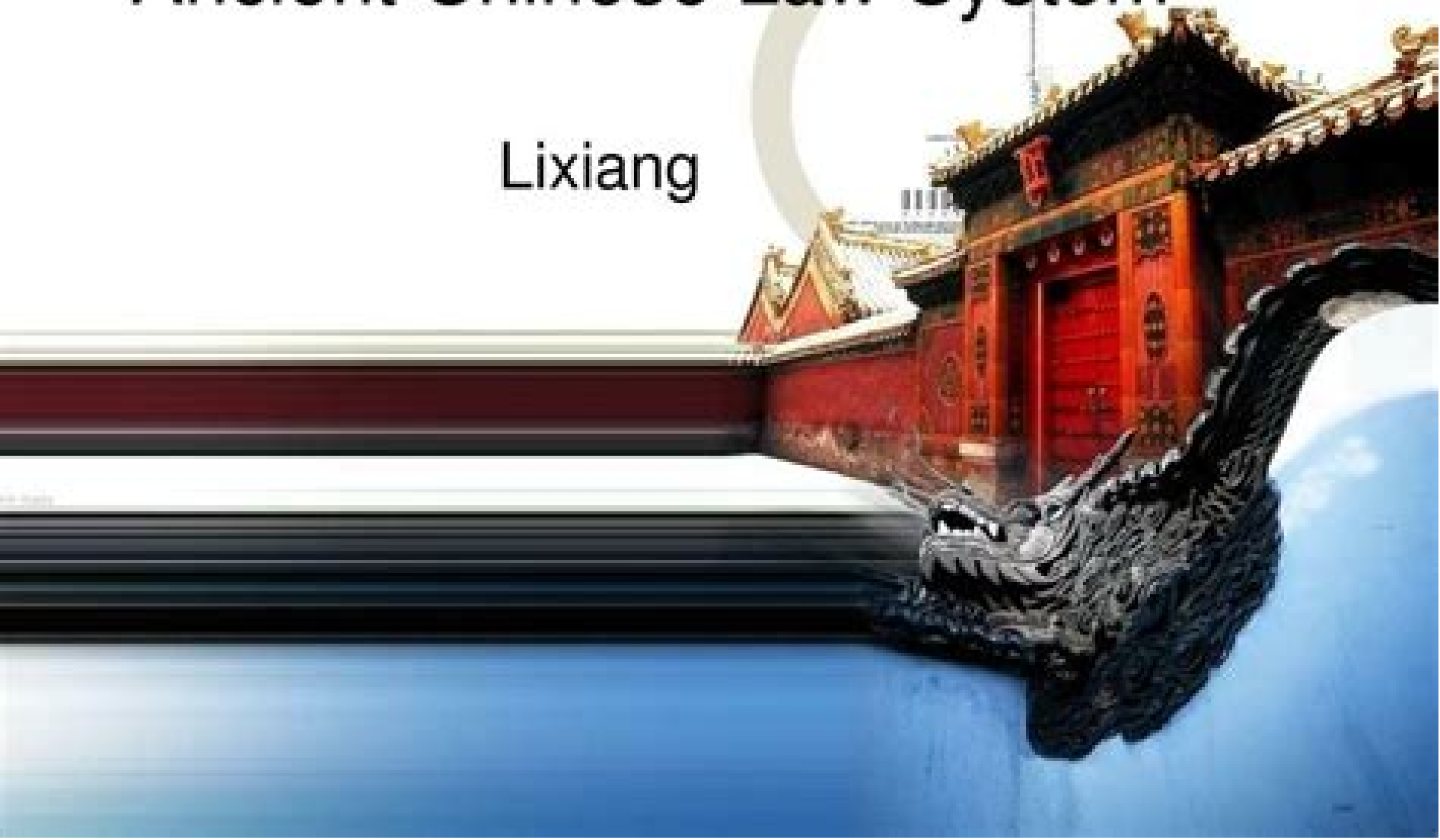


The Origin of Civil Law System & Ancient Chinese Law System

Lixiang



Origins Of Chinese Law

Jianfu Chen



Origins Of Chinese Law:

