

2005 Bibliography of Academic Writings in the Field of Chinese Law in Western Languages

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The bibliography of academic writings in the field of Chinese law in western languages was first published in 2003 in this journal (*Zeitschrift für Chinesisches Recht/Journal of Chinese Law*). The bibliography aims to give a review of articles in academic journals, contributions to edited volumes, monographs and textbooks published in English or German in the area of Chinese law. Writings in French and Italian language could only partly be considered.

Regarding relevant German-language literature, the issues 1 to 12 of the journal „*Karlsruher Juristische Bibliographie*“ (KJB) of the year 2005 were searched for articles relating to Chinese Law. Accordingly the classification scheme of the KJB is used as a model in this bibliography as follows:

Classification Scheme

- I. Law and Jurisprudence (Recht und Rechtswissenschaft)
- II. Legal and Constitutional History (Rechts- und Verfassungsgeschichte)
- III. Private Law (Privatrecht)
 1. In General (Allgemein)
 2. General Part of the Civil Code (Allgemeiner Teil des Zivilrechts)
 3. Law of Obligations (Schuldrecht)
 4. Law of Property (Sachenrecht)
 5. Family Law (Familienrecht)
 6. Law of Succession (Erbrecht)
 7. Business Organisations (Gesellschaftsrecht)
 8. Insurance (Privatversicherungsrecht)
 9. Industrial Property, Copyright and Publishing (Gewerblicher Rechtsschutz, Urheber- und Verlagsrecht)
 10. Unfair Competition, Trademarks, Anti-trust Legislation (Wettbewerbs- und Warenzeichenrecht, Kartellrecht)
 11. Conflicts of Laws, Uniform Private Law (Internationales Privatrecht, Einheitsrecht)

- IV. Judicial System, Practice and Procedure, Civil Procedure (Gerichtsverfassung, allgemeines Prozessrecht und Zivilprozess)
- V. Criminal Law and Criminal Procedure (Strafrecht und Strafverfahren)
- VI. Theory of the State, Sociology, Politics (Staats- und Gesellschaftslehre, Politik)
- VII. Public Law and Constitutional Law (Staats- und Verfassungsrecht)
- VIII. Administrative Law (Allgemeines Verwaltungsrecht)
- IX. Administrative Law - Individual Branches (Besonderes Verwaltungsrecht)
- X. Economic Legislation (Wirtschaftsrecht)
- XI. Traffic Laws (Verkehrsrecht)
- XII. Financial Laws and Taxation (Finanz- und Steuerrecht)
- XIII. Labor Law (Arbeitsrecht)
- XIV. Social Legislation (Sozialrecht)
- XV. Public International Law (Völkerrecht)

Within this classification scheme the titles of the contributions are listed in alphabetic order of the authors. Abbreviations are not utilized in order to facilitate the access to this bibliography for international readers.

Concerning English-language literature I mainly focused on periodicals and books available at the library of the Max Planck Institute for Comparative and International Private Law (MPI) in Hamburg. The catalogue of the MPI library is available via the institute's homepage at www.mpipriv.de (WWW-OPAC). Besides, I scrutinized fee-charging databases like Westlaw and Beck-Online for relevant articles.

I admit that this bibliography does not comprehensively include all literature in western languages on Chinese law in the year 2005. Readers are explicitly encouraged to remind me of pieces I left unnoticed.² I will include these in the next biblio-

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² Especially, I am thanking all participants of the discussion group „ChinaLaw“ in the internet (see <http://donclarke.net/chinalaw/index.htm>) for their input making this bibliography more complete.

graphy to be published in the second issue of this journal in 2007.

I. Law and Jurisprudence (Recht und Rechtswissenschaft)

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Allen, Franklin/Qian, Jun/Qian, Meijun

Law, Finance, and Economic Growth in China.
In: *Journal of Financial Economics*, Vol. 77 (2005), p. 57 et seq.

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Situation particulière de Shanghai: Être la première.
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In: *Temple Journal of Science, Technology & Environmental Law*, Vol. 24 (2005), p. 219 et seq.

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International Legal Developments in Review: 2004 – Regional and Comparative Law: People's Republic of China.
In: *International Lawyer*, Vol. 39 (2005), p. 555 et seq.

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The Political and Practical Obstacles to the Reform of the Judiciary and the Establishment of a Rule of Law in China
In : *Journal of Chinese Political Science*, Vol. 10, No. 1 (Spring 2005), pp. 43 et seq.
Also in : Zhong, Yang & Hua Shiping (editors), Political Civilization and Modernization in China. The Political Context of China's Transformation – Singapore : World Scientific Publishing 2006, pp. 175 et seq.

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Les aléas de la construction d'un Etat de droit en Chine
In : Lasserre, Frédéric (editor), L'éveil du dragon. Les défis du développement de la Chine au XXIème siècle, (The Dragon's Awakening. The Challenges of China's Development in the XXIst Century) – Québec : Presses de l'Université du Québec 2005, pp. 423 et seq.

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In: Doeker-Mach, Guenther (editor), Law, legal culture and politics in the twenty first century: Essays in honour of Alice Erh-Soon Tay – Stuttgart: Steiner 2004, p. 227 et seq.

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In: Doeker-Mach, Guenther (editor), Law, legal culture and politics in the twenty first century: Essays in honour of Alice Erh-Soon Tay – Stuttgart: Steiner 2004, p. 250 et seq.

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In: *Ohio State Journal on Dispute Resolution*, Vol. 20 (2005), p. 43 et seq.

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Law in political transitions: lessons from East Asia and the road ahead for China.
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Ten years development of domestic arbitration and conciliation in China.
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Reinforcing the web: reforming the people's mediation system in urban China.

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The merger of two systems: Chinese adoption and western adaptations in the formation of modern international law.

In: *Georgia Journal of International and Comparative Law*, Vol. 33 (2005), p. 685 et seq.

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Gegenwärtige Lage und Entwicklungsrichtung des chinesischen Rechtssystems: eine Skizze.

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III. Private Law (Privatrecht)

1. In General (Allgemein)

Deipenbrock, Gundula

„Der Vorsichtige wird nichts Falsches tun“ - eine methodisch-rechtsvergleichende Annäherung an das chinesische Vertragsrecht.

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3. Law of Obligations (Schuldrecht)

Blythe, Stephen E.

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6. Law of Succession (Erbrecht)

7. Business Organisations (Gesellschaftsrecht)

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Regulating professional services for corporate governance in post-WTO China.

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