

## Conclusion

This book began by invoking the reason why we should read Liang Shu-ming for comforting our own concerns at the present. The final chapter ended with an account of the transplantation of Western law and legal ideas into China. Through a long journey of exploration, the questions resolved are followed by new ones. Is there anything to learn from Liang Shu-ming's return to the Chinese tradition? Does it represent a return to tradition against so-called modernisation—or is it merely a conservative preference for the Chinese legal legacy? Based upon the previous study, it seems that a few concluding remarks could be achieved at this stage.

“The we Chinese legal learners” are indebted to Liang Shu-ming's legacy. We are indebted for its inquiries about the predicaments and extrications in the process of constructing constitutional government in China, and for its efforts in unveiling the paradox beneath the process of so-called “legal modernisation” which was displayed in the cause of the conceptual and institutional transplantation of Western law in China. We are indebted for its theoretical elaboration in conceptualising law, the sources and meaning of law in Chinese socio-cultural contextualisations, and the interaction between humanity and law, but also, more important, for its revelation of the crisis underlying Chinese legal and cultural tradition, for its “return” to Chinese tradition in searching for the resolution of the dilemma embodied within modernity. We are most indebted to his legacy for its manifestation of a great life which contributes itself as a *vita contemplativa* as well as *vita activa* in this cause. To make things even worse, we are indebted for its reminding us that the crisis is caused by the problems which were inherent in the Chinese culture itself. It is in the light of this observation, I would suggest, that at least his narratives on the matters highlighted below would be an inspiration to us, “the we Chinese legal learners”.

Firstly, fact and norm, or *Physis* and *Nomos*. The efficacy and validity of norms are predicated upon their compatibility with fact: life and mind of a certain sort of people in a certain sort of society. That is to say, as a form of norms, law begins as a product of social life and becomes a cause in perfecting life and comforting the mind. As a form in which human life presents itself and human conduct was governed, law cannot exist without a formality with society, its economical-political conditions, its presumption on and expectation towards humanity, in particular, its wish and expectation about an ideal living condition that mankind should be

subjected to seek. As gradual changes of the way of life go on, step by step, the new legal norm, which is shaped as an accumulated wisdom generated from and governing over a kind of pattern of life, would be integrated into the life of the Chinese people and become an important basis for the human order in which the Chinese people live. During this process, the formation of legal norms and legal order would be the result rather than a starting-point of transforming “facts”. A lesson taught by Chinese modern history is that, as Liang Shu-ming articulated it, in China the development and improvement of a new legal system and political arrangement should be sought by improving life itself and by keeping a compassionate understanding with the mind of the Chinese. A wishful hurried horizontal transplantation or a naive cultural proselytisation, as modern Chinese history already shows, would definitely fail to achieve the end. The compassionate understandings, discovery and declaration of the norms in which human conduct is governed in Chinese life and mind, as Liang Shu-ming demonstrates, had been, is being and will still be a theme of the process through which the new facts could be created, and would be functionalised as a ground upon which norms are based. After all, law grows historically without obeying the rules of logic. It is for this reason that Liang Shu-ming could agree with the statement made by J. Carter (1827–1903), speaking in a broad and ultimate sense, that “Law not only cannot be directly made by human action, but cannot be abrogated or changed by such action.”<sup>1</sup>

Secondly, legal transplantation and legal reason of value. All legal norms have been embodied with certain values which is demonstrated as and cohered within a certain legal tradition. As a spiritual symbolic revelation of the people in a specific historical process, these values are deeply grounded in its attitude to life, in particular, its ideals of and its aims to life. What kind of human condition in which mankind lives as an ideal determines what kind of corresponding legal norms they will seek. Specifying in China, the formation of a revised integrated system of norms in the sense of modernity in the modern age demands a readjustment and blend between the imported western legal norms and the Chinese way and its philosophy of life. In clarifying the three types of cultures, Liang Shu-ming once said that to study the Western culture is not only to approach Mr. *Sai* (science) and Mr. *De* (democracy), but also to understand the philosophy of life inherent in them. “A man must establish his life on a firm foundation before he can move forward.” The reasons why the transplanted Western institutions cannot be well-adopted and are ill-functional in China are due to the fact that the Chinese have not adopted a corresponding attitude. This is because “The Chinese people under this Westernized political system still hold their old attitude which they held under the old Chinese political system.”<sup>2</sup>

The paradox here, as Liang Shu-ming has unveiled to us time and time again, is that the way out does not lie in compelling the Chinese to convert their attitude to life, rather, it lies in a reverse form of process. More importantly, it lies in a

---

<sup>1</sup>James Coolidge Carter, *Law: Its Origin, Growth and Function*, at 322.

<sup>2</sup>LSM, *Eastern and Western Cultures and Their Philosophies* (1921), 1: 337, 385.

reevaluation of the “Spirit of the people”, the deepest element in the sources of law, a living source of meaning by which law is lawful. It lies in finding a true picture of the ideal life and ideal norms which are workable and serviceable for life. To enlarge our view and to penetrate beyond the surface to the deep and real sense of human conduct, we could redefine the coherence between the transplanted Western elements and the Chinese people’s philosophy of life, the harmony between life and mind, *Physis* and *Nomos*. This way could be a way through which the tradition can be rejuvenated. Significantly, a change that can be found in Liang Shu-ming is that in the early years he claims that Confucian *li* and *yue* (礼乐 rites and music literally) will replace law in the future world civilisation, and will be able to establish an ideal social order and discipline without relying on law and punishments. But when time goes on in the 1980s, still Liang Shu-ming, in his later years appeals for rule of law. Herein lies an enigma we must realise. As a matter of fact, the *law* as a part of the component building the term “rule of law” which Liang Shu-ming employs actually refers to the norm which was formed after an integrated process of blending Confucian values with Western legal conceptions would have been completed, after the harmony between the reality of Chinese life and its legal reflection has been achieved. Hence, in identifying myself in writing this book, a rethinking about the intellectual efforts of grafting the Western legal values and concepts within Chinese tradition becomes a form of searching for the answer about my, or our, own present problems and concerns.

Thirdly, the faith in law and the transcendental source of law. The people’s faith in law, for example, in the constitution, derived from their belief that law as a certain norm is lawful because of its validity and rightness in resolving the “problems” they are facing, because it functions as a scheme in which their sense of justice can be located and realised. The process of “law in action” which demonstrates its formality with their sense of right and wrong gives to law its binding-force, and furnishes law in turn with values of justice, equity and reason. In the context of Chinese legal culture, as Liang Shu-ming accounts, human reason as a faculty of finding truth, judging right or wrong, has been sought to be embedded within law traditionally. It is by relying upon this human faculty that the sense of right and wrong transcends itself to connect with the deepest level of sources of law, i.e., the Heaven Principle or Way of Heaven (universal principles of heaven) and human feeling by which beliefs could be proved right or wrong. Also, it is relied upon this human faculty that law can be rethought from its basic principles, and its huge body would be reorganized along the lines of these principles. In addition, through this process universal reason and historical facts are combined together in grounding law. If law shares the nature of the world and of life, then this way of transcendence demonstrates an ultimate concern and basic principle around which the Chinese legal culture orients itself towards the end of creating a social order, of perfecting a human life, and of comforting the human mind.

As early as in 1865, while still at the Harvard Law School, *Oliver Wendell Holmes Jr.*, seems to have understood that he would create a dynamic intellectual autobiography in the law. “What he cared about,” explains Felix Frankfurter much later, “was transforming thought.”<sup>3</sup> By quoting this, an American lawyer remarked that Holmes’ success is one more indication, to use the language of cultural anthropology, “that legal thought is constructive of social realities rather than merely reflective of them.”<sup>4</sup> For this point, Liang Shu-ming seemed not to be so lucky in his “intellectual autobiography” in “transforming thought”, he not only did not realise that he will create a dynamic intellectual autobiography in the legal scholarship, but also his impressive career as a thinker has been a series of related accidents drawn together across a few crucial factors as we already shown in main text. Indeed, in the light of reconstruction of a kind of human norm and human life, the whole twentieth century witnessed the radical changes and transformation of life and mind in China, institutionally and mentally. The restructure and adjustment of legal norms and legal order constituted an important part of this process which often is concluded in the term of transforming from “tradition” to “modernisation”. Liang Shu-ming has encountered this history. As one of creators of this history, he witnesses and examines this history in a very personal perspective of philosophy. The predicaments and perplexities embedded in and arising from these radical socio-political changes inspired him to explore the conflict between fact and norm, to explain the chaos caused from the incompatibility between life and mind, to “transform thoughts” between the traditional “old China” and the new social reality. It is in this soul-searching journey that Liang Shu-ming awakes and reminds us of what the presumption towards and expectation on humanity and an ideal human life signify for law, and for the order ruled by law in the different interpretative cultural communities. At the end of this century, I would say, Liang Shu-ming’s insights are precisely related to our present problems and concerns, his legal thought “is constructive of social realities rather than merely reflective of them”.

Here we arrive at the end, as we once began, basing upon the formula of Liang Shu-ming’s legal philosophy from the perspective of the Confucian humanism. If something could suggest itself in the process of resolving the “problems of China” and the “problems of life” so far as my humble ability permits to indicate, it would be that “A Code is not at once a history and system”, but, “Our history is our Code.”<sup>5</sup>

---

<sup>3</sup>Felix Frankfurter, *Of Law and Men*, at 176.

<sup>4</sup>This quoted from Clifford Geertz, *Local Knowledge*, at 5, 232, by Robert A. Ferguson in his “Holmes and the Judicial Figure”, in Robert W. Gordon (ed.) *The Legacy of Oliver Wendell Holmes, Jr.*, at 182.

<sup>5</sup>Re., the last passage in *Introduction* of the book.

# Bibliography

Only those works directly quoted in this book have been cited. All works have been clarified into three types. The works by Liang Shu-ming are all cited from the *Collected Works of Liang Shu-ming* (eight volumes, published by *Shandong Renmin Press*, 1988–1993. 《梁漱溟全集》 [济南: 山东人民出版社, 1988–1993]), and are listed chronologically by the date of publication. Others in Chinese, English and other languages are listed in accordance with the sequence of authors' family name or with the Chinese Phonetic Alphabet of authors' family name respectively. The works in Chinese are listed in the sequence of English translation, original Chinese, followed by its the Chinese Phonetic Alphabet.

