



CONSTITUTIONAL BASIS OF GENERAL PERSONALITY RIGHTS IN CHINA'S CIVIL CODE (18 April 2024)

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Yuan DING

The enduring concept of "personality," rooted in Roman law, persists today with its fundamental connotation largely unchanged. It delineates the distinction between the "personal body" as a subject and the "biological individual" as mere matter, safeguarding both legal and moral subjectivities. However, this binary understanding of personality, criticized by Marxism and postmodernism, poses inherent risks due to its origins in Roman law.

In light of this profound inquiry, the City University of Hong Kong Law School orchestrated a thought-provoking presentation. Dr. Shuchen Liu, from the School of Law at Renmin University of China, graced the event with his profound insights and extensive expertise. Joining him were distinguished guests: Prof. Huang Tao and Dr. Xiao Shiling from the School of Law at City University of Hong Kong, enriching the discourse with their valuable perspectives.

Dr. Shuchen Liu delivered a clear, insightful speech, emphasizing the significance of

prioritizing "personal freedom" over "personal dignity" in defining personality rights. He elucidated that personal freedom pertains to individual autonomy, while personal dignity involves external recognition of internal diversity. This distinction underscores the obligation of both public power and third parties to respect individual privacy and equality in the public sphere. Comparing German judgment standards to China's approach highlighted distinct ideological paths concerning personal freedom and human dignity.

As the presentation drew to a close, the profound insights imparted by Dr. Shuchen Liu, coupled with the captivating discussions between Prof. Huang Tao and Dr. Xiao Shiling, bestowed upon the participants a heightened comprehension of the constitutional underpinnings of general personality rights within the Civil Code. The culmination of the speech served as a poignant climax, emblematic of China's triumphant journey in exploring the evolution of personality rights.



Dr. Shuchen LIU



Prof. Huang Tao



Dr. Xiao Shiling