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By Stanley B. Lubman

Stanford University Press, United States, 2002. Paperback. Condition: New. Revised.. Language: English . Brand New Book. Since 1979, China has been building new legal institutions made necessary by economic reforms that have reduced the role of state planning, and by the decline of Maoist totalitarianism. This book analyzes the principal legal institutions that have emerged and assesses the prospects for increasing the rule of law in China. The book first establishes the cultural and institutional context in which legal reforms take place. It traces the main features of pre-Communist Chinese legal tradition, the drastic impact on law of thirty years of Maoist rule, and the extensive changes throughout Chinese society since Mao's death, notably the rise of the local party-state at the expense of central government power. The book's analysis begins with the Chinese leadership's policy toward law, identifying basic ambivalence toward law that makes the Chinese commitment to legality incomplete. It then surveys major developments, emphasizing the creation of new rights, revision of criminal law and procedure, and construction of a nascent administrative law. The book then examines in detail dispute resolution by extrajudicial mediation and the courts. Although mediation is no longer infused with Maoism,...



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