Schonthal builds up this picture of pyrrhic constitutionalism and its pitfalls in two phases. In the first section, Chapters 2–4, Schonthal focuses on the period from the 1940s to the1970s, when there were intense efforts to broker a constitutional settlement on religion in Sri Lanka. He traces the origins and foundations of the all-important Buddhism Chapter in the Constitution as the touchstone for ensuing debates and controversies. In doing so, Schonthal characterizes the historical debate in Sri Lanka as shaped by two competing paradigms: one that protects rights and the other that promotes Buddhism.

In the second section, Chapters 5–7, Schonthal shows how the Buddhism Chapter has been deployed and debated in practice. He identifies the way in which the efforts to protect Buddhism have actually amplified the perceived threats to Buddhism. The reliance on constitutional law has deepened conflict within Buddhism, and between Buddhism and other religions. He emphasizes the polarizing effect that reliance on constitutional litigation has, capturing this in the phrase "Buddhist-interest litigation" (a play on public-interest litigation) (p. 153). In this way, he skilfully demonstrates that constitutional law is never neutral. At times, reliance on constitutional law may in fact solidify divisions between religious groups. As a result, constitutional law amplifies conflict over religion (p. 7) and this is the cost of constitutional law for religion.

Anyone interested in how Constitutions manage religion should read this book. In addition, scholars who find themselves surrounded by an unwavering faith in the Constitution will have their assumptions about the inherent goodness of constitutional law shaken. The arguments in this book have long-lasting and broad implications for the way in which we think about and study law and religion. Schonthal's book has resonance not only for contemporary debates in other Buddhist majority countries that constitutionally recognize Buddhism, such as Myanmar and Thailand, but also for broader debates over the relationship between religion and constitutional law.

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Sarah Biddulph, *The Stability Imperative: Human Rights and Law in China* (Vancouver, BC: UBC Press, 2015) pp 332. Paperback: $79.00.
doi:10.1017/als.2017.16
First published online 5 September 2017

Beginning in the 1980s, the Party-state in China began to pivot politically from its Marxist legacy, once mired by its staunch rejection of human rights, to a rhetoric of public support for

individual human rights protection. Given China's brutal past under Maoist politics and rule, this vocal support for the protection of human rights, especially under the 2012 National Rights Action Plan, affirms the Chinese government's commitments to the improvement of people's material and cultural life. This call to action spans the capacious realms of social and economic as well as civil and political rights. Biddulph engages extensively with scholars of Chinese politics, law, and history to detail the contradictions among such vocal calls for human rights—based on national development, draconian punishments, and common disruptions of everyday citizens' livelihoods. The nexus between rampant corruption along with environmental pollution, decline of social welfare, wage and wealth gap, and anomie demonstrate how the dialectic between individual rights and social, economic, and political instability inhabits a fraught and constantly shifting narrative around government protection and government control. This book will be of interest to human rights and legal scholars interested in the constantly shifting contours and strategies of human rights legislation and implementation.

Given that the preservation of social stability has become a main priority of the Chinese Communist Party, the delicate balance between social order and individual freedom has not been smoothly maintained. In order to interrogate such dialectics between rules and rights, Biddulph uses case-studies of labour unrest (Chapter 2), forced housing demolition and relocation (Chapter 3), medical disputes (Chapter 4), coercive measures by the state (Chapter 5), and the repeal of re-education through labour (RETL) (Chapter 6) to examine the dynamic relationship between laws, policies, and rights.

Biddulph posits that maintenance of political, social, and economic stability has become imperative in Chinese governance, despite the legal and political protections offered by the National Rights Action Plan. When juxtaposed with such increasingly arbitrary, ambiguous, and punitive laws as the Security Administrative Punishments Law (SAPL) and the Criminal Law, the author shows how law enforcement and local governments have been *de facto* granted flexible use of punishment and discipline during times of public displays of instability. The need to maintain *weiwen* (stability) trumps individual and collective grievances over basic living conditions, such as the right to fair labour and wage practices. In order to prevent public outcry and protest against labour disputes, mediation has been increasingly used to suppress incendiary grievances and interactions between citizens and law enforcement. But, because collective and individual labour contracts are often negotiated by state-run labour unions, the Party-state concentrates power to rectify these problems in the hands of local government. Given the symbiotic relationship between capitalist ventures and government, however, these problems are often not rectified beyond a single payout to individual petitioners. When expressions of anger over long-term and wide-ranging discrimination and mistreatment become collective and public, state agencies often intervene to maintain *weiwen*. Such protests are then subjected to state repression via police violence and incarceration under SAPL and the Criminal Law. Ultimately, these labour disputes are perceived more as a problem of social order than as a violation of human rights.

The demand for capitalist development has also threatened citizens' rights to subsistence. Developments such as the urbanization of rural fringes, which have been central to the spread of commercial development and gentrification, have displaced many citizens through relocation and forced eviction. Most petitions, however, do not directly challenge the displacement itself. Instead, petitioners seek redress from the state—in the form of adequate relocation and monetary compensation. Despite a range of unique circumstances (e.g. urban, rural, private residence

https://doi.org/10.1017/als.2017.16 Published online by Cambridge University Press

displacement, and zoning laws), widespread corruption and collusion among real-estate agents, capitalist developers, and local state officials have limited the legal channels for citizen redress. Similarly to wage disputes, such housing disputes have resulted in a redress system based on an appeal through letter writing and visits to various levels of government. Laws such as the Expropriation Regulation and Property Rights Law have seemed, on paper, to offer access to formal dispute-resolution processes and administrative litigation but, in practice, they continue to favour development projects that appear to serve the public interest.

