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Legality, discretion and informal practices in China's courts : a socio-legal investigation of private transactions in the course of litigation

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References

- Angle, Stephen C. "Decent Democratic Centralism." *Political theory* 33, no. 4 (2005): 518.
- "Announcement of the Supreme People's Court Concerning Issues Related to the Reform of Enforcement Divisions of People's Courts ". 2000.
- "Anti Money-Laundering Report 2007." Central Bank of China, 2008.
- Axelrod, Robert. "The Evolution of Cooperation." *Science* 211, no. 4498 (1981): 1390.
- Becker, L. C. *Reciprocity* 1990.
- Bi, Yuqian, ed. *Sifa Shenpan Dongtai Yu Yanjiu [Research on Judicial Development]*. Vol. 1. Beijing: Law Press, 2002.
- Blau, Peter M. *Exchange and Power in Social Life*: John Wiley & Sons, 1964.
- Brødsgaard, Kjeld Erik. "Institutional Reform and the Bianzhi System in China." *China Quarterly* 170, (2002).
- Burns, J.P. "Strengthening Central Ccp Control of Leadership Selection: The 1990 Nomenklatura." *The China Quarterly* no. June (1994): 458-91.
- Cai, Dingjian. "Development of the Chinese Legal System since 1979 and Its Current Crisis and Transformation." *Cultural Dynamics* 11, no. 2 (1999): 135-66.
- Carr, Indira. "The Principal-Agent-Client Model and the Southern African Development Community Anti-Corruption Protocol." In *The Selected Works for Indira M. Carr*: University of Middlesex, 2007.
- CCDI. *Ban'an Shijian Yu Yanjiu [Experience and Research on Case Investigations]*. Beijing: China Fang Zheng Press, 2003.
- CCDI, Propaganda Office. *A Brief Course of the Institutional Development of Discipline Inspection Commissions*. Beijing: China Fang Zheng Press, 2002.
- CDIC, No. 8 Section. *Practices and Research on Corruption Investigation*. Beijing: China Fangzheng, 2003.
- Chan, Hon S. "Cadre Personnel Management in China: The Nomenklatura System, 1990-1998." *The China Quarterly* 179, (2004): 703.
- Chang, Hui-ching. "The "Well-Defined" Is "Ambiguous" - Indeterminacy in Chinese Conversation." *Journal of Pragmatics* 31, (1999): 535-56.
- Chen, Feng. "Between the State and Labour: The Conflict of Chinese Trade Unions' Double Identity in Market Reform." *The China Quarterly* 176, (2003).
- Chen, Guoqing, ed. *Xinxing Shouhui Fanzui De Rendeng Yu Chufa [Recognition and Punishment of New Types of Crime of Bribery]*. Beijing: Law Press, 2007.
- Chen, Ruihua. "Zhenyi De Wuqu [the Holdup of Justice]." *Peking University Law Review* 1, no. 2 (1998): 381-412.
- Chen, Weidong. "Xingshi Ershen Fahui Chongshen Zhidu De Fansi Yu Sikao [Re-Examining the 'Send Back for Retrial' Decision in the Appeal of Criminal Cases]." Renmin University.
- Cheng, Wenhao. "An Empirical Study of Corruption within China's State-Owned Enterprises." *The China Review* 4, no. 2 (2004): 55-80.

- Cosmides, L, J Tooby. "Cognitive Adaptions for Social Exchange." In *The Adapted Mind: Evolutionary Psychology and the Generation of Culture*, edited by L Cosmides, J Tooby: Oxford University, 1992.
- Cosmides, L. "The Logic of Social Exchange: Has Natural Selection Shaped How Humans Reason? Studies with the Wason Selection Task." *Cognition* 31, no. 3 (1989): 187-276.
- Dionisie, Dan, Francesco Checchi. "Corruption and Anticorruption Agencies in Eastern Europe and the Cis: A Practitioners' Experience." UNDP Bratislava Regional Centre, 2008.
- Edin, Maria. "State Capacity and Local Agent Control in China: Ccp Cadre Management from a Township Perspective." *China Quarterly* (2003): 35-52.
- . "State Capacity and Local Agent Control in China: Ccp Cadre Management from a Township Perspective." *The China Quartely* 173, (2003).
- Emerson, Richard M. "Social Exchange Theory." *American Review of Sociology* 2, (1976): 335-62.
- "Faguan Piaochang Dangshiren Maidan [Judge Visit Prostitute Litigant Foot the Bill]." *Yantai Evening Post*, 31 July 2004.
- Fan, Ying. "Guanxi's Consequences: Personal Gains at Social Cost." *Journal of Business Ethics* 38, no. 4 (2002): 371-80.
- Festinger, Leon. *A Theory of Cognitive Dissonance*. Stanford, CA: Stanford University Press, 1957.
