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***To Socialize A Rising Power: How Have International Norms
Changed China, and Vice Versa.***

I will conduct interview and collect data in China in summer 2007, and the dissertation would be finished by June 2008. The Peking University (PKU) at Beijing has kindly offered me a position of visiting scholar, a title that greatly facilitates my research in China, and provides free housing and unlimited access to PKU research facilities during my 2-month stay on the PKU campus.

The subject matter that I will investigate is China's progress on the implementation of the rule of law, and the role of Western participants (grassroots NGOs, legal professional organizations, and government-funded projects) in China's legal-judicial reform. The project is closely relevant to the CCPB's mission because I would like to observe and evaluate the efficacy of foreign engagement in legal-judicial reform of the world's most populous country, whose imbalanced economic development and increasing social polarization has generated an ever more delicate and volatile social order.

The Chinese government since the late 1990s has pledged to administer by law (*yifa zhiguo*), and foreign participation in the effort of China's legal-judicial reform has apparently took off since then. Thousands of transnational NGOs, legal professional organizations, academic institutes, and major international governmental organizations have provided technical assistance and financial aid for reform projects in China, both in governmental and non-governmental sectors. Their contributions may be found in several aspects of legal-judicial development in China, especially in: improved quality of lawmaking, transfusion of the concept of judicial independence, highlight of procedural reform in criminal justice, professionalization of legal-judicial community, establishment of legal aids centers at all administrative levels, development of legal education in universities, emergence of public interest law, and encouragement of public legal education.

That, however, constitutes only half of the story. The other side of the story is that during the same period of time China's human rights record has not improved in a meaningful way. Although reduced in scope and more nuanced in method, state repression against selective societal, ethnic and

religious groups has not decreased, the disadvantaged citizens (e.g., laid-off SOE workers and migrant laborers in urban areas, and farmers in the country) have not received adequate legal service when their rights were violated, the Communist Party and the executive branch have still practiced excessive intervention in legal-judicial affairs, and recently even rights-defending lawyers and non-governmental legal workers have come under harassment and/or persecution by China's national security apparatuses. Therefore I would like to examine this paradoxical phenomenon, that is, why has ten years of China's legal-judicial reform and foreign participation in it not resulted in substantial improvement of human rights condition?

There are three existing propositions, suggested by scholars of international relations (IR), that attempt to account for the gap between a government's professed commitment to the rule of law and human rights protection, and her actual performance. The first proposition concerns time lag: institutional learning takes time to be internalized and effective. The second proposition regards the state's central-local, or principal-agent relationship: the political will of central government for deeper reform may be frustrated or thwarted by local protectionism. The third proposition highlights the factor of national security, which in Chinese politics is equivalent to regime survival. This proposition suggests that legal-political reform toward the rule of law and human rights protection is a component of a larger reform project that is actually designed to sustain the political survival of the existing regime. A reform project like this is conservative in its nature and constrained in its scope, which explains the continuation of rights abuses.

I plan to examine the relevance of each proposition in explaining the conspicuous disparity between the expected positive results of legal-judicial reform and the disappointing quality of human rights development in China. Until now China's legal-judicial reform has barely been a subject of IR or comparative politics, and scholars brought up the three propositions mainly to explain a developing country's socio-economic development, so I am concerned that the existing theories might not be adequate to understand the complicated relationships between China's legal-judicial reform and international socialization efforts. I want to investigate how foreign participants of China's legal-judicial reform have dealt with those institutional and political barriers mentioned above. I would like to learn the bargaining process through which a joint reform project was made available, and how the efficacy of a

project is assessed both by foreign participants and by their Chinese counterparts. In a nutshell, I am interested in gauging the bargaining power held by foreign participants over the planning, implementation, and evaluation of a reform project, and the perception of Chinese government to the requests of foreign participants.

The Ford Foundation (Beijing Office) and the Asia Foundation (Hong Kong branch) have accepted my request of conducting interviews to their staff members responsible for China projects, and the Asia Foundations has agreed to let me visit several legal aid centers in central China that have received the Foundation's technical and financial support. Still I am waiting for an answer of my interview request from other Western NGOs (for example, the American Bar Association at Beijing and the International Bridges to Justice at Wuhu, Anhui province). Besides Western NGOs, I also will visit and collect data from Chinese academic and research institutes. The PKU title of visiting scholar should allow me to approach PKU researchers who specialize in China's legal-judicial development. In addition to the Peking University, I also plan to visit other major recipients of foreign technical and financial assistance for legal-judicial reform, including the National Judges College, the National Prosecutors College, Renmin University's School of Law, China University of Political Science and Law, Wuhan University, the All-China Women's Federation, and the All-China Lawyers Association.

Budget Proposal

1. Transportation: \$1,700

Round-trip international airfares (Los Angeles-Hong Kong-Beijing-Los Angeles) \$1,300

Domestic airfares (Beijing-Wuhan-Beijing) \$250

Local transportation \$150

2. Lodging: \$500

Hong Kong (5 nights) \$250

Wuhan (5 nights) \$150

Wuhu, Anhui province (4 nights) \$100

3. Food: \$600

\$10 (per day)* 60 days = \$600

4. Miscellaneous (translation, photocopying, material purchase, assistantship): \$200

Total: \$3,000