

Index

- administrative litigation (*xingzheng susong*) 107–8, 114
 - adjudication in 121
 - Administrative Litigation Law (ALL)(1989) 110–12, 114, 116–18, 122–3, 184
 - administrative reconsideration 113
 - letters and visits 113, 117, 121
 - mediation of 112–13, 119–23
 - mixed processes in 119–20
 - withdrawing suit 108–10, 118
- administrative reconsideration (*xingzheng fuyi*) 115
- Air Pollution Prevention and Control Law (2000) 88
- Anhui Higher Court 136–7, 146
- Anqing Intermediate Court 136
- Anyuanding
 - arrest of executives of (2010) 36–7
- Apple, Inc.
 - subcontractors used by 96
- Audit Law (1996)
 - provisions of 182–3
- Bahe River 72
- Bai River 64, 68, 71
 - pollution in 65–6
- Baimiaohe River 72
- Balancing Leniency and Severity policy 129, 130
- Bashuihe River
 - pollution in 73
- Bo Xilai 193, 252
- Bush, George H.W.
 - visit to Beijing (1989) 247
- campaigns 33, 93–5
- capitalism 279
- case guidance system
 - establishment of 127, 129–31, 139–40
 - SPP regulations relating to 140
- Changhe River 72
- Chen Guoqing 140–41
 - Director of SPP Legal Policy Research Office 140
- Chicago School 246
 - theories of 255–6
- China, People's Republic of (PRC)
 - xi–xii, 1, 4–6, 9–15, 22, 42, 55–6, 61, 83–5, 89, 91, 93, 97, 99–100, 110, 114, 120–22, 128, 149, 154, 157, 159, 168, 176, 180, 185–6, 194, 203, 208–9, 231, 253–4, 257, 263, 268–70, 273, 277–8, 280–81
 - Anhui Province 142, 146
 - Beijing 2–4, 36, 47, 51, 91, 96, 137, 143, 195, 247, 270–71, 276
 - Central Leading Group on Stability Maintenance 248, 271
 - Constitution of 6
 - Fujian Province 96
 - GDP per capita 247–8
 - governance mode of 84–5, 95
 - government of 5, 85, 97, 167, 222, 239
 - Guangdong Province 28, 37–8, 113, 191
 - Chaozhou 28, 37–8
 - Wukan Village 96
 - Xintang 28–9, 37–8
 - Guangzhou 96
 - Heilongjiang Province 27
 - Henan Province 64, 70, 94
 - Nanyang 65
 - Hubei Province 60, 64
 - Luotian County 72–3
 - Sunwangying 64

- Xiangfan City 64–7, 71
 Xujiachong village 73–5, 77
 Zhaiwan 64–5, 67–9, 76
- Hunan Province 67
 income inequality in 245
 industrial relations system of 22,
 25–6, 28
- Jiangsu Province 52, 94
- Liaoning Province 27
- Ministry of Environmental Protection
 71, 74, 196
- Ministry of Justice (MoJ) 233
- Ministry of Labour and Social
 Security 94
- Ministry of Public Security (MPS)
 166, 173, 213, 220–21, 225,
 232–3, 237, 276
- Bureau for Managing Prison and
 Criminal Detention Centres
 229–30, 236, 238
- Legal System Bureau 207
- Notice on Promoting the
 ‘Innovation of the
 Management Mechanisms in
 Detention Centres’ (2011)
 235–6
- Ministry of Supervision 232
- Nanjing Province 54
- Olympics (2008) 53
- pollution fatalities in 65–7, 89
- Qidong 96
- Shanghai 94, 96
- Shanxi Province 27
- Shifang 96
- Sichuan Province 27
- Tiananmen Square incident (1989) 3,
 202–3, 247–8, 270
- Yunnan Province 219
- Zhejiang Province 94, 137, 142–4,
 213
- China Law Yearbook* 116–17
- China National Audit Office (CNAO)
 audit report (2002) 183
 corruption exposed by 183–4, 190,
 193–4
 establishment of (1983) 182
 first major audit (1999) 183
- Chinese People’s Political Consultative
 Committee Conference (CPPCC)
 231–2
 members of 66–8, 70
 Standing Committee 67
- Ching Kwan Lee
 concept of ‘cellular activism’ 25, 37
- Christianity 258–9
 Bible 258
- civil law 8
 private 21
- Civil Procedure Law
 provisions of 47
- collective responsibility 46
- communism 259–60
- Communist Party of China (CCP/CPC)
 xi, 2, 6–10, 13, 15–16, 23, 35, 38,
 46, 51–2, 55, 90, 98–9, 107, 122,
 124, 146, 176, 190, 194, 197–8,
 231, 245, 247, 250, 253–5, 261–2,
 280–81
 anti-corruption efforts of 177–8
- Central Commission for Discipline
 Inspection 231
- Central Committee 30, 93, 251, 274
- Office of the Leadership Small
 Group for Protection of Social
 Stability Work 30
- Stability Preservation Office 31
- Central Military Commission (CMC)
 204–14
- Central Political-Legal Committee
 207, 226, 247–8, 251, 268,
 270–71, 280
- Committee for the Comprehensive
 Governance of Social
 Management 251
- Research Office 248–9
- Eighteenth Party Congress (2012)
 277
- Legal Affairs Bureau 207
 members of 25, 38, 115, 192, 280
- Protection of Stability Committee 30
- ‘Resolution of the CCP Central
 Committee on Major Issues
 Concerning the Building of a
 Socialist Harmonious Society’
 (2006) 272

