

**CIDA CHINA PROGRAM GOVERNANCE WORKSHOP**  
**OTTAWA, APRIL 20-21, 2004**

**“STRENGTHENING UNDERSTANDING THROUGH DIALOGUE IN CANADA-CHINA GOVERNANCE PROGRAMS” - AN ISSUES PAPER PREPARED BY THE PARLIAMENTARY CENTRE**

**INTRODUCTION**

This workshop was prompted by the observation that Canada-China governance projects rest upon values based concepts whose meanings are too much taken for granted and insufficiently discussed during project planning and implementation. Although the situation is changing for the better, the tendency is still to assume that the Chinese and Canadian partners understand these concepts similarly or, if they don't, that it is better to leave well enough alone. Sometimes, project managers adopt a policy of conceptual vagueness for fear that attempting to clarify these matters will only provoke conflict and misunderstanding with Chinese partners.

Unfortunately, there is a risk in vagueness, namely failure of understanding that may infect the entire program and compromise the achievement of results. Recent comparative studies of governance programs funded by the Finnish and Swedish aid programs confirm what common sense has been telling us - lack of clarity about project objectives is among the factors explaining why governance programs perform less well than they should.

What should be done about this problem? The argument advanced here is that strong, continuous Canada-China dialogue about underlying program concepts and objectives should be recognized and incorporated as a distinct program component. This means, among other things, building such dialogue into the logical framework analysis (LFA) and other such project planning documents.

But what do we mean by dialogue and how should we go about it? This is the nub of the issue before the workshop. Obviously, we cannot fall back on the neo-colonial version of dialogue resting on the assumption that the western world (in this case represented by Canada) has all the answers and China all the questions. But neither can we rely on political correctness to guide us: it is not good enough to say that “we all believe the same things but there are many roads to heaven”.

The world needs a new dialogue that is neither neo-colonial nor mindlessly relativistic. This dialogue may be thought of as a global discourse about the norms of good governance. Dialogue rests on an acceptance that all countries and peoples have something important to contribute to our understanding of these norms. It rests on a corresponding obligation to participate in the discourse and not plead that national differences make dialogue impossible.

As a first step towards encouraging greater dialogue, the China program at CIDA decided to support this workshop for representatives of Canadian Executing Agencies of Canada-China governance programs. Our hope is that over the two days of the workshop, we will have an open and searching discussion of the current state of dialogue that leads us to recommend ways of strengthening it. We ask that in preparing and making your presentations, participants focus carefully on the issues before the workshop. This particular workshop is less a roundtable on the general experience of CEAs than a testing of a particular hypothesis – namely that more and better dialogue is needed between Canadian and Chinese partners on the values-based concepts underlying governance programming.

To assist in focusing the workshop discussion we have prepared the following paper. It identifies a number of issues to be addressed, although participants need not feel constrained by the particular statement of the issues. Each of you has a wealth of experience to draw in addressing the issues; the value of the workshop will arise largely from exchanging our experience. The examples of dialogue (or failure to dialogue) offered in the paper are drawn from the work of the Parliamentary Centre in China. We invite all of you to draw upon your experience in a similar way, whether to support or challenge the arguments being made in the paper.

A final introductory point: what follows should not be read as necessarily reflecting either the views or policies of the China program of CIDA. That being said, we want to express our appreciation to David Spring and his colleagues for their support of this initiative.

### FRAMING THE ISSUES

As set out in the letter of invitation, this two-day workshop has three tasks before it:

- Identify and explore examples of values based governance concepts where there is potential for lack of clarity and understanding;
- Describe how CEAs currently undertake dialogue with their Chinese partners regarding underlying project concepts and suggest ways in which dialogue could be strengthened;
- Recommend ways in which project design and management might be changed to encourage greater understanding between project partners.

In carrying out these tasks, workshop participants may wish to reflect on the following issues among others.

***Issue #1 Do Canada-China governance programs rest on a shared vocabulary of values-based concepts?***

At first glance the answer to this issue would appear to be a no-brainer. Of course they do. One has only to look at the basic program documents, particularly in the opening sections on goals and outcomes, to see that terms like good governance, democratic development and rule of law are the conceptual building blocks of these programs.