Origins of Chinese Law Yongping Liu, 1998 *Origins of Chinese Law* develops and supports an original yet controversial picture of early Chinese law Casting doubt on the accepted premise that there was a unified system of law and punishment throughout the ancient Chinese empire based on the wuxing or five punishments the author suggests a more complicated and diverse picture that from their earliest origins the Chinese people were subject to different laws and punishments based on their clan or social status Using a wealth of literary evidence from the Confucian classics and historical writings and making use of recent archaeological excavations of oracle bones bronze inscriptions and bamboo strips the author elucidates the central concepts that formed the basis of early Chinese law such as Li covenant punishment and the theories and practice of law of the Qin and Han dynasties

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The Tradition and Modern Transition of Chinese Law Jinfan Zhang, 2014-02-20 The book was first published in 1997 and was awarded the first prize of scientific research by the Ministry of Justice during the ninth Five Year Plan of China In 2005 it was adopted the text book for the postgraduates of law majors In 2009 it was awarded the second prize of the best books on law in China The book discusses from different aspects the long legal tradition in China and it not only helps us to have a further understanding of Chinese legal system but also combines theories and practice and illustrate the modern legal transition which probes the history of Chinese legal system As is known to us all China is a country with a long legal history which can be traced back to more than three thousand year ago So the legal tradition of China has been passed down from generation to generation without any interruptions This feature is peculiar to Chinese legal history which is beyond all comparison with that of other countries such as ancient Egypt ancient India ancient Babylon and ancient Persia Through the study of Chinese legal history we can have a deeper understanding of the histories features origins and the transition of Chinese legal tradition The Chinese legal tradition originated from China and it is the embodiment of the wisdom and creativity of Chinese civilization The great many books researching materials legal constitutions archives files and records of different dynasties in China have provided us with rare complete and systematic materials to research The book has a complete systematic and detailed research on Chinese legal tradition and its transition and it gives people a correct recognition of the process of the perfection of laws during its development and its position as well as its value in the social progress in order to grasp its regular patterns It also has showed us the most valuable part and core of Chinese legal Tradition and it is a summary of Chinese legal tradition and its transition from different perspectives different angles and different levels From the book we can see that the ancient Chinese Legal Culture had once shocked the world and exerted great influence on the civilization of the world legal system especially the legal systems in Asian countries The book also has discussed the reestablishment of law in the late Qing Dynasty and the beginning of the Chinese law s transition to modernity In a word the book has not only combined the legal system and the legal culture together but also integrated the important

historical figures and events ingeniously and it is a valuable and readable book with authenticity *Chinese History*

Endymion Porter Wilkinson, 2000 Endymion Wilkinson's bestselling manual of Chinese history has long been an indispensable guide to all those interested in the civilization and history of China. In this latest edition, now in a bigger format, its scope has been dramatically enlarged by the addition of one million words of new text. Twelve years in the making, the new manual introduces students to different types of transmitted, excavated, and artifactual sources from prehistory to the twentieth century. It also examines the context in which the sources were produced, preserved, and received, the problems of research and interpretation associated with them, and the best, most up-to-date secondary works. Because the writing of history has always played a central role in Chinese politics and culture, special attention is devoted to the strengths and weaknesses of Chinese historiography.

Heaven Has Eyes Xiaoqun Xu, 2020-08-03 Heaven Has Eyes is a comprehensive but concise history of Chinese law and justice from the imperial era to the post-Mao era. Never before has a single book treated the traditional Chinese law and judicial practices and their modern counterparts as a coherent history addressing both criminal and civil justice. This book fills this void. Xiaoqun Xu addresses the evolution and function of law codes and judicial practices throughout China's long history and examines the transition from traditional laws and practices to modern ones in the twentieth century. To the Chinese of the imperial era, justice was an alignment of heavenly reason (tianli), state law (guofa), and human relations (renqing). Such a conception did not change until the turn of the twentieth century when Western-derived notions (natural rights, legal equality, the rule of law, judicial independence, and due process) came to replace the Confucian moral code of right and wrong. The legal and judicial reform agendas that emerged in the beginning of the twentieth century and are still ongoing today stemmed from this change in Chinese moral and legal thinking, but to materialize the said principles in everyday practices is a very different order of things, and the past century was fraught with legal dramas and tragedies. Heaven Has Eyes lays out how and why that is the case.