- Seventeenth Party Congress (2007)
134, 149, 251, 268, 275
- Sixteenth Party Congress Report
(2004) 271
- Communist Youth League 239
- Comprehensive Management of Public
Order 23, 234, 237, 251
- confession 157–9
involuntary 160
- Confucianism 179–80
influence on Chinese legal culture
113
- corruption 176–8, 193–4, 197
anticorruption enforcement/
initiatives 177–9, 190–94
authoritarian benevolence 179
authoritarian legitimacy 180
authoritarian resilience 176, 193
authoritarianism 179, 197
budgetary system 182–3
extra-budgetary fund (EBF)
182–3
- China model 176–8
- Open Government Information
(OGI) Regulations 181, 184–6,
190–93, 195–6
role of social media in identifying
181, 187–9
human flesh search (HFS) 188–90,
193, 196
structures of 178–9
- court system 45–6, 51, 55–6, 124
adjudication committees 46–7
judges 52
judgment processes 50–51
land-taking cases in 47–50, 52–3,
56
processing of protest petitions 44, 54,
63
use of Ma Xiwu approach in 47–8
- criminal justice 3, 36, 224, 226–7
socialization of 227–8
- Criminal Law 202
amendments to 132
Article 48 147
proposed amendments to 149–50
- Criminal Procedural Law (CPL) 12,
167–8, 174
amendment (1996) 153–4, 157,
164–6, 172–4, 231, 226, 230
amendment (2012) 153–7, 159,
161–2, 166, 168, 170–72
articles of 144, 158–64, 166, 168,
171, 173
‘Compulsory Medication Procedures
for Mentally Ill Persons
Excluded from Criminal
Liability According to Law’
166
first enactment of (1979) 153, 157,
165
investigative reform in 160
coercive measures 160–63
investigative measures 163–4
issue of confession 157–60
legal aid reform in 164–5
‘Procedures for Reconciliation
between Parties in Public
Prosecution Cases’ 166
‘Procedures for the Confiscation of
Illegal Earnings in Cases Where
the Suspect or Defendant Has
Absconded or Died’ 166
‘Rules on Examining and Judging
Evidence in Handling Criminal
Cases’ (2010) 155–6
‘Rules on Exclusion of Illegal
Evidence in Handling Criminal
Cases’ (2010) 155–6
- Cultural Revolution 113, 270
- death sentencing 127–8, 131, 138,
150
compensation payments 146, 148
Fifth National Criminal Justice Work
Conference (2006) 132
rates of 131
sihuan 132, 133–6, 137, 138, 144,
147, 148
- Deng Xiaoping 123, 247, 260–61
reform programme 2–3, 5, 86, 247,
269–70
- detention of criminals 219–21
criminal detention centres
229–31

