

Main Models and Enlightenments of County Governance in France and Germany

Miao Yi and Wang Juqin

North China University of Water Resources and Electric Power, Zhengzhou, 450011, China

Abstract: This study concerns the main models and enlightenments of county governance in France and Germany. The strength of a county's economic competitiveness is a direct reflection of the level of the county government's capability of governance, and the county's governance capability, governance level and governance model are important factors that determine the county's economic competitiveness. As a developing country, the overall economic level of China is much lower compared with developed countries, and the county economy, as the primary level, has an even larger gap compared with that of foreign countries, therefore, it is necessary to study and borrow from the governance models of developed counties abroad. Hence, studying and learning governance models from developed countries, such as France and Germany where the county governance is more mature, will help improve the governance capability and level of the county governments in China.

Key words: County governance, enlightenments, France, Germany, model

INTRODUCTION

China's local administrative system can be divided into four levels: Provinces (Municipalities and Autonomous Regions)-City (Autonomous States)-County (Districts)-Township (Towns). As the primary administrative system of China, county system has an important influence on the country's long-term stability, and there is a saying that goes like this, "Well governed the county, stable the whole country". It has been two thousand years since the county system was established in China, and in the two thousand years of vicissitudes, the county system remained stable and most of the county's administrative divisions and boundaries have inherited the original patterns from the history. County governance is an important part of local governance. As the main body of the county governance, county government undertakes the functions of promoting the comprehensive development of economy, society and culture and the county governments capability of governance determines the development level of the counties to some extent. American scholar Peters put forward four future governance models in his book *The Future of Governing: Four Emerging Models*: market-oriented governance model, participatory government governance model, flexible government governance model and solution-based governance model (Peters, 1996). Osborne and Gaebler focused on an emerging new governance mode (Osborne and Gaebler, 2006) of "Entrepreneurial government" in their co-written book *Reinventing*

Government: How the Entrepreneurial Spirit Reform the Public Sector. Ferlie *et al.* (1996) summarized four new models out of contemporary Western governance models that are different from traditional governance models: efficiency-driven government model, small and decentralized government governance model, excellence-pursuing governance model and public service-oriented governance model (Ferlie *et al.*, 1996). Australian leading scholar Hughes thought the traditional governance model based on bureaucratic system is transforming into a new public administration governance model based on market (Hughes, 2002).

County governance is an important branch of China local governance and an important part of the administration. By the end of 2009, there are 2001 county-level economic units (not including districts under prefecture level city), among which are 366 county-level cities, 1463 counties, 117 autonomous counties, 49 banners, 3 autonomous banners, 2 special regions and 1 forest region. Due to their different resources endowment, geographical location and cultural environment, these counties governance models vary widely with good and bad governance mixed together. However, the county government capability of governance to a large extent determines the county development degree, so improving the governance capability of the county governments is an important way and effective method to enhance the county's economic competitiveness. Therefore, studying the county government governance models of developed countries and summarizing the experience in county

governance would give us much useful enlightenment on county governance.

This study concerns the main models and enlightenments of county governance in France and Germany. As a developing country, the overall economic level of China is much lower compared with developed countries, and the county economy, as the primary level, has an even larger gap compared with that of foreign countries, therefore, it is necessary to study and borrow from the governance models of developed countries abroad. Hence, we study and learn the governance models from developed countries, such as France and Germany where the county governance is more mature. The research of this study will help improve the governance capability and level of the county governments in China.

RESEARCH ON LOCAL GOVERNANCE

Since the mid-1980s, local governance movements have gradually developed into an international phenomenon throughout Europe, America and other developed countries as well as many developing countries in Asia, Africa and Latin America, and meanwhile, the study of the theoretical system of local governance and the investigation and analysis of local governance reform and practices in some countries, have become important fields researched by some international organizations, governmental organizations, leading university research centers and folk academic research institutions.