## I. Works by Liang Shu-ming (chronological order)

### 1919

—“*On the Students Incident*”, 4: 571–572. “论学生事件” (*lun xuesheng shijian*)

### 1921

—*Eastern and Western Cultures and Their Philosophies*, 1: 321–548. 《东西文化及其哲学》 (*dongxi wenhua jiqi zhexue*)

### 1923

—“*Preface to Judicial Handbook*”, 4: 515–516. “司法例规序” (*sifa ligui xu*)

—“*On Lectures of the Locust Tree Platform*”, 4: 729–734. “槐坛讲演之一段” (*huitan jiangyan zhi yiduan*)

### 1929

—“*Purpose and Objectives of College of Henan Village Self-government*”, 4: 905–913. “河南村治学院旨趣书” (*henan cunzhi xueyuan zhiqu shu*)

**1930**

- “*Personal Statement on Assuming the Editorship of this Publication*”, 5: 3–28. “主编本刊(《村治》)之自白” (*zhubian benkan cunzhi zhi zibai*)
- “*Final Awakening of the National Self-salvation Movement of the Chinese People*”, 5:44–118. “中国民族自救运动之最后觉悟” (*zhongguo minzu ziji yundong zhi zuihou juewu*)
- “*A Letter to Mr. Zhang Ting-jian*”, 5:119–121. “答张廷健先生书” (*da zhang tingjian xiansheng shu*)
- “*The First Road That Will Not Work for Us Politically: the European Road of Modern Political Democracy*”, 5: 133–173. “我们政治上第一个不通的路” (*women zhengzhishang diyige butong de lu*)
- “*The Resolution to the Problems of China*”, 5: 206–220. “中国问题之解决” (*zhongguo wenti zhi jieju*)
- “*Warning to Those Who Now Talk of Self-government*”, 5: 240–253. “敢告今之言地方自治者” (*gangao jin zhi yan difang zizhi zhe*)

**1931**

- “*The Second Road That Will Not Work for Us Politically—the Road Discovered by the Russian Communist Party*”, 5: 261–294. “我们政治上第二个不通的路” (*women zhengzhishang dierge butong de lu*)

**1932**

- “*The Problems of China’s Local Self-government*”, 5: 309–346. “中国之地方自治问题” (*zhongguo zhi difang zizhi wenti*)
- Liang Shu-ming’s Dairy* (from 1932 to 1981) 8: 389–1136. “梁漱溟日记” (*liangshuming riji*)

**1933**

- “*Everyone Studies the Social Problems, Please*”, 5: 357–363. “请大家研究社会问题” (*qing dajia yanjiu shehui wenti*)

**1934**

- “*China Has Not yet Reached the Stage Where It Can Have A Successful Constitution*”, 5: 466–470. “中国此刻尚不到有宪法成功的时候” (*zhongguo cike shang budao you xianfa chenggong de shihou*)
- An Account in My Own Words*, 2: 1–34. 《自述》 (*zishu*)
- “*Essence of Spiritual Cultivation*”, 5: 492–519. “精神陶冶要旨” (*jingshen taoye yaozhi*)
- “*My Personal Concern*”, 5: 532–540. “我的一段心事” (*wode yiduan xinshi*)
- “*A Talk with Two Danish Professors*” (1934), 5: 571. “与丹麦两教授的谈话” (*yu danmai liang jiaoshou de tanhua*)
- “*Has There Been Village Self-government in Chinese History?*” 5: 583–588. “在中国从前历史上有无乡村自治” (*zai zhongguo congqian lishishang youwu xiangcun zizhi*)

——“*A Few Problems of Rural Reconstruction at Present*”, 5: 589–591. “乡村建设几个当前的问题” (*xiangcun jianshe jige dangqian de wenti*)

### 1935

——“*Our Two Great Difficulties*”, 2: 573–585. “我们的两大难处” (*women de liangda nanchu*)

——“*Coincidence of Politics and Moral Cultivation*”, 5: 670–678. “政教合一” (*zhengjiao heyi*)

——“*What Is the Coincidence of Politics and Moral Cultivation*”, 5: 689–692. “什么是政教合一?” (*shime shi zhengjiao heyi*)

——“*What Are the Characteristics of Chinese Culture?*” 5: 697–711. “中国文化的特征在哪里?” (*zhongguo wenhua de tezheng zai nali*)

### 1936

——*The Gist of Rural Reconstruction*, 1: 599–720. 《乡村建设大意》 (*xiangcun jianshe dayi*)

——“*On China's Social Structure*”, 5: 841–864. “中国社会构造问题” (*zhongguo shehui gouzao wenti*)

### 1937

——*The Theory of Rural Reconstruction*, 2: 141–586. 《乡村建设理论》 (*xiangcun jianshe lilun*)

——“*The Line of Chinese Economic Reconstruction*”, 5: 984–996. “中国经济建设的路线” (*zhongguo jingji jianshe de luxian*)

### 1941

——“*Preamble*”, 6: 118–112. “开场的话” (*kaichang de hua*)

——“*What I Had Tried Hard for: My Experiences Since the War of Resistance to Japanese Invasion*”, 6: 160–262. “我努力的是什么?” (*wo nuli de shi shime*)

——“*On the Rule by Party*”, 6: 288–289. “论党治” (*lun dangzhi*)

——“*What the Reconciliation Lies in—in the Abolition of Rule by Party*”, 6: 290–292. “统一之道果何在?——在于结束党治” (*tongyi zhidao guo hezai? zaiyu jieshu dangzhi*)

——“*Democracy and Rule by the Party*”, 6: 293–295. “民主与党治” (*minzhu yu dangzhi*)

### 1942

——*My Brief History of Self-education* (which was completed finally in 1987), 2: 661–699. 《我的自学小史》 (*wo de zixue xiaoshi*)

### 1943

——“*Upon What Basis Should Constitutional Government be Built?*”, 6: 463–468. “宪政建筑在什么上面” (*xianzheng jianzhu zai shime shangmian*)

——“*A Response to the Enlistment Called from the Government*”, 6: 447–450. “答政府见招书” (*da zhengfu jianzhao shu*)

**1944**

—“*What Can China Contribute to the World?*”, 6: 457–462. “中国以什么贡献给世界呢?” (*zhongguo yi shime gongxian gei shijie ne*)

—“*The Road to Constitutional Government in China*”, 6: 469–486. “中国到宪政之路” (*zhongguo dao xianzheng zhi lu*)

—“*On Constitutional Government in China*”, 6: 487–499. “谈中国宪政问题” (*tan zhongguo xianzheng wenti*)

**1945**

—“*On Current Issues about Constitutional Government: Questions and Answers*”, 6: 548–567. “论当前宪政问题” (*lun dangqian xianzheng wenti*)

—“*The Future of the Problems about Political Parties in China*”, 6: 568–585. “中国党派问题的前途” (*zhongguo dangpai wenti de qiantu*)

**1947**

—“*Propheying Disaster if There Is An Election; Resurrecting the Debate on Constitutional Government*”, 6: 699–722. “预告选灾 追论宪政” (*yugao xuanzai zhuilun xianzheng*)

—“*On Current Issues about the Constitution and the Cooperation among the Parties in Future*”, 6: 729–736. “由当前宪法问题谈到今后党派合作” (*you dangqian xianfa wenti tando jinhou dangpai hezuo*)

**1948**

—“*Studies on Chinese Politics*”, 6: 737–778. “中国政治问题研究” (*zhongguo zhengzhi wenti yanjiu*)

—“*Origin and Purpose of Mian-ren Academy*”, 6: 779–785. “勉仁文学院创办缘起及旨趣” (*mianren wenxueyuan chuangan yuanqi ji zhiqu*)

**1949**

—*Essential Meanings of the Chinese Culture*, 3: 1–316. 《《中国文化要义》》 (*zhongguo wenhua yaoyi*)

—“*When Can China Have Peace?*” 6: 786–789. “中国哪一天能太平?” (*zhongguo na yitian neng taiping*)

**1952**

—“*My Exertion and Reflection*”, 6: 950–1014. “我的努力与反省” (*wo de nuli yu fanxing*)

**1953**

—“*The Drafting Address in CPPCC on 11 September 1953*”, 7: 3–6. “1953年9月11日政协扩大会议上的发言草稿” (*yijiu wusan nian jiuyue shiyi ri zhengxie kuoda hui shang de fayan caogao*)

—“*The Drafting Address on People's Government Meeting Attending as An Observer*”, 7: 6–9. “列席人民政府会议的发言草稿” (*lixi renmin zhengfu huiyi de fayan caogao*)



—“*The Incidents During 8 to 18 September 1953*”, 7: 10–13. “1953年9月8日至18日一段时间内的事情”(yijiu wusan nian bayue shiba ri yiduan shijian nei de shiqing)

—“*A Brief Record of My Experience during 9 to 18 September 1953*”, 7: 14–18. “略记9月9日至18日的一段经过”(lueji jiuyue jiuri zhi shiba ri de yiduan jingguo)

—“*What I Intended to Propose?*” 7: 18–23. “我所要建议的是什么?”(wo suoyao jianyi de shi shime)

### 1959

—“*Some Memories about the Political Events in the Earlier Years of the Republic of China*”, 7: 60–71. “有关民国初年政史的见闻纪实”(youguan minguo chunian zhengshi de jianwen jishi)

### 1965

—“*The Changes of My Cognitive Representations on the Human Mentality*”, 7: 130–137. “我对人类心理认识前后转变不同”(wo dui renlei xinli renshi qianhou zhuanbian butong)

### 1969

—“*My Accounts on the Changes I Underwent during the Earlier Years of My Life*”, 7: 177–185. “自述早年思想之再转再变”(zishu zaonian sixiang zhi zaizhuan zaibian)

—“*Sun Ke in the Peace Talks between the KMT and the Communist Party*”, 7: 194–199. “国共两党和谈中的孙科”(guogong liangdang hetan zhong de sunke)

### 1974

—“*Probing the History of the Traditional Chinese Society was the Marxist Asian Pattern*”, 7: 246–270. “试论中国社会的历史发展属于马克思所谓亚洲生产方式”(shilun zhongguo shehui de lishi fazhan shuyu makesi suowei yanzhou shengchan fangshi)

—“*How Shall We Judge Confucius Today?*” 7: 270–314. “今天我们应当如何评价孔子?”(jintian women yingdang ruhe pingjia kongzi)

### 1976

—“*The Subtlety of British Constitutional Government*”, 7: 403–404. “英国宪政之妙”(yingguo xianzheng zhi miao)

### 1977

—“*Chairman Mao Views Law in This Light*”, 7: 429–430. “毛主席对于法律作如是观”(maozhuxi duiyu falu zuo rushi guan)

—“*Retrospect to the Talks with Chairman Mao in Yan-an and Beijing*”, 7: 436–453. “追忆在延安北京迭次和毛主席的谈话”(zhuiji zai yanan beijing dieci he maozhuxi de tanhua)

**1978**

—“*The Addresses on the Constitution in the Chinese People’s Political Consultative Conference 1978*”, 7: 455–460. “1978年政协会议期间讨论宪法时的发言” (*yijiu qiba nian zhengxie huiyi qijian taolun xianfa shi de fayan*)

—“*Constitutional Government and Dictatorship*”, 7: 458–467. “宪政与专政” (*xianzheng yu zhuanzheng*)

—“*A Speech in Group Discussion of the First Plenty Session of the Fifth CPPCC*”, 7: 464–465. “政协五届一次小组会上的一次发言” (*zhengxie wujie yici xiaozuhui shang de yici fayan*)

—“*Notes on Events during the Period from the Revolution of 1911 to the Earlier Years of the Republic*”, 7: 469–471. “杂记辛亥革命后以至民国初年的见闻” (*zaji xinhai geming hou yizhi minguo chunian de jianwen*)

**1979**

—“*Deeply Sigh with Regret about Mind often Defeated by Habitual Characteristics*”, 7: 498–499. “深叹心不胜习” (*shentan xin bu sheng xi*)

**1980**

—“*A Talk with American Scholar Guy S. Alitto*”, 8: 1137–1178. “与美国学者艾割的谈话” (*yu meiguo xuezhe aikai de tanhua*)

**1981**

—“*My Activities in the Revolution of 1911*”, 7: 511–518. “在辛亥革命中我的活动” (*zai xinhai geming zhong wode huodong*)

—“*Try to Explain the Roots of Lots of Mistakes Mao Ze-dong Made in His Later Years*”, 7: 520–521. “试说明毛泽东晚年许多过错的根源” (*shi shuoming maozedong wannian xuduo guocuo de genyuan*)

**1984**

—*Life and Mind*, 3: 523–760. 《《人生与人心》》 (*rensheng yu renxin*)

**II. Chinese Language Sources****Books, Monographs and Articles**

Ai, Si-qi. 1956. *Critique of Liang Shu-ming’s philosophical thought*. Beijing: Beijing press. 艾思奇: 《批判梁漱溟的哲学思想》 (*pipan liang shuming de zhexue sixiang*) (北京: 北京出版社, 1956).