History of Chinese Legal System Zhi Dao, The book provides highlights on the key concepts and trends of evolution in the History of Chinese Legal System as one of the series of books of China Classified Histories.

The History of Government and Public Law in China Xin Nie, 2025-05-05 This book traces the evolution of Chinese public institutions from the Shang and Zhou dynasties to modern China, including a diverse range of topics such as the bureaucratic system, the fiscal and economic system, talent selection, appointment and assessment, imperial examination, governance and censorship, and justice in ancient China. It further covers the new policies, constitution, welfare state, national assembly, and other important issues in modern Chinese history. In terms of methodology, this work aims to integrate research approaches from law, history, and politics. It combines insights from constitutional and administrative law, legal history, comparative jurisprudence, and the study of government organizations to provide a comprehensive analysis of Chinese public institutions over time.

Peking University Xiaoqing Diana Lin, 2005-01-01 Discusses the first decades of Peking University and its role in shaping Chinese intellectual culture.

The History of Chinese Legal Civilization Jinfan

Zhang,2020-07-25 This book based on the theory of Marxism Leninism aims to study the essence content and features of various legal systems in China in different historical periods as well as the rules of the development of Chinese legal systems It effectively combines classic analysis and historical analysis to probe historical facts and elaborate the historical role of the legal system revealing both the general and the specific rules of the development of China s legal system on the basis of the existing relevant research The subject matter is of abundant theoretical and practical significance as it enriches Marxist legal studies deepens readers understanding of China s legal civilization and offers guiding principles for the creation of socialist legal systems with Chinese characteristics It discusses the trends in thinking on the reconstruction of the legal system changing laws western legal culture the legal system in the period of westernization constitution and reform preparation for constitutionalism modification of the law during the late Qing Dynasty criminal civil and commercial legislation and judicial reforms in the modern era as well as the various ups and downs and cases of misconduct after the founding of the People s Republic of China

Chinese Law Deborah Cao,2017-03-02 Studying Chinese law from a linguistic and communicative perspective this book examines meaning and language in Chinese law It investigates key notions and concepts of law the rule of law and rights and their evolutionary meanings It examines the linguistic usage and textual features in Chinese legal texts and legal translation and probes the lawmaking process and the Constitution as speech act and communicative action Taking a cross cultural approach the book applies major Western philosophical thought to Chinese law in particular the ideas concerning language and communication by such major thinkers as Peirce Whorf Gadamer Habermas Austin and Searle The focus of the study is contemporary People s Republic of China however the study also traces and links the inherited and introduced cultural and linguistic values and configurations that provide the context in which modern Chinese law operates

Chinese Law Jianfu Chen,2023-09-25 Law in particular its actual functioning in any given society is above all a part of the culture of that society a part of its historical political social and intellectual creation If a black letter approach towards law in the West is under increasing criticism it is particularly unhelpful if not misleading in understanding Chinese law its nature and developments Rather to understand Chinese law its nature and developments we need to examine the Chinese legal traditions the prevailing political and economic situations Party policies on economic reform and tolerance towards political liberalisation and scholarly discussions and debate This is the approach of this book Its aim is to put Chinese law in context to outline the nature and present status of its development and to analyse the meaning of the law within the Chinese context However this monograph does not ignore the practical needs for determining the precise contents of the black letter law either A study of this kind necessarily involves a process of topic selection However to avoid over generalisation and over simplification it also demands a considerable degree of comprehensiveness in coverage For this reason the book covers what the Chinese scholars term fundamental law and basic branches of law while other topics are covered because they are either crucial for the understanding of the law such as legal traditions in China or of practical importance such as foreign

investment and trade Chapter One provides an historical background to traditional Chinese legal culture and modern law reforms The historical background of specific topics is examined as the topics are analysed in the following chapters Chapter Two deals with the changing fate of law under Communist rule Its focus is on the underlying factors and justifications for such changes Chapter Three introduces discussions on specific branches of law from public law constitutional law law making administrative law criminal law criminal procedure law to private law civil law family law contracts law on business entities and law on foreign investment and trade Each of these is dealt with in a separate chapter After the analysis of these substantial topics certain conclusions are drawn which attempt to define the nature of Chinese law and its developments in present day China

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