

Research on the Legalization of International Student Management in China from the Perspective of Modernizing Social Governance Capacity

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ABSTRACT

The modernization of social governance, as a value goal of comprehensively deepening reform, necessitates a comprehensive improvement in the governance capacity of all aspects and fields of the nation. Overall, it emphasizes the transition of society, including the education sector, from traditional management to modern governance practices. By improving the legal frameworks, institutional mechanisms, and regulatory systems for managing international students in China, the orderly, standardized, and scientific governance of host institutions can be ensured. The management of international students under the perspective of modernized social governance carries threefold value: educational governance, social governance, and the modernization of university governance. Traditional management practices for international students in China face challenges such as overemphasizing control at the expense of service, which weakens students' self-regulation; prioritizing rigid doctrine over clear rules, which fosters resistance among students; and a disconnect between management and legal principles, which undermines the educational function of management. The modernization of social governance facilitates a shift in international student management from a focus on regulation to an emphasis on the rule of law, thereby achieving true legalization in the management of international students.

KEYWORDS

Social governance; Modernization; International students in China; Legalized management

The modernization of social governance is a complex and systemic endeavor requiring continuous effort and innovation. Only through these efforts can an open, interest-diverse, multi-stakeholder, and functionally complete system of legalized management for international students be established. From the perspective of modernizing governance capacity, analyzing the legalization of international student management in China enhances its operational feasibility and provides a robust legal framework for improving universities' governance capacities regarding international students.

1 The Value Implications of Modernizing Social Governance Capacity for Legalized Management of International Students

The value of managing international students in universities is multifaceted. While its

fundamental value lies in its benefits to universities and the students themselves, its significance extends beyond these aspects. From the perspective of national governance modernization, what are the broader implications of international student management? Or, what "governance" value does it hold in higher education? Answering these questions provides both a value-based understanding of international student management within the broader governance system and a foundation for institutional innovation to address practical challenges.

International student management plays a critical role in the modernization of governance through its legal implications. Discussions on its value should not be limited to normative management but should also consider its demonstrated effects. Legalized management of international students underpins the modernization of educational governance and serves as a critical platform for modernizing social governance. Through these avenues, legalized management becomes both a theoretical and practical driver of governance modernization.

1.1 The Foundation for Modernizing Educational Governance

Management, as a standardized activity that emerged with societal development, ensures the functioning of other human activities. Specifically, legalized management of international students also serves as a key mechanism for regulating universities' activities. Governance modernization involves transitioning from traditional "zero-responsibility" management to modern, law-based governance. As an integral component of educational governance, the legalization of international student management synergizes with social governance system development to propel modernization processes. The primary task is to cultivate high-quality international student talent while promoting behavioral norms and personal development, ensuring the holistic growth of students in both academic and personal domains.

1.2 A Crucial Platform for Modernizing Social Governance

Social governance is a comprehensive systemic effort. From a broad perspective, the standardized management of international students is a manifestation of social governance. Universities, as microcosms of society, reflect societal principles and practices. Standardized management cultivates individuals with rule-based values and a strong sense of legal awareness, foundational to societal governance. It fosters self-management among international students, reinforcing individual behavioral norms within the broader framework of social governance. It enhances universities' capabilities in law-based management.

Universities serve as pivotal platforms for governance in the context of modernizing social governance. Effective management of international students contributes to societal governance modernization, education modernization, and the enhancement of governance systems and capabilities in the new era.

2 Challenges in Legalizing International Student Management from the Perspective of Modernizing Social Governance Capacity

The shift towards governance in international student management is not only a strategic push for national governance modernization but also a practical response to real-world challenges. While this transition offers significant potential for advancing governance modernization, it is also constrained by various practical difficulties. Addressing these challenges is a prerequisite for innovative pathways and achieving governance modernization.

2.1 Emphasis on Management Over Service: Declining Self-Regulation Among Students

Traditional approaches to international student management often separate management from service. Bureaucratic tendencies within student affairs departments exacerbate this division, perpetuating a "management versus managed" mindset. This approach can lead to two extremes: overly compliant students with limited self-regulation or resistant students who reject management. Both exhibit poor self-management skills. Administrators feel overwhelmed by excessive responsibilities, while students perceive inadequate support, as management fails to address their real needs.

Effective management should be demand-driven, focusing on creating an environment that empowers students to self-manage, self-evaluate, and self-develop.

2.2 Emphasis on Doctrine Over Rules: Strengthening Resistance Among Students

Modern educational theory underscores the importance of fostering self-directed learning among students. However, rigid and uninspired management approaches often provoke resistance. Many universities still rely on prescriptive methods, emphasizing authority over constructive guidance, which exacerbates students' rebellious attitudes.

To address this, universities must explore rule-based and legally grounded management mechanisms, nurturing governance mindsets among international students.

2.3 Disconnect Between Management and Legal Principles: Weakening Educational Functions

The primary goal of international student management is to cultivate talent aligned with societal governance modernization. However, in some universities, law-based management and education fail to complement each other effectively. The absence of collaboration between administrative and teaching staff hampers holistic management approaches. A prevalent mindset of minimizing risks, focusing on safety and stability rather than structured, law-based management, undermines the educational potential of student management.

International student management must integrate "legal management" with "educational management," balancing the dual functions of governance and education to foster both compliance and development.

This analysis underscores the strategic importance of modernizing international student management under a governance framework. By addressing these challenges, universities can innovate pathways for governance modernization, ultimately enhancing their role as pivotal platforms for advancing societal governance and education in the new era.

3 Pathways for Legalizing International Student Management Based on Modernizing Social Governance Capacity

Promoting the legalization of international student management requires clear identification of management stakeholders and the establishment of a multi-layered legal framework. Through effective interaction between rules and stakeholders, the goal of legalized management of international students can be achieved within the context of modernized social governance capacity. To address specific challenges in international student management, it is essential to analyze practical issues and clarify the essence of legalized management to determine the optimal pathway.