Beijing Press. 1956. *Critique of Liang Shu-ming’s thought* (2 vols., Beijing). 《《梁漱溟思想批判》》 (*liang shuming sixiang pipan*) (两卷本) (北京: 北京出版社, 1956).

Berman, Harold, J. 1999. World Law in the New Millennium. *Twenty-first Century Bimonthly* 52: 3–11. 哈罗德·伯尔曼: “展望新千年的世界法律” (*zhanwang xin qiannian de shijie falu*), 林立伟译, 载 《《二十一世纪》》 (香港: 中文大学, 1999年总第52期), 页3–11.

- Cai, Ren-hou. 1990. Mourn with deep grief and respect to Mr. Liang Shu-ming. In *Confucianism: Eternal and Transformation*. Taipei: Dongda Book Co., 265–271. 蔡仁厚: “敬悼梁漱溟先生” (*jingdao liang shuming xiansheng*), 收氏著《儒学的常与变》(台北: 东大图书公司, 1990), 页265–271.
- Cai, Ren-hou. 1992. Reflection and rebirth of Chinese philosophy. In *Selected works on modern new-confucianism (I)*, 21–42. “中国哲学的反省与新生” (*zhongguo zhexue de fanxing yu xinsheng*), 收《当代新儒学论集》(总论) (台北: 文津出版社, 1991) 页21–42.
- Chen, Zhi-rang. 1984. Some issues on the Monarchy of Yuan Shi-kai. In *Proceedings of the conference on the early history of the Republican of China 1912–1927 (I)*. Taipei: Institute of Modern History, Academia Senica, 5–30. 陈志让: “洪宪帝制的一些问题” (*hongxian dizhi de yixie wenti*), 载《中华民国初期历史研讨会论文集》上册(台北: 中央研究院近代史研究所, 1984), 页5–30.
- Dai, Qing. 1989. *Liang Shu-ming, Wang Shi-wei and Chu An-ping*. Nanjing: Jiangsu Arts Press. 戴晴: 《梁漱溟 王实味 储安平》(*liang shuming, wang shiwei, chu anping*) (南京: 江苏文艺出版社, 1989).
- Ding, Wen-jiang. 1923. Metaphysics and science. In *Science and view of life*. Shanghai: ed., and pub., by Yadong Library, 15–44. 丁文江: “科学与人生观” (*kexue yu renshengguan*), 收上海亚东图书馆1923年编印: 《科学与人生观》.
- Fang, Ke-li, and Li, Jin-quan. 1995. Forewords. In *The biographical studies on modern new-confucianists*. Beijing: China Social Science Press, 3–52. 方克立, 李锦全主编: 《现代新儒家学案》“序言”(*xindai xin rujia xuean xuyan*) (北京: 中国社会科学出版社, 1995).
- Feng, You-lan. 1955. Critique of Mr. Liang Shu-ming’s view on culture and his theory of village self-government. In *People’s daily*, 11 May 1955. 冯友兰: “批判梁漱溟先生的文化观和村治理论” (*pipan liang shuming xiansheng de wenhuaguan he cunzhi lilun*), 载《人民日报》1955年5月11日.
- Feng, You-lan. 1993. Taking the revivification of confucianism as his mission and speaking bluntly for peasants with sympathy: In Mourning of Mr. Liang Shu-ming. In *Collection of essays in commemoration of Mr. Liang Shu-ming*, ed. Liang Pei-kuan, 200–201. “以发扬儒学为己任, 为同情农夫而执言” (*yi fayang ruxue wei yiren, wei tongqing nongfu er zhiyan*), 收梁培宽编: 《梁漱溟先生纪念文集》(北京: 工人出版社, 1993), 页200–201.
- Gao, Li-ke. 1994. Rural society and chinese modernity: a reevaluation of Liang Shu-ming’s ideas of rural reconstruction. *The Twenty-First Century Bimonthly* 21: 27–35. 高力克: “乡土社会与中国现代性——梁漱溟乡村建设思想再评价” (*xiangtu shehui yu zhongguo xiandaixing-liang shuming xiangcun jianshe sixiang zai pinjia*), 载《二十一世纪》(香港: 中文大学, 1994年, 第21期) 页27–35.
- Gu, Hong-ming. 1996. *Selected works of Gu Hong-ming* (two vols). Hainan: Hainan Renmin Press. 辜鸿铭: 《辜鸿铭选集》(*gu hongming xuanji*) (海口: 海南出版社, 1996).
- Guo, Zhan-bo. 1936. *History of Chinese thoughts in the recent fifty years*. Beijing: Humanity Press. 郭湛波: 《近五十年中国思想史》(*jin wushi nian zhongguo sixiangshi*) (北京: 人文书店, 1936).
- Hao, Tie-chuan. 1997. The Chinese law students who studied abroad and the legal modernization in Modern China. *Legal Studies* 6: 3–33. 郝铁川: “中国近代法学留学生与法学近代化”(zhongguo jindai faxue liuxuesheng yu faxue jindaihua), 载《法学研究》(北京) 1997年第6期, 页3–33.
- Hamilton, Gary G. 1987. Patriarchy, partrimonialism, and Filial Piety: A comparison of China and Western Europe. Trans. into Chinese Chen Jie-xuan. In *Conference proceedings of traditional Chinese ethics*. Hong Kong: Chinese University Press, 203–240. “父权制、世袭主义与孝道” (*fuquanzhi shixie zhuyi yu xiaodao*), 收《中国传统伦理思想国际研讨会文集》(香港: 中文大学出版社, 1987), 页203–240.
- Hespanha, Antonio Manuel, 1998. Introduction to history of European Jurisprudence. Trans. from Portuguese into Chinese by Liang Zhi-ping. *Nanjing University Law Review* 9: 18–39. 《欧洲法学史导论》(*ouzhou faxueshi daolun*) (原文为葡萄牙文, 中文本由梁治平等译, 载《南京大学法律评论》1998年总第9期, 页18–39.

- Hsiao, Kung-chuan. 1982. *Constitutional government and democracy*. Taipei: Lianjing Publishing House. 萧公权:《宪政与民主》(xianzheng yu minzhu) (台北: 联经出版公司, 1982年版).
- Hsiao, Kung-chuan. *The prerequisites for the constitutional government*. Reprinted in his book above, 22–26. “宪政的条件”(xianzheng de tiaojian), 收上引集, 页 22–26.
- Hsiao, Kung-chuan. *My humble words on constitutional government*. *ibid.*, 30–33. “宪政卑论”(xianzheng beilun), 同上, 页 30–33.
- Hsiao, Kung-chuan. *The psychological preparation for constitutional government*, *ibid.*, 43–49. “宪政的心理建设”(xianzheng de xinli jianshe), 同上, 页43–49.
- Hsiao, Kung-chuan. *The polity of the central government after the fulfillment of constitutional government*, *ibid.*, 34–38. “宪政实施后之中央政制”(xianzheng shishi hou zhi zhongyang zhengzhi), 同上, 页34–38.
- Hsiao, Kung-chuan. *Two questions and their answers about constitutional government*, *ibid.*, 50–52. “宪政二疑及其答复”(xianzheng eryi jiqi dafu), 同上, 页50–52.
- Hsiao, Kung-chuan. *A low-keyed talk on the election*, *ibid.*, 102–108. “低调谈选举”(ditiao tan xuanju), 同上, 页 102–108.
- Hu, Shi. Answer to Mr. Liang Shu-ming. In *New Youth*. Shanghai and Peking: 15 April 1919, 431–432. 胡适:“答梁漱溟先生”(da liang shuming xiansheng) (《新青年》1919年4月号).
- Hu, Shi. 1923. On reading Mr. Liang Shu-ming’s Eastern and Western Cultures and their philosophies. In *Reader’s Miscellany*. Peking: March 30, 1923. “读梁漱溟先生的《东西文化及其哲学》”(du liang shuming xiansheng de dongxi wenhua qiji zhexue), 载《读书杂志》1923年3月号.
- Hu, Shi. 1926. *Our attitude to the modern Western civilisation*. (Shanghai: Modern Review, No., 38, Vol., 4, 1926). “我们对于西洋近代文明的态度”(women duiyu xiyang jindai wenming de taidu) (《现代评论》1926年4卷38号).
- Hu, Ying-han. 1979. *The drafting chronological biography of Mr. Liang Shu-ming*. Taipei: Long Tian Press. 胡应汉:《梁漱溟先生年谱初编》(liang shuming xiansheng nianpu chubian) (台北: 龙田出版社, 1979).
- Hua, You-gen. 1993. *The history of modern Chinese legal thoughts*. Shanghai: Shanghai Academy of Social Science Press. 华友根:《中国近代法律思想史》(zhongguo jindai falu sixiangshi) (下册) (上海: 上海社科院出版社, 1993).
- Huang, Ren-yu (Ray Huang). 1993. Endless complications and unexpected turns. *The Twenty-First Century Bimonthly* 18: 114–118. 黄仁宇:“说不尽的复杂曲折”(shuo bujin de fuza quzhe), 载《二十一世纪》(1993年总第18期), 页114–118.
- Huang, Ren-yu. (Ray Huang). 1997. *Capitalism and the twenty-first century*. Beijing: Sanlian Publishing House. 《资本主义与二十一世纪》(zibenzhuyi yu ershiyi shiji) (北京: 三联书店, 1997).
- Jiang, Bai-li. 1927. *History of European renaissance*. Shanghai: The Commercial Press. 蒋百里:《欧洲文艺复兴史》(ouzhou wenyi fuxing shi) (上海: 商务印书馆, 1927).
- Jiang, Ting-fu. 1935. KMT and members of KMT. *Review of Independence* 175: 29–34. 蒋廷黻:“国民党与国民党人”(guomindang yu guomindang ren), 载《独立评论》1935年第175期.
- Jing, Zhi-ren. 1984. *The history of Chinese constitutions*. Taipei: Liangjing Publishing House. 荆知仁:《中国立宪史》(zhongguo lixiang shi) (台北: 联经出版公司, 1984).
- Li, Gui-lian., ed. 1998. *Law studies in China during twenty century*. Beijing: Beijing University Press. 李贵连主编:《二十世纪的中国法学》(ershi shiji de zhongguo faxue) (北京: 北京大学出版社, 1998).
- Li, Gui-lian., ed. 1998. My accounts about Quanli. *Beijing University Law Review* 1: 115–129. “话说权利”(huashuo quanli), 载《北京大学法律评论》(北京) 1998年第1期, 页115–129.
- Li, Yuan-ting, and Yan, Bing-hua. 1991. *A chronological biography of Mr. Liang Shu-ming*. Guilin: Guangxi Normal University Press. 李渊庭、阎秉华:《梁漱溟先生年谱》(liang shuming xiansheng nianpu) (桂林: 广西师范大学出版社, 1991).
- Liang, Ji. *Collected writings of Mr. Liang of Guilin*, ed. by Liang Shu-ming and reprinted in *Collected Works of Liang Shu-ming*, vol. 1, 549–597. 梁济:《桂林梁先生遗书》(guilin liang xiansheng yishu), 收《梁漱溟全集》卷 1, 页549–597.

