

# An Innovative Research on People's Mediation in Social Governance

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## Abstract

This paper aims to explore the innovative practice and development trend of people's mediation in social governance. By expounding the basic concepts and principles of people's mediation, this paper reveals the important role of people's mediation in solving social contradictions and disputes. At the same time, it analyzes the role of policy support and legal guarantee in promoting people's mediation, as well as innovative practices in mediation organization construction, mediation methods and technological innovation, and mediation mechanism optimization. Finally, this paper looks forward to the development trend of people's mediation in social governance and puts forward some suggestions and countermeasures such as the promotion of system innovation and technology application, as well as the importance of legal reform and personnel training. The innovative research of people's mediation in social governance is a subject with important theoretical and practical significance, which plays a positive role in promoting social harmony and stability.

**Keywords:** people's mediation, social governance, innovative practice, development trend, suggestions and countermeasures

## 1. Introduction

Social governance in China has always been a complex and severe challenge. As a dispute resolution mechanism based on the principle of public autonomy, people's mediation has the advantages of low cost, high efficiency, and strong flexibility, and plays an important role in alleviating social contradictions and reducing judicial pressure. However, the traditional people's mediation model is facing some institutional and practical challenges with the rapid changes in society and the diversification of problems. Therefore, it is particularly important to study the innovation of people's mediation in social governance. By deeply exploring the basic concepts and principles of people's mediation, we can better understand its role and significance in social governance. At the same time, it is helpful to improve the efficiency and quality of people's mediation by paying attention to the promotion of policy support and legal protection as well as innovative practices in mediation organization construction, mediation methods and technological innovation, and mediation mechanism optimization. Against this background, this paper aims to deeply study the innovative practice of people's mediation in social governance and look forward to its future development trend. Through these efforts, we expect to provide beneficial enlightenment and reference for the further development of people's mediation in social governance and make positive contributions to building a harmonious society.

## 2. The Basic Concepts and Principles of People's Mediation

### 2.1 Definition of People's Mediation

People's mediation is a form of civil dispute resolution in social governance that assists parties to a dispute to reach a settlement through the neutral and impartial and voluntary participation of mediators. It is a dispute resolution mechanism based on the principle of public autonomy, aiming at finding the best way to resolve disputes and promoting social harmony and stability through voluntary negotiation, communication, and inclusiveness. People's mediation has the following core elements. First, it is a folk mediation method, which is

organized and implemented by grassroots organizations such as communities and villages or specially established mediation institutions. Secondly, it is a neutral and fair mediation method, and the mediator as a third-party neutral performs mediation duties according to law. Thirdly, it is a kind of voluntary mediation, and both parties to the dispute can choose whether to participate in mediation or not, and guarantee their independent decision-making rights in the mediation process. Finally, it is a reconciliation-oriented mediation method, which can reach a satisfactory solution through negotiation and maintain social stability and harmony.

## *2.2 The Basic Principles of People's Mediation*

(1) One of the basic principles of people's mediation is the voluntary principle. The mediation process is based on the voluntary participation of both parties to the dispute. Either party has the right to choose whether to participate in mediation or not and reserves the right to make independent decisions during the mediation process. Compliance with the voluntary principle can not only ensure that both parties reach a mediation agreement in a true and consensual way but also enhance the enforceability and stability of the mediation results.

(2) Neutrality and justice are one of the core principles of people's mediation. As a third-party neutral party, mediators should maintain a neutral position in the mediation process, handle disputes impartially, and ensure the fairness of the mediation process. Only under the premise of neutrality and justice, both parties to the dispute can truly express their request and trust the fair verdict of the mediator. Therefore, it can achieve lasting and effective mediation results.

(3) The goal of people's mediation is to maintain social harmony and stability. In the process of mediation, the mediator should pay attention to the feelings and needs of both parties and find the most suitable solution for the interests of both parties through equal negotiation and communication. The mediation result should be able to meet the reasonable expectations of both parties, reduce the losses and conflicts of both parties to the dispute, and promote social harmony and stability.

(4) Although people's mediation is a folk dispute resolution method, its implementation must be carried out according to the law. The principle of the rule of law is the cornerstone of people's mediation, and mediators should follow the provisions of laws and regulations in the process of mediation to ensure the legitimacy of mediation. At the same time, mediators should also have certain legal knowledge and mediation skills so that they can accurately grasp the law's significance and the essence of mediation and promote the development of the mediation process in a legal and fair direction.

