
Presented by Enshen Li
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THE NEOLIBERAL PENALITY thesis links recent penal shifts toward punitiveness and managerialism to market liberalisation that has swept western societies since the 1980s. While this paradigm has been largely examined in the western context, less is known about how it may be applicable to the eastern context. This speech aims to explore the possible conceptual limitation of the neoliberal penalty thesis for understanding modern penal practices in contemporary China (‘reform China’), where economic reform has also significantly altered the state’s social landscape over the last several decades. Through an examination of the penal evolution in reform China, it is argued that punishment in China over the last thirty years has not increased in its severity, as has occurred in many western states. Rather, the growing need to maintain a harmonious society has enabled China’s penal practices to be more lenient and managerial in orientation, analogous to the development of actuarial justice in western states.

ENSHEN LI is a PhD candidate in criminology at the University of Queensland. He completed his SJD (Doctor of Juridical Science) at La Trobe University in 2011. Before he commenced his doctoral research, he worked as a defense lawyer in Shanghai, China. Enshen’s research is in the area of China’s criminal justice system and administrative detention. One focus of his recent work is on penal development and policing strategies in China with the perspective of comparative criminology. Enshen has published a number of articles in both law and criminology journals, including Columbia Journal of Asian Law, UCLA Pacific Basin Law Journal and Current Issues in Criminal Justice.

DATE: Monday 16 June 2014
TIME: 1PM to 2PM
VENUE: Room 920
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