

INDEPENDENT AND IMPARTIAL

The online dialogue on Tuesday between citizens and high officials from the Supreme People's Court, the Supreme People's Procuratorate, the Ministry of Public Security and the Ministry of Justice, attracted considerable attention because of its theme - judicial justice.

A just judiciary is essential to a fair society, and fairness and justice were defined as “inherent requirements” for socialism with Chinese characteristics in the report delivered to the 18th National Congress of the Communist Party of China by Hu Jintao, general secretary of the CPC Central Committee.

Yet in spite of the prominence given to fairness and justice in the report, the only direct reference to judicial justice was the pledge to make sure courts and procuratorates carry out their duties independently and impartially in accordance with the law.

Given the poisonous consequences of judicial injustice, such pledges must be translated into efforts to boost the public's trust in judicial impartiality, because, as the report highlighted, judicial injustice is a primary source of discontent among ordinary citizens.

The concerns were evident from the questions submitted during and prior to the online dialogue:

“How can we ensure judges make independent judgments?”

“With public expectations of the judiciary increasing, how will the courts cope with them?”

“Judicial injustice usually has to do with corruption. Who is to probe into the corruption within the judiciary?”

“How will the judiciary maintain its independence in the face of interference by administrative authorities?”

The questions mirrored and confirmed the popular concerns over transparency,

corruption, due procedure and judicial credibility in the everyday discourse on judicial justice, and pointed directly to the roots of the injustice found in the country's present-day judicial practice.

Netizens acknowledged that the country has made progress in law enforcement in the past decade as the authorities have taken sincere steps to advance and complete the country's legal system. However, all are aware that much needs to be done to ensure the laws are enforced as they should be.

As Hu stressed in his report, the rule of law means no organization or individual has the privilege of overstepping the Constitution and laws, and no one in a position of power is allowed in any way to take one's own words as the law, place one's own authority above the law or abuse the law. As the country follows this direction, further improvement will be ascertained.

November 14, 2012

China Daily Editorial