## **3. The Innovative Practice of People's Mediation in Social Governance**

### *3.1 Policy Support and Legal Protection*

The innovative practice of people's mediation in social governance cannot be separated from the support of national policies and the protection of laws. In recent years, the government of China has actively enacted a series of policies, laws, and regulations, which have provided strong support for the development of people's mediation. National policies encourage and support the development of people's mediation. Chinese government attaches great importance to people's mediation as an important part of social governance. On the one hand, the government has increased investment and support for people's mediation institutions, improved the welfare and training level of mediators, and promoted the construction and development of mediation organizations. On the other hand, the government encourages local governments at all levels to establish and improve people's mediation institutions, strengthen community governance, and maintain social stability by organizing and promoting mediation work. In addition, the government has also strengthened the publicity and promotion of people's mediation, which has improved the public's awareness and participation in people's mediation. The law provides a guarantee for people's mediation. People's Mediation Law of the People's Republic of China and other relevant laws or regulations provide a legal basis and norms for people's mediation. The law clarifies the nature, principles, and procedures of people's mediation, stipulates the qualifications and responsibilities of mediators, and clarifies the effectiveness and implementation procedures of mediation agreements. In addition, the law also stipulates the privacy protection and information management systems of people's mediation to ensure the confidentiality and security of the mediation process. These legal safeguards provide a reliable institutional guarantee for people's mediation and enhance the legitimacy and authority of people's mediation in social governance. At the same time, policy support and legal protection have also pushed a series of innovative practices. The government encourages the establishment of a multi-level and diversified people's mediation organization system to meet the mediation needs of different regions and groups, which includes community mediation centers and village mediation committees. Secondly, the government supports the connection between people's mediation and judicial organs such as courts and procuratorates, which realizes the connection of multiple dispute resolution mechanisms. In addition, the government also promotes the integration of people's mediation with new technologies such as establishing a network mediation platform and an intelligent mediation system to improve the efficiency and quality of mediation. These innovative practices have effectively promoted

the development of people's mediation and enhanced the role and effectiveness of people's mediation in social governance.

### *3.2 The Construction of Mediation Organization*

The construction of the mediation organization is one of the innovative practices of people's mediation in social governance, which involves the construction and reform of people's mediation institutions, including institutional setup and team building. Under the background of current social governance, people's mediation organizations are constantly innovating to meet social needs and improve the efficiency and quality of mediation work. In terms of the institutional setup of mediation organizations, innovative practices are mainly reflected in the following aspects. According to the actual situation and the characteristics of dispute types, a multi-level and multi-field mediation organization network is established. This means setting up corresponding mediation organizations in communities, villages, enterprises and institutions, schools, and other different levels and fields. This is to better cover different dispute subjects and provide professional and personalized mediation services. On the other hand, it is to explore cross-regional and cross-institutional mediation and cooperation mechanisms. By establishing a coordinated mechanism, different regions and organizations can share information, transfer cases, and exchange experiences, and improve the level and efficiency of the overall mediation work. In terms of team building of mediation organizations, the innovative practice has also been actively explored. To some extent, it is to strengthen the professional training of mediators. By strengthening the training of mediators' professional knowledge such as law, psychology, and social work, their mediation skills and communication skills can be improved so that they can better handle all kinds of dispute cases. Moreover, we should promote the construction of a diversified team of mediators. There should be full-time mediators in people's mediation work, and people with knowledge or expertise in specific fields should be encouraged and guided to serve as part-time mediators in order to better meet the mediation needs of various disputes. In addition, the construction of mediation organizations also pays attention to the use of information technology to promote the innovation of mediation work. Through the construction and improvement of the mediation information system, online registration of dispute cases, online mediation records, information sharing and other functions can be realized, and work efficiency and accuracy of data management can be improved. With the help of the Internet and mobile communication technology, new mediation methods such as network mediation and video mediation will be implemented to facilitate the participation and communication of the parties to the dispute and expand the space and scope of mediation.

### *3.3 Mediation Methods and Technological Innovation*

People's mediation has gradually adopted a series of new mediation methods and technical means in practice. These innovative practices are aimed at improving mediation efficiency, expanding mediation scope, optimizing the mediation experience, and further promoting the development and application of people's mediation in social governance. Among them, network mediation and intelligent mediation have become the important direction of people's mediation innovation practice. Network mediation is a way to realize remote mediation by means of the Internet and information technology. It breaks through the limitation of time and space so that mediators and parties can mediate in different geographical locations. Through online platforms and video conferences, mediators can communicate and negotiate directly with the parties and solve disputes. Network mediation has the advantages of mediation convenience, low cost, and good confidentiality, which provides a more convenient dispute resolution method for those parties who are in various locations. Intelligent mediation is a mediation method that provides intelligent decision-making and problem-solving by using artificial intelligence and big data technologies. By constructing an intelligent mediation system, we can automatically process and analyze a large number of dispute data, quickly judge the nature of the case and the applicable legal provisions, and provide scientific decision-making references for mediators. Intelligent mediation systems can also predict the trend of disputes and possible solutions based on data models and algorithms, and provide targeted mediation strategies. The introduction of intelligent mediation improves the accuracy and efficiency of mediation, reduces the interference of subjective factors, and provides strong support for the rapid settlement of disputes. In addition to online mediation and intelligent mediation, other forms of mediation have emerged in people's mediation in innovative practice. For example, mobile mediation enables mediators to mediate anytime and anywhere through mobile terminals and application software to better meet the needs of the parties. At the same time, cooperation mediation will form a mediation group with multiple mediators to make joint negotiations and decisions, which will increase the fairness and professionalism of mediation. In addition, embedded mediation integrates mediation services into specific scenes such as communities, enterprises, and institutions, and provides more practical solutions. The innovative practice of these new mediation methods and technical means makes people's mediation have greater application potential and adaptability in social governance. They not only improve the efficiency and fairness of mediation but also enhance the popularity and sustainable development of mediation.

