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Smart courts, smart justice? Automation and digitisation of courts in China

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Propositions

1. Smart courts in China epitomise the application of Marxist-Leninist principles to governance, emphasising the imperative of “scientific and objective” decision-making.
2. Within the ideological framework of the Chinese Communist Party (CCP), the automation of justice is deemed fair as it enhances party oversight and minimises individual discretion, thus aligning with the party’s ethos.
3. Smart courts, while potentially beneficial if coupled with necessary reforms, also have the capacity to exacerbate inherent structural challenges within the Chinese judiciary, including compatibility issues, information imbalances, and the absence of a comprehensive legal framework.
4. The duality of China’s legal courts, tasked with serving both normative and prerogative state interests, necessitates continual reform to harmonise the conflicting demands imposed by this dual role.
5. The advancement of smart courts mirrors the CCP’s confidence in artificial intelligence (AI) as a transformative tool for addressing societal, governance, and economic challenges.
6. China’s pursuit of AI development encompasses seemingly conflicting objectives, yet these contradictions are reconciled within the CCP’s worldview, allowing for simultaneous pursuit of divergent goals.
7. While essential, direct access to the field is not an absolute prerequisite for conducting rigorous research on China.
8. As a leader in global AI innovation, China’s progress should be supported to foster the establishment of a comprehensive, multilateral framework for global AI governance.
9. Chinese academic scholarship holds relevance not only within the context of China studies but also extends to other academic disciplines.
10. The acronym “PhD” humorously suggests a different interpretation, implying that the journey of pursuing a Doctor of Philosophy degree may sometimes feel like enduring “Permanent Head Damage”.