

4-1-2008

A Bibliographic Guide to the Criminal Law Literature of the People's Republic of China: 1949-2000

Zhai Jianxiong
National Library of China

Follow this and additional works at: <http://scholarship.law.cornell.edu/ijli>

The *International Journal of Legal Information* is produced by The International Association of Law Libraries.

Recommended Citation

Jianxiong, Zhai (2008) "A Bibliographic Guide to the Criminal Law Literature of the People's Republic of China: 1949-2000," *International Journal of Legal Information*: Vol. 36: Iss. 1, Article 9.
Available at: <http://scholarship.law.cornell.edu/ijli/vol36/iss1/9>

This Article is brought to you for free and open access by the Journals at Scholarship@Cornell Law: A Digital Repository. It has been accepted for inclusion in International Journal of Legal Information by an authorized administrator of Scholarship@Cornell Law: A Digital Repository. For more information, please contact jmp8@cornell.edu.

A Bibliographic Guide to the Criminal Law Literature of the People's Republic of China: 1949-2000

ZHAI JIANXIONG *

Mr. Zhai presents a bibliographic guide listing the major sources of criminal law literature of the People's Republic of China published during 1949-2000. The fifty year span is divided into three phases, each containing a selective bibliography on criminal law representative of academic scholarship of the corresponding period.

Table of Contents

INTRODUCTION

ESTABLISHMENT & INITIAL DEVELOPMENT PERIOD (1949-1957)

- A. Summary of Criminal Legislation
- B. Research Works

DEPRESSION & STAGNATION PERIOD (1957-1976)

- A. Summary of Research Work¹³¹
- B. Featured Research Results on Criminal
- C. Criminal Legislation

* © Zhai Jian-xiong, 2008. Associate research librarian in law in the legislative service department, the National Library of China, where he responds to the information requests from the national legislature, government, judiciary and citizens. Zhai graduated from China University of Political Science & Law in 1991. He has a Bachelor of Laws degree and has been active in introducing China's legal information to the world. In recent dozen years, he has published several English language articles on China law in journals and websites at home and abroad.

RECOVERY & PROSPERITY PERIOD (1976-2000)

- A. The First Stage (1976.10-1988.3)
- B. The Second Stage (1988.3-1997.3)
- C. The Third Stage (1997-)

INTRODUCTION

The establishment of the People's Republic of China (PRC) on October 1, 1949, not only turns over a new chapter in Chinese history, but also changes legal developments of the PRC. Criminal law is a science that takes crime, punishment for criminal acts, criminal responsibility and criminal legislation as subjects for academic research. It has an intimate relationship with the overall science of law. Thus, it is appropriate to divide the development of the PRC's criminal law in the same manner that divides the science of law.

The work, *Forty Years of PRC's Legal Science: 1949-1989* (Chang Yu-yü, Shang Hai People's Press, 1989), is an authoritative study of the legal history of New China. It divides the legal development of the PRC into four phases: 1949-1956, a stage during which the PRC's science of law begins to emerge and develop. The next stage, 1957-1966, witnessed tortuous development in Chinese law. Chinese legal sciences languished during the Cultural Revolution, which lasted from 1966 to 1976. Finally, from 1977 to the present, Chinese law recovered its vitality and began to develop vigorously.¹

Corresponding to the development of legal science, the science of criminal law has also gone through three stages as described in *Fifty Years of New China's Science of Criminal Law* (Kao Ming-hsüan & Chao Ping-chih, China Fang Cheng Press, 2000). Each stage includes several phases.² The first stage covers October 1949 to the first half of 1957, which corresponds to the initial phase of development of criminal law in the PRC. This stage can again be divided into two phases,

¹. Chang Yu-yü, *Zhong guo fa xue si shi nian = chung kuo fa hsüeh ssu shih nien* (Forty Years of PRC's Legal Science). Shang Hai People's Press, 1989 Ed., at 1-7.

². Kao Ming-hsüan, Chao Ping-chih, *Xin zhong guo xing fa xue wu shi nian = Hsin chung kuo hsing fa hsüeh wu shih nien* (Fifty Years of New China's Science of Criminal Law), China Fang Cheng Press, 2000 Ed., at 3-42.

namely, the phase of foundation covering 1949 to 1953. The second phase covers the period from 1954 to 1957; the second stage is the period starting from the second half year of 1957 to Oct. 1976. This is the period of depression and stagnation for criminal law science research. This stage can also be fallen into two phases, namely, the depression phase from 1957 to 1965, and the stagnation stage from 1966 to 1976, which was enveloped by the “*Great Cultural Revolution*”. The third stage is the period of recovery and prosperity of criminal law science beginning from 1977, which also includes two phases, the recovery phase from 1977 to 1978 and prosperity phase beginning from 1979. In each stage the emphasis of research and legislation on criminal law is varied from one to another based on the variation of social political and economic conditions. Parallel to these changes the research literatures on criminal law science published in each stage also present more or less in quantity.

