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978-1-107-02002-3 - Environmental Litigation in China: A Study in Political Ambivalence

Rachel E. Stern

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ENVIRONMENTAL LITIGATION IN CHINA

A STUDY IN POLITICAL AMBIVALENCE

This is a book about the improbable: seeking legal relief for pollution in contemporary China. In a country known for tight political control and ineffectual courts, *Environmental Litigation in China* unravels how everyday justice works: how judges make decisions, why lawyers take cases, and how international influence matters. It is a compelling account of how the leadership's mixed signals and political ambivalence play out on the ground, propelling some – such as the village doctor who fought a chemical plant for more than a decade – even as others back away from risk. Yet this remarkable book shows that even in a country where expectations are that law would not much matter, environmental litigation provides a sliver of space for legal professionals to explore new roles and, in so doing, probe the boundary of what is politically possible.

Rachel E. Stern is an assistant professor of law and political science at the University of California, Berkeley. Her earlier articles on law, social activism, and environmental issues in China and Hong Kong have appeared in *Comparative Political Studies*, *Law and Policy*, *China Quarterly*, and other journals. She is also a former junior Fellow at the Harvard University Society of Fellows.

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List of Abbreviations

ACEF:	All-China Environment Federation
ACLA:	All China Lawyers Association
ALL:	Administrative Litigation Law
BLA:	Beijing Law Association
BPCs:	Basic People's Courts
CASS:	Chinese Academy of Social Sciences
CCP:	Chinese Communist Party
CLAPV:	Center for Legal Assistance to Pollution Victims
CPPCC:	Chinese People's Political Consultative Conference
EIA:	Environmental Impact Assessment
EPB:	Environmental Protection Bureau
HPC:	High People's Court
INGO:	International Non-Governmental Organization
IPC:	Intermediate People's Court
MEP:	Ministry of Environmental Protection
MoJ:	Ministry of Justice
NAEC:	Non-Litigation Administrative Execution Case
NGO:	Non-Governmental Organization
NPC:	National People's Congress
SEPA:	State Environmental Protection Agency
SPC:	Supreme People's Court