- "Fighting Judicial Corruption Tops Agenda." *China Daily*, 1 May 2009.
- Fu, Hualing. "Putting China's Judiciary into Perspective: Is It Independent, Competent, and Fair?" In *Beyond Common Knowledge: Empirical Approaches to the Rule of Law*, edited by Erik G. Jense, Thomas C. Heller, 2003.
- Fu, Yulin. "Minshi Shenpan Jiandu Zhidu De Shizhengxing Fenxi [an Empirical Analysis of the Supervisory System of the Adjudicative Process in Civil Litigations]." In *Falü Chengxu Yunzuo De Shizheng Fenxi [a Positive Analysis to Practice of Legal Procedures]*. Beijing: Law Press China, 2005.
- Fu, Yulin, Randall Peerenboom. "A New Analytical Framework for Understanding and Promoting Judicial Independence in China." In *Judicial Independence in China: Lessons for Global Rule of Law Promotion*, edited by Randall Peerenboom. New York: Cambridge University Press, 2010.
- Fushi. *Qingci [Celadon]*. Changsha: Hunan Wenyi, 2006.
- Gambetta, Diego. "Corruption: An Analytical Map." In *Corrupt Histories*, edited by Emmanuel Kreike, William C. Jordan: University of Rochester Press, 2004.
- , ed. *Trust: Making and Breaking Cooperative Relations*, 1988.
- Gao, Yifei. "Heimu Xia De Zhengyi - Shenshi Qianguize Xia Yihua De Sifa [Justice under the Black Sky - Examining the Dissimilized Judicial System under the Hidden Rules]." *Xueshu Zhonghua* (2005).
- Gold, Thomas, et. al. "An Introduction to the Study of Guanxi." In *Social Connections in China: Institutions, Culture, and the Changing Nature of Guanxi* edited by Thomas Gold, Doug Guthrie, David Wank, 1-20. Cambridge: Cambridge University Press, 2002.
- Gong, Ting. "Dangerous Collusion: Corruption as a Collective Venture in Contemporary China." *Communist and Post-communist Studies* 35, (2002): 85-103.

- . "Dependent Judiciary and Unaccountable Judges: Judicial Corruption in Contemporary China." *China Review* 4, no. 2 (2004): 33-54.
- . "Forms and Characteristics of China's Corruption in the 1990s: Change with Continuity." *Communist and Post-communist Studies* 30, no. 3 (1997): 277-88.
- Graeff, Peter. "Why Should One Trust in Corruption?" In *The New Institutional Economics of Corruption*, edited by J.G.Lambsdorff et. al. London and New York: Routledge, 2005.
- Guan, Yongjian, ed. *Investigating Procedures of Dic*: China Fang Zheng Press, 2006.
- Guo, Xuezhi. "Dimensions of Guanxi in Chinese Elite Politics." *The China Journal* 46, no. Jul. (2001): 69-90.
- Guo, Yong. "Corruption in Transitional China: An Empirical Analysis." *The China Quarterly* 194, no. June (2008): 349-64.
- Hamrin, Carol Lee, Suisheng Zhao, ed. *Decision-Making in Deng's China - Perspectives from Insiders*: M.E. Sharpe, 1995.
- . *Introduction: Core Issues in Understanding the Decision Process*. Edited by Carol Lee Hamrin, Suisheng Zhao, *Decision-Making in Deng's China - Perspectives from Insiders*: M.E. Sharpe, 1995.
- Hao, Yufan, Michael Johnston. "Reform at the Crossroad: An Analysis of Chinese Corruption." Dept. of Political Science, Colgate University, 1995.
- Harmon-Jones, Eddie, Judson Mills. "Chapter 1: An Introduction to Cognitive Dissonance Theory and an Overview of Current Perspectives on the Theory." In *Cognitive Dissonance: Progress on a Pivotal Theory in Social Psychology*, edited by Eddie Harmon-Jones, Judson Mills, 1999.
- He, Xin. "Zhongguo Fayuan De Caizheng Buzu Yu Sifa Fubai [Lack of Financial Funding and Judicial Corruption in China's Courts]." *ershiji shiji (21 Century Bimonthly)* no. 2 (2008).
- He, Yuanqiong. "Zhanzai Tianping De Liangduan - Sifa Fubai De Boyi Fenxi [Standing on Both Ends of the Scale - an Analysis of Judicial Corruption from the Perspective of Game Theory]." *zhongwai Faxie* 19, no. 5 (2007): 564-86.
- Henderson, Keith. "The Rule of Law and Judicial Corruption in China: Half-Way over the Great Wall." In *Global Corruption Report 2007: Corruption in Judicial Systems*, edited by Transparency International. Cambridge: Cambridge University Press, 2007.
- Hodge, Bob, Kam Louie. *The Politics of Chinese Language and Culture: The Art of Reading Dragons*. London and New York: Routledge, 1998.