- ‘Notice on Participation of Trade Unions, the Communist Youth League and the All Women’s Federation in the Comprehensive Management of Security Work in Detention Centres’ (2011) 237
- ‘Opinions on the Comprehensive Management of the Security Work in Detention Centres’ (2010) 234–5
- ‘Regulations on Criminal Detention Centres’ (1990) 230, 232–3
- ‘Methods of Implementation’ (1991) 230
- dispute resolution mechanisms xi, 9–10, 23–5, 34
- civil 29
- courts as formal form of 45–6
- Emergency Management Organs 34
- Enterprises Wages Protection Adjustment Fund 32–3
- grand mediation 30, 49
- institutionalized 26
- Labour Disputes Early Warning 34
- local government retrieval policies 36
- multi-agency collaboration 35
- role of coordinated responses in 30, 32
- duo mao mao* (hide and seek) 219
- drinking water projects
- Liuwan Village 68–9
- Zhaiwan (2005–6) 67–9
- Eastern Asian Development model 177
- Eight Musts 247, 261–2
- Engels, Friedrich 247, 257–9
- Anti-Dühring* 244–5, 260
- Environmental Impact Assessment Law (2002) 88
- Fengshuhe River 72
- Fengshupu River 72
- Fiss, Owen 121
- Food Safety Law (2009)
- development of 86–7
- Forum on Social Management (2011) 222
- Foxconn Group Shenzhen plant suicides at 34
- Fuller, Lon
- Gao Shuyun
- Vice Director of Xinye EPB 71
- Germany 258
- Global Financial Crisis (GFC) (2007–9) 32
- social instability resulting from 31–2, 35
- Green Han River 70
- establishment of 66–7
- role in development of drinking water projects 68–9
- Green Watershed 191, 196
- Guangzhou Intermediate People’s Court
- Number 1 Civil Division 31
- Gun River 67
- Han River 64
- Bei River 67
- Man River 67
- Nan River 67
- pollution in 67
- Xiaoqing River 67
- Harmonious Society xi, 6, 11, 13–14, 124, 129, 170, 247, 261, 269, 271–3, 275, 277–8, 280
- impact of Social Management in 262
- policies promoting 21, 114–15, 148, 167
- He Qinglian 273
- Hebei Higher Court 138–9
- Hegel, Georg Wilhelm Friedrich 257–8, 260
- theory of ‘Universal Reason’ 258
- Hongyuan Pharmaceutical Company
- establishment of (2002) 73
- waste disposal activity of 73–4
- Hu Jintao, 8, 14, 188, 190, 195, 269
- ‘Analysis of the Factors Leading to Instability in Foreign Investment in China’s Coastal Areas and Recommended Countermeasures’ (2008) 30–31

- Harmonious Society narrative 6, 129, 261, 269, 272–3
- International Confederation of Free Trade Unions (ICFTU)
CFA Case 2189 27
- International Labour Organization (ILO)
Committee on Freedom of Association (CFA) 27–8
- International Metalworkers Association (IMA)
CFA Case 2189 27
- Japan
government of 68
judicial activism 134–5, 148
role in construction of harmonious society 148–9
in rural areas 59–60
- Justice Bureau
litigation cases processed by 60–61
- Juvenile Protection Law 165
- Labour Contract Law (2007) 25, 89
- Labour Disputes Mediation and Arbitration Law (LDMA) 25
- land-taking 42–3, 116
agricultural 95–6
hard nail households (*dingzihu*) 43, 52–3
legal cases involving 47–50, 52–3, 56
- law
of officialdom (*guanfa*) 60
of the state (*wangfa*) 60
- Law of the People's Republic of China
on the People's Armed Police (PAP Law) (2009) 13, 203–4, 206–8, 212, 214
- CCP Central Committee General Office Document No. 2 (1997) 212–13
drafting of 203–4, 208–11, 214
local directives of 213
- Lawyers' Law (2008) 155–6
- Leadership Small Group 33
- legal outcomes 128, 130, 141, 145, 222
attempts to reconcile with social outcomes of cases 12, 128, 142, 144–5, 149–50, 228–9
- Li Keqiang
Vice-Premier 94
- Li Qiaoming 219–20
- Li River 71
- Li Zhihe 67, 69
- Lianghekou River 72
- Liaoyang Ferro-Alloy Factory dispute (2001–2) 25–6
- Locke, John 261
- Luban, David 121
- Luliang Chemical Industry Co. Ltd.
dumping of chromium residue into Nanpan River 191
- Malebranche, Nicolas
theology of evil 256–8, 261
- Mandarin (language) 142
- Mao Zedong 5, 11, 180, 254, 260, 274, 276, 278
analysis of class oppression 113
theory of contradiction 248–9
- Maoism 4, 85
- Märklin, Christian 259
- Markov, M. 254
- Marx, Karl 245, 247, 257
- Marxism 245–6, 258, 260
abolition of social classes 259
- Marxism–Leninism 260
- melamine scandal (2008) 87–8, 94, 188
casualties of 86
political response to 87–8, 98
- Meng Jianzhu
Head of CPC Central Political-Legal Committee 280
- Montesquieu 246, 261
- Nanpan River
pollution in 191
- National People's Congress (NPC) 195, 206–7
Legal Commission 87–8
personnel of 59, 70
Standing Committee (NPCSC) 59, 88, 112, 154–5, 183, 203, 207–8, 234