On second thought, however, these so-called building blocks may not actually support the program. The clue that they do not is that comparatively little time goes into discussing the meaning and significance of the terms, particularly at the beginning when the project design documents are being developed. If these concepts were really the foundation of the program, more care would go into ensuring that they are clear and solid. In the experience of the Parliamentary Centre, the Chinese partners typically want to move as quickly as possible to the planning of project activities that meet the immediate needs of their institutions. The NPC, for example, wants study visits and in-country workshops on specific areas of Canadian law (e.g. environmental, pensions, municipal) that relate to its own legislative agenda. Efforts are made to ensure that the conceptual underpinnings of the laws are examined in the course of these activities but that is not always easy to achieve. Believing fervently that the devil is in the details, the Chinese concentrate on understanding the objectives, content and drafting of particular laws and, of course, the Parliamentary Centre accommodates their interests. The problem with this approach is that the meaning of the laws is found not only in their specific provisions but also in the surrounding context. Unless that is explored and understood, it is highly questionable whether the laws themselves can be understood adequately for the purposes of reform. Of course this would concern us less if we could assume that the surrounding context is essentially the same for China and Canada but of course that is not the case.

***Issue #2: What is the nature of the difference between the Canadian and the Chinese understanding of values based governance concepts?***

Although the vocabulary is shared, the meaning given to governance concepts by Canadian and Chinese partners is often profoundly different. These differences arise from historical\cultural as well as political\ideological factors. This has been well understood for some time and is the subject of continuing scholarly research. The Canadian sinologist, Professor Bernie Frolic, has written about the different meanings given to the concept of civil society by the Chinese and the west. In the western tradition, civil society has a number of different meanings that all relate to the liberal democratic value of citizenship as the bedrock of society and source of state legitimacy. In the case of China, Professor Frolic observes that the liberal democratic notion is present but is “still poorly developed and struggling to identify itself.” The dominant notion of civil society in China is “state led civil society that extends the reach of the state into the new Chinese economy and community”.

Pitman Potter of the University of British Columbia is a member of a SSHRC supported international research team looking at the effects of cultural/ideological differences between China and the west on the implementation of trade agreements related to Chinese accession to WTO. Professor Potter notes that China's reform project is an effort to borrow western liberal principles of accountability but goes on to point out how different the Chinese and western versions of accountability still are. The western notion is built around the concept of "responsible agency" positing that those who exercise state power are accountable to the subjects of that power and expected to exercise their authority broadly in accordance with norms of transparency and rule of law. By contrast, the Chinese culture of governance is described as a system of "patrimonial sovereignty". Drawing on Confucianism, Marxism, Maoism, "the regulatory culture in China tends to emphasize governance by a political authority that remains largely immune to challenge" and is accountable only to bureaucratic and political superiors.

The point we wish to emphasize here is not that such differences exist but rather that they are complex and durable differences that need to be understood by those offering advice and outside assistance to China. As Frolic has noted, there is more than one version of civil society operating in China and it is not self-evident that the western liberal version will inevitably and completely displace the Chinese version. As Pitman Potter has noted, the typology of governance giving rise to such differences has its origins as much in ancient Chinese culture as in more recently acquired political ideology. It follows that we are likely to see the further evolution of Chinese versions of accountability rather than a simple copying of western concepts.

### ***Issue #3: Why do governance projects not explore these important contextual issues?***

These issues are less explored than they deserve to be for reasons that originate on both the Chinese and the Canadian sides, although the usual explanation is that dialogue on such matters is simply not possible for our Chinese partners. To revert to the terminology of Pitman Potter, Canadian CEAs operate in the tradition of "responsible agency" that permits – indeed requires -independent initiative while our Chinese counterparts are governed by "patrimonial sovereignty" that makes such independent initiative, and the free discussion accompanying it, unacceptable and therefore highly risky. Carried to its logical conclusion, the only way to engage in dialogue with the Chinese on foundational issues would be with the people at the very top of the system, something not normally open to Canadian Executing Agencies.