- Homans, George Caspar. *Social Behavior: Its Elementary Forms*. New York: Harcourt, Brace & World, Inc., 1961.
- House, The People's Courts Publishing. "People's Court Case Report (Criminal Section)." 47, (2005).
- Hsu, Carolyn L. "Political Narratives and the Production of Legitimacy: The Case of Corruption in Post-Mao China."
- Hua, Huailiang. "Jiekai Wuhan Zhongyuan Fubai Wo'an De "Heixiazi" [Open The "Black-Box" Of the Group Corruption Case of Wuhan Intermediate Court]." *minzhu yu fazhi [democracy and law]*, 2004.
- Huang, Guangming. "The Price for a Judge to Pay for Offending His Superiors " *Southern Weekend*, 23 March 2001.

- Huang, Gufeng, Rui Li. "Haizhuqu Jianchayuan Dui Xinghui Renyuan De Wenjuan Diaocha Baogao [a Survey Report of Bribe-Giving Conducted by Haizhu District Procuratorate]." (2006).
- Huang, Haiying. "Jitifuzezhi Shibi Zouyi [Remarks on The "Collective Responsibility"]." *Renmin sifa [People's Adjudication]* no. 2 (1988).
- Huang, Jianliang, Chen Qihua. "Faguan Tanwu, Huilu Fanzui Fenxi [a Criminological Analysis of Embezzlement and Bribery Committed by Judges] " *Fazhi Pinglun Zhoukan [Rule of Law Review Weekly] (neicangao [For Internal Communication only])* (2005).
- Huang, Y. "Central-Local Relations in China During the Reform Era: The Economic and Institutional Dimensions." *Word Development* 24, no. 4 (1996): 655-72.
- "Hunan Yuan Gaoyuan Yuanzhang De Fanzui Daolu [Path to Criminal: Story of the Former President of Hunan High Court]." *Liaoning Fazhi Bao*, 24 December 2004.
- Husted, B. W. "Honor among Thieves: A Transaction-Cost Interpretation of Corruption in Third World Countries." *Business Ethics Quarterly* 4, no. 1 (1994): 17.
- Inspection, The Journal of China Disciplinary. *Shenyang 'Mu Suixin, Ma Xiangdong' an Chachu Jishi [a Journalistic Report on the Investigation and Conviction of the Cases of Mu Suixin and Ma Xiangdong]*. Beijing: Fangzheng, 2002.
- "International Heat of The "Anticorruption Storm" In China." *International Herald Leader* 26 June 2008.
- "Investigating the 'Corruption Collusion' in the Shenzhen Intermediate Court." *Phoenix Weekly* 33, no. 238 (2006).
- Jain, Arvind K. "Corruption: A Review." *Journal of Economic Surveys* 15, no. 1 (2001): 71.
- "'Jietiaoran' Zhong De Faguan [the Judge in the 'Iou Case']." *China Youth Daily*, 21 September 2005.
- Jones, Carol A.G. "Capitalism, Globalisation and Rule of Law: An Alternative Trajectory of Legal Change in China." *Social & Legal Studies* 3, no. 1 (1994): 195-221.
- "Judges Standing in the Defendant's Dock." *Zhengfu fazhi [Government and Rule by law]* no. 6 (1997).
- Klitgaard, Robert. *Controlling Corruption*: University of California Press, 1988.
- Lü, Jiaxun, Hu Qishu. "Dui Liaoning Dalianshi Sifa Jiguan Gongzuo Renyuan Zhiwu Fanzui Qingkuang Diaocha Ji Yufang [Investigation and Prevention of Professional Crimes Committed by Personnel in the Justice System in Dalian City, Liaoning Province]." In *Zhongguo Zhiwu Fanzui Yufang Diaocha Baogao [Investigative Report on Professional Crimes and Its Prevention of China]*, edited by Criminology Research Society of China, 351-61, 2004.
- Lü, Xiaobo. *Cadres and Corruption, the Organizational Involution of the Chinese Communist Party*. Stanford: Stanford University Press, 2000.
- "Lüshi Xinghui Faguan - Yizhong 'Sifayawenhua' De Jiedu [Lawyers Bribing Judges - an Interpretation of the 'Judicial Sub-Culture']." *Nanfang Dushi Bao*, 1 February 2009.
- "Lüzheng Jiaren Liaofan 'Mingxing Fagua' [a 'Star Judge' Fell in the Hand of a Beautiful Female Lawyer]." *Dang de shenghuo*, 2007.

- Lambsdorff, J.G. "Making Corrupt Deals: Contracting in the Shadow of the Law." *Journal of Economic Behavior & Organization* 48, (2002): 221-41.
- Lambsdorff, Johann Graf, Mathias Nell. "Fighting Corruption with Asymmetric Penalties and Leniency." In *CeGE Discussion Paper: Georg-August Universität Göttingen*, 2007.
