

WT41 – The search for a form of governance suited to the challenges of the 21st century

Session 1

The Chinese vision

- Challenges are not related to the legal system (improvement of the laws : but to the Chinese social context and the implementation of laws. Governance is a much broader notion than the rule of law, answers and solutions should be looked at beyond the legal frame, within the society.
- 4 major social changes: ideological change (from class ideology to harmonious society ; shift from a closed to open society; shift from a planned to market economy; shift from the rule of man to the rule of law.
- Main challenge 1 : political stability
- Main challenge 2 : setting up of common values
- Main challenge 3 : balance between development needs and market: development boosted by competition of the different provincial governments, mostly economic. Reason: performance management system. This competition system showed limits.
- Main challenge 4 : impact of globalisation on the government: communication challenge in 21 century: how to improve top down communication systems?
- Need to enhance communication instruments at the lower level of the population/citizens.
- Main challenge 5 : balance between short term and long term interests
- Main challenge 6 : political corruption/trust between government and citizens
- Main challenge 7 : new cooperation schema between government and civil society (strong state and weak civil society)
- Main challenge 8 : crisis management
- Main challenge 9 : how to rebuild the order of ethics?
- how to find a good balance between strong and weak government?

- CCP and government: reform aimed at balancing the CCP and government. For instance, CCP role: public policies; choose and train official; ideology level. Central government role: organise CN public affairs, provide public services such as education, health care, etc
- government and legal system: Independence between administration and justice
- central and local government: should give more power to local governments (experience for the past thirty power: fiscal power, now administration power, in the future should give more power in the political area).
- government and the market: Free market economy is a big change, more power to enterprise and companies so that the market can play the rules BUT market economy can also bring lots of social problems → need a balance between social and economic development.
- government and civil society: now CN civil society is very weak so need to promote the role of the CN civil society in the development process of CN.
- Widespread recognition of democracy and low participation gap (lack of participation incentives in village elections due lack of local empowerment)

the European questions addressed to Chinese

- what are the principles that would guide the new/modern Chinese society indicating what the new citizen of CN is and how does he respond to it?
- How to combine relationship between individual and individual responsibility and the notion of public collective good?
- What is the difference between the Chinese concept of governance and other country's concept of governance? What is specific to the CN governance concept?
- Would the solution be in introducing more democracy within the CCP?
- How come CN that has a highly centralised uniform administration encounters problems to implement and enforce central

- government laws in provinces? Where does the vertical and horizontal contradiction within the CN administrative system come from?
- How to act in the absence of a legal framework and with political leadership suspicion about civil society's action?
- Is there any political courage coming from CN official in order to support public participation?
- how to build confidence in government?
- does CN have a political strategy to fight corruption? Relation between prevention of corruption and severe punishment.
- What is the place of the informal sector?
- How to formalise informal sectors?
- How do to evidence based politics?
- What about alternative systems (dispute resolution, banking)?
- Gender issue
- how to use poor people resources?

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The European vision

- Shift from a-historical a-political to political, geopolitical understanding of the question of governance not only at the EU level but also international level: what kind of power does the EU want to be? What kind of instruments does it want to use? For instance, the issue of public good, environmental programme, migration and security issues. Gap between consciousness and participation (delivery).
- Governance questions has two dimensions: spatial and time: a. need to think about global level governance, thinking at the EU level is not enough; b. some problems encountered now will last thousands for years, our governance system is focused in the wrong direction (too short term view)
- How should Europe act? International level : a. differentiate itself on the ideological, values point of view?
- International level b. Governance structures are not adapted to the current situation, e.g. development international institutions: proposes to invent mechanisms that address challenges as they emerge, instead of creating big static institutions. A multilateral functional approach, at the international level, could be a solution. For example, global health fund
- European national level: a. political crisis that raises the question of how to reform the party system? how to redefine the terms of politics in the globalisation today?
- European national level: b. how to make a co-production of welfare (refers to the concept of harmonious society): if want to change the way of co-production of welfare at each level, have to start the changes at the level of upper ranking civil servants.
- European national level: c. How to improve the relationship between civil society and decision making, can do it by increasing levels of decision making over goods at the regional or local level (works for health, environment, primary school, for decision of life BUT not for complex question such as intellectual property rights...). Issue of transparency of information so have to increase the amount of information with regards to civil society.