- Legal Committee 207
- Legislative Affairs Commission 155
- nationalism 180
- Neander, Johann August Wilhelm 259
- neoliberalism 13
- New Left 252
- New Public Management (NPM) 244
- non-governmental organizations (NGOs) 120, 196, 239, 249–52
 - environmental 66–7, 69, 185
 - labour 28, 38
 - social justice 191
- Omarov, A.M. 254
- Organisation for Economic Co-operation and Development (OECD) 197
- Pearl River 191
 - Delta 37–8
- People's Armed Police (PAP) 12–13, 15, 202–3, 208–9, 213
- 'One Unified and Two Divisions' 204–5
- Party Committee 206
 - personnel of 205–11, 213–14
- People's Liberation Army (PLA) 204, 206–7
 - personnel of 205
- People's Police Law (1995) 202
- Politico-legal Committee, 270–71
- PRC Emergency Response Law 34
 - provisions of 34
- procedural defense (*chengxuxing bianhu*) 165
- procedural justice 2
- protests 3, 6, 7–10, 24–9, 43, 45, 46, 51, 54, 248, 273
 - mass incidents 35–7, 49, 63–4, 96, 212, 248
 - and petitions 8–9, 36, 147
 - state responses to 29–32, 203, 204, 207, 209
 - strikes 22, 34
 - violent 35, 37–8, 97
- public management theory 224
- Public Security Bureau 74
- Public Value Theory 244
- regulation 83–4, 94, 97–9
 - enforcement/labour inspectors 91–2, 100
 - impact of unrest on enforcement 85, 92
 - responsive authoritarianism 85, 100
 - risk-related legislation 86–8
 - symbolic 90–91
- regulation theory 83–4
- residential surveillance 168–9
 - proposed improvement of 170
- Riley, Patrick 256
- Rousseau, Jean-Jacques 246, 261
- rural village justice systems 60, 72, 76–8
 - collective action 63
 - domestic violence cases 61–2
 - mass incidents 63–4
 - non-registered civil associations (*minjian zuzhi*) 113
 - role of elders in 113–14
 - traffic accident cases 62–3
 - use of village leaders in dispute resolution 60–61
 - village committees 70, 74, 114
 - village regulations and agreements (*xianggui minyue*) 113
- Schleiermacher, Friedrich 259
- Security Administrative Punishments Law (SAPL) 36
- Smith, Adam 246
 - theories of 256, 258
- Social Management Innovation 13, 220, 221, 225, 227, 238, 244–5, 249–50, 253
 - comprehensive social management 240
 - development of 254–5
 - economic reform 252
 - impact on Harmonious Society 262
 - origins of 14, 222–3, 245–6
 - stability maintenance 252
 - upravlenie* 254