- Lan, Guohong. "Reconstructing Internal Court Management System [Fayuan Neibu Guanli Tizhi Zhi Chonggou]." *Fengtai Court Net* (2009).
- Li, Dongwen. "Heibai Zhijian De Shenzhen Dongmen Dashijie [Shenzhen Da Shijie in Both the Black and White Worlds]." *Nanfang Dushi Bao [Southern Metropolis Newspaper]*, 31 August 2005.
- Li, Jianghui. "Jiceng Jijian Jiancha Jiguan Zuzhi Jianshe Wenti Zouyi [a Discussion on the Issues of Organization-Building of Grassroot Discipline Inspecting Institutions]." *Diaocha yanjiu*, 24 August 2007.
- Li, Ke, et.al. "Institutionalized Corruption and Privilege in China's Socialist Market Economy: A General Equilibrium Analysis." *Pacific Economic Review* 10, no. 3 (2005): 341-60.
- Li, Ling. "Corruption in China's Courts." In *Judicial Independence in China: Lessons for Global Rule of Law Promotion*, edited by Randall Peerenboom. New York: Cambridge University Press, 2010.
- . "'Performing' Bribery in China - Guanxi-Practice: Corruption with a Human Face " *Journal of Contemporary China* 20, no. 69 (forthcoming in 2011).
- Li, Shuming. "Yaobuyao Dui Xinghui 'Wangkaiyimian' [Shall We Show Leniency to Bribers?]." *The Procuratorate's Daily*, 17 Oct. 2007.
- Li, Yamin. "Taishan Jiao Xia De Jiaoliang [a Wrestle at the Foot of Mount Tai]." In *Implementation of Law in the People's Republic of China*, edited by Chen Jianfu, et.al., 55-84: Kluwer Law International, 2002.
- Liang, Bin. *The Changing Chinese Legal System, 1978-Present: Centralization of Power and Rationalization of the Legal System*. New York, London: Routledge, 2008.
- Liang, Zhiping, ed. *Ge'an Jiandu Yu Sifa Gongzheng [Individual Case Supervision and Judicial Fairness]*. Vol. 2, Hongfan Pinglun [Hongfan Review], 2005.
- Lieberthal, Kenneth G. "Introduction: The "Fragmented Authoritarianism" Model and Its Limitations." In *Bureaucracy, Politics and Decision Making in Post-Mao China*, edited by K.G. Lieberthal, D.M. Lampton, 375. Berkeley: University of California Press, 1992.
- Liebman, Benjamin L. "China's Courts: Restricted Reform." *The China Quarterly* 191, (2007): 620-43.
- Lin, Qian. *Zhongguo Gudai Quanli Yu Falü [Power and Law in Ancient China]*. Beijing: CUPL Press, 2004.
- Lin, Yueqin. "Shehui Zhongjie Zuzhi De Fubai Zhuangkuang Yu Zhili Duice Yanju [Corrupt Practices of Intermediary Institutions and Its Policy Control]." Chinese Social Science Academy 2009.
- Liu, Alan P. L. "The Politics of Corruption in the People's Republic of China." *American Political Science Review* 77, (1983): 602-23.
- Liu, Jie. "Yiqi Hetong Jiufen Yinqi De Sifa 'Heishao' [a Judicial 'Black Whistle' in a Contractual Dispute] " *Dangfeng yu lianzheng*, 2002.

- Liu, Nanping. "Trick or Treat: Legal Reasoning in the Shadow of Corruption in Proc." *North Carolina journal of International Law and Commercial Regulation* 34, (2008): 179.
- Liu, Renzhou. "Jujiao Mai Chongkai Chenglun De Guiji [Zooming in the Falling Trajectory of Mai Chongkai]." *Jiancha fengyun [Procuratorial Review]* no. 3 (2004).
- Liu, Zheng. "Lun Woguo Shenpan Weiyuanhui Zhidu De Xianshi Kunjing Ji Qi Gaijin Silu [the Significant Dilemma of the Adjudicative Committee and Considerations on Reform Measures]." *Xingshi sifa luntan [Criminal justice forum]* 1, (2008).
- Lo, Ming-cheng M, Eileen M. Otis. "Guanxi Civility: Processes, Potentials, and Contingencies." *Politics & Society* 31, no. 1 (2003): 131-62.
- Lu, Jinzeng. "Shopping-Card Induces Civil Servant Crimes (*Gouwuka Yi Youfa Zhiwu Fanzui*)."
<http://www.jcrb.com/200707/ca616445.htm>.
- Luo, Jirong, Qiang Xin. "Yiqi Faguan Zhizao De Feifajujin an [an Illegal Detention Committed by Judges]." *Hebei Daily*, 1998.