- Liang, Pei-shu. 1994. Objection to a distorted picture of Liang Shu-ming. In *The Twenty-first Century bimonthly*. Hong Kong: Chinese University of Hong Kong, 132–137. 梁培恕: “请按本来面目作评论” (*qing an benlai mianmu zuo pinlun*), 载《《二十一世纪》》(香港: 中文大学) 1994年总第26期, 页132–137.
- Liang, Pei-shu. 1990. Some sincere accounts about my late father Liang Shu-ming. In *The prop of China: The selected works in memory of Mr. Liang Shu-ming*, eds. Lu Keng and Liang Qing-dong. Hong Kong: Baixing Culture Press, 1–12. “谨记先父梁漱溟” (*jinji xianfu liang shuming*), 收陆铿、梁钦东编: 《中国的脊梁: 梁漱溟先生纪念文集》(香港: 百姓文化出版公司, 1990) 页1–12.
- Liang, Zhi-ping. 1996. *The customary law in Qing: Society versus state*. Beijing: China University of Politics and Law Press. 梁治平: 《清代习惯法: 社会与国家》(*qingdai xiguanfa: shehui yu guojia*) (北京: 中国政法大学出版社, 1996).
- Liang, Zhi-ping. 1996. *Search for an eternal harmony in a natural order: Studies on traditional Chinese legal culture*. Beijing: China University of Political Science and Law Press. 《寻求自然秩序中的和谐: 中国传统法律文化研究》(*xunqiu ziran zhixu zhong de hexie: zhongguo chuantong falu wenhua yanjiu*) (北京: 中国政法大学出版社, 1996年重印).
- Lin, Bao-chun. 1988. *Yan Fu: A pioneering thinker in modern Chinese thought*. Taipei: Youshi Culture Co. 林保淳: 《严复: 中国近代思想启蒙者》(*yanfu: zhongguo jindai sixiang de qimengzhe*) (台北: 幼狮文化公司, 1988).
- Lin, Yu-sheng. 1989. Coincidence and separation of politics and moral cultivation. In *Political order and pluralistic society*. Taipei: Lianjing Publishing House, 95–98. 林毓生: “政教合一与政教分离” (*zhengjiao heyi yu zhengjiao fenli*), 收氏著《政治秩序与多元社会》(台北: 联经出版公司, 1986) 页95–98.
- Liu, Xiao-feng, et al., eds. 1998. *The transformation of economic ethics in modern China*. Hong Kong: Hong Kong Chinese University Press. 刘小枫等编: 《中国近现代经济伦理的变迁》(*zhongguo jinxindai jingji lunli de bianqian*) (香港: 香港中文大学出版社, 1998).
- Liu, Xiao-feng, et al., eds. *Economic ethics and modern Chinese society*, *ibid.* 《经济伦理与近代中国社会》(*jingjilunli yu jinxindai zhongguo shehui*), *ibid.*
- Luo, Zhe-hai. 1991. Liang Shu-ming and Zai Zhi-cheng. In *Selected works on modern new-confucianism (I)*. Taipei: Wenjin Press, 321–330. 罗哲海: “梁漱溟与翟志成” (*liang shuming yu ze zhicheng*), 收《当代新儒学论文集》(总论) (台北: 联经出版公司, 1991), 页321–330.
- Ma, Dong-yu. 1993. *Biography of Liang Shu-ming*. Beijing: Dangfang Publishing House. 马东玉: 《梁漱溟传》(*liang shuming chuan*) (北京: 东方出版社, 1993).
- Ma, Yong. 1992. *A critical biography of Liang Shu-ming*. Hefei: Anhui Renmin Press. 马勇: 《梁漱溟评传》(*liang shuming pinchuan*) (合肥: 安徽人民出版社, 1992).
- Mao, Ze-dong. Critique of Liang Shu-ming's reactionary thought. In *Selected works of Mao Ze-dong*. Beijing: Remin Press, vol., 5, 107–115. 毛泽东: “批判梁漱溟的反动思想” (*pipan liang shuming de fandong sixiang*), 收《毛泽东选集》卷5, 页107–115.
- Mu, Zong-san. 1984. The religious trends in current China. Reprinted in his *Significance of life*. Taipei: Sanmin Shujue, 112–113. 牟宗三: “现时中国之宗教趋势” (*xianshi zhongguo zhi zongjiao qushi*), 收氏著: 《生命的学问》(台北: 三民书局, 1984), 页112–113.
- Mu, Zong-san. 1996. *The recorded lectures on humanity*, edited by Cai Ren-hou. Taipei: Xuesheng Shejue. 《人文讲习录》(*renwen jiangxilu*) (台北: 学生书局, 1996).
- Qi, Bing-feng. 1966. *The revolution in later Qing and the arguments about monarchy or constitutional government*. Taipei: The Commercial Press. 齐冰峰: 《清末革命与君宪的论争》(*qingmu geming yu junxian de lunzheng*) (台北: 商务印书馆, 1966).
- Qian, Duan-sheng. My crimes. In *People's daily* (6 August 1957). 钱端升: “我的罪行” (*wo de zuixing*), 载《人民日报》(北京) 1957年8月6日.
- Qian, Duan-sheng. 1992. *Selected works of Qian Duan-sheng*. Beijing: Capital Normal University press. 《钱端升学术论著自选集》(*qian duansheng xueshu lunzhu zixuan ji*) (北京: 首都师范大学出版社, 1992).
- Qian, Duan-sheng. *An account in my own words*. In the *Selected above*, 695–704. “我的自述” (*wo de zishu*), 收同上集, 页695–704.

- Qian, Duan-sheng. *Remarks on the constitutional campaign and the amendment to the drafting constitution*, *ibid.*, 459–476. “评立宪运动及宪草修正案” (*pin lixian yundong jiqi xiancao xiuzhengan*), 同上, 页459–476.
- Qian, Duan-sheng. *Comments on the draft constitution of the ROC*. *ibid.*, 477–486. “评中华民国宪法草案” (*pin zhonghua minguo xianfa caoan*), 同上, 页477–486.
- Qian, Duan-sheng. *Politics should be Institutionalized*. *ibid.*, 500–502. “政治活动应制度化” (*zhengzhi huodong ying zhiduhua*), 同上, 页500–502.
- Qian, Jia-ju. 1983. A wrong forked road for China. First published in 1935 and reprinted in ed. Cai Shang-si, *The source book of modern Chinese intellectual history* (3). Hangzhou: Zhejiang Renmin Press, 768–800. 千家驹: “中国的歧路” (*zhongguo de qilu*), 重印于蔡尚思编: 《中国现代思想史资料简编》(3) (杭州: 浙江人民出版社, 1983), 页 768–800.
- Qian, Jia-ju. 1988. *My personal experiences in the past seventy years*. Hong Kong: Jinabao Press. 《七十年的经历》(*qishi nian de jingli*) (香港: 镜报文化公司, 1988).
- Qian, Mu. 1979. *The Chineseness and the Chinese culture in the view of Chinese history*. Taipei: Lianjing Publishing House. 钱穆: 《从中国历史来看中国民族性及中国文化》(*cong zhongguo lishi lai kan zhongguo minzuxing ji zhongguo wenhua*) (台北: 联经出版公司, 1979).
- Sang, Bing. 1991. *The schools in the later Qing and the Chinese social transformation*. Taipei: Daohe Chubanshe. 桑兵: 《晚清学堂与社会变迁》(*wanqing xuetang yu shehui bianqian*) (台北: 稻禾出版社, 1991).
- Senger, Harro von. 1993. Traditional elements in legal system of Mainland China. In The National Taiwan University Law School (ed. and printed in 1993), *Review and foresight on the modernization of Chinese Legal System*, 383–403. 胜雅律: “大陆法制中的中国传统因素” (*dalu fazhi zhong de zhongguo chuantong yinsu*), 收 《中国法制现代化之回顾与前瞻》(台北: 台湾大学法学院, 1993年), 页383–403.
- Shi, Zhong-lian. 1994. *Studies on modern new confucianism in America*. Shenyang: Liaoning University Press. 施忠连: 《现代新儒学在美国》(*xiandai xin ruxue zai meiguo*) (沈阳: 辽宁大学出版社, 1994).
- Song, Zhong-fu, et al. 1991. *Confucianism in modern China*. Zhengzhou: Zhongzhou Gujie Press. 宋仲福等: 《儒学在现代中国》(*ruxue zai xiandai zhongguo*) (郑州: 中州古籍出版社, 1991).
- Sun, Guo-xiang. 1999. The difficulties of defending for the accused in criminal procedure in contemporary China. *Nanjing University Law Review* 11: 161–169. 孙国祥: “步履维艰的当代中国刑事辩护” (*bulu weijian de dangdai zhongguo xingshi bianhu*), 载 《南京大学法律评论》(南京) 1999年总第11期, 页161–169.
- Tang, De-gang. 1999. It needs two hundred years going through the ‘Three Gorges’ of Chinese History. *Ming Pao Monthly* 5: 14–16. 唐德刚: “走出历史三峡需时两百年” (*zouchu lishi sanxia xueshi liangbai nian*) 载 《明报》月刊 (香港) 1999年6月号, 页14–16.
- Tang, Jun-yi. 1988. More on the conflict between Chinese Nationalism and Marxism-Leninism and the Chinese Way. In *Chinese Humanity and Modern World* (supplement II). Taipei: Xuesheng shuju, 403–449. 唐君毅: “再论中国民族主义与马列主义之矛盾及中国之道路” (*zailun zhongguo minzuzhuyi yu malie zhuyi zhi maodun ji zhongguo zhi daolu*), 收氏著 《中华人文与当今世界》(补编下册) (台北: 学生书局, 1988), 页403–449.
- Tang, Jun-yi. On spirit of *Bao* in Chinese Humanity. *ibid.*, 360–369. “说中国人文中的报恩思想” (*shuo zhongguo renwen zhong de baoen sixiang*), 同上, 上册, 页360–369.
- Tang, Jun-yi, Carsun Chang, Xie You-wei, Xu Fu-guan and Mou Zong-san: *A Manifesto on the Reappraisal of Chinese Culture* (It was first published in booklet form and later appeared in *Chinese Culture* [vol. III, no. 1, October 1960], and the English version was reprinted in 2–5 *Sino-American Relations* 1998). 唐君毅、张君勱、谢幼伟、徐复观、牟宗三: 《中国文化与世界》(*zhongguo wenhua yu shijie*).
- Wang, Dong-lin. 1987. *Interviews with Liang Shu-ming*. Beijing: Sanlian Publishing House. 汪东林: 《梁漱溟访谈录》(*Liang Shu-ming fangtanlu*) (北京: 三联书店, 1987).
- Wang, Qu-chang. 1977. *A chronological biography of Yan Ji-dao*. Taipei: The Commercial press. 王遽常: 《严几道年谱》(*yan jidao nianpu*) (台北: 商务印书馆, 1977年重印).

