

MEMO

TO: Rachel Stern

FROM: Tobias Smith

7/10/2014

Here is a *non-exhaustive*, lightly annotated list of resources I consulted in the course of the work. This list includes books, journals and websites that provide curated primary-source law materials in translation. I do not include sources in Chinese or full-length primary texts by a single author (such as *Red Star Over China*). Young scholars may find this list helpful, so please feel free to circulate it.

BOOKS

IMPERIAL CHINA

Johnson, Wallace. *The T'ang Code* (Two Volumes). Princeton: Princeton University Press, 1979.

- A full translation of the T'ang Code with a short but useful introduction.

McKnight, Brian E., and James TC Liu, trans. *The Enlightened Judgments: Ch'ing Ming Chi: The Sung Dynasty Collection*. Albany: SUNY Press, 1999.

- A translation of a sort of early hornbook for magistrates. Useful explanatory introductions are provided with the judgments, which are each only a page or two long.

Yonglin, Jiang, trans. *The Great Ming Code*. Seattle: University of Washington Press, 2005.

Jones, William C., T'ien-ch'üan Ch'eng, and Yongling Jiang, trans. *The Great Qing Code*. Oxford: Clarendon Press, 1994.

- Contains a helpful introduction.

Hegel, Robert E., trans. *True Crimes in Eighteenth-Century China: Twenty Case Histories*. Seattle: University of Washington Press, 2011.

- These cases are particularly illuminating because they contain witness transcripts. The book's bibliography on criminal justice in imperial China is also top notch.

Bodde, Derk, and Clarence Morris. *Law in Imperial China: Exemplified by 190 Ch'ing Dynasty Cases (translated from the 'Hsing-an Hui-lan'), with Historical, Social, and Juridical Commentaries by Derk Bodde and Clarence Morris*. Philadelphia: University of Pennsylvania Press, 1967.

- This is still the classic work on law in late imperial China and includes a ton of translated cases.

Teng, Ssu-yü, and John K. Fairbank, eds. *China's Response to the West: a Documentary Survey, 1839-1923*. Cambridge: Harvard University Press, 1954.

- This is not a book of legal texts per se, but it is full of early foreign policy documents, as well as a window into the Qing Court's early forays into constitutionalism.

MODERN CHINA

Cheng, Pei-kai, Michael Lestz, and Jonathan D. Spence, eds. *The Search for Modern China*. New York: WW Norton & Company, 1990.

- Not a book of legal documents, but still a great all-around compendium of primary sources.

Saich, Tony, ed. *The Rise to Power of the Chinese Communist Party: Documents and Analysis*. New York: ME Sharpe, 1995.

- Exhaustive corpus of CCP documents from 1920-49.

Cohen, Jerome Alan. *The Criminal Process in the People's Republic of China, 1949-1963: An Introduction*. Cambridge: Harvard University Press, 1968.

- This is a treasure trove of interviews, book excerpts and translations of documents on criminal justice in the early PRC.

Blaustein, Albert P., ed. *Fundamental Legal Documents of Communist China*. 1962.

- Full translations of legal texts promulgated in the 1950s.

Selden, Mark, ed. *The People's Republic of China: a Documentary History of Revolutionary Change*. New York: Monthly Review Press, 1979.

- Contains the *Agrarian Reform Law* and materials on the 1954 Constitution, as well useful political docs through the Cultural Revolution.

Schram, Stuart R., ed. *The Political Thought of Mao Tse-tung*. New York: Praeger New York, 1969.

- A more manageable alternative the multi-volume canonical *Selected Works*.

Fan, K. H., ed. *The Chinese Cultural Revolution: Selected Documents*. New York: Grove Press, 1968.

- Mostly political documents from 1966-67.

Wang, Joseph En-Pao. *Selected Legal Documents of the People's Republic of China*. University Publications of America, 1979.

- Includes documents through the end of the Cultural Revolution.

The China Reader Volumes 1-5:

- 1) Schurmann, Franz, and Orville Schell. *The China Reader: Imperial China: The Decline of the Last Dynasty and the Origins of Modern China: The 18th and 19th Centuries*. Random House, 1967.

- 2) Schurmann, Franz, and Orville Schell, eds.. *The China Reader: Republic of China; Nationalism, War, and the Rise of Communism; 1911-1949*. Vol. 2. Vintage Books, 1967.
 - 3) -----.. *The China Reader: Communist China: Revolutionary Reconstruction and International Confrontation 1949 to the Present*. Vol. 3. New York: Penguin books, 1967.
 - 4) Milton, David, Nancy Milton, and Franz Schurmann, eds. *The China Reader: People's China: Social Experimentation, Politics, Entry onto the World Scene 1966 Through 1972*. Vol. 4 New York: Random House, 1974.
 - 5) Schell, Orville, and David Shambaugh. *The China Reader: The Reform Era*. New York: Random House, 2009.
- Very few law-related documents. The last volume is almost entirely essays about China rather than source material, mainly from foreign commentators.

JOURNALS and ONLINE MATERIAL

Chinese Law and Government

- A quarterly journal of Chinese legal documents in translation. In publication since 1968. All issues are available online, though older issues are behind a pay wall (at least for Berkeley).

The Dui Hua Foundation (www.duihua.org)

- Non-profit human rights organization that publishes contemporary materials on criminal justice at its [human rights journal](#). Also published a 39 volume [collection](#) of criminal justice source materials in translation.

China Guiding Cases Project (<https://cgc.law.stanford.edu/>)

- Translation and commentary on the SPC's guiding cases.

China Media Law Database (<http://chinacopyrightandmedia.wordpress.com/china-media-law-database/>)

- Primarily copyright law-related material.