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Traditional Chinese Penal Law Law In East Asia

Robert E. Hegel, Katherine N. Carlitz



Traditional Chinese Penal Law Law In East Asia:

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Law and Society in East Asia Christoph Antons, 2017-07-05 The massive and complex process of change in East Asia over recent decades has brought about a transformation in the nature of law and legal institutions in the region Whilst the process of change has to some degree mimicked western models of law and legal change there have been significant differences in approach due to the different social foundations of East Asian societies The more obvious of these has been the variety of ways in which rule of law ideas have been adopted in many East Asian countries where the role of the state is more dominant when compared with Western models This volume brings together a selection of the most important writings on East Asia of researchers in recent years and shows the broad range of questions which researchers have been addressing about the effect of law reform and legal change in societies dominated by traditional values and political forces and at a time of massive economic change

Traditional Chinese Penal Law Geoffrey MacCormack, 1990 This book is about the penal codes of imperial China in particular those enacted by the T ang Sung Ming and Ch ing dynasties It does not touch on the administrative law of these dynasties nor except in passing on the customary law relating to matters such as contract or property Hence the book deals not with traditional Chinese law as such but only with that component represented by the penal codes Preface page vi

Company Law in East Asia Roman Tomasic, 2018-08-13 First published in 1999 this volume provides an overview of company laws in South East Asia North East Asia and the Pacific The chapters adopt a standard format to allow for comparisons to be made as well as highlighting key features of company laws in each jurisdiction The contributors are experts in their fields and present practical and policy related insights The book also contains some useful overviews of company law themes in Asia

Law and Custom in Korea Marie Seong-Hak Kim, 2012-08-27 This book sets forth the evolution of Korea s law and legal system from the Chos n dynasty through the colonial and postcolonial modern periods This is the first book in English that comprehensively studies Korean legal history in comparison with European legal history with particular emphasis on customary law Korea s passage to Romano German civil law under Japanese rule marked a drastic departure from its indigenous legal tradition The transplantation of modern civil law in Korea was facilitated by Japanese colonial jurists who created a Korean customary law this constructed customary law served as an intermediary regime between tradition and the demands of modern law The transformation of Korean law by the forces of Westernisation points to new interpretations of colonial history and presents an intriguing case for investigating the spread of law on a global level In depth discussions of French customary law and Japanese legal history also provide a solid conceptual framework suitable for comparing European and East Asian legal traditions

Chinese (Taiwan) Yearbook of International Law and Affairs, Volume 33 (2015) Ying-jeou Ma, 2017-09-18 The Chinese Taiwan Yearbook of International Law and Affairs includes articles

and international law materials relating to the Republic of China on Taiwan and contemporary Asia Pacific issues This volume provides insight into the South China Sea Arbitration investment and financial integration in Asia the Ma Xi Summit in Singapore the Taiwan Philippines Fisheries Agreement and the 70th Anniversary of the ROC's War of Resistance against Japan Questions and comments can be directed to the editorial board of the Yearbook by email at yearbook nccu edu tw

China, Cultural Heritage, and International Law Hui Zhong, 2017-11-27 China is a country that is rich in antiquities but it is also a victim of looting that occurred during the period from the First Opium War to the end of the Japanese Occupation 1840 1945 when innumerable cultural objects were lost overseas The Chinese Government insists on asserting its interest over its wrongfully removed cultural heritage and has sought for the return of lost cultural heritage by all means in accordance with relevant international conventions and Chinese laws However securing the return has been and continues to be problematic Little research has been done regarding the question as to whether China has a legal basis for recovery which is the first legal hurdle that China needs to get over In addition China does not have a legal basis for all cultural heritage taken during the period of 1840 1945 Claims for return without a legal basis are usually silenced or at best discussed only but very rarely facilitated This book provides an answer for the return of Chinese cultural heritage It examines the law contemporaneous to the removal of Chinese cultural heritage and its application For this lack of a legal basis this book argues that a new customary international law is emerging according to which the interests of the states of origin in their wrongfully removed heritage should be prioritised This proposed customary rule supports the return of wrongfully removed heritage Once this proposed customary rule is accepted it will provide a stronger argument not only for China but also for other states of origin with a similar dilemma including South Korea Egypt Greece Cambodia Turkey Peru and Italy to recover their wrongfully removed heritage While dealing with a large pool of return cases this book is valuable to museums and art collectors in the event of buying and accepting art objects and settling recovery disputes with states of origin It will also be of interest to researchers academics policymakers and students in the fields of cultural heritage law international law international trade and human rights law

Legal Traditions in Asia Janos Jany, 2020-04-08 This book offers a comparative analysis of traditional Asian legal systems It combines methods from legal history legal anthropology legal philosophy and substantive law pursuing a comprehensive approach that offers readers a broad perspective on the topic The geographic regions covered include the Near East Middle East Central Asia India China Japan and Southeast Asia For each region the book first provides historical and political context Next it discusses major milestones in the region's legal history and political institutions as well as its forms of government Readers are then presented with fundamental principles and terms needed to understand the legal arguments discussed The book begins with the Ancient Near East and important topics such as Jewish law The next part considers Islamic law while also exploring modern issues The third part focuses on Hindu and Buddhist law while the fourth part covers China and Japan The book's closing section examines tribal societies e g

Mongols Pashtuns and Malays Topics covered include the interaction of legal systems within a legal circle inter systemic interactions reasons for the failure and success of legal modernization legal pluralism and its effects on Asian societies Family law law of obligation criminal law and procedural law are also explored *Cultures of Confinement* Frank Dikötter, Ian Brown, 2018-07-05 Prisons are on the increase from the United States to China as ever larger proportions of humanity find themselves behind bars While prisons now span the world we know little about their history in global perspective Rather than interpreting the prison s proliferation as the predictable result of globalization *Cultures of Confinement* underlines the fact that the prison was never simply imposed by colonial powers or copied by elites eager to emulate the West but was reinvented and transformed by a host of local factors its success being dependent on its very flexibility Complex cultural negotiations took place in encounters between different parts of the world and rather than assigning a passive role to Latin America Asia and Africa the authors of this book point out the acts of resistance or appropriation that altered the social practices associated with confinement The prison in short was understood in culturally specific ways and reinvented in a variety of local contexts examined here for the first time in global perspective *Essays on China's Legal Tradition* Jerome Alan Cohen, Fu-mei Chang Chen, R. Randle Edwards, 2017-03-14 In this volume of essays a group of scholars from Europe Japan the Republic of China and the United States examines China s legal tradition to determine its importance for the study of both pre modern China and of contemporary affairs Originally published in 1981 The Princeton Legacy Library uses the latest print on demand technology to again make available previously out of print books from the distinguished backlist of Princeton University Press These editions preserve the original texts of these important books while presenting them in durable paperback and hardcover editions The goal of the Princeton Legacy Library is to vastly increase access to the rich scholarly heritage found in the thousands of books published by Princeton University Press since its founding in 1905

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Traditional Chinese Penal Law Law In East Asia Introduction

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