

Information Disclosure: Nomothetic Analysis on Disclosure of “Formulated” Information

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Abstract—“Formulated” information refers to government information that obligee requests administrative body to formulate and collect or that is formulated by a summary, analysis and processing on some government information. When the focus point is concentrated on the research on exception clauses with respect to disclosure of government information, such as “three-securities and one-stability”, “state secret”, “business secret”, “individual privacy”, “process information” and “internal information”, as well as the judicial review on information disclosure, there is one phenomenon ignored. Namely, one kind of formulated information, i.e. the government information ought to be formulated by administrative body by law, was not disclosed under the “legislated” judicial interpretation since such information was excluded from the scope of accepting cases as stated in the Stipulation of the Supreme People’s Court for Several Problems on Hearing the Administrative Case of Government Information Disclosure (2011) (hereinafter referred to as the Stipulation). This phenomenon infringes the public’s right to know and supervise so that applicant becomes unavailable to access to such information. This goes against the ultimate legislative intent of the Regulation on Disclosure of Government Information (hereinafter referred to as the Regulation). As a result, “formulated” information becomes a part concealed from the disclosure of government information.

Keywords—*information disclosure; formulated information; judicial interpretation; administrative behavior; legality*

I. FORMULATED INFORMATION: A CATEGORY IGNORED IN ADMINISTRATIVE LAW

In nature, formulated information is “nonexistent” government information. Such information is generally recognized as “nonexistent government information” in administrative activities and juridical practices. Based on the cause of such nonexistence and in combination with the “nonexistent government information” case as recognized in academic and judicial practices, the “nonexistent government information” can be generalized into three types such as legally nonexistent government information, objectively nonexistent government information and subjectively nonexistent government information. In the three types, subjectively nonexistent government information is the formulated information ought to be disclosed in my opinion.

Subjectively nonexistent government information refers to the government information becoming nonexistent due to subjective fault, improper performance or failure to fulfill his

obligation to rationally formulate and save or retrieve of the subject responsible for formulating and saving the government information.

- Government information that once was formulated but not saved or unavailable to be found: such information mainly includes such information as obtained and formulated but not saved as per the regulation by administrative body during its performance (namely such information as ought to be but is not saved) and such information as once formulated but cannot be found due to improper management, disordered listing or office worker’s failure to retrieve rationally.
- Government information that ought to be but is not formulated: such information refers to such government information as ought to be formulated or obtained as per the regulations by administrative body but is actually nonexistent due to the body’s failure to act after applicant applies for disclosure of the government information to the responsible administrative subject.
- Government information that is existent but is answered as “nonexistent” by administrative body for certain purpose: in practice, some administrative bodies have issues with procrastination. To reduce troublesome or cover their breach of law and neglect of duty, they may conceal off certain government information and give such answer at random.

Above all, when formulated information becomes nonexistent due to fault of the government subject with the obligation to disclose government information, the formulated information will become “nonexistent” information that should be existent according to law. If only exception private clause is not complied with, the subject with obligation to disclose government information shall have legal obligation to disclose the information. Meanwhile, the administrative body will formulate and collect government information or make a summary, analysis and processing on the some government information. This process is equivalent to the process of the body’s performance to obtain information. Formulation is just a way to obtain information. Thereby, such information is not formulated in nature but in form. It is actually an act of correction.

II. DOUBT ON THE RATIONALITY OF “LEGISLATED” JUDICIAL INTERPRETATION

Administrative discretion is not of absolute freedom that law grants to administrative body. Discretionary power of administrative body as stated in the Regulation is to confirm the legal effect on whether to disclose government information or not, within the scope of exception undisclosed case, on the principle of administrative law and provided that various factors are taken into careful and full consideration, evaluation and weighting. To some extent, administrative body's rejection to disclose such formulated information is misusing its discretionary power to disclose upon request. Its administrative inaction which is actually in breach of law is covered in the name of “nonexistence” with the hidden help of judicial body. The reason is easy to be found in the following:

First, it is not clearly specified in the legislative clauses of the Regulation. There are different interpretations on the “nonexistent information” between administrative body and judicial body.