The World Bank is an important international organization to promote local governance theory and practices. In 1989, the World Bank made an annual report presentation titled "Sub-Saharan Africa: from crisis to sustainable growth", which took "governance" as the core concept and reason for the analysis and interpretation of the local economic performance in the area, elevated governance from the enterprise management level to the national management level for the first time and considered the local governance as an essential part of the global multi-tier governance for analysis and research. Among the annual reports and the research results that World Bank released, the documents which concern local governance are as follows: 1999-2000 Report: Globalization and Localization (1999), Local Governance: Promoting Good Governance by Social Funds and Power Devolution (2000) and Local Governance: Implementing Power Devolution (2002). Every year, the Management, Development and Governance Department and United Nations Capital Development Fund set up under the UNDP release a series of studies on local governance, which provide basic principles and assessment criteria for local governance, describe the functions and expected results of local governance movement in the changing environment of public administrative management philosophy and show alternative models of local public affairs management to different countries. Since the late

20th century, the OECD has launched major theoretical research projects, such as "Democratic governance", governance network system and local development" and "Governance: for sustainable development", etc.

Scholars from European countries are the pioneers in the research of local governance in foreign academic circles and also they published a large number of academic monographs on local governance. The reason for this is probably that local governance thinking was first come up with and developed by Western European countries with UK as the leader and the European integration process stimulated the expansion of the local governance. Among those published academic monographs, the most famous pieces are two sister books: *New Politics of British Local Governance* and *New Management of British Local Governance*, prefaced by Rhodes and edited by Stoke. In the United States, many universities also established research centers on local governance, taking local governance as an important area of research. Seen from the relevant foreign materials, the perspective of implementation of government power devolution reform and intergovernmental relations adjustment is an important way to study local governance.

Research on governance models: After 20 years practice of local governance and coupled with continuous theoretical researches, Western countries have developed a local governance model where market governance, communitarianism, multi-level network governance and hierarchical governance model parallel. Scholars from U.S., UK, Australia and other countries have gone relatively further in the research on local governance, and the representative American scholars are Peters, Kooiman, Osborne and Gaebler, etc.; while the representative British scholars are R. Leach, Miller, Dickson, Stoker, Newman. J, Ferlie, etc.; and the representative Australian scholars include Owen E Hughes and some others. Kooiman divided governance into three models based on the nature of local affairs: self-governance model, co-governance model and hierarchical governance model; British scholar R. Leach thought there are three models of local governance: market model, network model and community model; Miller, Dickson and Stoker thought there are four models of local governance: the traditional localism type, individualism type, social mobilization type, authoritarianism type; Newman. J, put forward four models of modern local governance: hierarchical control model, rational goal model, open system model and self-governance model.

The main governance models of French counties governments: France is a typical centralism country in the developed countries where the local governments are under the direct administration of the central government. Different from other European countries which generally set two or three different levels of governments, the

French administrative system can be divided into four levels: central, regional, provincial and municipal government, among which regional, provincial and municipal governments are local administrative units and no affiliation exists (Nicolas, 2004). Regions of France are equivalent to China former regional governments of East China, North China, etc., and their scope is larger than provincial governments; while their provinces are the same as China current provincial governments and their communes are equivalent to China local governments under the provincial governments. French county government is an important part of local government.

Region is the first-level local government in France and it was established in the 1960s. Initially, it has the nature of an economic development district and in 1982 when the nation power devolution act was passed, it became a local administrative unit. Currently, there are 22 mainland regions in France as well as four outer regions. The regional government has no universal jurisdiction and only has some authority specified by laws and subject to the authority of provinces and communes. It mainly supervises and implements national long-term plans and promotes regional economic development (Huang, 2007).

Province is the second-level local government in France, and it was set up in the 18th century and was recognized as a local administrative unit in 1982. At present, France has 100 provinces including 96 mainland provinces and 4 overseas provinces. The main functions of the provincial governments is to determine the provincial budget and local taxes, to manage transportation and educational facilities within the provinces and to preside over the management of various social and other social assistance agencies (Zhang, 2009).

Communes are the third-level local government of France and also the local governance of the most basic level and with the largest number-over 37,000, among which there are about 25,000 communes with less than 700 residents, while about half of the French people live in communes with a population of more than 1 million. Despite their various size and population, the communes are equal in status. They are components of the national administration and also the lowest level of local governments, thus undertaking a variety of responsibilities concerning people's life. Their responsibilities include organizing and establishing commune administrative body, constructing and repairing public buildings and discussing and approving annual fiscal budget, etc. (Zhang, 2009)

The commune governments of France are equivalent to the county governments of China; therefore, the governance experience of French communes is worth being borrowed and referred to by Chinese county governments. The following passages make a summary on the governance model of French communes. The French commune governments have a very special feature, that is, all the authority organs in the communes

consist of a town council elected by the residents in the very commune as well as a commune chief elected by this council and a number of commune chief assistants. The number of council members varies according to the population of the communes, ranging from 9 to 69 and there are more than 450,000 town councilors in the whole country. French commune governments take the commune chief as the core leader, which is quite different from the British model with local council as the center and also different from the model of the United States where local authority is usually decentralized to the council, commission and the chief executive (Yu and Lei, 2005). Nevertheless, the French governance model of commune governments can be broadly divided into two models: independent governance and co-governance.

