

Civil Judgments at First Instance

Comparative Experience and Chinese Solution

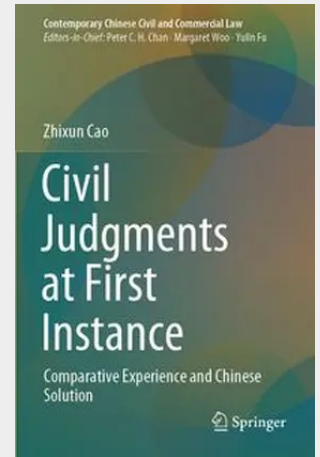
This book provides an in-depth discussion and introduction to Chinese civil procedure from both a theoretical and practical perspectives, as well as a comparative study of its relevant systems with those of the West.

The subject matter of this book is Chinese civil judgments. Judgments, as the final judicial product which affects the legal relationship between both parties or even multiple parties, provide a desirable objects to observe and evaluate the service of judicial proceedings and the protection of the parties' procedural rights. And since judgments are in most cases regarded as the default termination of any civil litigation, there is no need to argue for a comparative study on this topic which has already inspired Chinese doctrines and newest reforms. One of the aims of such research is to modernize Chinese civil justice considering the experience of leading legal counterparts.

Next to the theoretical analysis, this book introduces empirical data in China to the English literature, which could provide a vivid illustration for legal researchers to be better informed about the Chinese legal system and its real version of rule of law. In other words, this book likes to describe the real judicial practice in China and summarize how Chinese lawyers understand and facilitate the production of civil judgments.

Moreover, this book intends to focus on the adjudicative techniques in the civil litigation, which should constitute the mutual basis of most civil justice. Even there is no well-developed theory under the name of "Adjudicate Techniques" in some jurisdictions, it is not uncommon to discover some principles, methods, institutions, and practical operation, which is functionally and substantially comparable to the ones in other civil justice systems.

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