Beyond such collective rights-based protests, access to adequate health care has also been subjected to visible public protest (*yinao*). *Yinao* has become a widespread strategy (e.g. besieging hospitals, attacking staff, protesting through the burning of money, laying of wreaths, and self-harm outside hospital premises) to draw public attention to medical negligence and the lack of administrative redress. The state's divestment in public health care has led to an increase of individual out-of-pocket expenses, exacerbated by the increasingly neoliberal political structure. Despite the Tort Liability Law and other strategies for mediation, which help establish liability and patients' rights, the onus of proving loss or injury has been displaced onto the applicants themselves. When local governments become involved, especially because of the public outcry (*yinao*), the primary focus in not on individual human rights to health care, but instead on social order. Thus, dispute resolution and redress ultimately become an exercise in stability management. Those who participate in *yinao* as individuals or as activists (or troublemakers) could be treated as hardened criminals whose disruption of social stability warrants the use of the full force of the state's punitive power.

While legal reforms have erred on the side of protecting individual human rights, the implementation of such laws and the use of punishment have demonstrated the broad discretion given to local police and governments to determine how severely protesters can be punished. While individual expressions of grievance are sanctioned, public protests (or social order emergencies) that threaten social stability are classified as violent and disruptive. Governments are given negative incentives to resolve problems at the local level: protests and petitions that reach higher levels of governance result in disciplinary sanctions imposed on local officials. This has ultimately resulted in a squashing of protesters and petitioners by a more or less arbitrary determination of unlawfulness via laws such as SAPL and the Criminal Law. The Criminal Law, in particular, has been increasingly used to punish speech, petitioning, and criticism concerning official misconduct.

Previously, such persons who were causing disruptions were subjected to administrative detention via the power of RETL. However, systemic abuse of RETL for people who had not been officially charged with a criminal offence has led to its abolition. The scope of RETL was wide-ranging and did not offer legal recourse, especially for drug-dependent people, activists, and sex workers. Recent public outcry against the unlawful use of RETL has shed light on the Chinese governments' fraught relationship with human rights, punishment, and reform. The abolition of RETL, however, resulted in many unintended consequences, including the increased use of SAPL and the Criminal Law to detain and punish people who had committed minor public order infractions.

These case-studies thoroughly demonstrate what Biddulph has traced as the rhetorical use of remedial action as rights-based protection for the purpose of stability preservation. Despite China's vocal support of human rights, especially through legislation that supposedly guarantees rights to subsistence, the imperative to maintain stability and implement certain

https://doi.org/10.1017/als.2017.16 Published online by Cambridge University Press

rules that help support this foundation ultimately pose staunch contradictions when it comes to rights attainment. While Biddulph's monograph is comprehensive in its explication of the unique circumstances in contemporary China, this book would benefit from more theoretical engagements regarding the shift from Maoist and Marxist influences to the current Communist state. Furthermore, discussions about the dialectics between rights and rules could be strengthened by more analysis of the use of discipline and punish as constantly shifting sources of power that intersect with the structures of economics and politics. Overall, however, this is a thoughtfully researched and organized text that engages with the complexities of the desires for valuing human rights and the contradictory needs for control of dissent vis-à-vis larger global human rights landscapes.

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Celeste L. Arrington, *Accidental Activists: Victim Movements and Government Accountability in Japan and South Korea* (Ithaca: Cornell University Press, 2016) pp 234. Hardcover: $39.95.
doi:10.1017/als.2016.63
First published online 23 January 2017

Civil protest and litigation are well-established mechanisms for social change in the US and other "Western" liberal democracies. In the Republic of Korea (Korea) and Japan, these efforts are typically seen as less sustained with fewer consequential results. Celeste L. Arrington, in *Accidental Activists*, revises that picture with a comparative study of cases where civil groups in both countries sometimes achieved responsive official inquiries, apologies, compensation, and reforms. This is a rare and important work, challenging conventional wisdom.

Arrington reveals three institutions that primarily contributed to the movements' successes and failures: diversity of the news media, autonomy of the legal profession, and politicization of the activist sector. More politically diverse media, which exist in Korea, create low barriers for civil groups but limit the readership for a given story. Japan's media are more homogeneous, which means fewer access points, but, once a cause gains the media's attention, its message becomes ubiquitous. Korea's politically connected legal community provides elite access for victim groups, but Japan's more autonomous legal establishment, with a less politicized history of "cause lawyering," is better at building grassroots movements. Korea's well-established activist sector can influence policy-making, but it encourages Koreans to frame social issues in political terms to build a coalition of activist groups and appeal to politicians. The politicization of Korea's media, lawyers, and civil society is an artefact of the 1980s democracy movement against the country's authoritarian government. Japan's postwar activism has, instead, grown from small, local self-help organizations, focusing on narrow issues and allowing for a less politicized and thus broad-based movement.

Arrington's most interesting and counterintuitive revelation for both academics and civic groups is that early elite support retards the type of grassroots movement that can sustain