

FOREWORD

The UCLA Pacific Basin Law Journal is proud to present a special China issue. As the fastest growing of the world's large economies, China is securing its place in the new millennium as a global superpower. In order to contribute to the understanding and documentation of these historic events, all four articles in this issue address various developing areas of Chinese law. We explore civil dispute resolution, the efficacy of criminal procedure reform, the newly emerging area of law in domestic violence, and a survey of consumer protection law. The authors have brought fresh ideas to some heavily debated topics and new analysis to issues before undiscussed. It is our hope that with this mix, there should be something of interest for everyone.

In our lead article, Vai Io Lo addresses the development of dispute resolution and the extent of "legal acculturation" in China. While dispute resolution reforms since the late 1970s have opened the door to foreign investors and begun resolving their concerns, the number of domestic, civil cases accepted by the courts has increased ten-fold. Professor Lo addresses this anomaly by reviewing sixty-two unpublished civil cases to ascertain the circumstances under which Chinese citizens resort to litigation to resolve their disputes. The article then addresses the extent to which law has become a part of ordinary citizens' consciousness and seeks to uncover popular beliefs about the legitimacy of the Chinese legal system.

In the second article, Mike P.H. Chu brings words of hope for the development of criminal procedure reform in China. China's Criminal Procedural Law (CPL) was significantly revised in 1996, bringing about one of the most significant and positive breakthroughs in criminal justice in nearly fifty years. The law has since been critiqued heavily by observers and scholars, noting some fundamental flaws. This article, however, conducts the first empirical evaluation of the effectiveness of the CPL in actual practice. Professor Chu analyzes data from official statistical sources in China, secondary materials, and personal interviews conducted with Chinese scholars, lawyers, prosecutors, judges, and court officials during the summer of 1999. Professor Chu concludes that contrary to most scholars' gloomy prediction, the revised CPL has in fact altered criminal proceedings in China. The altera-

tions are by no means complete, but progress is certainly being made.

The third article brings forward the hotly debated and emotionally charged issue of domestic violence. In it, Yuhong Zhao examines the extent, causes and impacts of domestic violence in China. Professor Zhao, concerned with the international attention China has received due to its long-standing failure to protect women from violence, provides data to show the gravity of the problem and then investigates the causes and impacts of domestic violence. Professor Zhao's article continues through a review of current legal measures and then proposes an holistic approach to tackling areas in need of reform. Finally, Professor Zhao provides information about valuable international norms and foreign experiences with the view of improving China's legal and social mechanisms to fight against domestic violence.

We close this special China issue with a thoughtful survey of consumer protection law by Mark Williams. With the advent of the World Trade Organization and the growth in the number of middle class consumers in China, excitement and impatience among foreign business opportunists continues to grow. However, in this excitement, Professor Williams counsels that entrepreneurs should not overlook the potentially costly consequences of defective consumer products or breaches of the relatively complete Chinese legal corpus. The history and theory of consumer protection law in China as well as the structure of its domestic economy can sometimes make foreign businesses a tempting target. This article describes and analyzes the major Chinese enactments and addresses examples of recent local consumer protection regulations in Shanghai and Beijing. It then considers the impact of private enforcement on these provisions. While the Chinese market expands and continues to open, Professor Williams provides a cautionary word, and the information necessary to make an informed business decision before entering this exciting market.

We hope this exploration of issues in China is enlightening to newcomers to Pacific Basin studies as well as helpful and informative to those who already concentrate their efforts in this area. We found the articles to be intriguing and a wonderful backdrop for truly compelling discussion. We hope you will find the same.