- Wang, Shi-jie. 1927. *Comparative constitutions*. Shanghai: The Commercial press. 王世杰:《比较宪法》(bijiao xianfa) (上海: 商务印书馆, 1927).
- Wang, Shi-jie. 1980. *Selected works of Mr. Wang Shi-jie*. Taipei: Alumni Society [Taipei] of National Wuhan University. 《王世杰先生论著选集》(wang shijie xiansheng lunzhu xuanji) (台北:国立武汉大学旅台校友会编印, 1980).
- Wei, Zheng-tong. 搃iang Shu-ming: Symbolism of the cultural China. In *Collection of essays in commemoration of Mr. Liang Shu-ming*, ed. Liang Pei-Kuan, 280–288. 韦政通:“中国文化’的象征——梁漱溟的生平与思想”(zhongguo wenhua de xiangzheng: liang shuming de shengping yu sixiang). 收梁培宽编:《梁漱溟先生纪念文集》, 页280–288.
- Wen, Chong-yi. Pay a debt of gratitude and revenge: An analysis on interpersonal interaction. In *The Chinese minds*, ed. Yang Guo-shu, 347–382. 文崇一:“报恩与报仇: 交换行为的分析”(baoen yu baochou: jiaohuan xingwei de fenxi), 收杨国枢编:《中国人的心理》(台北: 桂冠图书公司, 1988), 页347–382.
- Xiao, Gong-qin. 1997. The Chinese intellectual’s mis-rendering on the constitutionalism and its consequences in modern age. *Strategy and Management*, 2: 27–35. 萧功秦:“近代中国人对于立宪政治的文化误读及其历史后果”(jindai zhongguoren duiyu lixian zhengzhi de wenhua wudu jiqi lishi houguo), 载《战略与管理》(北京) 1997年第2期, 页27–35.
- Xu, Ji-lin. 1993. Liang Shu-ming: The anti-modern Utopia of a cultural nationalist. *The Twenty-first Century bimonthly* 15: 50–54. 许纪霖:“梁漱溟: 文化民族主义者的反现代化乌托邦”(liang shuming: wenhua minzuzhuyizhe de fan xiandaihua wutuobang), 载《二十一世纪》(香港:中文大学, 1993年总第15期), 页50–55.
- Xu, Zhang-run. 1998. The Chinese philosophy of life and legal reality: Liang Shu-ming’s case”. *Beijing University Law Journal* 6: 17–29. 许章润:“梁漱溟论中国人的人生态度与法律生活”(liang shuming lun zhongguoren de rensheng taidu yu falu shenghuo), 载《中外法学》(北京:北京大学) 1998年第6期, 页17–29.
- Xu, Zhang-run. 1998. Heaven principle, will of human and spirit of law. *Journal of Comparative Law* 12: 103–110. “天意 人意 法意”(tianyi renyi fayi) 载《比较法研究》(北京:中国政法大学) 1998年第1期, 页103–110.
- Xu, Zhang-run. 1997. Talk law, live law and make law. *Du Shu* 11: 8–11. “说法 活法 立法”(shuofa huofa lifa), 载《读书》(北京: 三联书店) 1997年第11期, 页8–11.
- Xu, Zhang-yun. 1998. Constitution and (Restaurant) Bill. *Du Shu* 3: 102–107. “宪法与帐单”(xianfa yu zhangdan), 同上, 1998年第3期, 页102–107.
- Xu, Zhang-run. 1998. Two views on constitutional government before and after the War of Resist-Japanese invasion. In *The Twenty-first Century Bimonthly*. Hong Kong: The Chinese University of Hong Kong, 65–70. “抗战前后的两种宪法观”(kangzhan qianhou de liangzhong xianfaguan), 载《二十一世纪》(香港:中文大学) 1998年8月号, 页65–70.
- Yadong Library. 1998. *Science and view of life*. Shanghai: 1923. 亚东图书馆编印:《科学与人生观》(kexue yu renshengguan) (上海: 1923年).
- Yan, Fu. 1986. *Writings of Yan Fu*. Beijing: The Chinese press. 严复:《严复集》(yanfu ji) (北京: 中华书局, 1986).
- Yang, Guo-shu., ed. *The Chinese mind*. Taipei: Guiguan Publishing Co. 杨国枢编:《中国人的心理》(zhongguoren de xinli) (台北:桂冠图书公司1988).
- Yang, Guo-shu., ed. A conceptual analysis on Chinese “Xiao”. In *The Chinese Mind*, 39–74. “中国人孝的概念分析”(zhongguo xiao de kainian fenxi), 收同上书, 页39–74.
- Yin, Yi-jun. 1997. Legal transplation and judicial reformation. *Dushu* 12: 75–79. Beijing. 尹伊君:“法律移植与司法改革”(falü yizhi yu sifa gaige), 载《读书》(北京) 1997年第12期.
- Yu, Yi-sheng. 1991. Consideration on ancient Chinese legal culture. *Legal study* 3: 11–17. 于逸生:“关于中国古代法律之文化思考”(guanyu zhongguo gudai falu wenhua zhi sikao), 收入大报刊复印资料《法学》(北京) 1991年第3期, 页11–17.
- Yu, Ying-shi. Qian Mu and New-Confucianism. In *Qian Mu and Chinese culture*. Shanghai: Yuandong Press, 30–90. 余英时:“钱穆与新儒家”(qianmu yu xin rujia), 收氏著《钱穆与中国文化》(上海:远东出版社, 1994).
- Yu, Ying-shi. *The radicalism and conservatism in modern Chinese intellectual history*. *ibid.*, 188–222. “中国近代思想史上的激进与保守”(zhongguo jindai sixiangshi shang de jijin yu baoshou), 同上, 页188–222.

- Yu, Ying-shi. Viewing tradition in the perspective of historiography. In *Historiography and tradition*. Taipei: Shibao Webhua Co., 11–17. “从史学看传统” (*cong shixue kan chuantong*), 收《史学与传统》(台北:时报文化出版公司, 1982), 页11–17.
- Yu, Ying-shi. 1988. The religious-ethic in recent centuries of China and the characteristics of tradesmen. In his selected works *The modern interpretations on the traditions of Chinese thought*. Taipei: Lianjing PublishingHouse, 259–404. “中国近世宗教伦理与商人精神” (*zhongguo jinshi zongjiao lunli yu shangren jingshen*), 收氏著《中国思想传统的现代诠释》(台北:联经出版公司, 1988), 页259–404.
- Zhang, Jun-mai. 1923. On the view of life. In *Science and view of life*. Shanghai: ed. and pub. by Yadong Library, 1–14. 张君勱: “人生观” (*renshengguan*), 收上海亚东图书馆1923年编印《科学与人生观》。
- Zhang, Peng-yuan. 1969. *The constitutionalists and the revolution of 1911*. Taipei: Commercial Press. 张朋园: 《立宪派与辛亥革命》 (*lixianpai yu xinhai geming*) (台北:商务印书馆, 1969).
- Zhang, Qi-rong. 1997. Ariga Nagao, Frank Goodnow and the Constitutional Controversy during the Early Republican Era. *Twenty-first Century Bimonthly* 42: 47–58. 张启荣: “有贺长雄、古德诺与民国初年的宪政体制问题” (*youhe changxiong, gudenuo yu minguo chunian de xianzheng tizhi wenti*), 载《二十一世纪》(香港:中文大学中国文化研究所) 1997年总第42期, 页47–58.
- Zhang, Tai-yan. 1977. Forewords to the Great Republic Daily. In his *Selected works on politics of Zhang Tai-yan* (ed. by Tang Zhi-jun). Beijing: The Chinese Press. 章太炎: “大共和日报发刊辞” (*da gonghe ribao fakanci*), 收《张太炎政论选集》(汤志钧编, 北京:中华书局, 1977).
- Zhang, Xiao-ro. 1930. *Biography of Mr. Zhang Ji-zhi*. Shanghai: The Chinese Press. 张孝若: 《南通张季直先生传记》 (*nantong zhangjizhi xiansheng chuanji*) (上海:中华书局, 1930).
- Zhang, Yu-fa. 1965. *The constitutionalist groups in later Qing*. Taipei: Academia Sinica. 张玉法: 《清季的立宪团体》 (*qingji de lixian tuanti*) (台北:中央研究院近代史研究所, 1965).
- Zheng, Jia-dong. 1990. *Introduction to the modern new-confucianism*. Guilin: Guangxi Renmin Press. 郑家栋: 《现代新儒学概论》 (*xiandai xin ruxue kailun*) (南宁:广西人民出版社, 1990).
- Zhi, Fei. 1919. Critique of Mr. Liang Shu-ming’s remarks on the students incident. In *Review Weekly* (May 18, 1919). 知非: “评梁漱溟先生的学生事件论” (*pin liang shuming xiansheng de xuesheng shijina lun*), 载《每周评论》1919年5月号。
- Zhi, Yu-ru. 1985. F. Goodnow: An advisor on constitution to Yuan Shi-kai. In *The politics in early Republic of China*. Taipei: The Commercial Press, 135–147. 郢玉汝: “袁世凯的宪法顾问古德诺” (*yuan shikai de xianfa guwe gudenuo*), 载《中国近代现代史论集》第20编《民初政治》(2) (台北:商务印书馆, 1985).
- Zhu, Han-guo. 1996. *Studies on Liang Shu-ming’s rural reconstruction*. Taiyuan: Shangxi Education Press. 朱汉国: 《梁漱溟乡村建设研究》 (*liang shuming xiangcun jianshe yanjiu*) (太原:山西教育出版社, 1996).
- Zhu, Guang-qian. 1993. The development of constitutional government and freedom of speech. In *Collected works of Zhu Guang-qian*. Hefei: Anhui Education Press, vol. 9, 172–175. 朱光潜: “宪政促进与言论自由” (*xianzheng cujin yu yanlun ziyou*), 收《朱光潜全集》(合肥:安徽教育出版社, 1993) 卷9, 页172–175.

### III. English and Other Languages Sources

#### Books, Monographs and Articles

- Alford, William P. 1984. The inscrutable occidental? Implications of Roberto Unger’s uses and abuse of the Chinese past. *Texas Law Review* 64: 915–972.
- Allitto, Guy S. 1979. *The Last Confucian: Liang Shu-ming and the Chinese dilemma of modernity*. Berkeley, Los Angeles and London: University California Press, 1979, revised edition in 1986.



