

Stellingen behorende bij het proefschrift van Yang Feng

1. The decentralized legislative powers have become not only one of the main source of authority of local governments but also one of their most important means to exercise other decentralized functions and powers, which contribute to the creation of a market economy in China.
2. The legislative powers of the State Council (China's cabinet) are under continuous expansion in the first two decades of the reform era (1979-2000); nevertheless, its legislation based on the 1985 NPCSC's Delegation Decision tends to decrease and the Decision will be abolished in the future.
3. The autonomous regulation (自治条例) serves as the local constitution of autonomous areas concerned; however, until now none of the five autonomous regions have passed their regional-level autonomous regulations; the main reason is the disapproval of the central government.
4. The significance of Special Economic Zones (SEZs) is that they are the place where market-oriented legislation was first introduced and practiced, and later spread to elsewhere in the country; it generated experiences and conditions for the market-oriented legislation at the national level.
5. SEZs have created a reformist identity that does not exist elsewhere; this reformist identity is crucial for experimenting reforms in many legal domains critical to China's long-term stability and development.
6. The reform era saw imbalanced development between the NPC and the NPCSC – the NPCSC has risen as the principal legislative organ at the national level, while the NPC's legislative power tends to fall into disuse; given the NPC's huge size and cumbersome structure, it is difficult to reform the NPC into an able legislative organ.
7. The NPCSC is the principal organ that addresses legislative conflicts; the court has limited authority to review legislation (only limited to governmental rules and administrative normative documents), which serve as a supplement to the parliamentary review system.
8. Probably only legal scholars are keen to define what law is and what is the difference between law and other disciplines.
9. The last four decades in China saw the increasing importance of law in governing various aspects of social life but the development of rule of law is still at an early stage.
10. Consistent with China's transformation towards modernization, a political as well as legal issue that Chinese government must resolve in the future is: should the asymmetrical designation of a wide range of preferential policies to ethnic minorities be abolished?
11. In April 2015, the NPCSC revised the Law on the Protection of the Rights and Interests of the Elderly, Article 18 of which decrees that adult children should visit their parents on a regular basis, otherwise the court can enforce them to perform this filial duty (the interval is three months according to recent judicial practice); as a violator of this provision, I will 'surrender' to my parents and 'confess' in person as soon as I defend this dissertation.