

# The Death Penalty in Contemporary China

Susan Trevaskes

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# The Death Penalty In Contemporary China Palgrave Series In Asian Governance

**Roger Hood**

## **The Death Penalty In Contemporary China Palgrave Series In Asian Governance:**

**The Death Penalty in Contemporary China** S. Trevaskes, 2012-07-16 China's infamous death penalty record is the product of firm Party state control and policy setting. Though during the 1980s and 1990s the Party's emphasis was on kill many, in the 2000s the direction of policy began to move toward kill fewer. This book details the policies, institutions, and story behind the reform of the death penalty.

**The Death Penalty in Contemporary China** S. Trevaskes, 2012-07-16 China's infamous death penalty record is the product of firm Party state control and policy setting. Though during the 1980s and 1990s the Party's emphasis was on kill many, in the 2000s the direction of policy began to move toward kill fewer. This book details the policies, institutions, and story behind the reform of the death penalty.

**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.

**The advocacy trap** Stephen Noakes, 2017-12-27 What does China's rise mean for transnational civil society? What happens when global activist networks engage a powerful and norm-resistant new hegemon? This book combines detailed ethnographic research with cross-case comparisons to identify key factors underpinning variation in the results and processes of advocacy on a range of issues affecting both China and the world, including global warming, intellectual property rights, HIV/AIDS treatment, the use of capital punishment, suppression of the Falun Gong religious movement, and Tibetan independence. Built on a unique blend of comparative and international theory, it advances the notion of advocacy drift: a process whereby the objectives and principled beliefs of activists are transformed through interaction with the Chinese state. The book offers a timely reassessment of transnational civil society, including its power to persuade and to leverage the policies of national governments.

**Procedural Justice and the Fair Trial in Contemporary Chinese Criminal Justice**

Elisa Nesossi, Susan Trevaskes, 2018-09-04 This review examines the literature on procedural justice and the fair trial over the past two decades in the People's Republic of China. Part 1 gives a wide-angle view of the key political events and developments that have shaped the experience of procedural justice and the fair trial in contemporary China. It provides a storyline that explains the political environment in which these concepts have developed over time. Part 2 examines how scholars understand the legal structures of the criminal process in relation to China's political culture. Part 3 presents scholarly views on three enduring problems relating to the fair trial: a presumption of innocence, interrogational torture, and the role of lawyers in the criminal trial process. Procedural justice is a particularly pertinent issue today in China because Xi Jinping's *yifa zhiguo* governing the nation in accordance with the law governance platform seeks to embed a greater appreciation for procedural justice in criminal justice decision making to correct a politico-legal tradition overwhelmingly

focused on substantive justice Overall the literature reviewed in this article points to the serious limitations in overcoming the politico legal barriers to justice reforms that remain intact in the system despite nearly four decades of constant reform

China and the Death Penalty. Historical and Current Developments Michael Sting,2016-02-16 Seminar paper from the year 2015 in the subject Law Comparative Legal Systems Comparative Law University of Cologne Institute of East Asian Studies Seminar Modern China Studies course The political System of VR China language English abstract Kill fewer kill carefully According to the wishes of the Chinese Politburo these two political guidelines are to be implemented in the future in order to simultaneously maintain harmony and order in China As with any passed laws independent of country or government two questions arise here 1 What did the prior evolution look like and can obligatory reform prevail 2 Which competences are the judiciary's responsibility and is there a guarantee that secure monitoring of law enforcement will be carried out I will pursue these questions in this paper For this purpose I will start by addressing the term death penalty the legal provisions in China as well as its evolution with a particular focus on the Strike Hard Campaign and the decentralization process of the courts which substantially contributed to the need for reform Furthermore I will analyze the reformation of the Supreme People's Court and assess the current state of the political guidelines being strived for and their actual executive implementation The conclusion should allow for an assessment of the reformation measures if they have indeed been successful if there is a need to catch up or if they failed entirely China's Death Penalty Hong Lu, Terance D. Miethe, 2010-06-10 By all accounts China is the world leader in the number of legal executions Its long historical use of capital punishment and its major political and economic changes over time are social facts that make China an ideal context for a case study of the death penalty in law and practice This book examines the death penalty within the changing socio political context of China The authors treatment of China death penalty is legal historical and comparative In particular they examine the substantive and procedural laws surrounding capital punishment in different historical periods the purposes and functions of capital punishment in China in various dynasties changes in the method of imposition and relative prevalence of capital punishment over time the socio demographic profile of the executed and their crimes over the last two decades and comparative practices in other countries Their analyses of the death penalty in contemporary China focus on both its theory how it should be done in law and actual practice based on available secondary reports sources **DEATH PENALTY IN CONTEMP CHINA** Kwok-Wah Andy Chan, 2017-01-26 This dissertation Death Penalty in Contemporary China by Kwok wah Andy Chan was obtained from The University of Hong Kong Pokfulam Hong Kong and is being sold pursuant to Creative Commons Attribution 3.0 Hong Kong License The content of this dissertation has not been altered in any way We have altered the formatting in order to facilitate the ease of printing and reading of the dissertation All rights not granted by the above license are retained by the author DOI 10.5353/th\_b3197890 Subjects Capital punishment China Death Penalty in Contemporary China Kwok-wah Chan (Andy), University of Hong Kong, 2000 The Next Frontier David T Johnson, Franklin