To blame the absence of dialogue on the constraints of the Chinese system alone is too easy. The failure to seriously examine values based concepts has something to do with the habits of western CEAs as well. To engage in such dialogue would require us to undertake serious critical exploration of our own traditions, a challenge that busyness makes it easy to avoid. In consequence, the sharing of western know-how in governance tends to be miles wide and inches deep. The author came face to face with this fact after a visit to China in which he had expounded on the virtues of the secret ballot as a sacred democratic tradition stretching back to time immemorial. On returning to Canada, he

discovered that the practice of voting by having crowds (of drunken men) raise their hands in public was discontinued only in 1873. And why? To curtail the venerable tradition of vote buying practiced by, among others, our greatest Prime Minister.

***Issue #4: What are the consequences of failing to discuss the values based foundation of governance programs?***

In his book, Supporting Democracy Abroad, Thomas Corrothers reports extensive research suggesting that the track record of governance programming leaves much to be desired. Among the main causes of underperformance is the lack of serious analysis and understanding of the governance context in which programs are meant to promote change. Too often, governance programming has consisted of the sharing of rather facile versions of western practices and beliefs on the assumption that these are universally applicable regardless of the circumstances in which program partners are operating. These findings have since been corroborated by comparative studies of programs to support good governance and democratic development. As shown there, the failure to adequately understand context and concepts runs the risk of rendering the project-planning framework both hollow and misleading. Under results based management, the meaning of any single level of result – output, outcome, impact – assumes an understanding of the result chain and if that is missing we are back to where we started from - with discrete activities lacking overall meaning and purpose. We conclude that improving the quality and results of governance programs requires far better understanding of contexts and concepts than programmers typically possess. Dialogue with our partners, however difficult it may be, is an indispensable means of acquiring and conveying such understanding.

***Issue #5: How do we currently conduct such dialogue with our Chinese partners?***

At this point we want to acknowledge that significant experiments in Canada-China dialogue have been undertaken, the most notable being the three year CIDA supported human rights dialogue led by the Faculty of Law and the Human Rights Research and Education Centre at the University of Ottawa. That dialogue has now resulted in an important collection of essays under the title Bridging the Global Divide on Human Rights: A Canada-China Dialogue. The challenge before us now is to build such examples of dialogue into Canada-China governance programs. In the experience of the Parliamentary Centre, dialogue and understanding continue to be seen as desirable by-products of governance programs rather than being among their most important results. Dialogue happens from time to time in the course of doing workshops or seminars although, as we noted earlier, there is always pressure to stay on topic and cram in as much technical detail as possible. Dialogue takes place incidentally and indirectly rather than as a planned, core component of such programs.

During the course of several extended visits to China, the author has participated in only one genuine dialogue and that one took place over drinks before dinner at the home of the Canadian head of aid in Beijing. The subject of the conversation with an official of the NPC was the difference between rule *by* law and rule *of* law. The Chinese

official made the point, rather daringly I thought, that the explosion in law making that has accompanied the building of a “socialist market economy” has seen little corresponding development of the necessary rule of law framework to guide the lawmaking process. This situation has been worsened by the random provision of legal drafting advice by a host of western experts operating out of different legal traditions. As the Chinese official put it, the result has been a jumble of laws, regulations and decrees that now poses one of the greatest challenges to successful reform.

International assistance of this kind no longer fits the bill, if it ever did. In addition to mastering the particulars of governance, China is faced with the challenge of figuring out how all the pieces fit together. This knowledge should be seen as complementary to – and a prerequisite for - the highly specialized technical information that is the usual coin of the realm of governance programming. Otherwise, those programs may simply reinforce the pervasive modern habit of providing information without understanding. The Parliamentary Centre’s general lack of success in dialoguing with the NPC on the meaning of parliament as an institution is a case in point. From the first, the Chinese were candid about the fact that the NPC is not a parliament in the normal sense of the word, although this directness has turned out to be a way of discouraging rather than inviting dialogue. In effect, the Chinese appear to have been sending the message that “your parliament and ours are apples and oranges and so there is no point in making comparisons.” At the same time, they have been keenly interested in studying the Canadian Parliament as part of a major research project on legislative systems around the world. Our concern would be that interest and study of that kind, without the requisite critical dialogue, leads to catalogues that itemize details of parliamentary practice without promoting understanding of the basis of the practice. Study of that kind is unlikely to yield the critical insights into governance that the Chinese now need as they proceed with reform. Attempts by the Centre to raise such issues (e.g. the popular election of the Peoples Congresses) have been rebuffed by the Chinese as being outside our terms of reference.