3.1 A Shift in Stakeholders: Building Collaborative Structures Centered on International Students

A key issue in discussions about the legalization of international student management is identifying the primary stakeholder. Traditionally, universities have been viewed as the sole stakeholders, with international students treated merely as subjects of management. This approach often results in rigid institutional controls that fail to address the core needs of international students.

Legalized management must empower international students to develop self-regulation, self-discipline, and self-management, meeting their intrinsic need for self-realization. This requires restructuring the management system to emphasize the role of students as active stakeholders. Additionally, a multi-tiered, comprehensive governance framework must be established to achieve "collaborative governance" among multiple stakeholders.

The central idea is to create an equal relationship between management personnel and international students, recognizing students' active roles in law-based management. Management personnel become part of the broader governance structure, with relationships defined by service and regulatory guidance. This shift moves from a single-responsibility system involving designated management personnel to a multi-stakeholder governance structure that fosters positive interactions and a sustainable system.

3.2 Networked Governance: Collaborative Systems for Managing International Students

A distinguishing feature of modernized social governance is its reliance on scientific, standardized network systems. Networked governance involves building interconnections between stakeholders and their external legal environments, forming a structured and collaborative governance network.

Traditional management often relies on linear, one-on-one relationships between administrators and students, which become ineffective as the complexity of governance and legal frameworks increases. With limited administrative resources, effective management requires a shift towards empowering students to self-govern and establishing student-led organizations to ensure mutual and collaborative governance.

Networked governance for international students operates like a web, where the denser and more structured the network, the greater its functionality, harmony, and stability. This approach moves beyond coercive traditional methods, fostering a modern "collaborative governance" model for international students.

3.3 "Moral-Legal Collaborative Governance": Harmonizing Ethical and Legal Approaches

The "moral-legal collaborative governance" model integrates ethical guidance and legal awareness to achieve effective governance of international students. This approach recognizes the dual roles of moral and legal governance in fostering well-rounded international student development.

The ultimate goal is to cultivate high-quality international students capable of contributing to modernized governance systems. Moral and legal governance should interact across different levels, perspectives, and domains to create a synergistic force that ensures effective governance.

In practice, this requires universities to adopt a legal mindset, ensuring governance and management comply with laws and regulations. Furthermore, management should follow the inherent "laws" of international student behavior while addressing fundamental educational tasks

through moral governance. Legal management must focus on fostering students' awareness of laws and rules, while moral governance develops foundational ethical qualities. Together, these approaches create a balanced, well-functioning framework for managing international students.

4 Conclusion

Under the requirements of modernized governance systems and capacities, the management of international students in China has become a new goal and expectation within broader governance modernization efforts. Social governance modernization offers valuable guidance and methodological pathways for addressing issues and challenges in international student management while also presenting new complexities to tackle. These challenges drive the progression of governance modernization and highlight the urgent need for breakthroughs in legalized management practices. The task is to integrate the principles and methods of governance modernization into the management of international students, drawing inspiration from practical experiences and aligning them with current management practices to achieve a fully legalized system. Legalizing the management of international students must fulfill its intrinsic values and functions while responding to the broader shift towards "law-based governance" in social management. By addressing contemporary social challenges, the legalized management of international students can achieve its goals and contribute to the broader objectives of modernized social governance.

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References

- [1] Li, R. (2022). Research on Legal Issues of Behavior Management for International Students in China [Master's thesis, Guangxi University].
- [2] Wang, Y., Dang, J., & Xiao, Z. (2023). Multilateral governance of international students in China: Employment status, governance measures, and innovative pathways. *Journal of China People's Police University*, 39(1), 12-17.
- [3] Zhang, Y., & Zhang, Y. (2022). On the ideological education pathways for international students in China under the perspective of modernizing university governance capacity. *Journal of Hubei Normal University (Philosophy and Social Sciences Edition)*, 42(2), 132-137.
- [4] Yao, Y. (2020). Strategies for improving the legal literacy of international students in China in the new era. *Legal System and Society*, (32), 159-160.
- [5] Chen, K. (2020). Exploration of student management mechanisms in universities under the perspective of national governance modernization. *University*, (39), 47-48.
- [6] Wang, J. (2020). Innovative approaches to ideological and political education under the perspective of modernized social governance. *Education Review*, (2), 19-24.
- [7] Ma, C. (2017). Research on the functional transformation of ideological and political education under the perspective of national governance modernization [Master's thesis, Jilin University].

- [8] Liu, Y. (2017). On the legal mindset in university student work: A perspective of modernized university governance. *Journal of Guangxi Normal University for Nationalities*, 34(1), 129-132, 144.
- [9] Chen, J., & Wan, Z. (2016). Reflections on modernizing the educational governance system and governance capacity. *Educational Research*, 37(10), 25-31.
- [10] Jia, Y. (2015). From social management to social governance: Research on pathways for enhancing modern national governance capacity. *Jilin University Journal of Social Sciences*, 55(4), 99-107, 251.
- [11] Yu, J., & Wei, C. (2015). Multilateral stakeholder collaborative governance: Logical pathways to modernized national governance. *Seeking Truth*, (4), 63-69.
- [12] Peng, Q., & Li, H. (2013). Analysis of current management models and exploration of layered management for international students in universities. *Modern University Education*, (1), 51-56.
- [13] Li, Y. (2011). Issues and suggestions for the educational management system of international students in China [Master's thesis, Northeast Normal University].
- [14] Zhang, M., & Liu, K. (2007). Reflections on strengthening the teaching and management of international students in China. *China Higher Education Research*, (5), 68-69.