- Luo, Shuping. "Shenpan Weiyuanhui "Shenpi Anjian" Zhidu Ying Yu Quxiao [the Practice of Adjudication by Seeking Approval from the Adjudicative Committee Should Be Abandoned]." *sifa gaige lunping [Judicial Reform Review]* 3, (2002).
- Ma, Haibin. "Dangqian Zhiwu Fanzui De Tedian Yuanyi He Fasheng Fazhan Qushi Jiqi Fangfan Duice [Characteristics, Causes, Trends and Counter-Measures Regarding White-Collar Crimes in Contemporary China]." In *Zhongguo Zhiwu Fanzui Yufang Diaocha Baogao [Investigative Report on Professional Crimes and Its Prevention of China]*, edited by Criminology Research Society of China, 346-50, 2004.
- Ma, Stephen K. "The Dual Nature of Anti-Corruption Agencies in China." *Crime, Law & Social Change* 49, (2008): 153-65.
- Manion, M. "The Cadre Management System, Post-Mao China: The Appointment, Promotion, Transfer and Removal of Party and State Leaders." *China Quarterly* (1985): 203-33.
- . *Corruption by Design: Building Clean Government in Mainland China and Hong Kong*: Harvard University Press, 2004.
- Manion, Melanie. "The Cadre Management System, Post-Mao: The Appointment, Promotion, Transfer and Removal of Party and State Leaders." *The China Quarterly* no. June (1985): 203-33.
- . "Corruption by Design: Bribery in Chinese Enterprise Licensing." *The Journal of Law, Economics & Organization* 12, no. 1 (1996): 167-95.
- Mauss, Marcel. *The Gift*. Translated by Ian Cunnison. New York: Norton, 1967.
- McGlone, Matthew S., Jennifer A. Batchelor. "Looking out for Number One: Euphemism and Face " *Journal of Communication* 53, no. 2 (2003): 251-64.
- Meeker, B.F. "Decisions and Exchange." *American Sociological Review* 36, no. Jun (1971): 485-95.
- Meng, Qinghua. *Shouhuizui Yanjiu Xin Dongxiang [New Trends and Implications of Research on Bribery]*. Beijing: Fangzheng, 2005.
- Mertha, Andrew C. "China's "Soft" Centralization: Shifting Tiao/Kuai Authority Relations Source." *The China Quarterly* 184, no. 1 (2005).

- Miller, H. Lyman. "Politics inside the Ring Road: On Sources and Comparisons." In *Decision-Making in Deng's China - Perspectives from Insiders*, edited by Carol Lee Hamrin, Suisheng Zhao: M.E. Sharpe, 1995.
- Molm, L. D. "Structure, Action, and Outcomes: The Dynamics of Power in Social Exchange " *American sociological review* 55, no. 3 (1990): 427.
- Ngo, Tak-wing. "Rent-Seeking and Economic Governance in the Structural Nexus of Corruption in China." *Crime, Law and Social Change* 49, (2008): 27-44.
- Noonan, John T. *Bribes* 1984.
- Nord, Walter. "Adam Smith and Contemporary Social Exchange Theory " *American Journal of Economics and Sociology* 32, no. 4 (1973): 421-36.
- Notification on Equipping Cadres in People's Courts and Procuratorates.*
- O'Brien, Kevin J., Lianjiang Li. "Suing the Local State: Administrative Litigation in Rural China " *The China Journal* 51, (2004): 75-96.
- "Odd Prison-Release of Jilin Gang-Leader after Only Serving 3 Years for a Sentence of Imprisonment of 20 Years." *Xin Wenhua Newspaper*, 9 December 2008.
- OECD. "Specialised Anti-Corruption Institutions - Review of Models." Anticorruption Division, OECD, 2006.
- Oldenburg, Philip. "Middlemen in Third-World Corruption: Implications of an Indian Case." *World Politics* 39, no. 4 (1987): 508-35.
- Peerenboom, Randall. "Judicial Accountability and Judicial Independence: An Empirical Study of Individual Case Supervision." *SSRN eLibrary* (2008).
- Potter, P.B. "Guanxi and the P.R.C. Legal System: From Contradiction to Complementarity." In *Social Connections in China: Institutions, Culture, and the Changing Nature of Guanxi*, edited by Thomas Gold, et. al., 179-95, 2000.
- The SPC. *The Preliminary Regulation on Judges' Ranks.*
- Pruitt, Dean G. "Strategic Choice in Negotiation." *American Behavioral Scientist* 27, no. 2 (1983): 167-94.
- "Quanguo Zuida Maiguan an Diaocha [an Investigation of the Biggest Office-Selling Case]." *News Weekly*, 2005.
- Ran, Jingfu, et. al. "Fayuan Tiaojie De Xianzhuang Wenti Yu Duice Yanjiu [Current Situation, Problems and Solutions Regarding Court Mediation]." Beijing: China Social Science Academy, 2003.