Independent governance model: Independent governance model is often seen in those communes with small size, small population and small area, and in these communes, the governance organization is the administrative committee composed by the commune council, the commune chief and the commune chief assistants. The commune council directly elects its members in the general election every six years in accord with the two-round voting system in single-member constituency and it has no legal permanent body and always sets up several committees which don't have legal status and can not execute authority independently. The commune chief is usually elected from members of the commune council and is in overall command of the administration work in the commune. As the leader of the commune, the commune chief integrates the political activities and administrative activities and takes charge of the preparation for and implementation of decisions made by the commune council as well as the compilation and execution of commune budget and appointment and dismissal of commune working staff, etc. As the representative of the central government, he combines the policies and decrees of the central government with the local activities, ensures the publication and implementation of laws and decrees in the commune and is directed and supervised by the provincial governor in this aspect. The commune chief assistants are also elected from members of the commune council and the number of assistants is determined based on the population of the commune- at least 2 and not more than 30% the legal number of commune council members at most. Commune chief assistants are the senior guiding personnel for the commune chief and they share and manage the work in one or several bureaus. Their rights and liabilities are authorized by the commune chief (Jin, 2005).

Co-governance model: Co-governance model is commonly seen in those communes with large scale, large population, large area and many borders. Early in the end of the 19th century, France has begun to establish cross-commune cooperative organizations. However, when it

came to the 1990s, the then existing cross-commune cooperative mechanism could keep up with the progress of the social change in France, therefore, in February, 1992, the Local Government Law established two additional kinds of organizations: commune community and city community. None of these cross-commune cooperative organizations are elected, which is not in conformity with the standards of democratic validity. These organizations, unlike *perganas*, provinces and communes, are local governments of constitutional population, however, they have independent administrative power and taxing power. Until 1999, there have been 1350 commune communities in France, each with a population of 20000 or so, and about 18000 communes have participated in the cross-commune associations that possess their own financial resources. At present, the French commune organizations in the form of commune associations have approached the standard of EU (Huang, 2009).

From this, it can be seen that though the legal status and rights & liabilities of the French communes are the same, the scales and organizing systems of their administrative departments vary greatly. Large communes have a relatively complete set of administrative organizations and employ a large number of local officials, and under the mayor and the mayor assistants, there are several bureaus divided according to their working property, which is just co-governance model; while in small communes, the administrative organizations are simpler and employ less commune officials, thus generally independent governance model is practiced.

Major models of German county governance: Germany is a federal state that composes of 16 states including 3 city states. Since the state governments are sovereignties with their own constitutions instead of local governments, the local governments in Germany is actually the local autonomous governments of cities, counties, etc. that are affiliated to the state government. The governance model of the German county government embodies completely the democracy and constitutionality, autonomy and right decentralization, right schism, hierarchical labor division and public spirit (Wang, 2006).

“Double duty” governance model: The federal system in Germany belongs to double local government system, under which the federation (state) shapes up a powerful region/micro level (in which each region is particularly prominent in its legislation with regards to local government system and territory reform) that has valid legislative power and administrative power. Traditionally speaking, all these counties and cities play very notable roles in politics and multiple functions. In history, the German county governments have featured the double duty model. Following this model, the county

governments not only implement their own affairs but also take charge of the fulfillment of the administrative work entrusted by the state; and due to the strict supervision of the country, these kind of entrusted affairs within the county government scope of rights and liabilities are, to a certain degree, integrated to the national administrative departments. Only less than 10% of the working staff in public departments belong to the federation and about half of the them belong to the federal state (most of whom are teachers and policemen), while the working staff in local governments accounts for as much as about 40% and most importantly, all of them work in functional fields of vital importance (Wollmann, 2008).

