

Jinfan Zhang

The Tradition and Modern Transition of Chinese Law

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Infantino, Jun Xue**



The Tradition And Modern Transition Of Chinese Law:

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

The Changing Legal Orders in Hong Kong and Mainland China: Essays on “One Country, Two Systems” Albert H.Y. Chen, 2021 This collection of selected works by Professor Albert H Y Chen shows the contours of the author s scholarship as it developed over 35 years of his academic career from 1984 to the present The essays are divided into three sections which cover the three major domains of Professor Chen s research Part I covers the legal developments and controversies of One Country Two Systems since the Hong Kong interpretation on the right of abode in 1999 to the anti extradition movement of 2019 Part II shifts to focus on tradition and modernity in Chinese Law including China s Confucian and Legalist traditions and how the socialist legal system in China evolved and modernized in the era of reform and opening Part III examines the transplantation

of Western thinking and constitutionalism to East Asia in modern times and discusses the achievements and failures of these efforts In conjunction with an introductory chapter that sets out the basic orientation and paradigm of these legal and constitutional studies and an epilogue that reflects on the main themes this collection exemplifies the author s important contributions to the field and provides insight into how the legal orders in Hong Kong and mainland China have changed over the course of Professor Chen s academic career

Confucian Culture and Competition Law in East Asia Jingyuan Ma,Mel Marquis,2022-09-08 Shows how cultural factors have influenced the development of competition law in China Japan and Korea

The Copyright Law of the People's Republic of China Philine-Luise Pulst,2022-05-10 The protection of intellectual property in the People s Republic of China has been of great importance at least since the opening of the market in 1978 Although the first efforts to protect the rights of individuals in the field of copyright were made as early as the Qing Dynasty it took until the 1990s before a copyright law was finally implemented While the law is already quite advanced in the books effective enforcement of rights has faced and continues to face many hurdles Due to that and also to take account of technological progress and further developments at the international level China s copyright law has been undergoing a reform process since 2012 which resulted in the 2020 Amendment of the Chinese Copyright Law that takes effect on 1 June 2021 This work focuses on the legal historical development of copyright law in the People s Republic of China with the aim of understanding the current reform of the Copyright Law and the problems China has faced and is facing Philine Luise Pulst is a lawyer in the fields of intellectual property law and life sciences with the international law firm CMS in Hamburg

Rethinking Unjust Enrichment Warren Swain,Sagi Peari,2024-01-07 This inter disciplinary volume brings together scholars from across the globe to challenge the dominant position of unjust enrichment and suggest more satisfactory alternatives Rethinking Unjust Enrichment includes a broad range of voices from the UK US Australia Canada China Singapore Germany Ireland New Zealand Hong Kong and South America The book includes voices of sceptics who think that the current unjust enrichment doctrine must be seriously qualified and others who think that it should be eliminated altogether The contributions cast doubt on the various parameters of unjust enrichment from an analytical standpoint representing four interrelated perspectives history sociology doctrine and theory The four limb structure of the book provides readers with a clear understanding of the current problems of unjust enrichment at the deepest levels of its history sociological forces doctrinal fallacies and normative deficiencies This treatment of the subject serves as the basis for a comprehensive reform across jurisdictions Comprehensive and multi faceted Rethinking Unjust Enrichment is interesting to both sceptics and supporters of the unjust enrichment It facilitates a critical and constructive dialogue between the two

Chinese Perspectives on the International Rule of Law Matthieu Burnay,2018-07-27 This insightful book investigates the historical political and legal foundations of the Chinese perspectives on the rule of law and the international rule of law Building upon an understanding of the rule of law as an essentially contested concept this book analyses the interactions

between the development of the rule of law within China and the Chinese contribution to the international rule of law more particularly in the areas of global trade and security governance *Research Handbook on Transparency* Padideh Ala'i, Robert G. Vaughn, 2014-08-29 The expert contributors identify the goals purposes and ramifications of transparency while presenting both its advantages and shortcomings Through this framework they explore transparency from a number of international and comparative perspectives *Towards a Chinese Civil Code* Lei Chen, C.H. van Rhee, 2012-11-13 Currently China is drafting its new Civil Code Against this background the Chinese legal community has shown a growing interest in various legal and legislative ideas from around the world Towards a Chinese Civil Code aims at providing the necessary historical and comparative legal perspectives The book addresses the following topics property law contract law tort law and civil procedure The Chinese Civil Code in the Global Legal Order Mauro Bussani, Ivan Cardillo, Marta Infantino, Jun Xue, 2024-07-29 This volume offers a unique comprehensive view of the contents context and potential of the Civil Code that in 2021 entered into force in the People's Republic of China The twenty three essays herein collected authored by distinguished Chinese and non Chinese scholars describe inner and outer perceptions about the Chinese Civil Code and analyze its likely impact within and outside the country In so doing they shed light not only on the comparative origins of current Chinese rules but also on the potential influence that these rules may have in comparative terms in the future A Hierarchical Vision of Order Antoine Roth, 2024-05-21 China's vision for international order is a matter of great global interest This book analyses China's vision for foreign policy and how it is seeking to achieve its goals with its immediate neighbours The book provides a historically informed account by examining the legacy of China's imperial past and traditional political philosophy giving insights into the country's view of its place in today's world It argues that China today sees the maintenance of order as its own responsibility and that it believes this order needs to attribute different roles to small and big states to ensure stability Furthermore it explores the different tools China employs to achieve its vision including a proactive diplomacy the control of international discourse threat of punishment for misbehaviour and the promise of economic benefits in return for compliance

Decoding **The Tradition And Modern Transition Of Chinese Law**: Revealing the Captivating Potential of Verbal Expression

In an era characterized by interconnectedness and an insatiable thirst for knowledge, the captivating potential of verbal expression has emerged as a formidable force. Its power to evoke sentiments, stimulate introspection, and incite profound transformations is genuinely awe-inspiring. Within the pages of "**The Tradition And Modern Transition Of Chinese Law**," a mesmerizing literary creation penned by way of a celebrated wordsmith, readers embark on an enlightening odyssey, unraveling the intricate significance of language and its enduring affect our lives. In this appraisal, we shall explore the book is central themes, evaluate its distinctive writing style, and gauge its pervasive influence on the hearts and minds of its readership.

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