Bibliography

LAWS AND REGULATIONS

Laws

Law of the People’s Republic of China on Guarding State Secrets
[中华人民共和国保守国家秘密法] (2010)

Law of the People’s Republic of China on Public Security Administration
Punishments [中华人民共和国行政处罚法] (1996)

Law of the People’s Republic of China on Road Traffic Safety

The Civil Servant Law of the People’s Republic of China
[中华人民共和国公务员法] (2005)

The General Principle of the Civil Law of the People’s Republic of China
[中华人民共和国民法通则] (1986)

The Organic Law of the People’s Courts of the People’s Republic of China

The Organic Law of the People’s Procuratorates of the People’s Republic of China
[中华人民共和国检察院组织法] (1983)

The Organic Law of the Urban Residents Committees of the People’s Republic of China
[中华人民共和国城市居民委员会组织法] (1989)

The Organic Law of the Villagers’ Committees of the People’s Republic of China
[中华人民共和国村民委员会组织法] (2010)


The PRC Criminal Law [中华人民共和国刑法] (1997)

The PRC Criminal Procedure Law [中华人民共和国刑事诉讼法]
(1996) and the newly revised 2012 version

The PRC Judges Law [中华人民共和国法官法] (2001)


The PRC Prosecutors Law [中华人民共和国检察官法] (2001)

Administrative Legislation

Decision of the State Council on Re-education Through Labor
[国务院关于劳动教养问题的决定] (1957)
Criminal reconciliation in contemporary China

The Organic Regulation of the Sub-district Office [城市街道办事处组织条例] (1954)
The Regulations on Registration and Administration of Social Organizations [社会团体登记管理条例] (1998)
The Temporary Regulations on Registration and Administration of Non-profit Non-government Organizations [民办非企业单位登记管理暂行条例] (1998)

Department Rules

Opinions on Improving the Establishment of Urban Community issued by the Ministry of Civil Affairs [民政部关于在全国推进城市社区建设的意见] (2000)

Judicial Interpretations

Opinions of the Supreme People’s Procuratorate on the Handling of Minor Criminal Cases when the Parties Have Reached Reconciliation [最高人民检察院关于办理当事人达成和解的轻微刑事案件的若干意见] (2010)
Opinions on Fully Implementing the Criminal Policy of Combining Severity with Leniency in Procuratorial Work issued by the Supreme People’s Procuratorate [最高人民检察院关于在检察工作中贯彻宽严相济刑事司法政策的若干意见] (2006)
Opinions on Implementing the Criminal Policy of Combining Severity with Leniency [关于贯彻宽严相济刑事政策的若干意见] (2010)
Bibliography

Opinions on Reforming and Improving the Judicial Committee of the People’s Court issued by the Supreme People’s Court (2010)

Opinions on Reforming and Improving the Judicial Committee System of the People’s Court (2010)

Opinions on Several Issues concerning the Regulation of Sentencing Recommendation (Trial Implementation) (2010)

Provisions on Several Issues Concerning the Civil Mediation Work of the People’s Court (2004)

Several Opinions of the Supreme People’s Procuratorate on Handling Petty Criminal Cases Where the Parties Have Reached Reconciliation issued by the Supreme People’s Procuratorate (2011)

The Criminal Procedural Regulation of the People’s Procuratorates (1999)

The Judicial Interpretation on CPL issued by the Supreme People’s Court [关于规范量刑程序若干问题的意见(试行)] (2007)

The Organic Regulation of the Procuratorial Committee of the People’s Procuratorate (2008)

The Supreme People’s Court, the Supreme People’s Procuratorate, the Ministry of Public Security, the Ministry of Justice: Opinions on the Nationwide Trial Implementation of Community Correction [关于在社区矫正工作中加强和创新工作管理、深化教育改造和监督考察工作的意见] (2009)

Documents of the Chinese Communist Party

Constitution of Communist Party of China (2007)

Opinions on Deeply Promoting the Resolution of Social Conflicts, the Innovation of Social Management, and the Fairness and Integrity of Law Enforcement issued by the CCP Central Political and Judicial Committee and the CCP Central Leading Group of Stability Maintaining Work (2010)
BOOKS