“New steering” governance model: The New Steering Governance Model is a complex composed of some different propositions. Though some counties manage their affairs under the banner of New Steering, they have different comprehension as for it. Their basis consensus and common principles in terms of New Steering Governance Model is to refer to and imitate the organization, operation and market-oriented principle of private departments so as to overcome the phenomena of welfare) government failure and public administration failure. In the case of New Steering Governance Model, the interior organizational structure is reconstructed under the guidance of the management principle so as to overcome the disadvantage of the traditional superior-subordinate administrative bureaucracy and authority decentralization, and independence of interior organizations is introduced in aspects of resources management and liabilities; while the administrative tasks are described as the products of the public departments, the output is determined according to the administrative target, and meanwhile, cost accounting and accounting control is conducted in the aspect of input. New Steering Governance Model is considered as the way and route by which the political representative institutions strengthen their influence and control on administration. In addition, it is beneficial for the reshaping of relations among organizations and the relation between the government and the outside environment and can provide public services and construct public facilities through marketized and outsourcing ways (Qie, 2005).

Enlightenments of French and German county governance models: Since the socialism market economy system in our country is still in an unceasingly developing and perfecting process and the current Administrative Organ Law has stipulated clearly that superior-subordinate command and direction relationship exist between the local governments and the central or superior-level government, county governance is a dynamically changing process and completely imitation of the governance model abroad is impossible. However,

the county governance in our country is also gradually being transformed to social management and public services, therefore, the experience in county governance model abroad summarized above provide beneficial enlightenments for the government model of county governments in our country.

Strengthen the management effort of the county government and reduce the number of town institutions: The major function of the county governments in our country is to administrate the town governments within the area under their jurisdiction. However, the more and more expanded and complicated town institutions are consuming substantial resources of the county governments, which lead to the lack of governance input into the counties themselves. In this aspect, we can borrow the experience of the American county governance model, strengthening the management efforts of the county governments and at the same time reducing the number of town institutions and transforming town governments into the dispatched agencies of the county governments. Dispatched agencies are not first-level governments and they mainly perform governance functions like tax-levying and public security, etc., With the development of the economy and society, these agencies will be canceled gradually in the process of town amalgamation, so that the excessive administrative organizations can be reduced. Meanwhile, the governments shall expand the autonomous right of those towns with good development and progressively realize the base-level autonomy of towns so as to stride forward in the reform of reducing administration levels. During the process of administration level reform, the governments shall also combine the reduction of administration levels with the enforcement of administrative power and the establishment and perfecting of the county governance system, so as to avoid the situation of confusion at devolution. During the administrative power devolution, what is key for the county governments is the construct the governance system well and harmonize the development of power devolution and autonomous governance system.

Enforce the performance appraisal and civil servant assessment of the county government: The British county governments take the quality of services as the basis to assess performance, stress the effects of management and services and emphasize the establishment of targets and standards for performance assessment, and also they lay the foundation for the validity of county governance by building a set of government performance supervising system and appraising mechanism. In comparison, problems like low efficiency, low benefits, low quality, significant increase of government cost, etc. exist widely in the county governance of our country. Therefore, we shall draw lessons from the result-emphasizing and cost efficiency

budget-emphasizing practices in the performance management of British county governments and conduct continuous performance management. The core of these practices is to formulate a performance standard and indicator system for governmental organizations and individual civil servants so as to measure the progress of the governments in realizing the fixed targets as well as the performance of individuals: firstly, establish a scientific and reasonable performance appraisal mechanism for county governments to achieve the governments transformation from self-appraisal to social public appraisal; secondly, implement just and transparent performance examination and appraisal system for civil servants in county governments, design correspondent assessment indicators based on the requirements of overall assessment of morality, ability, diligence and performance as well as the various positions, liabilities and tasks, determine the indicator weight scientifically and make the incentives and restraints practical in terms of various aspects like personal development, professional achievement, revenue and rewards, etc. (Chen, 2007)

Vigorously develop the democracy in basic level of counties and improve the political participation rate of citizens: The county governance of French is the symbol of French democracy. Residents can make discussions through county public judgment in terms of any interests of the county, and they have a good knowledge of the public affairs closely interrelated to their life as well as full ability to handle the relevant affairs in direct and democratic ways. The experience of French county governance reveals that our country shall take great efforts to develop base-level democracy, making the base-level governments the training places for socialism democracy, and also the country shall encourage people to learn democracy gradually, get familiar to rules of democracy, experience the democratic spirit and cultivate democratic habits with start from the government in neighborhood and minor affairs. Democracy is not only a bustling election and the political participation in everyday life is much more important than the political election itself. During the county governance, mechanism like discussions, public judgments, publication, etc. shall be introduced to enable people to learn democracy in the process of political participation. Only in this way can the socialism democracy win a relatively solid foundation after the efforts of several generations.

