

The research, from a comparative environmental law perspective, focuses on study on promoting to establishing environmentally friendly societies through legislation between Japan and China. Along with Japan's social and economic development over the past decades, Japanese environmental legislation has formulated a very mature systems and could be divided into the following evolutionary phases: (1) environmental legislation focusing on combating environmental pollution and relieving environmental pollution victims from 1960s to 1980s; (2) environmental legislation, especially Basic Law on Environment in 1990, to promote sustainable development and set out the conception of environmental load; (3) environmental legislation on establishing a recycling-based society in the 21st century through Basic Law on Promotion of a Recycling-based Society in 2000 and other specific recycling-based legislation. The legislative evolution, from negative legal relief and remedy to environmental problems to positive legal constructivism which aims to establish an environmentally friendly society, indicates the transition of legal rationality of human societies concerning environmental protection in a more proactive, holistic, and interdisciplinary way. Based on the legislation, good environmental governance is indispensable to make sure that the goal could be realized. In Japan, governments, corporations and citizens play a key role in promoting a recycling-based society individually. The tripartite structure, based on a civil society, is as follows: the role of government is a regulator and a supervisor; the role of a corporation is an executor and a self-manager; and the public serves as a spontaneous supervisor and a self-participant. The research notes that Japan has set a good example in terms of its efforts to establish an environmentally friendly society through legal apparatus for the other countries.

For China, a developing country with the largest population, establishing an environmentally friendly society is of great importance both from the domestic perspective and the global perspective. Given the seriousness of environmental problems and the top political commitment to address environmental issues, dozens of environmental law and hundreds of environmental regulations have been promulgated over the past decades. However, most of the legislation was concentrated on legal responses of environmental pollution in a negative way, including the private law measures for remedying the pollution victims and the public law measures for the pollution regulation. The China's central government politically had set up the goal to establish environmentally friendly society over the past few years. Regardless of different expressions varying from a natural-resource-saving society, recycling-based economy, to an environmentally friendly society, Chinese environmental law definitely needs to be reshaped to meet the new goal. No doubt, the lesson of Japanese legislative experience legislation that facilitates to establish an environmentally friendly society is heuristic and useful for China. Moreover, the research indicates that environmental legislation itself is far from enough. It is commonly recognized that the weak chain of Chinese environmental law is its implementation. The establishment of market economy in China resulted in an inevitable demand for rule of law. In terms of environmental implementation, there is still a long way to go. Government is no doubt the leading power that promotes the establishment of an environmentally friendly society in China. However, the experience of legal practice of establishing an environmentally friendly society in Japan reminds that the realization of the goal needs involvement and participation of versatile and responsive government, private sector, and civil society entities. Thus, based on improving environmental legislation in China, such elements of good environmental governance should be attached importance to as public participation, public access to information, equitable access to sustainable development, commitment to the rule of law, accountability of public and private entities.

Publication of the Results of Research Project:

Verbal Presentation (Date, Venue, Name of Conference, Title of Presentation, Presenter, etc.)

- The Evolution of China's Environmental Law from the Perspective of Its Name Change, Sino-Japanese Youth Scholars' Academic Forum of Environmental Law, Oral Speech, Sponsored by China University of Geography & Japanese Human Environment Societies, Wuhan, China, Nov. 24, 2007.
- Constructing An Environmentally Friendly Society through Legislation: Japanese Experience and Its Clues for China, Lecture for Postgraduate Students, Ganzhou, Jiangxi University of Sciences & Technology, May 23, 2007.
- Relief of Water Pollution Victims in The Trans-Boundary Context in China, the presentation analyzed the relevant legislation of administrative compensation for pollution victims in Japan in 1970s, Presented in International Developmental Law Organization, Sydney, Australia, June 22, 2008.
- The Evolution of Japanese Legislation for Promoting Environmentally Friendly Society and Its Lessons for China, Conference Paper & Speech, Economic Growth and Social Development: East Asian Cultural Perspectives— The 7th Conference of Harvard-Yenching Alumni in China, Sponsored by Nanjing University, Harvard-Yenching Institute at Harvard University, Suzhou Industrial Park Administrative Committee, 24-27 August 2008, Suzhou, China.

Thesis (Name of Journal and its Date, Title and Author of Thesis, etc.)

- Ke Jian, Constructing Legal Assurance of Environmentally Friendly Societies: Some Suggestion on Amendment of Environmental Protection Law of P. R. China 1989, Proceedings of China's Environmental & Natural Resources Law Symposium 2007, Computer Disk, Lanzhou, China, Aug. 12 to Aug. 15, 2007.
- Xia Yuejun & Ke Jian, Establishing Legal Mechanisms of Administrative Directions of Energy-Saving & Pollution-Decreasing in China, 2007, Law Press, China, 2008.
- Ke Jian, Study on Measures of Policy and Law of Promoting Green Government Procurement in Foreign Countries, International & Comparative Environmental Law Review 2008, Edited by Wang Xi, Shanghai Jiaotong University Press, China, not received the journal yet, 2008.
- Ke Jian, Historical Analyses of Legal Thoughts Evolution of Environmental Protection in Japan, LuoJia Law Review, Winter 2008, in press, Wuhan University, China.

Book (Publisher and Date of the Book, Title and Author of the Book, etc.)

No book. Published.