

7 September 2017, Thursday ✦ 4.00pm – 5.00pm

Lee Sheridan Conference Room, Eu Tong Sen Building, NUS (Bukit Timah Campus)

## The Rule of Law Doctrine of the Politburo

**Speaker: Mr Ewan Smith, University of Oxford**

**Chairperson: Professor James Penner, NUS Law**

### ABSTRACT

This article charts the evolution of Party doctrine on the rule of law in the formative period from 2002 until 2014. The article uses the reported content of Politburo study sessions to shed light on leadership deliberation during this period, and shows how the Politburo's conception of the rule of law developed. It highlights the themes that underpin the 2014 Fourth Party Plenum Decision on Comprehensively Advancing Governance According to Law. It demonstrates that the concepts that set the general line on rule of law were shaped in the early part of Hu Jintao's term in office. In particular, the vexed question of how to reconcile rule of law with party leadership was dealt with by presenting these ideas as parts of a vague "organic unity." Finally, it contrasts an earlier vision of the rule of law as something that rectifies institutions with a later vision of the rule of law as something that rectifies cadres. Together, these concepts shape current Party doctrine on the rule of law.

### ABOUT THE SPEAKER



Ewan Smith is the Shaw Foundation Junior Research Fellow at Jesus College. He is an Associate at the Oxford University China Centre and at the Programme for the Foundations of Law and Constitutional Government. Ewan read law at Brasenose College and the University of Paris (B.A.) and at Harvard Law School (LL.M.). He has previously worked at Trinity and Hertford Colleges and at Peking, Tsinghua and Renmin Universities in China. He is admitted to practice in New York, where he worked for Debevoise and Plimpton LLP. Before returning to Oxford, he spent ten years at the Foreign and Commonwealth Office. Ewan's work explores how rules govern powerful institutions, with a focus on foreign affairs law and comparative public law. His doctorate examines the constitutional role played by political rules in Britain and China. His research over the next two years will look at how the UK constitution regulates political parties and why the law treats foreign policy differently to other government business.

### REGISTRATION

There is no registration fee for this seminar but seats are limited.  
Light refreshment will be provided on a first-come, first-served basis.  
Closing Date: **6 September 2017, Wednesday**  
For enquiries, please contact Alexandria at [cals@nus.edu.sg](mailto:cals@nus.edu.sg)

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