- "Rang Falü De Tiankong Geng Chunjing - Pan Yile Luowang Ji [Purify the Sky of Law - a Report on the Conviction of Pan Yile]." *People's Daily*, 16 July 1998, 3.
- "Regulation Concerning the Recruitment and Promotion of Party and Governmental Cadres." The CCP Central Committee, 2002.
- Party group of the SPC. *Regulations on Party Groups of People's Courts Assisting Local Party Committee to Manage Court Cadres.* Fa zu zi [1984] No.3.
- Ren, Hengjun. *Rules in the Officialdom of Late Qing Dynasty [Wanqing Guanchang Guize Yanjiu]*. Haikou: Hainan, 2003.
- Ren, Jianming, Zhizhou Du. "Institutionalized Corruption: Power Overconcentration of the First-in-Command in China." *Crime, Law and Social Change* 49, (2008): 45-59.
- Ren, Jianxin. "Annual Report of the Supreme People's Court." (1998).
- "The Reply on the Issue Concerning the Signature of Court President on Court Judgment." edited by SPC, 1969.

- "Regulation on Jurisdiction of First-Instance Civil and Commercial Cases." edited by Supreme People's Court, 2008.
- Ricci, Matthew. *China in the Sixteenth Century: The Journals of Matthew Ricci 1583-1610*. New York: Random House, 1953.
- Root, Hilton. "Corruption in China: Has It Become Systemic?" *Asian Survey* 36, no. 8 (1996): 741-57.
- Sapio, F. "Shuanggui and Extralegal Detention in China." *China information* 22, no. 1 (2008): 7.
- Schramm, Matthias, Markus Taube. "On the Co-Existence of Private Ordering and a Formal Legal System in the Pr China." Duisburg University, 2003.
- Scott, J. C. *Comparative Political Corruption* 1972.
- Sethi, Rajiv, E. Somanathan. "Understanding Reciprocity." *Journal of Economic Behavior & Organization* 50, no. 1-27 (2003).
- Shi, Limei, Jianjun Shi. "Wutie Zhongyuan Shexian Danwei Shouhui an De Qishi [Revelation of the Case of Bribe-Taking of Wutie Intermediate Court]." *Zhengyi Net*, 28 August 2007.
- Shirk, Susan. *The Political Logic of Economic Reform in China*. Berkeley: University of California Press, 1993.
- Skvoretz, John; Michael J. Lovaglia. "Who Exchanges with Whom: Structural Determinants of Exchange Frequency in Negotiated Exchange Networks." *Social Psychology Quarterly* 58, no. Sep (1995): 163-77.
- Song, Jia, et. al. "Jianli Wangfa Faguan Cheng Qiutu [Violating the Law for Benefits, Judge Became Prisoner]." *Jiancha fengyu [Procuracy affairs]*, 2001.
- Song, Shige. "Quanli Zhuanhuan De Yanchi Xiaoying: Dui Shehuizhuyi Guojia Xiang Shichang Zhuanbian Guocheng Zhong De Jingying Zaisheng Yu Xunhuan De Yizhong Jieshi [the Lapsing Effect of Power-Transfer: An Interpretation of the Elite Reproduction and Recycle in the Process of Market Transition of Socialist Countries]." *China Sociology* 4, (2005): 45-61.
- SPC, The. "Measures of Appointment of Shenpanzhang in People's Courts." 2000.
- . "Measures on the Working Procedure of the Collegial Panel in People's Courts." 2002.
- SPP. "Decisions on Certain Issues Concerning Anti-Corruption Investigation." In *No. 27*, 1999.
- . "Decisions on Issues Concerning Internal Checks and Balances in Anti-Corruption Investigation." In *No. 27*, 1998.
- Steidlmeier, P. "Gift Giving, Bribery and Corruption: Ethical Management of Business Relationships in China." *Journal of business ethics* 20, no. 2 (1999): 121.
- "Subtle Entanglement between Judges and Lawyers." *21 Century Economic Report*, 30 Jun. 2005.
- Suli. "The Adjudicative Function and Administrative Management of Courts." *Zhongwai Faxue* no. 65 (1999): 36-46.
- Sullivan, Lawrence R. "The Role of the Control Organs in the Chinese Communist Party: 1977-83." *Asia Survey* 24, no. 6 (1984): 597-617.
- Sun, Yan. *Corruption and Market in Contemporary China*. Ithaca and London: Cornell University Press, 2004.

- Tan, Shigui. *Sifa Fubai Fangzhi Lun [Preventing Judicial Corruption]*. Beijing: Law Press, 2003.
- . *Zhongguo Sifa Gaige Yanjiu [a Study on Judicial Reform of China]*. Beijing: Law Press China, 2000.
- Tan, Songping, Xiaochun Li. "Several Issues About Collective Adjudication." <http://www.chinacourt.org/public/detail.php?id=161447>.
