

CHALLENGE TO CHINA

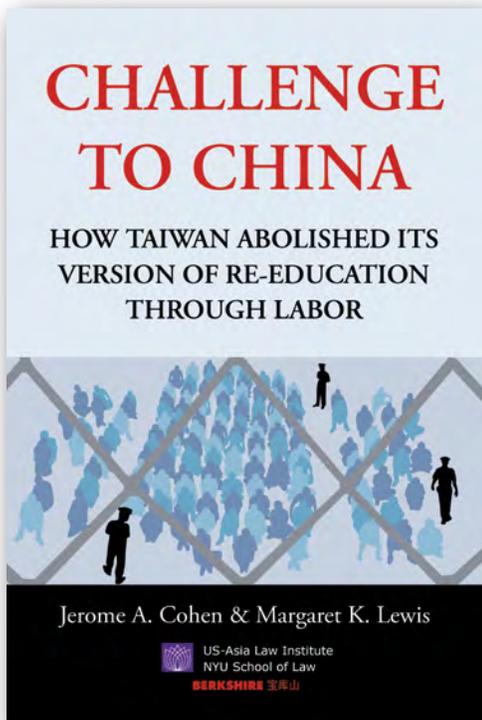
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HOW TAIWAN ABOLISHED ITS VERSION OF RE-EDUCATION THROUGH LABOR

“*Challenge to China* is not only a scholarly tour-de-force; it is a beacon for the reform that is essential if the citizens of the People’s Republic are to receive the rights they deserve and their government is to command the respect that is due a great power.”
—**Judge John M. Walker, Jr.**,
United States Court of Appeals for the Second Circuit



Challenge to China draws attention to an underappreciated aspect of legal reforms in Taiwan and asks how Taiwan’s experience might be relevant to its giant neighbor across the Taiwan Strait. This timely book by Jerome A. Cohen, whose groundbreaking work in the 1960s laid a foundation for the expanding field of Chinese law, and Margaret K. Lewis, professor at Seton Hall University School of Law and an expert on Taiwanese and Chinese law, will be valuable to lawyers, judges, and criminal justice professionals, as well as to anyone interested in legal reform and in the development of criminal justice systems.

The Chinese leadership has for years claimed that it would soon abolish the infamous labor camps of its police-dominated system of “re-education through labor” (RETL) but so far has not taken steps to do so. Although the country’s new leadership has signaled that it may finally reform, or perhaps even eliminate, RETL, it is still a reality in Mainland China. Taiwan, however, abolished its own system of labor camps for *liumang*—very loosely translated as “hooliganism”—in 2009, standing as a challenge to Mainland China to outlaw, at last, its analogous system. Taiwan’s success in curbing arbitrary police power challenges its neighbor across the strait to follow through on years of false starts on reining in the most egregious exercises of unfettered police power.

For source material, the book looks to Taiwan’s conventional laws, rules, and regulations; judicial decisions and other government publications; scholarly writings; newspaper and magazine articles; the authors’ conversations with judges, prosecutors, lawyers, police, and scholars; and visits to government agencies, police stations, and even the institutions for punishing *liumang*. The book’s crisp, clear presentation makes it accessible to the general reader as well as to China specialists.

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“Through a meticulous case study of the abolition of the offense of *liumang* [hooliganism], the book provides a fresh and insightful perspective on the rise and fall of that notorious penal institution in Taiwan and the interaction between political liberalization and police accountability. Taiwan’s experience says to China that robust legal reform not only strengthens democracy, but may also catalyze it.” —**Professor Fu Hualing**, *University of Hong Kong Faculty of Law*

“This short, readable book explains Taiwan’s legal system, details its legal reforms, and offers guidance (and hope) to reformers everywhere—including those in the People’s Republic of China—who are working to rein in police power and secure the rule of law.” —**Shelley Rigger**, *Senior Fellow at the Foreign Policy Research Institute’s Asia Program and Brown Professor of East Asian Politics at Davidson College*