- Alitto, Guy S. 1976. *The conservative as Sage: Liang Shu-ming*. In *The limits of change: Essays on conservative alternatives in Republican China*, edited by Charlotte Furth, Cambridge, 213–241. Massachusetts and London, England: Harvard University Press.
- Alitto, Guy S. The cultural conservationists in the early Republic of China. In *Proceedings of the conference on the early history of the Republic of China 1912–1927* (part II), 1015–1224 (This paper was written in Chinese by the author).
- Allee, Mark A. Code, culture and custom: Foundations of civil case verdict in a nineteenth-century county court. In *Civil law in Qing and Republican China*, eds. Kathryn, Bernhardt and Philip C. C. Huang, 122–141.
- Allen, Sir Carleton Kemp. 1930/1964. *Law in the making*. Oxford: Clarendon Press.
- Aquinas, Thomas. 1989. *Summa Theologiae: A Concise Trans.*, ed., by Timothy McDermott. Westminster, MD.
- Austin, Jane. 1970. *Pride and prejudice*. London and New York: Oxford University press.
- Austin, John. 1861. *The province of jurisprudence determined*. 2nd ed. London: J. Murray.
- Bacon, Francis. 1996. Preparation towards the union of laws. In *The works of Francis Bacon* (ed. with introduction, notes and commentaries by Graham Rees. Oxford and New York: Oxford University Press, vol. vii, 727–743).
- Balkin, Jack M. 1993. Understanding legal understanding: The legal subject and the problem of legal coherence. *Yale Law Journal* 103: 105–176.
- Barker, Ernest. 1958. *Introduction to Gierke, natural law and the theory of society*. Cambridge: Cambridge University Press, I–liv.
- Bell, Daniel. 1976. *The cultural contradictions of capitalism*. New York: Basin Book, Inc., Publishers.
- Bellah, Robert. 1970. Father and Son in christianity and confucianism. In his *Beyond belief: Essays on religion in a post-traditional world*. New York: Harper & Row, 76–99.
- Bentham, Jeremy. 1970. *Of laws in general*, ed. H.L.A. Hart. London: University of London, Athlone Press.
- Berlin, Isaiah. 1978. *Russian thinkers*, ed. Henry Hardy and Aileen Kelly, with an introduction by Aileen Kelly. London: Hogarth Press.
- Bernal, Martin. 1969. Chinese Socialism before 1913. In *Modern China: A search for a political form*, ed. Jack Gray. London and New York: Oxford University Press, 66–95.
- Bernal, Martin. 1976. *Chinese Socialism to 1907*. New York: Cornell University Press.
- Bernhardt, Kathryn, and Philip C. C. Huang. 1994. *Civil law in Qing and Republican China*. Stanford, California: Stanford University Press.
- Biggerstaff, K. 1961. *The earliest modern government schools in China.*, New York: Cornell University Press.
- Blackstone, Sir William. 1809. *Commentaries on the laws of England*. 15th ed. London.
- Bodde, Derk, and Clarence Morris. 1967. *Law in Imperial China*. Cambridge Mass.: Harvard University Press.
- Bodenheimer, Edgar. 1974. *Jurisprudence: The philosophy and method of the law*. Cambridge, Mass.: Harvard University Press.
- Bohman, James, and Matthias Lutz-Hochmann, eds. 1997. *Perpetual peace: Essays on Kant's cosmopolitan ideal*. Cambridge, Mass.: MIT Press.
- Braithwaite, John. 1995. Community values and Australian jurisprudence. *Sydney Law Review* 17: 351–372.
- Briere, S.J.O. 1956. *Fifty years of Chinese philosophy (1898–1950)*. Trans. from the French by Laurence G. Thompson. London: George Allen & Unwin LTD.
- Burke, Edmund. 1958. *A philosophical inquiry into the origin of our ideas of the sublime and beautiful* (first published in 1823. Rev. ed. with an introduction and notes by J. T. Boulton). London: Routledge and Kegan Paul.
- Yang, C.K. (Yang Jing-chao). 1959. *A Chinese village in early communist transition*. Cambridge, Massachusetts: Technology Press, MIT.

- Cabestan, Jean-Pierre. 1992. Chinese values and attitude towards law in Mainland China. In *Proceedings of International Conference on Value in Chinese Societies* (I) (ed. and printed by Centre for Chinese Studies, Taipei), 451–455.
- Caldwell, Peter. C. 1997. *Popular sovereignty and the crisis of German constitutional law: The theory and practice of Weimar constitutionalism*. Durham and London: Duke University Press.
- Caponigri, Robert. 1948. *Introduction to perpetual peace: A philosophical essay by Immanuel Kant*. New York: The Liberal Arts Press.
- Cardozo, Benjamin N. 1921. *The nature of the judicial process*. New Haven: Yale University Press.
- Carter, James Coolidge. 1907. *Law: Its origin, growth and function*. New York and London: G. P. Putnam's Son.
- Chang, Hao. New Confucianism and the intellectual crisis of contemporary China. In *The limits of change: Essays on conservative alternatives in Republican China*, ed. Charlotte Furth, 276–302. Cambridge, Massachusetts and London, England: Harvard University Press.
- Chang Pen-yuan. 1968. The Constitutionists. In *China in revolution: The first phase, 1900–1913*, ed. Mary Clabaugh Wright, 143–184. New Haven: Yale University Press.
- Chen, Philip M. 1973. *Law and justice: The legal system in China, 2400 BC to 1960 AD*. London: Dunellen Publishing Company.
- Chi, Wen-shun. 1986. *Ideological conflicts in modern China: Democracy and authoritarianism*. New Brunswick and Oxford: Transaction Books.
- Chi, Wen-shun. 1970. Liang Shu-ming and Chinese Communism. *The China Quarterly* 41: 64–82.
- Chi, Wing-tsit. 1963. *A source book in Chinese philosophy*. Princeton, New Jersey: Princeton University Press.
- Chien, Tuan-sheng. (Qian Duan-sheng). ed. 1950. *The government and politics of China*. Cambridge, Massachusetts: Harvard University Press.
- Chow, Tse-tsung. 1960. *The May fourth movement: Intellectual revolution in modern China*. Cambridge, Massachusetts: Harvard University Press.
- Ch'u, T'ung-Tsu. 1980. *Law and society in traditional China*. Westport, Conn.: Hyperion Press.
- Cicero, M. Tullius. 1928. *De Republica; De Legibus* (with an English Translation by Clinton Walker Keyes). London: Heinemann.
- Cooney, Sean. 1997. Taiwan's emerging liberal democracy and the constitutional review. In *Asian laws through Australian eyes*, ed Veronica Taylor, 163–184. Sydney: LBC Information Services.
- Corwin, Edward S. 1928–1929. The high law' background of American constitutional law. In *Harvard Law Review*, 149–185, 365–409.
- Davis, Margaret. 1994. *Asking the law question*. Sydney: Law Book Co.
- Del Vecchio, Giorgio. 1937. The homo juridicus and the inadequacy of law as a norm of life. *Tulane Law Review* 11: 503–526.
- Denning, Alfred Thompson. 1955. *The road to justice*. London: Stevens.
- Dewey, John. 1929. The new leaven in Chinese politics (*Asia*, April 1920). Reprinted in his *Characters and Events* (London), with a new title “Justice and law in China”.
- Dewey, John, and Alice Chipman Dewey. 1920. *Letters from China and Japan*. New York.
- Diamond, Alan, ed. 1991. *The Victorian achievement of Sir Henry Maine: A centennial reappraisal*. Cambridge: Cambridge University Press.
- Dicey, A.V. 1959. *The law of the constitution* (London: 10th ed., part I, 1885; reprinted in 1959).
- Dicey, A.V. 1948. *Lectures on the relation between law and public opinion in England during the Nineteenth Century*. 2nd ed., London.
- Dicey, A.V. 1959. *Introduction to the study of the law of the constitution*. 10th ed.
- Donne, John. 1971. On anatomy of the World. In his *The Complete English Poem*, ed. A.J. Smith, 270–283. London: Allen Lane.
- Drapkin, Israel. 1982. Victimology: The Jewish and the German People. In *The victim in international perspective*, ed. Hans Joachim Schneider, 11–17. Berlin, New York: de Gruyter.
- Dutton, Michael R. 1992. *Policing and punishment in China: From patriarchy to “the People”*. Melbourne: Cambridge University.

- Dutton, Michael R, and Xu, Zhang-run. 1998. Facing difference: Relations, change and the prison sector in contemporary China. In *Comparing prison system: Toward a comparative and international penology*, eds. Robert P. Weiss and Nigel South, 289–336. Gordon and Breach Publishers.
- Ehrlich, Eugen. 1936. *Fundamental principle of the sociology of law*. Cambridge, Mass.: Harvard University Press.
- Ellul, Jacques. 1965. *Historie des institutions*. Paris: Presses Universitaires de France.
- Elton, Geoffrey Rudolph. 1974. *England under the Tudor*. 2nd ed. London: Methuen.
- Escarra, Jean. 1961. *Le Droit Chinois* (Trans. Into English by G. R. Brown and rep., by Washington University Press).
- Fairbank, John K. 1982. *Chinabound: A fifty-year memoir*. New York: Harper & Row.
- Fairbank, John K. 1957. *The Chinese thoughts and institutions*. Chicago: Chicago University Press.
- Fei, Xiao-tong. 1992. *From the soul: The foundation of Chinese society* (first published in 1945 and translated into English with an introduction and epilogue by Gary G. Hamilton and Wang Zheng). Berkeley, California: University of California Press.
- Ferguson, Robert A. Holmes and the judicial figure. In *The legacy of Oliver Wendell Holmes, Jr.*, ed. Robert W. Gordon, 155–185.
- Fingarette, Herbert. 1972. *Confucius: The secular as sacred*. New York: Harper & Row.
- Fish, Stanley Eugene. 1989. *Doing what comes naturally: Change, rhetoric and the practice of theory in literary and legal studies*. Durham, NC., Duke University Press.
- Frankfurter, Felix. 1956. *Of law and men*, ed. Philip Elman. New York: Harcourt Brace.
- Fuller, Lon L. 1956. Human purpose and natural law. *Journal of Philosophy* 58: 679–705.
- Fung, Edmund S.K. 1995. Guo Longji, Hu Shi and the human rights issue in China, 1929–1931. In *Papers commemorating the ninetieth birthday of Prof. Kuo Ting-yee* (part II) (陈三井编:《郭廷以先生九秩诞辰纪念文集》), ed. San-ching Chen, 353–392 Taipei: Institute of Modern History, Academia Sinica.
- Furth, Charlotte. ed. 1976. *The limits of change: Essays on conservative alternatives in Republic China*. Cambridge, Massachusetts and London, England: Harvard University Press.
- Gadamer, Hans-Georg. 1989. *Truth and method* (2nd rev. ed., translated by Joel Weinsheimer and Donald G. Marshall). New York: Crossroad.
- Gammage, R.G. 1894. *History of the chartist movement: 1837–1854*. Newcastle-on-Tyne, England: Browne & Browne.
- Geertz, Clifford. 1983. *Local knowledge: Further essays in interpretive anthropology*. New York: Basic Books.
- Goble, George W. 1935. Redefinition of basic legal terms. *Columbia Law Review* 35: 535–601.
- Goodrich, Peter. 1992. Poor, illiterate reason: History, nationalism and common law. In *Social and legal studies*. SAGE, London, Newbury Park and New Delhi, vol. 1, 7–28.
- Gordon, Robert W. 1992. *The legacy of Oliver Wendell Holmes, Jr.* Stanford, California: Stanford University Press.
- Gu, Edward X. 1995. Populistic themes in May fourth radical thinking: A reappraisal of the intellectual origins of Chinese Marxism (1917–1922). *East Asian History* 10: 99–126.
- Gusdorf, Georges, 1966–1988. *Les Sciences Humaines et la Pensée Occidentale*, 13 vols. Paris: Payot.
- Habermas, Jurgen. 1996. *Between facts and norms: contributions to a discourse theory of law and democracy* (Trans. by William Reily). Oxford: Polity Press.
- Habermas, Jurgen. 1975. What does a crisis mean today? Legitimation problems in late Capitalism. In *Social Research* (1973), vol. 40, 643–667. This essay appears as the Part Two of his book *Legitimation in Crisis*. Boston: Beacon Press.
- Habermas, Jurgen. 1998. Kant's idea of perpetual peace: At two hundred years' historical remove. In his *The inclusion of the other: Studies in political theory*, eds. Ciaran Cronin and Pablo De Greiff, 165–201. Cambridge, Massachusetts: The MIT Press.
- Hall, Jerome. ed. 1938. *Readings in jurisprudence*. Indianapolis: The Bobbs-Merrill Company.
- Hale, Matthew. 1938. Preface to Rolle's abridgment (1668), quoted from ed. Jerome Hall. *Readings in jurisprudence*. Indianapolis: The Bobbs-Merrill Company.