### *3.4 Optimization of Mediation Mechanism*

In the innovative practice of people's mediation, optimizing the mediation mechanism is a key link. By optimizing and improving the mediation mechanism, we can improve the efficiency of mediation, enhance the enforceability of mediation results, and further enhance the role and status of people's mediation in social governance. The innovative practice of the optimizing mediation mechanism includes the improvement of the process. The traditional people's mediation procedure is usually complicated, involving multiple links and procedures. And there are problems of high time cost and low efficiency. Therefore, some regions began to try to simplify mediation procedures and optimize mediation processes. By setting up a one-stop mediation window, all links are handled centrally and a one-time settlement is realized, which effectively improves the efficiency of mediation. With the help of information technology, the electronic mediation platform is implemented to achieve the online and offline combination, which is convenient for the parties to apply for mediation and submit materials, and further improve the convenience and efficiency of mediation. Secondly, the innovative practice of optimizing the mediation mechanism also includes the improvement of case management. Traditional case management is mainly operated by mediators, and it is difficult to grasp and manage the work content and progress in time. In order to improve the efficiency of case management, some places explore the introduction of case information management systems to realize real-time monitoring, statistics, and analysis of cases, which is convenient for guiding and supervising mediation work. In addition, the management and training of mediators have been strengthened, the professional quality and ability level of mediators have been improved, and more powerful support has been provided for mediation work. In addition, there are some innovative practices to explore the optimization of the mediation mechanism. Introducing a professional mediation team into people's mediation, and carrying out division of labor and cooperation according to different fields and professional specialties can improve the quality and effect of mediation. Through the establishment of a mediation case base, we can summarize and share successful cases and provide valuable experience for mediation work. At the same time, it pays attention to the participation of all sectors of society, encourages organizations such as communities, schools, enterprises, and institutions to establish mediation committees, cultivates the grassroots ability to solve social contradictions and disputes, and broadens the sources and channels of mediation resources.

#### **4. Development Trend of People's Mediation System**

With the deepening of the concept of social governance and the improvement of the legal system, people's mediation is gradually moving towards the rule of law. This trend is reflected in two aspects. One aspect is to strengthen the confirmation and protection of the legal status of people's mediation and clarify its role and responsibility in the legal system. Another aspect is to strengthen the legal supervision and guidance of people's mediation work, ensure that mediation behavior conforms to legal provisions, and safeguard justice and fairness. People's mediation has to face complex and diverse types of disputes in practice, which requires mediators to have certain professional knowledge and skills. Therefore, the people's mediation system is developing in the direction of specialization. This includes strengthening the training and quality improvement of mediators and improving their professional level and mediation skills. At the same time, it also needs to establish a professional mediation team, divide and cooperate according to the characteristics and fields of disputes, and provide more targeted mediation services.

The rapid development of information technology provides more possibilities and convenience for people's mediation. The people's mediation system is developing in the direction of informationization. Through the establishment of electronic mediation platform and case management system, the sharing and circulation of mediation information can be realized, and the efficiency and quality of mediation work can be improved. With the help of the Internet and new media platforms, we will expand mediation channels and provide online mediation services to better meet the needs of the parties. The diversity of social contradictions and disputes requires the people's mediation system to be more inclusive and flexible. Therefore, people's mediation is developing in a diversified direction. One part is to pay attention to the participation of multiple subjects and encourage organizations such as communities, schools, enterprises, and institutions to set up mediation institutions to participate in dispute resolution. Another part is to promote the innovation of multiple mediation methods to meet the needs of different types and levels of dispute resolution, including network mediation and intelligent mediation.

#### **5. Conclusion**

With the continuous evolution of social governance, the people's mediation system as an important dispute resolution method is facing new development opportunities. Through the development trend of rule of law, specialization, informationization, diversification, and internationalization, people's mediation will better adapt to social needs, improve the efficiency and quality of mediation, and make positive contributions to social stability and harmony. The development of the people's mediation system needs continuous policy support and legal protection as well as the joint efforts of mediators, communities, academic circles, and the government. With the joint efforts of all parties, people's mediation will play a more important role in social governance and

promote social harmony and progress.

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