- Tang, Yingmao, Liugang Sheng. "Minshangshi Zhixing Chengxu Zhong De "Shuanggao Xianxiang" ("Two High" Phenomenon in the Enforcement Procedure of Court Judgment in Civil and Commercial Cases)." *falv yu shehui kexue (Law and Social Science)* 1, (2006): 1.
- Tanzi, Vito. "Corruption around the World: Causes, Consequences, Scope, and Cures." *IMF Staff Papers* 45, no. 4 (1998).
- Team, China Inspection Editorial. *Shenyang 'Mu Suixin, Ma Xiangdong' an Chachu Jishi [a Documented Report of the Investigation of Mu Suixin and Ma Xiangdong]*: China Fang Zheng Press, 2002.
- Theobald, Robin. *Corruption, Development and Underdevelopment*: Duke University Press, 1990.
- Thibaut, J., Kelley, H. H. *The Social Psychology of Groups*. New York: Wiley, 1959.
- Thompson, Leigh. "Negotiation Behavior and Outcomes: Empirical Evidence and Theoretical Issues." *Psychological Bulletin* 108, no. 3 (1990): 515-32.
- Tong, Q. S. "Inventing China - the Use of Orientalist Views on the Chinese Language." *Inventions* 2, no. 1 (2000): 6-20.
- Uslaner, Eric M. "Trust and Corruption." In *The New Institutional Economics of Corruption*, edited by J.G.Lambsdorff et. al. London and New York: Routledge, 2005.
- Wang, Deying. *Juebu Yunxu Fubai fenzi You Cangshenzhidi - Tupo Da'an Yao'an De Shijian Yu Sikao [Nowhere to Hide - Practices About and Reflections Upon Successful Detection of Major Corruption Cases]* Beijing: Fangzheng, 2001.
- Wang, Heyan. "Xijie Beijing Xichengqu Fayuan Qianyuanzhang Guo Shengui an [a Detailed Analysis of the Case of Former President of Beijing Xicheng Court, Guo Shenggui]." *Caijing*, 2007.
- Wang, Sheng. "Zoulun Jianguan Changsuo Zhiwu Fanzui De Yufang [Prevention of White-Collar Crimes in Prisons and Other Custodial Institutions]." In *Zhongguo Zhiwu Fanzui Yufang Diaocha Baogao [Investigative Report on Professional Crimes and Its Prevention of China]*, edited by Criminology Research Society of China, 373-7, 2004.
- Wedeman, Andrew. "The Intensification of Corruption in China." *The China Quarterly* 180, (2005): 895.
- . "Win, Lose, or Draw? China's Quarter Century War on Corruption." *Crime, Law and Social Change* 49, (2008): 7-26.
- Wei, Qingyuan, Bai Hua. *Zhongguo Guanzhishi [History of the Chinese Bureaucratic Institution]*. Shanghai: Oriental Publishing Centre, 2001.
- Wolak, Russell, et. al. "An Investigation into Four Characteristics of Services." *Journal of Empirical Generalisations in marketing science* 3, (1998): 22-43.

- Wu, Chengxiang. "Analysis of the Current Operation of the Adjudicative Panel." Chongqing 1st Intermediate Court, <http://www.cqcourt.gov.cn/Information/InformationDisplay.asp?newsid=44996>.
- Wu, Guoguang. *"Documentary Politics": Hypotheses, Process and Case Studies*. Edited by Carol Lee Hamrin, Suisheng Zhao, *Decision-Making in Deng's China - Perspectives from Insiders*: M.E. Sharpe, 1995.
- Wu, Ligu. "Zhixingyuan Zuan Zhidu Loudong Jingtun Qianwan [Enforcement Official Took Advantages of Loopholes of Court Regulations and Grabbed Ten Million Rmb]." *fazhi yu xinwen [Rule by law and news]*, 2006.
- "Wuhan Haishi Fayuan Liang Faguan Tanzangwangfa Bei Panxing [Two Wuhan Maritime Court Judges Sentenced for Corruption]." *Wuhan Morning Post*, 14 April 2004.
- Xu, Zili. "Court President Conduct Corruption for the Benefit of Adopted Son, the Whole Family Was Brought Down." *Jiating* 414, no. October (2007).
- Xuan, Yi. "Woguo Faguan Duli Shenpan Linian Xianzhuang Ji Duice Tanxi [on the Concept, Present Conditions and Countermeasures of the Judge's Independent Trial in Our County]." East University of Political Science and Law, 2006.
- Yamagishi, Toshio et. al. "Network Connections and the Distribution of Power in Exchange Networks." *The American Journal of Sociology* 93, no. Jan (1988): 833-51.
