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This volume unpacks the relationship between constitutionalism and judicial power in China. It explores how court behaviour intersects with - affects and is affected by - China's evolving notions of constitutionalism.

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Editorial Review

Review

"Dealing with constitutionalism in China was a risky bet. It meant giving an account of an uncertain and sometimes chaotic process in the making, while avoiding all sorts of interpretations, be they radical skepticism or legal do-gooderism. The result is truly successful, and the comparison with other traditions - an indispensable reference - does not alter the relevance of the Chinese specificity that should interest the international community of legal specialists. This book will encourage constitutional law scholars and all legal professionals (including judges as well as judicial cooperation drafters) to meditate on the issue as it shows that constitutionalism not only concerns the Constitution and its official interpreters, but that in China it represents a real movement and the wake of a legal consciousness. Instructive and inspiring." - Judge Antoine Garapon

"This volume achieves the rarest of academic feats: it is both a major contribution to the study of modern China and a major contribution to the study of constitutionalism. Historically rich and theoretically sophisticated, the chapters take Chinese constitutionalism on its own terms. Collectively, they unearth antecedents, evaluate recent developments, and identify future trajectories. In doing so, the authors not only illuminate China but also provide an important mirror on Western thinking about constitutions and constitutionalism. This is essential reading for students of East Asia and comparative law." - Tom Ginsburg, University of Chicago Law School

"For an authoritarian system, China has surprisingly robust rule-of-law values built into its constitution. Even more surprisingly, despite the continued vitality of one-party rule, the constitution has exerted growing influence on academic discussion, judicial behavior, and local administration. In this volume, a roster of distinguished Chinese, European, and American contributors probe beneath the surface to show how an emerging constitutionalist trend is softening, although not yet replacing, arbitrary rule. They capture the complexity of Chinese trends with rare sophistication and reawaken our sense of the openness of China's future." - Andrew J. Nathan, Class of 1919 Professor of Political Science, Columbia University

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