“When the meaning of clause in the statutory law is clearly stated, background information relevant to the applicable clause is often used for interpreting the meaning of the statutory law.” [1] The Regulation formulated by the State Council under authorization of the Legislation Law is administrative regulation, with 38 clauses in total. Wherein, “nonexistence” is only involved in subclause 3, clause 21, which said, “upon request to disclose government information, administrative body shall make reply respectively based on the following cases: (iii) if the information is not existent or this administrative body is not responsible for disclosing the information by law, the applicant shall be informed; if the body can confirm which administrative body is responsible for the disclosure, the applicant shall be informed with the name and contact of the administrative body responsible;” there is no specific interpretation on the disclosure of government information in those clauses. The meaning is thus not available to be interpreted by the clause itself. Thereby, it is inevitable to appear different interpretations on the meaning of statutory law. Interpretation by legislative background might be the most proximal way to interpret the meaning of statutory law. The explanation of draft, the report on discussion result and comment, the discussion comment of relevant committee member, the opinion of each party during the drafting and discussion, the articles and works written by participated legislative officers and various authoritative dictionaries are all common auxiliary information used for interpreting the law of PRC.[2]

Herein, original intention of the legislation can be seen from the interpretation on “nonexistent information” by using auxiliary information in the legislative background interpretative method. In the Textbook of the Regulation of Government Information Disclosure of PRC formulated by the Legislative Office of the State Council, it is clearly stated that: “if the government information requested to be disclosed is not existent, namely this information does not come into being from beginning to end so that the disclosure

is out of the question, the administrative body shall inform the applicant that such information itself doesn't exist.” [3]

However, in opinion of the Supreme People's Court, “nonexistent government information” refers to the fact that there is no record relevant to the government information requested by the applicant. If the government information is actually not existent, it is surely unavailable to be disclosed no matter it is government information in nature. “In addition to the case that the government information is actually nonexistent, there are also the following three cases: first, the government information actually exist but is hard to be found due to disordered management; second, the government information is not found due to carelessness; third, nonexistence becomes an excuse to not disclose the information.”[4] As Cao Kangtai was the director of the Legislative Office of the State Council at that time and the Regulation was drafted by the Legislative Office, this opinion can be regarded as original intention of the legislation. This shows that the “nonexistent information” is recognized as “never presented information” in the original intention of legislation and is interpreted as “objectively nonexistent information” in accordance with judicial interpretation regardless of the fact whether the information once exist or not. Based on different logistic opinion, it is inevitable to appear difference between judicial interpretation and administrative interpretation.

As stated in subclause 3, clause 2 of the Opinion, “government information provided by administrative body to the applicant shall be existing and generally do not need to be summarized, processed or reformulated by administrative body, except that is used for making distinction. According to the Regulation, administrative body generally has no obligation to summarize, process or to reformulate government information for the applicant as well as to collect information for other administrative body and citizen, legal person or other organization.” First, in legal hierarchy, the Opinion issued by General Office of the State Council is normative document of the State Council, with inferior effect than Regulation; second, General Office of the State Council itself is not only the subject with obligation to disclose government information but also the party to manage the disclosure of government information. The Office's dual identity as both judge and sportsman weakens the fairness and applicability of the Opinion made by the Office. Regardless of its nature, only from the letter of “general” in the clauses, it can be seen that the Opinion doesn't absolutely have formulated information excluded from the category of government information. This leaves flexible space for administrative body in administrative activity. There is no doubt that “special” is in opposite to “general”. Thereby, formulated information formed by lawful duties can be classified into “un-general” special field.

Whereas, subclause 3, clause 2 of the Stipulation [5] formulated by the Supreme People's Court in 2011 has such information fully excluded from the scope of accepting cases, which makes judicial remedies unavailable. “Right depends upon remedies”. [6] No remedies, no right. As professor, Xia Yong, said, “A right that cannot be protested, requested or asked for exercising is not only defective but also an empty

provision”. [7] If such information as ought to be but not formulated by law is rejected to be disclosed for reason that the information hasn’t been formed or is regarded as “nonexistent” in reply, the applicant may be unavailable to access to such information. This is contrary to the purpose of the Regulation formulated and also provides an elegant cover on the procrastination working altitude and non-performance by law of administrative body.

In addition, the “legislated” judicial interpretation on administrative law shall be lawful and rational.