- Hamilton, Alexander. 1971. *The works of Alexander Hamilton*, ed. Henry Cabot Lodge. New York: Haskell House Publishers.
- Hart, H.L.A. 1982. *Essays on Bentham* (Studies in Jurisprudence and Political Theory). Oxford: Clarendon Press.
- Hart, H.L.A. 1994. *The concept of law*. 2nd ed. Oxford: Clarendon Press.
- Hassall, Graham. 1997. Constitutional trends in Asia. In *Asian laws through Australian eyes*, ed. Veronica Taylor, 113–132. Sydney: LBC Information Services.
- Hattenhauer, Hans. 1983. *Die geistesgeschichtlichen Grundlagen des deutschen Rechts*. Heideburg: C. Muller.
- Hayek, F.A. 1960. *The constitution of liberty*. Chicago: University of Chicago Press.
- Hegel, Georg W.F. 1956. *Philosophy of history*. New York: Dover Publications.
- Helmholz, R.H. 1990. Continental law and common law: Historical strangers or companies? *Duke Law Journal* 6: 1207–1228.
- Hobbes, Thomas. 1971. *A dialogue between a philosopher and a student of the common laws of England* (Edited and with an introduction by Joseph Cropsey). Chicago and London: The University of Chicago Press.
- Hofstadter, Richard. 1992. *Social Darwinism in American Thought*. Boston: Beacon Press.
- Holland, Peter. 1997. Towards Constitutionalism: The first term of the constitutional court of South Korea. In *Asian laws through Australian eyes*, ed. Veronica Taylor, 133–162. Sydney: LBC Information Services.
- Holmes, Jr., Oliver Wendell. 1963. *The common law* (ed., and intro., by Mark De Wolfe Howe). Cambridge, Massachusetts: Harvard University Press.
- Holmes, Jr., Oliver Wendell. 1897. The path of law. *Harvard Law Review* 8: 454–478.
- Holmes, Jr., Oliver Wendell. 1920. Brown university—Commencement 1897. In *Collected legal papers of O. W. Holmes*. New York: Harcourt.
- Holmes, Jr., Oliver Wendell. *Introduction to the general survey by European Authors in the continental legal historical series, ibid.*
- Hook, Sidney. 1967. Does philosophy have a future? *Sat. Rev* 50.
- Houn, Franklin W. 1957. *Central Government of China, 1912–1928, An institutional study*. 2 vols. Madison: University of Wisconsin Press.
- Hsiao, Kung-Chuan. *A modern China and a New World: K'ang Yu-wei, Reformer and Utopian, 1858–1927*. Seattle and London: University of Washington Press.
- Huntington, Samuel. 1996. The West: Unique, not universal. *Foreign Affairs* 75: 28–46.
- Huntington, Samuel. 1996. *The clash of civilisations and the remaking of World Order*. New York: Simon & Schuster.
- Ihering, Rudolf von. 1879. *The struggle for the law* (Trans. by John J. Lalor). Chicago: Callaghan and Company.
- Ihering, Rudolf von. 1883. *Der Zweck im Recht*. Leipzig.
- Isidore, of Seville, Saint, d. 1981–1986. *Etymologiae*. Paris: "Les Belles Lettres".
- Jaspers, Karl. 1953. *The origin and goal of history*. New Haven: Yale University Press.
- John, Michael. 1988. The peculiarities of the Germany State: Bourgeois law and society in the imperial era. *Past and Present* 119: 105–131.
- Johnson, Chalmers A. 1961. An intellectual weed in the socialist garden: The case of Ch'ien Tuan-sheng. *China Quarterly* 6: 29–52.
- Jones, William C. 1992. The constitution of the People's Republic of China. In *Constitutional systems in late twentieth century Asia*, ed. Lawrence W. Beer, 55–87. Seattle: University Washington Press.
- Kantorowicz, Hermann. 1937. Savigny and the historical school of law. *The Law Quarterly Review* cxxi: 326–343.
- Katz, M. 1986. After the deconstruction: Law in the age of post-structuralism. *University of Western Ontario Law Review* 24.
- Kelly, Donald R. 1990. *The human measure: Social thought in the Western legal tradition*. Cambridge, Massachusetts and London, England: Harvard University Press.

- Kelsen, Hans. 1957. *What is justice: Justice, law and politics in the mirror of science*. Berkeley, California: University of California Press.
- Kelsen, Hans. *The natural-law doctrine before the tribunal of science*. In *ibid.*, 137–173.
- Kelsen, Hans. 1941. *The pure theory of law and analytical jurisprudence*. In *ibid.*, 266–287.
- Kern, Frilz. 1939. *Recht und Verfassung im Mittelalter* (*Kingship and Law*, Trans. and ed. by S. B. Chrimes). Oxford: B. Blackwell.
- Klvin, Mrak, and G. William, Skinner, eds. 1974. *The Chinese City between Two Worlds*. Stanford, California: Stanford University Press.
- Kobler, Gerhard. 1990. *Deutsche Rechtsgeschichte—Ein systematischer Grundriß*. Munich: Verlag Vahlen.
- Kohn, Hans. 1967. *Prelude to nation-state: The French and German experience, 1789–1815*. Princeton, New Jersey: Van Nostrand.
- Kohn, Hans. 1961. *The mind of Germany: The education of a nation*. New York: Macmillan.
- Kriegel, Blandine. 1995. *The state and the rule of law* (Trans. from French by Mare A. LePain and Jeffrey C. Cohen with a Foreword by Donald Kelly). Princeton, New Jersey: Princeton University Press.
- Krystufek, Zdenek. The historical school of law: A German reaction to the French Revolution. In *Revolution and enlightenment in Europe*, ed. Timothy O'Hagan, 112–115.
- Kumar, Krishan. 1991. Maine and the theory of progress. In *The Victorian achievement of Sir Henry Maine: A Centennial Reappraisal*, ed. Alan Diamond, 76–87. Cambridge: Cambridge University Press.
- Lamley, Harry J. 1960. *Liang Shu-ming: The thought and action of a reformer*. Master's thesis, University of Washington.
- Lawson, F.H. 1959. Dicey Revisited. *Political Studies* 7, 109–126 and 207–221.
- Lawson, F.H. 1877. Comparative law as an instrument of legal culture. In his *The Comparison*, 68–80. Amsterdam-New York-Oxford: North-Holland Publishing Company.
- Lee, Luke T., and Lai, Whalen W. 1978. The Chinese conceptions of law: Confucian, legalist, and buddhist. *The Hastings Law Journal* 29: 1307–1329.
- Lerminier, Eugene. 1831. *La Philosophie du Droit*. II, 311; Paris.
- Leveson, Sanford. 1988. *Constitutional faith*. Princeton, New Jersey: Princeton University Press.
- Levenson, Joseph R. 1968. *Confucian China and its modern fate: A trilogy*. Berkeley: University of California Press.
- Levine, Mortimer. 1973. *Tudor dynastic problems 1460–1571*. London: Allen and Unwin.
- Lin, Mou-sheng. 1942. *Men and ideas: An informal history of Chinese political thought*. New York: John Day Co.
- Linguet, Simon-Nicolas Henri. 1970. *Theorie des lois civiles*, 2 vols. Londres, 1774; Paris: EDHIS, Editions D'istorie Sociale.
- Lipset, Seymour Martin. 1969. *Political Man*. London: Heinemann.
- Lisska, Anthony J. 1996. *Aquinas' theory of natural law: An analytical reconstruction*. New York: Clarendon Press.
- Llewellyn, K.N. 1934. The constitution as an institution. *Columbia Law Review* 34: 1–40.
- Luigi, Prosdocimi. Ex Facto ius oritur. In *Studi senesi*.
- MacCormack, Geoffrey. 1990. *Traditional Chinese penal law*. Edinburgh: Edinburgh University Press.
- MacCormack, Geoffrey. 1996. *The spirit of traditional Chinese law*. Athens: University of Georgia Press.
- Macdonell, Sir John and Manson, Edward. eds. 1914. *Greatest jurists of the World*. London: J. Murray.
- MacGuigan, Mark R. ed. 1966. *Jurisprudence: Readings and cases* (2nd). Toronto: Toronto University Press.
- MacInnis, Donald E. 1982. Secularism and religion in China: The problem of transcendence. In *Contemporary Chinese Philosophy*, ed. F.J. Adelman, 117–133. The Hague: Martinus Nijhoff Publishers.