- how to combine at the civil society level ?
 - 1) quality of democracy with quality of governance: tension between social cohesion and efficiency, in the sense of quality of the services provided. Value issue: where's the middle ground between efficiency (profit oriented) and social cohesion, equity
 - 2) legitimacy against democracy: public good definition: there a balance problem between political parties and civil society organisation. Legitimacy of civil society: comes from those who provide legitimacy (voluntary donation). Have to give another perspective to legitimacy.
 - 3) national against global level.
 - 4) legislative and executive entities within the government and the civil society.
- Governance becomes all inclusive not so much focused on values/moral but also strategies building mechanisms. Elements of participation are becoming essential for the development of governance (all sections of society need to participate, borders being blurred, etc).
- EU issue of governance can be looked at two interconnected level: national level and EU level institutions (EC, OECD...) level EU face challenge to find good practice for governance, particularly in eastern Europe countries: Issues of transparency and accountability; institutions restructuring; transparent political parties; independent judiciary; e governance.
- 2 issues: how do we teach in this new context and the academic world has longer term view than the political world.
- Challenge : 1) ethical humanistic outlook: what are the new way of doing things, new responsibilities emerging?
- Challenge :2) modern world view: addressing the world in very segmented approach, compartmentalisation of the disciplines. Now interdisciplinary approach is needed.
- Challenge : 3) translation problem: how do we translate the terms from one discipline to the other? How to translate and integrate terms in different languages?

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Session 3

Similarities

- Shared governance problems but different perspectives : -e citizenship : advantages and disadvantages of the improvement of communication channels, - press independence and quality of the information, -national and local government level: long term versus short term interests (election short term interests for Europe and short term development interests for China)
- unity in EU and CN, ongoing debate about values, identity linked to the need for reorganisation of the society (what society model is wanted for the future?): harmonious society/welfare state and questioning the current value systems:
- EU identity, what are the borders between national/local and EU identity? Can the EU defend local diversity, culture, creation of a system of governance in favour of diversity?
- CN similar concerns, CN society is in a period of transition in terms of values (ex: traditionally emphasise on responsibility and less on rights; now more individual rights and less responsibility; shift from collective to individual way of thinking). How to rebuild this value system?
- international crime organisation: need cooperation
- Every country applies different social model, but the need to ensure a basic health care system is acknowledge in every state (rural, urban area)

Differences

- Development stages : - approach to media, newspaper : EU quality decrease, disinterest of people. CN people are still using press as a tool for exchange of ideas and discussions and not simply as a source of information.
- Social inequalities: CN's development has provoked an increasing gap between rural and urban areas. CN government

- acknowledge this problem and is trying to address it but cannot be solved within a few years.
- alternative dispute settlement in CN? Rule of Law in CN: CN has to set up a complete system and has no legal tradition but it doesn't China is intending to implement the rule of law. Some issue are: raising citizens awareness of law, improving condition to enable the civil society to act. CN is looking to improve the rule of law but is looking for alternatives dispute settlement mechanisms, such as court mediation, petition system, etc.

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How to enhance the dialogue between China and Europe ?

- Dialogue about the construction of a multipolar world:
- Questions: - what approach to take? Suggestion of taking a multilateral functionalist approach. - how can we promote our values and at the same time accommodate realities of globalisation? - what instruments for a dialogue? Adopt new instruments, new institutions? - how can we, together, pin point at the global challenges we are facing?
- the first step to for solving problems is dialogue; dialogue needs patience in order to overcome barriers (language, mentality, interests, etc); we have to work on how to enhance dialogue on various sides (power/authority – society – action learning): 1) official level, 2) citizen level, 3) within the cooperation process on concrete actions/projects (international crime, environmental level, food safety, etc...).
- have to be more frank with each other, have to meet the challenges on the ground and not only on theory/abstract terms.
- On the EU and the CN side: need to abandon the old positions (paternalistic/universalistic approach and typical CN attitude of cultural bias) to engage in a more honest/frank dialogue.
- 1) need to take a global viewpoint 2) mutual learning, exchanges, experience sharing. Taking actions is very important no matter small or big scale actions 3) official/formal or non official organisation can be set up to enhance this cooperation process.
- Ensure a bridge/pipeline of continuous stream of info and exchanges through: a) academic, institutions, cultural, etc exchanges; b) NGOs, institutes partnerships c) setting up working groups to work on issues such as migration, gender issue, environment, etc. Propose to start working a set of questions and issues that then can be brought for discussion in another China/Europe Forum.
- Share experience but always adapt to local situation, e.g. transparency problems in the process of privatisation in BU can be exchange with Africa, e.g. in the case of water privatisation but always adapt in a particular concept.
- The language barrier has to be acknowledged and worked on.
- Need to introduce/diffuse the concept of good governance in the university curriculum. CN students have to better understand, know the concept in order to use it in their working life.