

OPENING TO REFORM?

An Analysis of China's Revised Criminal Procedure Law



Lawyers Committee for Human Rights
October 1996

Opening To Reform An Analysis Of Chinas Revised Criminal Procedure Law

Xiaoming Huang



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Opening to Reform? Jonathan Hecht,1996 The Nanxun Legacy And China's Development In The Post-deng Era John Wong,Yongnian Zheng,2001-06-14 In the spring of 1992 Deng Xiaoping made a historical tour of south China popularly known as the Nanxun southern tour During the tour he boldly called for more radical economic reform and further opening up of China The Nanxun has become a political landmark in the history of the People s Republic of China much like great events such as the Great Leap Forward the Cultural Revolution and the 1989 Tiananmen crackdown Deng Xiaoping has left his own legacy for the country The Nanxun belongs to Deng just as the 1911 revolution belongs to Sun Yat sen and the communist revolution to Mao Zedong In this collection of articles leading China scholars and experts analyze how the Nanxun has sparked off dynamic economic growth in China and drastically changed the political and social landscape of the country

The Limits of the Rule of Law in China Karen G. Turner,James V. Feinerman,R. Kent Guy,2000-02-01 In The Limits of the Rule of Law in China fourteen authors from different academic disciplines reflect on questions that have troubled Chinese and Western scholars of jurisprudence since classical times Using data from the early 19th century through the contemporary period they analyze how tension between formal laws and discretionary judgment is discussed and manifested in the Chinese context The contributions cover a wide range of topics from interpreting the rationale for and legacy of Qing practices of collective punishment confession at trial and bureaucratic supervision to assessing the political and cultural forces that continue to limit the authority of formal legal institutions in the People s Republic of China

Law Reform in Developing and Transitional States Timothy Lindsey,2007 Law reform in developing countries has become an increasingly topical subject in recent years A critical issue is why so many law reform projects in developing economies are regarded by their sponsors and recipients as unsuccessful This informative book examines examples of law reform projects in post socialist and post authoritarian states in Asia identifies common problems proposes analytical frameworks for understanding the problems identified Though parallels between Asian models and those in developing states elsewhere in the world are strong the book has been developed to avoid suggestion that the issues covered are somehow peculiarly Asian indeed it is shown that cultural relativist approaches to Asia are unsustainable This is an invaluable reference for those involved in the areas of development economics Asian studies and comparative politics

People's Republic of China, Volumes I and II Frank N. Pieke,2023-12-31 This title was first published in 2002 This two volume set collects in a conveniently accessible form the most influential articles by leading authorities in the study of China It provides an international reference work combined with an authoritative introduction by the editor

Law and Justice in China's New Marketplace Ronald C. Keith,2001-01-11 Law and Justice in China s New Marketplace provides the first comprehensive multidisciplinary analysis of the jurisprudence and related law underlying the contemporary Chinese transition to the socialist market economy New pluralized jurisprudence has moved beyond Marxist class analysis to consider a new balance

of values relating to economic efficiency and social justice in the marketplace and yet the interior debates and perspectives concerning these values are virtually unknown in the Western scholarly literature By analysing the changing Chinese approach in law to the adjustment of social interests in the context of profound economic change Law and Justice in China s New Marketplace provides a unique reference tool It outlines the new vocabulary of market jurisprudence and law and examines new legal thinking on rights protection with reference to widely ranging and often hot internal debate over human rights property law and procedural or judicial justice

Legal Reforms in China and Vietnam John Gillespie, Albert Chen, 2010-09-13 This book provides a comprehensive comparative assessment of legal developments in China and Vietnam examining similarities and differences and highlighting the factors likely to promote change or resist the spread of the Chinese model

China's Legal System Pitman Potter, 2014-01-30 China s struggle for the rule of law is at a critical juncture As a key element of governance in the PRC today China s legal system affects not only domestic affairs but also China s engagement with the world But can a credible legal system emerge which protects the rights of citizens and international partners without undermining the power of the Party State And is the Chinese Communist Party willing to embark on judicial reforms that may jeopardize its very survival Understanding the PRC legal system is increasingly important as China rises to prominence in the world In this compelling analysis noted legal scholar Pitman Potter examines the ideals and practices of China s legal regime in light of international standards and local conditions Against a rich historical backdrop Potter explains how China s legal system supports three key policy objectives namely political stability economic prosperity and social development In exploring these competing policy goals and the tensions between them he also raises fundamental questions about government expectations of the role of law in regulating local and international socio economic and political relationships This wide ranging and readable introduction will be an invaluable guide for students and non specialists interested in China s ongoing process of legal modernization

Annual Report United States.

Congressional-Executive Commission on China, 2008 *Country Reports on Human Rights Practices for 1996* United States.

Congress. House. Committee on International Relations, 1997 **Forced Labor in China** United States.