Elrod, Preston, Ryder, R. Scott *Juvenile Justice: A Social, Historical, and Legal Perspective* Sudbury, Massachusets, Jones and Barttlet Publishing 2005


Bibliography


Lubman, Stanley B. Bird in a Cage: Legal Reform in China after Mao Stanford, Stanford University Press 1999


Criminal reconciliation in contemporary China


BOOK CHAPTERS


Cho, Li-Fung ‘The Emergence of China’s Watchdog Reporting’ in David Bandurski, Martin Hala (eds) Investigative Journalism in China Hong Kong, Hong Kong University Press 2010


Fu, Hualing ‘Challenging Authoritarianism Through Law’ in Jean-Philippe Béja, Fu Hualing, Eva Pils (eds) Liu Xiaobo, Charter 08 and the Challenges of Political Reform in China Hong Kong, Hong Kong University Press 2012

Fu, Hualing, Gullen, Richard ‘From Mediator to Adjudicatory Justice: The Limits of Civil Justice Reform in China’ in Margaret Y.K. Woo and
Criminal reconciliation in contemporary China


Bibliography


Chinese People’s Public Security University Press [中国人民公安大学出版社] 2010

JOURNAL ARTICLES


Clarke, Donald C. ‘Dispute Resolution in China’ (1991) Vol. 5 No. 2 Journal of Chinese Law


Feeley, Malcolm M. ‘Two Models of the Criminal Justice System: An Organizational Perspective’ (1973) Vol. 7 No. 3 Law & Society Review


Fu, Hualing ‘Re-education Through Labour in Historical Perspective’ (Dec. 2005) No. 184 The China Quarterly
Bibliography


Fu, Hualing ‘Zhou Yongkang and the Recent Police Reform in China’ (2005) Vol. 38 No. 2 The Australian and New Zealand Journal of Criminology


He, Yongjun [何永军] ‘On Legitimacy and Legalization of Criminal Reconciliation [论刑事和解的合法性与合法化]’ (2009) 3 Journal of Kunming University of Science and Technology (Social Science) [昆明理工大学学报 (社会科学版)]


Lewis, Margaret K. ‘Controlling Abuse to Maintain Control: The Exclusionary Rule in China’ (2011) Vol. 43 International Law and Politics


Li, Changsheng [李昌盛] ‘The Chinese Pattern of Criminal Trial: Bildung Trial [刑事庭审的中国模式: 教化型庭审]’ (2011) 1 Science of Law (Journal of Northwest University of Political Science and Law) [法律科学(西北政法大学学报)]


Criminal reconciliation in contemporary China

Liang, Ping [梁平] ‘The Establishment of a Diverse Dispute Resolution System [多元化纠纷解决机制的构建]’ (2011) 3 Contemporary Law Review [当代法学]
Lubman, Stanley ‘Mao and Mediation: Politics and Dispute Resolution in Communist China’ (1967) Vol. 55 No. 5 California Law Review


Ma, Zhangmin [马张民] ‘Combination and Conflict Between the Tort Law and Criminal Law [侵权责任法与刑法的衔接与冲突]’ (2010) 9 Legal System and Society [法制与社会]

Minzner, Carl F. ‘China’s Turn Against Law’ (2011) Vol. LIX No. 4 The American Journal of Comparative Law


Peerenboom, Randall ‘What Have We Learned about Law and Development? Describing, Predicting and Assessing Legal Reforms in China’ (Spring 2006) Vol. 27 Michigan Journal of International Law


Criminal reconciliation in contemporary China

Stutsman, Tomas 'The Use of Demonstration Projects to Advance Criminal Procedure Reform in China' (2011) Vol. 24 No. 2 Columbia Journal of Asian Law

Sun, Wanhui [孙万怀] 'Do Death Penalty Cases Need Reconciliation and Can They Be Reconciled? [死刑案件可以并需要和解吗?]’ (2010) 1 China Legal Science [中国法学]


Teng, Biao 'Rights Defence (weiquan), Microblogs (weibo), and the Surrounding Gaze (weiguan): The Rights Defence Movement Online and Offline' (2012/3) French Centre for Research on Contemporary China