- use of marketplace for service delivery 250–51
- yanda* campaigns 249
- social outcomes/effects (*shehui xiaoguo*) 130, 222
 - attempts to reconcile with positive legal outcome of cases 12, 128, 142, 144–5, 149–50, 228–9
 - focus on criminal justice practice 171
 - negative 144
 - positive 2, 11, 140, 146
- social stability 1–2, 3, 7, 8, 10, 11, 13, 14, 15, 22, 23–4, 27, 56, 269
 - cases and courts 46, 52, 56, 59, 146, 226
 - criminal procedure 167, 168, 170
 - cultural importance of 167
 - definitions of 44
 - detention and 235
 - funding of maintaining 274
 - harmony and 115, 123, 128, 130, 131, 237
 - mediation and 113, 121
 - modernization/development 93, 248, 272–3
 - rigid 23
 - social management and 246–7, 251, 253, 262–3
 - threats to 169–70
 - workers and 37
- socialism 122, 244, 260, 269–70
 - scientific 254
- Soviet Union (USSR) 244, 254
 - collapse of (1991) 270
- Stability Maintenance xi, 6, 11, 14, 271–3, 275–8, 280
 - budget of 3, 6–7
 - concept of 273–4
 - development of 275
 - policing operations 4
- standard cases (*dianxing anli*) 11
 - use as examples of best practice 127, 135–6, 141–2
- State Council 93, 204–14, 232, 234
 - Legal Affairs Office 86, 207
- State Council Regulations on Letters and Visits (2005)
 - provisions of 36
- state-owned enterprises (SOEs) 186, 248
 - auditing of 183–4
- Strauss, David Friedrich 259
- Strike Hard campaigns 131, 270
- subsidiary civil action 133
- Sun Zhigang 188
- Supreme People's Court (SPC) 11, 110, 128–30, 144, 149, 166, 228
 - Adjudication Committee 108
 - death sentence cases brought before 136–40
 - notice on 'balance of leniency and severity' in death sentences (2007) 131, 133–5
 - notice on complaint petition resolution procedure (2002) 44
 - notice on prioritization of mediation (2010) 115
- Organic Law 131
- personnel of 44, 47, 129, 138, 145–7
- reacquisition of power of review of capital cases (2007) 155
- Reports of the Presidents of 116–17
- 'Rules of the Supreme People's Court Concerning Several Problems in the Withdrawal of Administrative Suits' (2008) 108–9, 118
- Supreme People's Procuratorate (SPP) 11, 128, 149, 220–21
 - establishment of 'case guidance system' (*anli zhidao zhidu*) (2010) 127, 129–31, 139–40
 - guiding cases used by 141–4, 147–8
- Legal Policy Research Office 140
- 'Methods for Procuratorial Work in Criminal Detention Centres' (2008) 237–8
- 'Opinions on Fully Realizing the Procuratorate's Ability to Participate and Strengthen Social Management Innovation' (2011) 225–6
- personnel of 140–41, 143
- Regulations Relating to the Case Guidance System 140

- Taizhou Intermediate Court 137
- Tangbai River 64
 water quality of 70
- Tanghe River 72
- Three Represents
 origins of 261
- Three Rivers 247
- Transparency International 197
- Twelfth Five Year Blueprint on
 Economic and Social
 Development (12th Five Year
 Plan) (2011) 21
- Twentieth National Public Security
 Work Conference (2003) 275–6
- United Nations (UN)
 Convention against Corruption
 (UNCAC) 12, 156, 177–8, 184,
 197
 Convention against Transnational
 Organized Crime 156
- United States of America (USA)
 Government Accountability Office
 (GAO) 183
- Voltaire 261
- Walker, David
 US Comptroller General and Head of
 GAO 183
- Water Pollution Prevention and Control
 Law (2008) 88–9
- Wen Jiabao 8, 94
 publicizing of auditing reports under
 183
- Weng'an Incident 28–9
- Women's Federation 239
- workers' rights 21
 increase in labour unrest 22, 24–8,
 30–32, 35–7
 migrant workers 37–8
- World Bank 70, 197
 China Development Marketplace
 68
- World Trade Organization (WTO)
 122
- Wu Shuangzhan
 PAP Commander 207, 211
- Wukan (2011) 44
- Xi Jinping 12, 277
- Xiajiede River 72
- Xiang River and Chang (Yangtze) River
 Environmental Organization
 activism efforts of 67
- Xiangfan Environmental Protection
 Bureau (EPB) 70
 personnel of 71
- Xiao Yang
 Chief Justice/President of SPC 47,
 132, 145
- Xu Zhiyong 185
- Yang Shangkun 247
- Yishuihe River 73
 structure of 72–3
- Youzhahe River 72
- Yu Jianrong 23–4, 39, 275
- Yun Jianli 67, 69
 founder of Green Han River 66–8
- Zhang Jun
 SPC Vice-President 146
- Zhao Chunguang
 Head of Bureau for Managing Prison
 and Criminal Detention Centres
 236
 'Notice on Fully Promoting Work on
 Opening Up Detention Centres
 to Society' (2010) 236–7
- Zhao Ziyang 123, 247, 261
- Zhejiang Higher Court 137–8, 143
- Zhou Yongkang 139, 225, 276
- Zhu Rongji
 anticorruption rhetoric of 190, 195
 economic reforms of 182–3