Congressional-Executive Commission on China, 2005 **Governance and Politics of China** Tony Saich, 2017-09-07 The success or failure of China s development will impact not only its own citizens but also those of the world China is widely recognized as a global actor on the world stage and no global challenge can be resolved without its participation Thus it is important to understand how the country is ruled and what the policy priorities are of the new leadership Can China move to a more market based economy while controlling environmental degradation Can it integrate hundreds of millions of new migrants into the urban landscape The tensions between communist and capitalist identities continue to divide society as China searches for a path to modernization The People s Republic is now over 65 years old an appropriate juncture at which to reassess the state of contemporary Chinese politics In this substantially revised fourth edition and essential guide to the

subject Tony Saich delivers a thorough introduction to all aspects of politics and governance in post Mao China taking full account of the changes of the 18th Party Congress and the 12th National People's Congress Further the rise of Xi Jinping to power and his policies are examined as are important policy areas such as urbanization and the fight against corruption

The Ashgate Handbook of Legal Translation Le Cheng, King Kui Sin, 2016-04-01 This volume investigates advances in the field of legal translation both from a theoretical and practical perspective with professional and academic insights from leading experts in the field Part I of the collection focuses on the exploration of legal translatability from a theoretical angle Covering fundamental issues such as equivalence in legal translation approaches to legal translation and the interaction between judicial interpretation and legal translation the authors offer contributions from philosophical rhetorical terminological and lexicographical perspectives Part II focuses on the analysis of legal translation from a practical perspective among different jurisdictions such as China the EU and Japan offering multiple and pluralistic viewpoints This book presents a collection of studies in legal translation which not only provide the latest international research findings among academics and practitioners but also furnish us with a new approach to and new insights into the phenomena and nature of legal translation and legal transfer The collection provides an invaluable reference for researchers practitioners academics and students specialising in law and legal translation philosophy sociology linguistics and semiotics

China's Criminal Justice System United States. Congressional-Executive Commission on China, 2002

Examining Practice, Interrogating Theory Penelope (Pip). Nicholson, Sarah Biddulph, 2008 Legal transplantation and reform in the name of globalisation is central to the transformation of Asian legal systems The contributions to Examining Practice Interrogating Theory Comparative Legal Studies in Asia analyse particular legal changes in China Indonesia Malaysia Singapore Thailand Taiwan and Vietnam The contributions also concurrently critically analyse the utility of scholarly developments in comparative legal studies particularly discourse analysis regulatory theory legal pluralism and socio legal approaches in the study of Asian legal systems While these approaches are regularly invoked in the study of transforming European legal systems the debate of their relevance and explanatory capacity beyond the European context is recent By bringing together these diverse analytical tools and enabling a comparison of their insights through Asian empirical case studies this book makes an invaluable contribution to the debates concerning legal change and the methods by which it is analysed globally and within Asia

Rights Beyond Borders Rosemary Foot, 2000-09-21 Over the five decades since the establishment of the UN Charter and Universal Declaration of Human Rights human rights issues have become a dominant feature of the international system embracing new actors eroding the traditional Westphalian concept of sovereignty and leading to an acceptance that the treatment of individuals and groups within domestic societies is legitimately a focus of global attention This book examines the affect that this normative evolution has had on the individual state institutional and advocacy network behaviour Having described this normative environment it assesses its impact on key actors relationships with China

especially in the period since the Tiananmen bloodshed in June 1989. It also examines China's responses international and internal to being the focus of global attention in this issue area. The book's theoretical concerns are to uncover the conditions under which international human rights norms influence behaviour including domestic changes within states and about the operation of norms in the global system. *The Political and Economic Transition in East Asia* Xiaoming Huang, 2013-09-05

The book examines the political and economic developments in East Asia since the end of the Cold War in an attempt to identify a broad pattern of transition particularly in terms of the reshaping of the state's relations with forces and institutions in economy politics and domestic international interactions. The chapters are organised into three parts I The state in the new economy II The state in the new politics III The state in the new global environment. The contributors find a general pattern of the state's withdrawal from these three areas. But it is not simply that the market takes over as some envisaged. Instead the transition is moving towards a set of governance producing arrangements in which the role of both the market and the state are appreciated. The book concludes that a more sophisticated approach is needed to the problems of development vs governance the state vs the market and global dynamics vs national interests for a better understanding of the dynamic transition and the consequent new political economy in East Asia. *China's Accession to the World Trade Organization* Robert Ash, Heike Holbig, 2013-04-03

With China's accession to the World Trade Organization imminent this book brings together the expert views of scholars policy makers and business representatives on the consequences of this historic event. Insight into the past and future of China's relationship to the WTO is offered by authors involved on both sides of the negotiations on the EU China bilateral agreement of May 2000 and the on going negotiations up to spring 2001. An analyst and representatives from four economic sectors the automobile industry telecommunications insurance and banking clash over their predictions for the future. Also presented is an investigation of the challenges for China's political social and legal systems and revealing prognoses are given for the implications for global trade and investment flows for the EU and Greater China and for the modus operandi of the WTO itself. By shedding light on economic effects and social and legal implications the book gives a comprehensive picture of potential challenges arising from China's entry to the WTO. *Assessing Treaty Performance in China* Pitman B. Potter, 2014-03-10

Closer and more frequent contact among states brought about by globalization has led to an increase in trade and human rights disputes that can challenge economic relations and cloud political relationships. Preventing and managing these disputes requires a better understanding of the cross cultural dimensions of treaty performance on trade and human rights especially for increasingly important actors in the international system such as China. *Assessing Treaty Performance in China* outlines a new approach for understanding China's treaty performance around international standards on trade and human rights using the paradigms of selective adaptation and institutional capacity. Selective adaptation reveals how local interpretation and implementation of international treaty standards are affected by normative perspectives derived from perception complementarity and legitimacy. Institutional

capacity explains how operational dimensions of legal performance are affected by structural and relational dynamics of institutional purpose location orientation and cohesion The book focuses on legal performance rather than technical compliance to provide a more comprehensive perspective on China s interaction with international treaty standards It also offers policy suggestions for more effective engagement with China on trade and human rights issues

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