Positively promote the publication of governmental affairs and improve the transparency of policies made by county governments: In Germany, the administrative transparency of county government is established on the basis of legislation, supervision and the self-conscious of administrators. With the experience of Germany in county governance, every time the county governments make an administrative decision, they shall hold a hearing following the stipulations in the Administrative Procedure

Act; while when they make decisions directed at citizens, they shall make announcements in order to make it possible for the citizens to comment and to make psychological preparations. Citizens shall have the right to consult documents that involve their own benefits so as to get a knowledge of the administrative procedure and legal ground as well as the procedure and contents of the decisions made. If citizens refuse to accept the administrative decisions, they can bring up oppositions, apply for administrative reconsideration or put up legal proceedings. In the aspect of administrative supervision, each community in the county can assign a supervisor who can perform legal supervision, professional supervision and discipline supervision on the administration within the jurisdiction and is supervised by the government of a higher level. Citizens can supervise all the governmental behaviors and when citizens find there are unjust ruling, they can propose lawsuits to a third party. In addition, the county governments can also carry out publication by writing open letters to citizens, organize press conferences, set up E-governmental affairs management, etc., to improve the transparency of administration (Li, 2008).

CONCLUSION

This study concerns the main models and enlightenments of county governance in France and Germany. We study and learn the governance models from developed countries, such as France and Germany where the county governance is more mature. The research of this study will help improve the governance capability and level of the county governments in China.

REFERENCES

- Chen, H., 2007. Comprehensive performance assessment of British local government and its reference (J). *Soc. Sci. Abroad*, (2): 61-67.
- Ferlie, E., L. Ashburner, Fitzgerald and A. Pittigrew, 1996. *The New Management in Action*(M). Oxford University Press, UK, pp: 28-63.
- Hoghes, I.E., 2002. *Introduction of Public Management* (M). China Renmin University Press, Beijing, pp: 76-99.
- Huang, K., 2007. Administrative duty segmentation of central and local government in France and its enlightenments (J). *Jiangnan Tribune*, (9): 25-27.
- Huang, K., 2009. The role of base-level government in local governance of France (J). *Fujian Tribune (A Economics and Sociology Monthly)*, 6: 163-166.
- Jin, L., 2005. The commune government in french local governance system (D). MA Thesis, of Zhejiang University, Hangzhou, pp: 17-19.
- Li, S., 2008. Research on German local government reform in recent years (D).M.A. Thesis, of Tianjin Normal University, Tianjin, pp: 19.
- Nicolas, T., 2004. Legal regulation of the relation between the central and local government in France (J). *Law Sci. Magazine*, (9): 84-85.
- Osborne, D., and T. Gaebler, 2006. *Reinventing government: How the Entrepreneurial Spirit is Transforming the Public Sector* (M). Shanghai: (Translated by Zhou Dunren), Translation Publishing House, Shanghai.
- Peters, B.G., 1996. *The Future of Governancing: Emerging Models*(M). Kansas University Press, Lawrence, KS. pp: 32-68.
- Qie, J., 2005. Local public administration reform in Germany: A new steering model (J). *Comparat. Econ. Soc. Syst.*, (6): 93-96.
- Wang, Y., 2006. Germany local governance and its reform and innovation (J). *Chin. Pub. Admin.*, (10): 87-90.
- Wollmann, H., 2008. On achieving the modernization of local government by coherence and reform-based on the transnational comparison among Britain, Sweden, France, German, Spanish and Hungary. *J. Comparat. Econ. Soc. Syst.*, (6): 81-90.
- Yu, J. and J. Lei, 2005. The commune government in french local governance system (J). *J. Zhejiang Prov. Party School*, 4: 38-46.
- Zhang, S., 2009. On the rationality of local administrative rights and limits in the case of France (J). *J. Sichuan College Edu.*, 7: 44-45.