E Zimring, 2009-02-02 Today two thirds of the world's nations have abolished the death penalty either officially or in practice due mainly to the campaign to end state executions led by Western European nations Will this success spread to Asia where over 95 percent of executions now occur Do Asian values and traditions support capital punishment or will development and democratization end executions in the world's most rapidly developing region David T Johnson an expert on law and society in Asia and Franklin E Zimring a senior authority on capital punishment combine detailed case studies of the death penalty in Asian nations with cross national comparisons to identify the critical factors for the future of Asian death penalty policy The clear trend is away from reliance on state execution and many nations with death penalties in their criminal codes rarely use it Only the hard line authoritarian regimes of China Vietnam Singapore and North Korea execute with any frequency and when authoritarian states experience democratic reforms the rate of executions drops sharply as in Taiwan and South Korea Debunking the myth of Asian values Johnson and Zimring demonstrate that politics rather than culture or tradition is the major obstacle to the end of executions Carefully researched and full of valuable lessons The Next Frontier is the authoritative resource on the death penalty in Asia for scholars policymakers and advocates around the world

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

**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 **Strong Court, Mild Punishment** 2021 **China's Criminal Justice System and the Trial of Pro-democracy Dissidents** Hungdah Chiu,1992 **Confronting Capital Punishment in Asia** Roger Hood,2013-11 This volume explores the continued use of capital punishment in Asia and the reasons behind its retention Various contributions offer insights into the politics practice and public opinion of Asian capital punishment *The Death Penalty in Chinese Criminal Law* Ludwig Hetzel,2009-08-17 Seminar paper from the year 2009 in the subject Orientalism Sinology Chinese China grade A Tsinghua University course Chinese Criminal and Criminal Procedure Law language English abstract In international discussions China is often criticized for its heavy use of the death penalty so what is the legal basis for the capital punishment and the procedural background **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 aggravatedlife 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 **Justice** Flora Sapio,Susan Trevaskes,Sarah Biddulph,Elisa Nesossi,2017-07-27 Claims about a pursuit of justice weave through all periods of China s modern history But what do

authorities mean when they refer to justice and do Chinese citizens interpret justice in the same way as their leaders This book explores how certain ideas about justice have come to be dominant in Chinese polity and society and how some conceptions of justice have been rendered more powerful and legitimate than others This book's focus on how justice works incorporates a concern about the processes that lead to the making un making and re making of distinct conceptions of justice Investigating the processes and frameworks through which certain ideas about justice have come to the political and social forefront in China today this innovative work explains how these ideas are articulated through spoken performances and written expression by both the party state and its citizenry

### **Chinese Netizens' Opinions on Death Sentences**

Bin Liang,Jianhong Liu,2021-11-15 Few social issues have received more public attention and scholarly debate than the death penalty While the abolitionist movement has made a successful stride in recent decades a small number of countries remain committed to the death penalty and impose it with a relatively high frequency In this regard the People's Republic of China no doubt leads the world in both numbers of death sentences and executions Despite being the largest user of the death penalty China has never conducted a national poll on citizens' opinions toward capital punishment while claiming overwhelming public support as a major justification for its retention and use Chinese Netizens' Opinions on Death Sentences An Empirical Examination uses a forum of public comments to explore and examine Chinese netizens' opinions on the death penalty Based on a content analysis of 38 512 comments collected from 63 cases in 2015 this study examines the diversity and rationales of netizens' opinions netizens' interactions and their evaluation of China's criminal justice system In addition the book discusses China's social systemic and structural problems and critically examines the rationality of netizens' opinions based on Habermas's communicative rationality framework Readers will be able to contextualize Chinese netizens' discussions and draw conclusions about commonalities and uniqueness of China's death penalty practice

### **Legal Reforms and Deprivation of Liberty in Contemporary China**

Elisa Nesossi,Sarah Biddulph,Flora Sapiro,Susan Trevaskes,2016-06-03 The volume presents an extensive investigation into the process of reforms of detention powers in today's China and offers an in depth analysis of the debates surrounding the reformist attempts The chapters in this collection demonstrate that legislative and institutional reforms in this area result from political opportunities openings and tensions at the central institutional levels of political authority and contingent social and political factors The book examines legal and institutional reforms to institutions of detention and imprisonment that have occurred since the 1990s with a particular focus on the 21st century Its content follows three particular lines of enquiry concerning the issue of deprivation of liberty in contemporary China The first deals with the academic and theoretical debates on the subject of imprisonment and detention The related chapters explain the difficulties encountered in this area of research and understandings of the discourses of reform through labour in Western and Chinese scholarship The second deals with the specific issues of criminal and administrative forms of deprivation of liberty examining in particular the institutional and legislative dimensions considering the relationship

between reforms and criminal justice policy agendas. The third assesses the meaning of institutional reforms in the context of the changing state-society relationship in contemporary China.

Uncover the mysteries within Crafted by is enigmatic creation, Embark on a Mystery with **The Death Penalty In Contemporary China Palgrave Series In Asian Governance** . This downloadable ebook, shrouded in suspense, is available in a PDF format ( PDF Size: \*). Dive into a world of uncertainty and anticipation. Download now to unravel the secrets hidden within the pages.

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