Is it all to blame judicial interpretation? As seen from the quantity of laws and regulations recorded in the Peking University Center for Legal Information, [8] the quantity of judicial interpretations currently-issued by the Supreme People’s Court has reached an unprecedented scale, from the technical interpretation on the letter meaning and expression of clauses to the whole legal text and finally to the “quasi-legislative act” of legal regulation framework and scope getting away from the original legal text and event document system, so that the Supreme People’s Court (a court with relatively weak power) has the most extensive legal interpretation power in the world.[9]

As stated in clause 104 of the Legislation Law of PRC (hereinafter referred to as the Legislation Law), “the interpretation on detailed use of law in judge and prosecuting works made by the Supreme People’s Court and the Supreme People’s Procuratorate shall mainly be with respect to detailed clause and in conformity to the purpose, principle and original intention of the legislation.” As stated in the Decision on Enhancing Legal Interpretation (hereinafter referred to as the Decision) [10], “any text of laws or clauses needed to be further defined clearly or made with supplementary provision shall subject to interpretation of the Standing Committee of the National People’s Congress or be supplemented with decree provisions. Any problem on the detailed use of laws or decrees in the judge of Court shall subject to interpretation of the Supreme People’s Court. Any problem on the detailed use of laws or decrees in the prosecuting work of the Supreme People’s Procuratorate shall subject to interpretation of the Supreme People’s Procuratorate.”

In the Decision, the power of interpretation in China is divided into three parts, which is of significant meaning to the establishing of legal interpretation system in China. However, if the interpretation on applicability of administrative law as made by the Supreme People’s Court is not in conformity with the original legislative intention of the administrative law, how to identify it? The Decision was issued in 1981 and the Legislation Law was issued in 2000 and revised in 2015. If it is still recognized that any problem on the detailed use of laws or decrees in the judge of Court shall subject to interpretation of the Supreme People’s Court, it would be unavailable to explain the “interpretation on detailed use of laws” only as the word “decrees” in clause 104 is specially deleted. Moreover, the Legislation Law is formulated by the NPC, while the Decision is formulated by the NPC Standing Committee. No matter in legal hierarchy or on the principle of “new law is superior to old law”, the

Decision should be regarded as being amended. If the “laws” mentioned herein is recognized as the laws in general, the Supreme People’s Court may have the right to interpret the applicability of law in all detailed cases. According to the Administrative Litigation Law, the People’s Court can not only interpret laws and administrative regulations and local regulations but also interpret the regulations on the exercise of autonomy and the specific regulation and rules. However, the Supreme People’s Court has no knowledge of specific circumstance of each local place, especially when administrative body is doing administrative behavior on the principle of proportionality. Then how to identify the standard problem on its obviously-improper administrative behavior? Followed by this logic, local regulations and rules, especially for the regulations on the exercise of autonomy and the specific regulation, are subject to interpretation of the Supreme People’s Court. As result, the interpretation will certainly be in conflict with the applicability of local discretionary power as granted by law. Therefore strictly, the Decision is illegal.

Regardless of the legality of its power origin, judicial interpretation on the determination of the meaning of “nonexistence” is not in conformity with the original legislative intention. Then the interpretation on the “nonexistence” of the information is supposed to be unsuitable to the purpose. If any judgment is made in accordance with the provision in clause 12 of the Decision as “in case of information nonexistence, if only the administrative body performs its obligation to inform, can the Council reject the claim of prosecutor”, rationality of the judgment should also be doubted.

No matter for “deficiency supplement” or “summary from judgment experience”, such judicial interpretation contains interpretation contents with obvious “legislative nature” and is thus deviated from the existing legislative system of China and the judicial regulations of “the judge cannot create law”. This is often denounced by some experts and scholars. For example, some scholars hold the opinion that “when ‘legislation’, ‘extensive legislation’ or similar words are used for describing the practice of judicial interpretation, it means that judicial body is exercising the ‘power to use and interpret laws’ as derived from the judicial power and is further making explanation on legal text and even creating the category of fact and rules of conduct unstated in laws. At this time, the body’s power has surpassed the judicial power itself and obtained the substance and appearance of legislative activity and is developed into a real legislative behavior or ‘quasi-legislative’ behavior. The power is not based on judicial power any more but legislative power.” [11]

III. THE ADMINISTRATIVE BEHAVIOR TO REJECT FORMULATING SUCH INFORMATION IS ILLEGAL IN THE ONTOLOGY OF ADMINISTRATIVE BEHAVIOR

Administrative body’s rejection to disclose the government information to be formulated (such information as ought to exist but not exist) to the applicant is surely an administrative behavior as the rejection complies with the “four elements” of administrative behavior as said by current

academic community of China [12]. First, there are administrative rights and functions. As stated in clause 4 and clause 21 of the Regulation, administrative body has the right and function to deal with the disclosure of government information upon request. Second, administrative body's rejection to disclose upon request of the applicant actually exercises its full functions to deal with the application in a clear and definite way and has legal effect so that the applicant has no access to the required government information. Some scholars hold that "the same as other administrative behavior conducted upon request, the disclosure behavior conducted upon request constitutes a specific administrative behavior." Although there is controversy on the opinion, [13] there is no doubt that the disclosure behavior conducted upon request is an administrative behavior.

