

THE DEATH PENALTY IN CHINA

POLICY, PRACTICE, AND REFORM

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AND HONG LU

FOREWORD BY ROGER HOOD

The Death Penalty In China Policy Practice And Reform

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The Death Penalty In China Policy Practice And Reform:

The Death Penalty in China Bin Liang,Hong Lu,2015-12-01 Featuring experts from Europe Australia Japan China and the United States this collection of essays follows changes in the theory and policy of China s death penalty from the Mao era 1949 1979 through the Deng era 1980 1997 up to the present day Using empirical data such as capital offender and offense profiles temporal and regional variations in capital punishment and the impact of social media on public opinion and reform contributors relay both the character of China s death penalty practices and the incremental changes that indicate reform They then compare the Chinese experience to other countries throughout Asia and the world showing how change can be implemented even within a non democratic and rigid political system but also the dangers of promoting policies that society may not be ready to embrace

Punishment in Contemporary China Enshen Li,2018-06-28 Punishment in contemporary China has experienced dramatic shifts over the last seven decades or so This book focuses on the evolution development and change of punishment in the Maoist 1949 1977 reform 1978 2001 and post reform eras 2002 of China to understand the shaping and transformation of punishment within the context of a range of socio cultural changes across different historical periods It aims to fill the gap of existing research by developing a distinctive theoretical framework for the China s penalty exploring it as a separate and complex legal social system to observe the impact social foundations political economic genesis cultural significance and meanings have exerted on penal form discourse and force in contemporary China It sheds light on the sociology of punishment in this socialist Party state by investigating law reform penal policy social control crime prevention and sentencing as interconnected elements in the criminal justice and penal system This book will be of great interest to those who study Chinese criminal law penal and policing system as well as to law academics criminologists and sociologists whose research interests lie in the fields of comparative criminology and criminal justice

Handbook on Human Rights in China Sarah Biddulph,Joshua Rosenzweig,2019 This Handbook gives a wide ranging account of the theory and practice of human rights in China viewed against international standards and China s international engagements around human rights The Handbook is organised into the following sections contested meanings international dimensions economic and social rights civil and political rights rights in action and access to justice political dimensions of human rights in Greater China and new frontiers

The Elgar Companion to Capital Punishment and Society Benjamin Fleury-Steiner,Austin D. Sarat,2024-09-06 The Elgar Companion to Capital Punishment and Society presents a multidisciplinary overview of capital punishment s influences processes and outcomes across society A global range of philosophers social scientists legal experts political theorists and historians critically analyse the trajectory of the death penalty in both retentionist and abolitionist countries underscoring how state killing remains a crucial issue worldwide

Chinese Legality Shiping Hua,2022-12-30 Chinese Legality focuses on the concept of legality as a lens through which to look at Chinese legal reforms making a valuable contribution to the argument that law has historically been used as a tool to

control society in China This book discusses how Chinese legality in the Xi Jinping era is defined from a theoretical ideological historical and cultural point of view Covering vitally important events such as Xi's term limit issue the Hong Kong protests and the Covid 19 pandemic the book examines how legality is reflected and embodied in laws and constitutions and how legality is realized through institutions with particular focus on how the CCP interacts with the legislature the judiciary the procuratorate and the police As a study of the legal reforms under Xi Jinping this book will be of interest to students and scholars of Chinese politics and law

Comparative Capital Punishment Carol S. Steiker, Jordan M. Steiker, Comparative Capital Punishment offers a set of in depth critical and comparative contributions addressing death practices around the world Despite the dramatic decline of the death penalty in the last half of the twentieth century capital punishment remains in force in a substantial number of countries around the globe This research handbook explores both the forces behind the stunning recent rejection of the death penalty as well as the changing shape of capital practices where it is retained The expert contributors address the social political economic and cultural influences on both retention and abolition of the death penalty and consider the distinctive possibilities and pathways to worldwide abolition

Death Penalty and the Victims Ivan Šimonović, 2016 This book includes perspectives from a broad range of victims including family members of the crime victims convicted persons whose rights are violated by the justice system through wrongful convictions unequal and discriminatory application of justice lack of a due process imposition for crimes that do not meet the most serious crimes threshold or to the categories of perpetrators that should be protected from the death penalty minors persons with mental or intellectual disabilities pregnant women as well as third parties including family members of the convicted person especially children and primary caretakers and persons included in criminal proceedings or executions such as prosecutors judges lawyers and executioners It is argued in this thought provoking book that the states right to execute violates the right to life and negatively reflects on human rights of its citizens in general

UCLA Pacific Basin Law Journal, 2009 **Chinese Law and Government**, 1980 **Journal of Chinese Law**, 1987 **Michigan Journal of International Law**, 1989 **On the**

Alternative Punishment to the Death Penalty in China Gui Huang, 2024-04-17 This book presents a study of alternative penalties to the death penalty in China aiming to promote theoretical exploration of death penalty reform in China as well as long term penal reform Currently China is endeavouring to control the use of the death penalty and is gradually moving towards its abolition The factors influencing the choice of the punishment option to replace the death penalty are complex and varied and include the traditional punishment culture penalty concepts the political system the punishment system public opinion and human rights etc Given the differences between China and developed Western democratic states when we examine these influencing factors we cannot ignore the culture of the punishment and the special political and legislation system in China In this light this work examined and analysed the factors that influence the choice of punishment option to replace the death penalty in this special political system with its clearly Chinese characteristics Criminal policy and public

opinion are two significant and typical factors involving obvious political considerations in China. The former normally reflects and carries out the will of the Government as expressed to the national management the latter responds to the majority of citizens view on the current legal system and it is to a great extent the basis for national leadership's running of the country. Even though life imprisonment without release hereinafter LWOR has been stipulated by the Ninth Amendment for the crime of corruption it should not be the preferable option as the alternative sanction to the death penalty because it is a kind of cruel torture and violates the constitutional principle of human rights protection. On the contrary life imprisonment with possibility of release hereinafter LWPR would be an option but the termination mechanisms for inmates should be set out in accordance with the principle of proportional justice aggravated life imprisonment can be chosen to replace the death penalty in China. In addition there needs to be improvements made to the relevant criminal systems. By examining China's death penalty reform and long term imprisonment reform this book not only explains the methodology of the reform theoretically but also pays attention to the issues of legislation and judicial practice. This book is of interest to scholars and researchers in the fields of criminal justice penal reform issues and crime control in China. 二〇〇〇, 2008 *Translations on People's Republic of China*, 1962-03-26 **Activities of the Institutes of the United Nations Crime Prevention and Criminal Justice Programme Network** United Nations. Economic and Social Council, 2017 *China Perspectives*, 2005 **Reform of the Federal Criminal Laws** United States. Congress. Senate. Committee on the Judiciary. Subcommittee on Criminal Laws and Procedures, 1971 **The American Journal of Comparative Law**, 1952 **Lectures on the General Principles of Criminal Law in the People's Republic of China**, 1962 **Proceedings of the Eighth Sino-American Conference on Mainland China, May 17-20, 1979**, 1979

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