***Issue # 6: How should we – can we –promote such dialogue within our governance programs?***

Evidently Canada-China governance dialogue is not easy but it is essential. Although our Chinese partners continue to face high risks in having open dialogue about fundamental issues, we think that the risks may be beginning to decline somewhat. The new Chinese leadership appears to see that governance reform, like economic reform before it, must go well beyond tinkering with this or that detail of the system. Some of those engaged in reform at the technical level seem open to and interested in the larger context as well. We found, for example, that staff of the Research Office of the NPC supported the idea of cooperative research aimed at mutual understanding as an ongoing program activity. We might ask ourselves how we can identify and encourage those Chinese who are willing and even eager to engage in dialogue?

We should also reflect carefully on our approach to dialogue. Apart from the usual admonitions about proceeding slowly on the basis of genuine partnership, dialogue

should be placed in the context of the gradual evolution of global governance norms. China rejects the notion that change in its governance practices must amount to copying the practices of the west but it increasingly embraces the concept of reform as part of deepening its membership in the international community. The difference between the one approach and the other is fundamental for Chinese sovereignty and self-esteem: to copy is to admit inferiority and dependency; to reform in the context of global change is to grow and develop one's own capacities. We are well aware of the fact that global norms have been used for years as a point of reference in dialogue with China on human rights and that the practice has proved to be no silver bullet. Nonetheless, we think it is the proper starting point for building Canada-China dialogue within governance programs. From the Universal Declaration of Human Rights onwards, a framework of global governance norms is slowly coming to have real value and force, though the Chinese often subscribe in principle while going their own way in practice. Errol Mendes of the University of Ottawa suggests that these "anomalies" of theory and practice should serve as key leverage points in any Canada-China dialogue. Of course, the Chinese may seize the opportunity to point out Canadian anomalies as well, which is exactly as it should be. The discussion of global governance norms can help both Canadian and Chinese partners to acquire critical perspective on their national accomplishments and shortcomings.

***Issue #7: What changes in program design and management could promote dialogue?***

Having established the proper context for dialogue, governance programs should make - and to some extent are making - other changes in the usual procedures of program design and management to promote greater dialogue and understanding. The current procedure for preparing project documents can work against the development of dialogue. The usual pattern is that the CEA, following prolonged negotiations with CIDA, translates the general understandings arrived at during a rather short inception mission into a detailed blueprint for implementation that the Chinese partners are more likely to assent to formally than genuinely understand and endorse. Allowing more time to be taken in the design phase and permitting experimental activities during that period could be helpful, especially if the activities included a "foundations workshop" in which the partners introduced and discussed their respective governance systems.

We should also turn the preparation of project documents into a genuinely collaborative process between the Canadian and Chinese partners, however difficult that may be. The strengthening of dialogue and understanding should also be explicitly identified in the logical framework analysis as an important program objective in its own right and meaningful indicators should be attached to those objectives. The Project Steering Committee could also become more than a formal management tool that approves the annual program work-plans. Properly constituted and supported, the PSC might also serve as an important locale for continuous two way learning about the governance concepts that frame program activities. Apart from these specific suggestions, all sorts of ways can and should be found to promote dialogue and understanding, once we accept them as essential objectives of governance programs.

## CONCLUSION: WHAT NEXT?

It is hoped that the workshop might be followed by a second workshop with our Chinese partners. Should our deliberations support the idea, we need to address a final workshop issue: *How should we go about discussing the need for greater program dialogue with our Chinese partners?* At this point, we suggest that the idea be discussed quietly between the individual partner agencies and that the results of those discussions be reported back to the Parliamentary Centre and shared with participants in this workshop. The Chinese may express little or no interest but they may also make practical suggestions as to how dialogue could be approached. Whatever the feedback, we should keep our minds open so that our assumptions about how to do dialogue don't stand in the way of dialogue itself.

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