The legality of such administrative behavior can be verified theoretically on the basis of the essential elements of such legality. There are various opinions on such elements in theory. In administrative law of Germany, the element for legality of administrative behavior is proposed as: 1. the administrative body has the right to deal with this case by administrative behavior (legitimacy of administrative behavior); 2. The behavior complies with provisions relevant to jurisdiction, procedures and forms (legality of administration behavior in form); 3. Content of the behavior is lawful (legality of the administrative behavior's entity)[14]. Some scholars hold that the followings are the element for legality and effectiveness of specific administrative behavior: the behavior shall be within the scope of statutory function and power of the administrative body; the behavior must be a true declaration of the administrative body's will; the behavior is conducted on lawful basis; content of the behavior must be lawful; and procedure of the behavior must be lawful. [15]Some scholars hold the opinion of the following four elements: authority, truth, basis and procedure. [16] Different in content, some scholars hold opinion of the following four general elements for legality of administrative behavior: the body shall be lawful; authority of the body shall be lawful; the administrative content shall be lawful and appropriate; and the procedure shall be lawful.[17] Over an analysis on such administrative behavior in the last kind of opinion, it is revealed that the Regulation and various relevant rules and regulations have a clear and definite provision on qualification of the body to disclose (including administrative body and other organization authorized with public administration function). However, provisions on authority of the body are not the same and are in the following three forms: 1. No express provision; 2. It is expressly stipulated that administrative body can give reply as nonexistence to avoid undertaking the obligation to formulate government information; 3. It is expressly stipulated that the information shall not be disclosed. Provisions on administrative content also disaccord with each other and are shown in the following three forms: 1. No specific provision; 2. It is stipulated that administrative body shall inform and give the reason; 3. It is stipulated that administrative body has the obligation to inform but the contents of administrative behaviors are the same, namely the administrative behavior of administrative body in

disclosing information shall not infringe the lawful rights and interests of the applicant; once being infringed, the applicant has the right to seek for remedy. Provisions on administrative procedures are as follows: 1. No specific provision; 2. Accept the application, retrieve for relevant information, give reply as nonexistence and give reasons; 3. Accept the application and inform the applicant that the information shall not be disclosed.

Over analysis, it is revealed that no matter in which forms of provision, if administrative body rejects to formulate and disclose such government information as ought to exist by law but not exist due to its fault, the content of the administrative behavior is in breach of law and the specific administrative behavior in dealing with disclosure of government information infringes the lawful rights and interests of the applicant, even if the body is lawful in qualification, authority and procedure. "Lawful rights and interests" actually refers to the right confirmed in statutory law and the interest unconfirmed in statutory law[18]. Whereas, in hearing the case of information "nonexistence", the Court often neglects the review on legality of the administrative behavior content. Government information disclosed upon request is the information in close relation to the production and living of the applicant and needed to be used. Such information is often used for evidence or demonstration. For example, in the case of "Mr. Li's legal action against the government of Tianhe district, Guangzhou city"[19], the Roster as applied by Mr. Li to be disclosed is to demonstrate his identity and as a basis for safeguarding his legal rights. On the other hand, the formulation of this Roster is not only a behavior to disclose upon request but also a behavior to confirm administratively. Thereby, the Roster shall be formulated and saved. If not, the non act itself will constitute an administrative omission. The disclosure of government information will certainly involve in various specific administrative behaviors. The regulation against infringement of such administrative behavior and the affirmation of applicant's right to remedy are clearly specified in the special legal norm on government information disclosure.