- Maine, Henry Sumner. 1931. *Ancient law: Its connection with the early history of society and its relation to modern ideas*. With Introduction by Sir Carleton Allen. London and New York: Oxford University Press (Reprinted in 1939, 1946, 1950, 1954, 1959).
- Malinowski, Bronislaw. 1978. *Crime and custom in savage society*. London: Routledge & Kegan Paul.
- Mamet, David. 1986. *Writings in restaurant*. Viking.
- Mannheim, Karl. 1986. *Conservatism: A contribution to the sociology of knowledge* (English version ed., by D. Kettler, V. Meja and N. Stehr, and translated by D. Kettler and V. Meja). London and New York: Routledge & Kegan Paul.
- Mason, Sir Anthony. 1986. The role of a constitutional court in a federation: A comparison of the Australian and the United States Experience. *Federal Law Review* 16: 1–28.
- Meisner, Maurice. 1967. *Li Ta-Chao and the origins of Chinese Marxism*. Cambridge, Mass.: Harvard University Press.
- Metzger, Thomas A. Modern Chinese Utopianism and the Western concept of the civil society. In *Papers commemorating the ninetieth birthday of Prof. Kuo Ting-ye* (part II), ed. San-ching Chen, 273–312. Taipei: Institute of Modern History, Academia Sinica.
- Metzger, Thomas A. 1992. Did Sun Yat-sen understand the idea of democracy? *The American Asian Review* 10 (1): 1–41.
- Millican, Frank R. 1926. Liang Shu-ming sees it through. *The Chinese Recorder* 18 (10): 698–705.
- Montesquieu, Charles de Secondat, *baron de*. 1989. *The spirit of the laws* (Trans. and edited by Anne M. Cohler, Basia Carolyn Miller and Harold Samuel Stone). Cambridge: Cambridge University press.
- Montmorency, James E. G. de. 1914. Friedrich Karl von Savigny. In *Greatest Jurists of the World*, eds. Sir John Macdonell and Edward Manson, 561–589.
- Moore, Underhill 1923. Rational basis of legal institutions. In *Columbia Law Review* 23: 609–617.
- Morawetz, Thomas. ed. 1991. *Justice*. Aldershot: Dartmouth.
- More, Thomas. 1984. *Utopia* (Trans. from Latin by John Sheehan, S.J., and John P. Donnelly, S. J.). Milwaukee: Marquette University Press.
- Morison, Samuel E. 1965. *The Oxford history of the American People*. New York: Oxford University press.
- Murphy, Rhoads. 1974. The treaty Ports and China's modernisation. In *The Chinese City between Two Worlds*, ed. Mark Klvin and G. William Skinner, 17–71. Stanford, California: Stanford University Press.
- Murphy, W.T. 1991. The oldest social science? The epistemic properties of the common law tradition. *The Modern Law Review* 54: 182–215.
- Nandy, Ashis. 1983. *The intimate enemy: Loss and recovery of self under colonialism*. Delhi: Oxford University Press.
- Novalis, B. F. von H. *Faith and love; Oeuvres completes* (Both are quoted from Blandine Kriegel, *The State and the Rule of Law*).
- Okazaki Fumio. Mr. Liang Shu-ming's Book Eastern and Western cultures and their philosophies. In *China Studies* (May 1922), vol. 2, Issue. 9, 697–701. 岡崎文夫: *Ryo Somei cho Tozai bunka oyobi sono tetsugaku*, in *Shinagaku* (支那学).
- Paton, George W. 1964. *Jurisprudence* (3rd ed., by David P. Derham). Oxford: Clarendon Press.
- Paz, Octave. 1992. Translation: Literature and letter. In *Theories of translation*, eds. Rainer Schulte and John Bignient, 152–192. Chicago: Chicago University Press.
- Perry, Michael J. 1998. What is the constitution? (and Other Fundamental Questions). In *Constitutionalism: Philosophical foundations*, ed. Larry Alexander, 99–151. Cambridge: Cambridge University Press.
- Plucknett, Theodore F.T. 1936. *A concise history of the common law*. 2nd ed. The Layers Co-operative Publishing C.
- Pollock, F., and F. W. Maitland. 1968. *History of english law*. 2nd ed. London: Cambridge University Press.
- Postema, Gerald. 1986. *Bentham and the common law tradition*. Oxford: Clarendon Press.

- Potter, Pitman B. 1982. Law and culture in modern Chinese society. In *Proceedings of International Conference on Value in Chinese Societies (II)*, 893–915. Taipei: Centre for Chinese Studies.
- Ray, Huang. (Huang Ren-yu). 1997. *China: A macro history*. Armonk, New York: M. E. Sharpe.
- Raz, Joseph. 1998. On the authority and interpretation of constitutions: Some preliminaries. In *Constitutionalism philosophical foundations*, ed. Larry Alexander, 152–191. Cambridge: Cambridge University Press.
- Reddie, Scotsman John. *Letter to the Lord High Chancellor of Great Britain on the expediency of the proposal to form a new civil code for England* (cited from Peter Stein, *Legal Evolution*).
- Redfield, Robert. 1960. *The little community and peasant society and culture*. Chicago: University Chicago Press.
- Richter, Melvin. 1977. *The political theory of Montesquieu*. Cambridge: Cambridge University Press.
- Sammond W., John. 1907. *Jurisprudence or the theory of the law*. London: Stevens & Haynes.
- Samuel, Geoffrey. 1990. Science, law and history: Historical jurisprudence and modern legal theory. *Northern Ireland Legal Quarterly* 41: 1–21.
- Sapir, Edward. 1949. The status of linguistics as a science. In *Selected writings in language, culture and personality*, ed. D.G. Mandelbaum, 160–166. Berkeley Los Angeles and London: University of California Press.
- Savigny, Frederick K. von. 1886. *Of the vocation of our age for legislation and jurisprudence*. The original Germany version was published in 1814 (Heidelberg) and reprinted in 1816. The English version was translated by Abraham Hayward and was published by Littlewood Co., (London: 1831), and also reprinted as one of *the Arno Academic series* (New York: Arno Press, 1975), and one of *Legal Classics Library* (Birmingham, Alabama: 1986) respectively.
- Schofield, Philip. 1991. Jeremy Bentham and Nineteenth-Century English Jurisprudence. *The Journal of Legal History* 12: 58–88.
- Schwartz, Benjamin I. 1964. *In search of wealth and power: Yen Fu and the West*. Cambridge, Mass.: Bellnap Press.
- Scogin, Jr., Hugh T. 1994. Civil law in traditional China: History and theory. In *Civil law in Qing and Republican China*, eds. Kathryn Bernhardt and Philip C. C. Huang, 13–41. Stanford, California: Stanford University Press.
- Shapiro, Barbara. 1996. The concept ‘fact’: Legal origins and cultural diffusion. In *Law in history: Histories of law and society*, ed. David Sugarman, vol. II, 245–270. Alershot. Singapore. Sydney: Dartmouth.
- Scheff, Leon. 1995. Customary law as common law. In *Conscience, consensus and crossroads in law*, ed. Robert Kvelson, 315–327. New York: Peter Lang.
- Shils, Edward. 1991. Henry Sumner Maine in the tradition of the analysis of society. In *The Victorian achievement of Sir Henry Maine: A centennial reappraisal*, ed. Alan Diamond, 143–178. Cambridge: Cambridge University Press.
- Shils, Edward. 1972. *The intellectuals and the power and others essays*. Chicago: University Chicago Press.
- Slyke, Lyman P. van. 1959. Liang Shu-ming and the rural reconstruction movement. *Journal of Asian Studies* XVIII: 457–474.
- Smith, J.C. 1968. The unique nature of the concepts of Western law. *The Canadian Bar Review* XLVI (2): 191–225.
- Smith J.C., and Weisstub, David N. eds. 1983. *The Western idea of law*. London and Toronto: Butterworths.
- Smith, Steven D. 1989. Law without mind. *Michigan Law Review* 88: 104–119.
- Stammler, Rudolf. 1969. *The theory of justice* (Trans. into English by Isaac Husik. First printed in 1925). New York: A. M. Kelley.
- Stammler, Rudolf. 1923. Fundamental tendencies in modern jurisprudence. *Michigan Law Review* 21: 623–654.
- Stein, Peter. 1980. *Legal evolution: The story of an idea*. Cambridge: Cambridge University Press.
- Stone, Julius. 1968. *Human law and human justice*. Stanford, California: Stanford University Press.

- Sumner, William Graham. 1911. The absurd effort to make the world over. In his *War and Other Essays*, ed. Albert Galloway Keller, 195–210. New Haven: Yale University Press.
- Tay, Alice Erh-Soon. 1979. The sense of justice in the common law. In *Justice*, eds. Eugene Kamenka and Alice Erh-Soon Tay, 79–96. London: Edward Arnold.
- Taylor, Rodney L. 1998. The religious character of the confucian tradition. *Philosophy East and West* 48: 80–107.
- Taylor, Veronica. 1997. *Asian laws through Australian eyes*. Sydney: LBC Information Services.
- Touster, Saul. 1982. Holmes a hundred years ago: The common law and legal theory. *Hofstra Law Review* 10: 673–717.
- Toynbee, Arnold. 1972. *A study of history*. London: Oxford University Press.
- Tu, Wei-ming. 1979. Hsiung Shih-li's quest for authentic existence. In *The limits of change: Essays on conservative alternatives in Republican China*, ed. Charlotte Furth, 242–275. Cambridge, Massachusetts and London, England: Harvard University Press, 1976. Also in his *Humanity and self-cultivation: Essays in confucian thought*, 219–256. Berkeley: Asian Humanities Press.
- Tu, Wei-ming. *Confucianism: Symbol and substance in recent times*. *ibid.*, 257–296.
- Tu, Wei-ming. *The creative tension between Jen and Li*, *ibid.*, 5–16.
- Tu, Wei-ming. 1976. *Centrality and commonality: An essay on Chung-yung*. Honolulu: The University Press of Hawaii.
- Unger, Roberto Mangabeira. 1976. *Law in modern society: Toward a criticism of social theory*. New York: The Free Press.
- Vandermeersch, Leon. 1985. An enquiry into the Chinese conception of the law. In *The Scope of State Power in China*, ed. S. R. Schram, 3–25. Hong Kong: The Chinese University Press.
- Vico, Giambattista. 1668–1744. *Diritto Universale*.
- Vico, Giambattista. 1668–1744. *Autobiografia*, eds. B. Croce and F. Nicolini, in *Opere*, V (Bari, 1929).
- Vico, Giambattista. 1668–1744. *De Studio Ratione*. In *Opere*.
- Vinacke, Harold Monk. 1920. *Modern constitutional development in China*. Princeton: Princeton University Press.
- Vinogradoff, P. 1920–1922. *Outlines of historical jurisprudence* (2 vols). London: Oxford University Press.
- Wang, Y.C. 1966. *Chinese intellectuals and the West: 1872–1949*. Chapel Hill: The University of North Carolina Press.
- Weber, Max. 1964. *The religion of China: Confucianism and Taoism*. New York: Macmillan.
- Woodard, Calvin. A wake (or Awakening?) for historical jurisprudence. In *The Victorian achievement of Sir Henry Maine: A centennial reappraisal*, ed. Alan Diamond, 217–237.
- World Council of Churches. 1979. *Guidelines on dialogue with people of living faiths and ideologies*.
- Yang Lien-sheng. 1968. Historical notes on the Chinese world order. In *The Chinese world order: Traditional China's foreign relations*, ed. John King Fairbank, 20–33. Cambridge, Massachusetts: Harvard University Press.
- Yang, Lien-sheng. The concept of 'Pao' as a basis for social relations in China. In *Chinese thoughts and institutions*, ed. John K. Fairbank, 291–309.
- Yan, Yun-xiang. 1996. *The flow of gifts: Reciprocity and social networks in a China village*. Stanford, California: Stanford University press.
- Yuong, Ernest P. 1977. *The Presidency of Yuan Shi-kai—Liberalism and Dictatorship in Early Republic China*. Ann Arbor: University Michigan Press.
- Zhangsun, Wuji, et al. 1979–1997. *The Tang Code* (English version is translated with an introduction by Johnson Stephen Wallace). Princeton, New Jersey: Princeton University Press.
- Zoller, Elisabeth. 1996. Southey memorial lecture: Constitutionalism in the global era. *Melbourne University Law Review* 20: 1143–1151.