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Katrin Blasek

Rule of Law in China

A Comparative Approach



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Chapter 1

Introduction

1.1 Calls for Rule of Law

When looking into the younger history¹ of China,² many calls are found concerning, in one way or another, the rule of law. The need to further improve the rule of law was expressed not only by foreign entrepreneurs, especially by those from the Western hemisphere, but also by other representatives of the so-called Western civilization (see Sect. 1.1.1). China officially called expressly or in other ways for “rule of law,” too (see Sect. 1.1.2).

1.1.1 Western Calls

Since Deng Xiaoping started the policy of reform and opening up in 1978, several Western institutions have urged China to adhere to the rule of law.

Two prominent policy papers published in 2012 may serve as example. One is the “Business Confidence Survey” initiated and published by the European Chamber of Commerce in China (EUCCC). It shows that the interviewees, European entrepreneurs and companies, consider the “rule of law”³ as the most important among five top drivers for China’s economic performance in the coming years.⁴ The survey shows

The development of the *rule of law* and more transparent policy-making and implementation is rated as the most important driver for future Chinese economic growth.⁵

¹ Starting in 1978.

² P.R. China excluding Hong Kong, Macao, and Taiwan.

³ Followed by domestic consumption, labor costs, unfair competition and monopolies, and the implementation of environmental regulations.

⁴ EUCCC (2012), 28.

⁵ EUCCC (2012), 5.