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Stanford Law School

China Guiding Cases Project
中国指导性案例项目

*Legal and Political Reform in China:
How to Read the Chinese Leaders' Mixed Signals?"*

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Legal and Political Reform

Really?



Open Government (1)

2007 - *Open Government Information Regulation* (《中华人民共和国政府信息公开条例》)

- 2002 - *Guiding Opinion of the National Informatization Leading Group on the Development of E-Government Affairs in China* (《国家信息化领导小组关于我国电子政务建设的指导意见》): the significance of developing e-government was to “improve the quality and efficiency of government administration...[and] **encourage public scrutiny**”.
- 2006 - *National Informatization Development Strategy (2006–2020)* (《2006-2020 年国家信息化发展战略》): e-government helps increase administrative efficiency...and “**expand democratic participation**”.



Open Government (2)

- 2006 - *Overall Framework for National E-Government Affairs* (《国家电子政务总体框架》) laid the foundation for the adoption of the *Open Government Information Regulation*.
- 2011 - *The Twelfth Five-Year Plan of National E-Government Affairs* (《国家电子政务“十二五”规划》) marked a new stage of e-government development in China: ...e-government is a “strategic initiative to deepen the reforms in the administrative system and **build a service-oriented government with which the citizens are satisfied.**”



Open Justice (1)

- 1982 - Constitution: “people’s courts independently exercise adjudication power in accordance with legal provisions.”
- 1999 – **3rd** amendment to the Constitution: “the People’s Republic of China practices ruling the country in accordance with law and builds a **socialist rule-of-law country**.” **NOTE: 1988, 1993, 1999, 2004.**
- 2013 - *Decision on Major Issues Concerning Comprehensively Deepening Reforms* (the “**Third Plenum Decision**”): “ensure independent exercise of adjudication power in accordance with law”; “safeguard the people’s rights and interests so that the people feel fairness and justice in every judicial case.”



Open Justice (2)

- 2014 -- *Several Major Issues Concerning Comprehensively Moving Forward “Governing the Country According to Law”* (the “*Fourth Plenum Decision*”): “accelerate the construction of a rule of law government”, “guarantee judicial fairness [and] raise judicial credibility”, “broaden **people’s channels to orderly participate in the judiciary**”, “ensure that **people can participate in the judiciary**”, and “establish ‘under sunshine’ a judicial mechanism that is **open**, dynamic, **transparent**, and convenient to citizens”.
- Measures taken: e.g. Guiding Cases



Legal and Political Reform

What do you think?