Bibliography


ELECTRONIC SOURCE MATERIALS


Criminal reconciliation in contemporary China


Beijing Times [京华时报] ‘Juvenile Offenders Were Escort into the School to Educate 3000 Students with Legal Knowledge in Xianyang, Shaanxi Province [陕西咸阳少年犯被押解进校园 3000 学生示范说法]’ http://news.sohu.com/20120105/n331275818.shtml (last accessed on 8 January 2012)


Chao, Xuku [晁绪库] ‘The Detention House in Zezhou County Strengthened Education Work to Facilitate the Detainees’ Reform [泽州县拘留所加强教育促进被拘留人员转化]’ http://jc.jcnews.com.cn/jincheng_content/2012-04/24/content_162200.htm (last accessed on 10 May 2012)

Chen, Baoceng [陈宝成] ‘刑事诉讼法学 陈宝成建议取消地方政法委拍板权 [The Criminal Procedure Law Expert Chen Guangzhong Advised to Abolish Local Political-legal Committees’ Power to Make Final Decision]’ http://nf.nfdaily.cn/nfdsb/content/2010-05/15/content_11945697.htm (last accessed on 26 April 2012)


Chen, Ruihua [陈瑞华] ‘Sentence with Flexibility [留有余地的判决]’ http://xinjin.xxlnm.fyfz.cn/art/910367.htm (last accessed on 27 April 2012)


Chen, Xuan [陈暄] ‘4243 Cases Resolved “Privately”: The Enforcement Rate of Criminal Reconciliation in Hunan Reached 99.5% [4243件案子“私下”：湖南刑事和解案件赔偿履行率达99.5%]’ http://hn.rednet.cn/c/2009/12/13/1871544.htm (last accessed on 27 July 2010)


Criminal reconciliation in contemporary China

Dui Hua ‘Dui Hua Estimates 4,000 Executions in China, Welcomes Open Dialogue’ https://sna.etapestry.com/prod/viewEmailAsPage.do?data baseId=DuiHuaFoundation&mailingId=22213781&personaRef=11073.0.152691&jobRef=2967.0.31681565&memberId=789166155&erRef=11073.0.152697&key=e2eacaff46787bfeefcaa24cf35264c7 (last accessed on 1 March 2012)


Bibliography


Criminal reconciliation in contemporary China


Li, Ming [黎明] ‘The ‘All-about-Money’ Criminal Reconciliation Is Damage [要钱的刑事和解是祸水]’ http://news.ifeng.com/opinion/society/detail_2009_08/18/1303072_0.shtml (last accessed on 5 November 2011)


Li, Yinfang [李银芳] Li, Jinfu [李金富] ‘Reasons and Strategies of Petitioning Related to Judicial Cases [涉法上访案件的成因及对策]’ http://www.dffy.com/fayanguancha/sh/200409/20040916085512.htm (last accessed on 8 February 2012)


Ma, Jing [马竞] Cao, Tianjian [曹天健] ‘Hebei Police Successfully Mediated 3438 Minor Injury Cases in Nearly One Year [河北警方
Bibliography


Criminal reconciliation in contemporary China

Southern Weekend [南方周末] ‘A Shooting Case Resulting in Three Judges’ Death in Yongzhou, Hunan Province: The Murder Has an Incurable Disease [湖南永州致三法官死枪击案：凶手身患绝症]’ http://www.infzm.com/content/45861 (last accessed on 15 November 2010)


Southern Weekend [南方周末] ‘The Fourth Strike Hard: Can It Be Like the Previous Ones? [第四次严打： 能像过去一样打吗?]’ http://nf.nfdaily.cn/epaper/nfzm/content/20100701/ArticelB10005FM.htm (last accessed on 29 November 2010)


Su, Li [苏力] ‘Deliberative Justice and the Big Mediation System [关于能动司法与大调解]’ http://article.chinalawinfo.com/Article_Detail.asp?ArticleId=53760 (last accessed on 9 March 2012)

Sun, Ming [孙明] ‘My Views on the Judge’s Private Meeting with the Parties and Their Lawyers [法官私自会见当事人及委托律师之我见]’ http://www.dffy.com/sifashijian/sw/200601/20060104221654.htm (last accessed on 9 April 2011)


