

Understanding the Role of People's Mediation in the Age of Globalization

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Abstract

People's mediation is well regarded as an effective means of dispute settlement in Chinese society. However, the concept and role of people's mediation has not been uniformly understood. This is largely due to differences in the cultural, legal and political backgrounds of commentators and their consequent value judgments. This article argues that people's mediation is not the same as it was 20 or 30 years ago because of China's rapid globalization. It attempts to view and understand people's mediation against the backdrop of the changing social, economic, political, legal and cultural context in China.

I. Introduction

People's mediation is well known both inside and outside China.¹ It is claimed

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¹ Many articles in both English and Chinese have acknowledged the wide use and importance of people's mediation in China. For example, see Urska Velikonja, 'Making Peace and Making Money: Economic Analysis of the Market for Mediators in Private Practice' (2009) 72 *Alb L Rev* 257 at 260; Roda Mushkat, 'Implementing Environmental Law in Transitional Settings: The Chinese Experience' (2008) 18 *S Cal Interdisc LJ* 45 at 65; Aaron Halegua, 'Reforming the People's Mediation System in Urban China' (2005) 35 *HKLJ* 715; He Jie, 'System of People's Mediation and Harmony in the Root of Chinese Society' (2007) 24(4) *Journal of Yunan Nationalities University* 56 (in Chinese); Qin Guorong, 'Modern Meanings of People's Mediation' (2002) 30(2) *Journal of Xinjiang University* (Social Science Edition) 31 (in Chinese); Li Gang (ed), *Overview of People's Mediation* (China Jiancha Press, Beijing, 2004) (in Chinese).