Furthermore, in rules and regulations on disclosure of government information, the affirmation and protection clauses on the applicant's right to correct information also powerfully support the fact that such formulated information shall be disclosed. To speak strictly, information correction is also a kind of information formulation. From the view of applicant, before correcting the information, the information provided by administrative body is not the information requested by the applicant and the information requested by the applicant does not exist in the administrative body. In this case, the applicant can apply for correcting the information, namely for processing the original government information to formulate into the requested information. The new information formed after the correction is also formulated by the administrative body. During the correction process, it may need to collect information from other administrative body to check the authenticity of the evidence provided by the applicant. The whole process from applicant's application for correcting government

information to the correction conducted by administrative body or the body's rejection to correct and cause dispute with the applicant and finally entering into administrative remedy not only shows the process that the applicant exercises its right to formulate and disclose such government information but also shows the process that administrative body corrects information and performs his duty. This process is positively recognized in the special legal norm on government information disclosure. For such government information as ought to exist by law, the record error is rigorously carried out with awards and punishments and the applicant's right to apply for correcting the information is carefully treated and protected, let alone such government information as ought to be but not formulated or saved by law. After all, to do something is better than to leave things undone.

The reason that such formulated information is excluded from the scope of accepting cases by judicial interpretation or the claim is rejected after the government performs his obligation to inform is based on the consideration that such case is of no justifiability and of no reason to act. It is thought that such government information ought to exist and shall not be process and formulated and administrative body has no obligation for formulate the information requested. Judgment is made after rejecting unreasonable action.[20] However, this idea is somewhat in form. The material problem is not fully explored. Some scholars hold that government information disclosure shall be disclosure of original information in general. "In real intention, administrative body only has the obligation to disclose original information unprocessed and reformulated." [21] Over a deep consideration, it is found that such formulated information as ought to exist by law but not exist is actually a kind of "original information". Provided that administrative body is in good condition, such formulated can be called "government information" after being disclosed in right time under normal operation of laws. From the view of legality of procedure, with respect to the judgment to reject the claim, if the applicant's claim is rejected by judgment for no reason for claiming only provided that administrative body performs its obligation to inform the procedure, it would be inflexible in use juridical provision, which is not good for guaranteeing the public's right to know, participate and supervise.

IV. REQUIREMENT FOR DECISION MAKING IN CONFORMITY WITH THE CONSTRUCTION OF A LAW-BASED GOVERNMENT IN THE TIME OF BIG DATA

In the Fifth Plenary Session of the 18th Central Committee, it was firstly proposed to execute the strategy of big data in the China and promoting the disclosure and sharing of data resource. From the view of scholars, big data, also called large amount of information or great capacity of information, refers to "the volume of information involved is too great to be taken, controlled, disposed and put into order within rational time via the current popular software to positively provide information for enterprise in making business decision." Big data is characterized by the following four elements: volume, velocity, variety and value. [22]

Execution of policy depends on coordination of institution, which puts forward higher requirement for institution on government information disclosure. The premise to disclose and share data resources is data integration which inevitably needs to formulate information. In the Notification of the State Council on Printing and Issuing the Action Outline for Promoting Develop of Big Data (hereinafter referred to as the "Outline") released and executed by the State Council on Aug.31, 2015, it is clearly specified to revise the regulation on government information disclosure and positively make research on institutions in aspect of data disclosure and protection to realize a normative management on data resources. For government information required by the public, administrative body shall carry out a normative management on the collection, transmission, storage, usage and disclosure of data featured by volume, velocity, variety and value. There is no doubt that the problems on such formulated information shall be subject to normative management and the disclosure of such information is one of the elements for construction of a law-based government.

Big data is helpful to construct a transparent new government. As the largest possessor and consumer of big data, government must take the first step to use and disclose data. This means that more information must be disclose to the society, so that the public can better supervise the behavior of government while obtaining more information and the right to know [23].

V. CONCLUSION

With the clear and definite requirement for the principle "to disclose information normally and with exception to not disclose" made in the Fourth Plenary Session of the 18th Central Committee[24], the disclosure of government information will be popularly promoted and recognized and the right to disclose upon request shall be paid more attention and given more protection. The national big data strategy as firstly put forward in the Fifth Plenary Session of the 18th Central Committee also laid a higher basis for perfecting the institution on government information disclosure. No matter in the legality and rationality of judicial interpretation, or in the contradictory regulation that special laws and regulations on government information disclosure reject to formulate information on the one hand and affirm the right to correct information on the other hand, for such information as ought to be formulated by law but not formulated, it is illegal to not disclose it for reason that the information has not been formed, or give reply of "nonexistence". As a result, the applicant may be unavailable to access to such information. This is contrary to the ultimate purpose of the Regulation formulated and also provides an elegant cover on the procrastination working altitude and non-performance by law of administrative body. As the Stipulation has all the actions against the rejection to disclose such information as required to be collected, put into order, summarized and formulated excluded from the scope of accepting cases of the People's Court, there is no doubt that the citizen, legal person and other organization's right to obtain government information by law is cut down and added with a yoke. This