The Economist ‘China’s Security State: Guarding the Guardians’ http://www.economist.com/node/21557760 (last accessed on 23 July 2012)

Bibliography


The People’s Procuratorate of Wuhua District in Kunming City [昆明市五华区检察院] “‘Cooperation Among Departments and Between the People’s Procuratorate and the People’s Court’ Promotes Criminal Reconciliation in Our Court” [部门联动同调对接 积极促进刑事和解]’ http://www.kmwh.gov.cn/kmwh/web/jwb/j5/jcy/showdoc.jsp?sessionid=Ot51m9BDkebtjnp8RzU7mU9Qmv 9bnuDjIMTimcWXMvFgO VXroz!742181009?docid=D105138&fieldid=F3792 (last accessed on 25 October 2011)


Wang, Dong [王栋], Zhao, Bin [赵斌], ‘Main Problems Facing Criminal Reconciliation and Strategies’ [刑事和解面临的主要问题与对策]’ http://www.hongfan.org.cn/projects.php?optionid=377&auto_id=29 (last accessed on 7 August 2015)


Wang, Xiaoxian [王效贤] ‘On Open Trial [论公开审判]’ http://article.chinalawinfo.com/Article_Detail.asp?ArticleId=41580 (last accessed on 11 May 2012)


‘Work Allocation in Tianjin No. 2 Intermediate People’s Court [天津市第二中级人民法院审判庭业务划分]’ at http://www.huanglawyer.net/Article/ShowArticle.asp?ArticleID=435 (last accessed on 27 October 2011)


Wu, Yingzi [吴英姿] “‘Mediation First’: Reform Pattern and Legal Interpretation” [“调解优先”：改革范式与法律解读]’ http://article.chinalawinfo.com/ArticleHtml/Article_78723.shtml (last accessed on 20 June 2015)


Xu, Aiqiong [许爱琼] ‘The Detention House in Putian City Is the First in the Province to Establish a Drug Control Propaganda and Education Centre [莆田市拘留所建禁毒宣传教育基地全省首创]’ [http://news.66163.com/2012-04-10/622023.shtml (last accessed on 10 May 2012)]


Xu, Chi [许驰] Liu, Xiaohan [刘晓晗] ‘Ming Guangchao: Lighting Up the Light in Juvenile Delinquent’s Heart [明广超：点亮失足少年心中的灯]’ [http://js.jcrb.com/rwgs/201010/t20101014_454600.shtml (last accessed on 19 March 2012)]

Yan, Jun [严峻] ‘The Debates Triggered by “Avoiding Punishment with Money” [“赔钱减刑”引发的是非争议]’ [http://www.zj.xinhuanet.com/magazine/2007-05/08/content_9972222.htm (last accessed on 4 March 2011)]
Bibliography

Yan, Xiaoguang [闫晓光] ‘Criminal Reconciliation Conducted by the People’s Court of Foshan City of Guangdong Province Triggered Debates: It Was Criticized as “Avoiding Punishment with Money” [广东佛山法院刑事和解引争议: 被指‘以钱买刑’]’ http://news.163.com/10/0730/00/6CQ5UU5R0001124J.html (last accessed on 23 July 2010)

Yang, Mengchen [杨孟晨] Zhang, Shuyang [张舒阳] ‘Beijing Chaoyang Procuratorate Implemented Criminal Reconciliation for Ten Years 100% [北京朝阳检察院十年刑事和解工作当事人满意率 100%]’ http://legal.people.com.cn/n/2012/0926/c42510-19110709.html (last accessed on 1 November 2015)

Yazhou, Zhoukan [ Yazhou 周刊] ‘Competitive Election Adopted in the Party Committee of Guangdong Province: Head of the Political-legal Committee Is No Longer a Member Which Implies Its Decreasing Status [广东省委换届推差额选举 政法委不是常委地]’ http://www.yzzk.com/cfm/Content_Archive.cfm?Channel=bc&Path=2447308872/21bcc.cfm (last accessed on 23 July 2012)


Zhang, Jie [张洁] ‘“Restorative Justice, Criminal Reconciliation, Community Correction”: Three Crucial Systems in Juvenile Justice System”
Criminal reconciliation in contemporary China


GOVERNMENT PUBLICATIONS


