy environment, moreover there is no other, cheaper and effective choice.

Information dissemination channels are limited: At present, our country is still in the process of urbanization, many cities, especially small and medium-sized city infrastructure construction is not mature, some public facilities is not yet complete. Is now busy roads, commercial center, residential areas and other public places, and not set free to post the public information exchange platform of information, such as public bulletin board, etc. The lack of infrastructure, make some information, particularly personal rental housing, company recruitment, such as legal requirements, can only to post, send out, spraying of small advertising illegal dissemination of form.

It has certain social requirements: On the one hand, some illegal services provided by the small ads, such as false papers, erotic services, has its own market and serve the people. It is this not through legal channels to meet the market demand, makes the small ads persist, it is difficult to eradicate. On the other hand, some small advertising provided by the service is not illegal, but some life services, such as the lock, dredge pipe, moving, etc, these information, the resident may not use at ordinary times, also won't go to collect; But special cases for urban residents is really useful.

The Use of Legal Means to Manage Small Advertising There Are Some Questions: The lack of related laws and regulations in our country, the legal system is not sound: At present, China's current legal system is not aimed at small advertising problem formulate special laws and regulations and legal regulation on small advertising more referring to various administrative rules, local rules and regulations. Therefore, in the face of small ads, "could not be in accordance with the" embarrassing become reality. Related department law enforcement have difficulty:

In Beijing, for example, although each year and each area county of Beijing urban management, health, telecommunications, transportation, government department as the punch, but to little effect. Law enforcement agencies have also felt very upset. Recently, a news report triggered the netizens' buzz: Beijing consultancy services for organizations distributing materials without authorization, was arrested after convictions, implement the illegal distribution of small ads again, so the Dongcheng district urban management bureau in accordance with relevant legal regulations for its fine of \$100000, known as "Beijing hit the highest ticket" small advertising. There is no denying the fact that the big punishment for a small advertising practitioners can be an effective deterrent, but whether effect a radical cure, still in doubt. Even forced small advertising industry to adopt a more concealed way to implement the illegal behavior.

Our country citizen's legal consciousness, the consciousness of environmental protection city: According to the statistics of the public security department, in the captured small advertising practitioners, most of the migrant workers working in Beijing, most of them employed by people, earning a meagre living expenses, and even about the behavior of richtswitrig unaware. Some part-time workers, most of them are reading of college students, they see this as a way of work-study programs. And community residents, because the accustomed for small ads, or is afraid of illegal gangs forces, in the face of post, spraying of small advertising behavior does not go to tube, dare not tube; Some people even take small advertising information, engaged in buying fake diplomas, buying fake invoices.

The Small Advertisement Huilongguan Communities of Empirical Investigation

Huilongguan is located in the north of Beijing, with 8.5 million square meters of very large scale community, the resident population of 300000 people, is recognized as the first big Asian communities, residential area is the largest national culture. Huilongguan is the product of rapid construction of urbanization in our country, and there are many floating population and high volume, so "psoriasis" problem in the Huilongguan area of development.

Community, Subway Station, Bus Station as "Disaster Zone": The author found in the investigation: the favour of small advertising is one of the open, early completion of the village, the residents of these pervasive small ads, though never tired, but also helpless. Meteor garden village is located in culture road on both sides, is s Huilongguan town built earlier open area. In almost every residential buildings near the road, on the wall, dense with life in small ads, the content of all kinds. Although residents' committees regularly organize people to paint, but small advertising content can still see very well. Reason is that these small ads, have a plenty of stick-on small card, more is printed directly go up, and went up with watering can directly spray directly, very difficult to clean up. Yukon know west road on the west side of the trine farm village, the residents also encountered the same situation. According to a local neighborhood committee staff, sometimes, neighborhood office door handle, will be stuffed with several supermarket sale flyer, the corridor is littered with a few pieces. Community residents' committees are organizations governance activities, but have little effect. Public transport hub to become another small advertising "areas". Huilongguan area have more than one station, each subway station around, especially the road flyover, was full of all kinds of small advertisement, mostly directly paste up or write in coatings. The content is multifarious also. In Huilongguan know west road and Huilongguan west street intersection of the intersection, is located in a shopping supermarket, bus station and a bus hub site in the square, about 60 square meters of area, was covered with yellow, card the size of a small advertising, content is very consistent, it's all about to deal with the fake documents. For local residents and passengers, this is damage to the living environment of "devastating".

The Residents See Little Need to Strengthen Advertising Management. In the process of investigation, we found that most of the residents are turned off small advertisement. However, has a different voice, calling for more rational view of the problem. Some residents said the small ads have also brought convenience to the life in a certain extent, also can't completely veto, think bad all the small ads. "Some of the contents of advertisements for residents, sometimes really can help, but this kind of propaganda way to let a person can't stand, must improve." Citizens, Mr. Zhang suggested, "we hope that relevant departments can continue to strengthen the regulation of small advertising disorderly stick disorderly painting, more specification, more guidance. Also hope that the government and residents' committees set up inside the village in a couple of announcements, publicity column, don't be locked them. We have a house to rent, also have a place to post."

City "Psoriasis" Legal Thinking

Aiming at the causes of "psoriasis", especially in the use of legal means to manage problems of small advertising, combined with the empirical investigation, the author in view of the city small advertising problem thinking on the level of law, the governance of legal governance measures are put forward:

By means of the law, comprehensive control of urban ills:

Through perfecting legislation, strengthening law enforcement, especially to perfect relevant laws and regulations, make up for the legislative gaps, improve legislation, promote the

development of the rule of law society.Both to small advertising to a certain degree of city governance, and strengthen the construction of the rule of law, promote construction of the rule of law and civilized communities.

Must improve the legislation do law enforcement evidence, strict law enforcement to form the norm of law enforcement and judicial participation shall be investigated for criminal responsibility, fear of law set up the consciousness of rule of law, from the legislation, the multiple angles of law enforcement, judicial and law-abiding, and explore the ways and methods of governance.[3]

A Traditional Way to Change the Post-Processing, Give Priority to in Order to Advance Prevention. At present, the urban management department in the face of small advertising usually adopt the method of post-processing, focus on "clean" instead of "governance".In order to control and even eradicate the problem of "psoriasis", the urban management department need to use all kinds of high-tech means to report, supervision and investigation.Many of the European and American countries system has a strong reference value for us, especially set up a volunteer punishment system.In the post-processing mode, we rely on urban residents or college students as volunteers.So with its, be inferior to destroy the city volunteering offender, ordered them to engage in community service, dedicated to clean up their paste small advertisement, make its self education and self reflection.Both for illicit small advertising practitioners can form the effective deterrence and prevention effect;Can change again before implement fine means to treat such a person, to avoid some unnecessary disputes and promote social harmony.

The Prevention And Control Of "Small Advertisement" Problems Urgently Needed To Improve Citizens' Legal Consciousness. The proliferation of small advertising, reflects the citizens' legal consciousness in our country.Which requires the urban management department, grassroots autonomous organizations and to promote the rule of law in a certain range, thus improve the citizens' legal consciousness, city consciousness, environmental protection consciousness.

Through the analysis of the background to produce the above problems, the empirical investigation and legal thinking, help us through legal channels, further prevention and control of urban small advertising problem.This has important practical significance and legal meaning: not only is beneficial to beautify the urban environment, maintaining the city's image, promote the construction of community environment construction, is more advantageous to reduce serious consequences caused by advertising fraud, reduce the incidence of crime, maintaining social order, promote the process of governing the country according to law.

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