yoke restrains the right subject's right to know about government information and supervise the administrative behavior of administration body, and directly interferes with the authority of the State Council to control administrative body by "legislative" judicial interpretation. With the legislative purpose to protect public's right to know and promote administration by law, the applicant requesting for information disclosure surely has the right to request the responsible administrative body to disclose by formulating information so as to realize his lawful right and interest. Such information shall not be excluded from the scope of information disclosure but be brought into the view of the public.

REFERENCES

- [1] He Haibo, Administrative Litigation Law (2011), Law Press China, p.82
- [2] Qiao Xiaoyang, Talk about Legislation Law (2000), China Democracy and Law Press, p.183 - p.184
- [3] Cao Kangtai, Textbook of the Regulation of Government Information Disclosure of PRC (2007), People's Publishing House, p.110
- [4] Li Guangyu, Textbook of the Judicial Interpretation for Government Information Disclosure (2011), Law Press China, p.365 - p.388
- [5] Subclause 3, Clause 2 of the Regulation: "administrative litigation brought by citizen, legal person or other organization against the following behaviors will not be accepted by the People's Court: (iii) request administrative body to formulate and collect government information for her/him or make a summary, analysis and processing on some government information and the request is rejected by the administrative body;"
- [6] See H.W.R. Wade, Administrative Law, Clarendon press, Oxford, fifth edition, p.513.
- [7] Xia Yong, The Origin of Human Right Idea (2001), China University of Political Science and Law Press, p.50
- [8] http://www.pkulaw.cn/cluster_call_form.aspx?menu_item=law&Db=chl
- [9] Fang Liufang, Problems on Legal Interpretation of Roe V. Wade Case, Liang Zhiping's Problems on Legal Interpretation (1998), Law Press China, p.269- p.314
- [10] Legislation Law was approved on the 9th National People's Congress on Mar.15, 2000, amended on the basis of the Decision on Amending the Legislation Law of PRC as made on the third meeting of the 12nd National People's Congress on Mar.15, 2015. The Decision on Enhancing Legal Interpretation was made by the Standing Committee of the National People's Congress on Jun.10, 1981.
- [11] Yuan Mingsheng, Slight Exploration on the "Legislation" of Judicial Interpretation, Studies in Law and Business, 2003 (4)
- [12] Ye Bifeng, Administrative Law (rev.) (2003), Wuhan University Press, p.175-179; Zhou Youyong, Introduction to Administrative Law (2nd edition, 2005), Fangzheng Press China, p.174- p.177
- [13] Ye Bifeng, Government Information Disclosure under Specific Administrative Act Framework—Observation Based on the Existing Controversy, China Legal Science, 2009 (5)
- [14] [Germany] Hartmut Maurer, Pandect of Administrative Law, Translated by Gao Jiawei (2000), Law Press, p.182
- [15] Fang Shirong, Discussion on Specific Administrative Act(1996), Wuhan University Press, p.31- p.33
- [16] Zhang Jiansheng, The Fundamental Theories of Modern Administrative Law(2008), Law Press, p.137- p.140
- [17] Luo Haocai and Zhan Zhongle, Science of Administrative Law(2005), Peking University Press, p.130 - p.133
- [18] He Haibo, Substantive rule of law: Search the Legitimacy of the Administrative Judgment(2009), Law Press, p.212
- [19] Administrative Judgment of Guangdong Higher People's Court (2013) YGFXZZ No.561
- [20] Li Guangyu, Textbook of Judicial Interpretation on Government Information Disclosure (2011), Law Press, p.357
- [21] Yu Lingyun, Some Problems on Government Information Disclosure Based on the Analysis on 315 Cases, Peking University Law Journal, 2014 (4)
- [22] Li Fangzheng and Wang Xinliang, Judicial Access in the Time of Big Data, People's Court Daily, 2014 (5)
- [23] Zhao Lichun, Law-based Government Construction in Time of Big Data, Yinchuan Daily, Jan.16, 2015 (004)
- [24] Decision of the Central Committee of the Communist Party of China for Several Key Problems on All-round Propulsion of Law-Based Governance in the Fourth Plenary Session of the 18th Central Committee on Oct.23, 2014