- Yan, Huai. *Organizational Hierarchy and the Cadre Management System*. Edited by Carol Lee Hamrin, Suisheng Zhao, *Decision-Making in Deng's China - Perspectives from Insiders*: M.E. Sharpe, 1995.
- Yan, Jiaqi. *The Nature of Chinese Authoritarianism*. Edited by Carol Lee Hamrin, Suisheng Zhao, *Decision-Making in Deng's China - Perspectives from Insiders*: M.E. Sharpe, 1995.
- "Yang Duoming Shouhuian Jishi [a Report on the Bribery Case of Yang Duoming]." *Minzhu yu fazhi*, 16 August 2005.
- Yang, Mayfair Mei-hui. "The Gift Economy and State Power in China." *Comparative Studies in Society and History* 31, no. 1 (1986): 25-54.
- . "The Resilience of Guanxi and Its New Deployments: A Critique of Some New Guanxi Scholarship." *The China Quarterly* 170, (2002): 459.
- Yang, Zhizhi. "Cong Minyao Kan Woguo Fazhi Jianshe [to Assess the Development of Legal Establishment in Our Country from Folklores]." 2007.
- Yao, Shuntian. "Privilege and Corruption: The Problems of China's Socialist Market Economy." *American Journal of Economics and Sociology* 61, no. 1 (2002).
- Yishuimenke. "Zhongguo Faguan Shencun Zhuangkuang Zhi Yuanshengtai Diaocha [a Participating Observation of the Lives of Chinese Judges]." (2006), <http://www.tianya.cn/techforum/content/219/2225.shtml>.
- Yu, Ning. "Fanxiqian Baogao: 350 Jia Jigou Bei Chachu [Anti Money-Laundering Report: 350 Financial Institutions Punished]." *Shanghai Zhengquan Bao*, 5 September 2008.
- Yu, Olivia. "Corruption in China's Economic Reform: A Review of Recent Observations and Explanations." *Crime, Law & Social Change* 50, (2008): 161-76.

- Yuan, Ling. "Huang Songyou Xianru Zhongcheng an Neimu Jiaoyi [Huang Songyou Trapped in the Insider Trading in the Zhongcheng Plaza Case]." *Liaowang Dongfang Zhoukan [Oriental Outlook Weekly]*, 10 November 2008.
- Yue, Ling. "A Study on the Legal Regulation of Hidden Unlawful Practices of Extended Detention [Yinxing Chaoqi Jiya De Falv Guizhi Yanjiu]." *Hebei Legal Study [Hebei Faxue]* 25, no. 10 (2007).
- Zhan, Fuliang. *Tanwu Huilu Fanzui Jiqi Zhencha Shiwu [Crime of Embezzlement, Bribery and Practical Issues Involved]*. Beijing: Renmin, 2006.
- Zhang, Guofeng. "Shenpan Heyizhi Yunzuo De Jige Wenti [a Few Issues on the Operation of the Collegial Panel in the Process of Adjudication]." *zhongguo Fayuan Wang [People's Courts Network]* (2004).
- Zhang, Weiping. "Improvement of the Operational System of People's Courts." *Research in Law and Commerce* 77, (2000).
- Zhao, Jie. "Consequences and Control on the Hidden Unlawful Practices of Extended Detention [Shilun Chaoqi Jiya De Weiha Yu Kongzhi]." *Hebei Legal Study [Hebei Faxue]* 24, no. 11 (2006).
- Zhao, Suisheng. *The Structure of Authority and Decision-Making: A Theoretical Framework*. Edited by Carol Lee Hamrin, Suisheng Zhao, Decision-Making in Deng's China - Perspectives from Insiders: M.E. Sharpe, 1995.
- Zhao, Ziyang. *Gaige Licheng [Course of Reform]*. H.K.: New Century, 2009.
- Zheng, Guangyu. *Tanwu Huilu Duzhi Qinquan Zuian Dingzui Zhengju Jiexi [an Interpretation and Analysis of the Evidence for the Conviction of Crimes of Corruption]*. Beijing: China Procuracy, 2002.
- Zhu, Dinglong. *Guansi [Lawsuit]*. Beijing: Law Press, 2007.
- Zhu, Jingwen, ed. *Zhongguo Falü Fazhan Baogao (1979-2004) [China Legal Development Report (1979-2004)]*. Beijing: People's University, 2007.
- Zhu, Qianwei. "Reorientation and Prospect of China's Combat against Corruption." *Crime, Law and Social Change* 49, (2008): 81-95.
- Zou, Keyuan. "Judicial Reform Versus Judicial Corruption: Recent Developments in China." *Criminal Law Forum* 11, (2000): 321-51.
- "Zuigaoyuan Tongbao Liu Qi Weifan 'Wugeyanjin' Dianxing Anli [the Spc Announce Six Typical Cases of Judges Violating the 'Five Prohibition' Regulation]." *Xinhua Net*, 6 May 2009.