ESTABLISHMENT AND INITIAL DEVELOPMENT PERIOD (1949-1957)

China is the first country in the world to produce a written criminal code, and studies on aspects of criminal law and its social functions have long been valued by the rulers of dynasties in China’s different historical periods. As a tool safeguarding the existing social relations, criminal law has also attracted much attention from the Communist Party of China (CPC).

In February of 1949 – on the eve of the founding of the New China – the CPC issued an inner-party directive titled *Guan yu fei chu guo min dang liu fa quan shu yu que ding jie fang qu de si fa yuan ze de zhi shi* = *kuan yü fei ch’u kuo min tang te liu fa ch’üan shu ho ch’üeh ting chieh fang ch’ü ssu fa yüan tse te chih shih* (Instruction on the Abrogation of Kuomintang’s Six Code and Establishment of Judicial Principle of Liberation Are).³ This edict stresses that the people’s judicial work shall not continue to operate on the basis of Kuomintang’s Six Code, but that it would be based on a new people’s law.

³. Han Yen-lung, Ch’ang chao-ju, *Zhong guo xin min zhu zhu yi ge ming shi qi gen ju di fa zhi wen xian xuan bian* = *Chung kuo hsin min chu chu i ko ming shih ch’i ken chü ti fa chih wen hsien hsüan pien* (Selection on the Legal Documents of Revolutionary Base Areas During the Period of China’s New-Democratic Revolution), Volume 1. China’s Social Science Press, 1984 Ed., at 85-87.

In September of 1949, the Chinese People's Political Consultative Conference announced the *Zhong guo ren min zheng zhi xie shang hui yi gong tong gang ling* = *Chung kuo jen min cheng chih hsieh shang hui i kung t'ung kang ling* (The Common Program of the Chinese People's Political Consultative Conference)⁴, which was considered to be the provisional constitution of the new PRC. It declares explicitly that all the laws, decrees and judicial systems that oppressed the people under the *Kuomintang's* government were abolished. It enacted laws protecting the people and setting up a people's judicial system. These legal documents opened vast new frontiers for research of criminal law in the PRC. From then on, criminal law scholars and criminal justice professionals have worked long and hard to build up, develop and perfect the PRC's criminal judicial system.

Summary of Criminal Legislation

This is a very important historical period for criminal law in the PRC. Beginning with criticism of older notions of criminal law, absorbing and making reference to theories of criminal law in the former Soviet Union, Chinese criminal law scholars began to probe into distinctly Chinese contexts of criminal law. They created a solid foundation for the subsequent study of criminal law. This period can be divided into two phases:

- From 1949 to 1953 – notable for the establishment of the PRC's science of criminal law. This period was characterized by a negation of “Old China's” criminal law and imitated the criminal law of the former Soviet Union.⁵
- From 1954 to 1956 – known as the “*Golden Age*”⁶ in the history of the PRC's criminal law science. In this phase,

⁴ Commission of Legal Affairs of the Central People's Government, *Zhong yang ren min zheng fu fa ling hui bian* = *Chung yang jen min cheng fu fa ling hui pien* (Collection of Decrees of the Central People's Government: volume 1949-1950), Law Press, 1982 Ed., at 17-27.

⁵ On July 25, 1950, the *Zhong hua ren min gong he guo xing fa da gang cao an* = *Chung hua jen min kung ko kuo hsing fa ta kang ts'ao an* [Program of Criminal Law of the People's Republic of China (draft)]⁵ was completed by a group of experts in criminal law organized by the Commission of Legal Affairs of the Central People's Government, which marks the beginning of new China's study work on criminal law.

⁶ Kao Ming-hsüan, *Xin zhong guo xing fa ke xue jian shi* = *Hsin chung kuo hsing fa k'o hsüeh chien shih* (A Brief History on New China's Criminal Law Science). Chinese People's Public Security University Press, 1993 Ed., at 9.

China promulgated its first socialist constitution⁷ on September 20, 1954. On September 30 of the same year, the Commission of Legal Affairs of the Central People's Government enacted the *Zhong hua ren min gong he guo xing fa zhi dao yuan ze (cao an) = Chung hua jen min kung ho kuo hsing fa chih tao yüan tse (ts'ao an)* [Principle of Guidance to the Criminal Law of the People's Republic of China (draft)].⁸ This signaled that the drafting work of the criminal code was formally embarking on its way from academic research to national legislation.

(a) Drafting Work on the Criminal Code

Soon after the establishment of the PRC, the enactment of a criminal code was placed on the legislative agenda of the central government. In July 1950, the first draft of the *Program of Criminal Law* was completed, and in September 1954 the Commission of Legal Affairs of the Central People's Government completed the *Draft on the Guiding Principles of Criminal Law of the People's Republic of China*.⁹ This includes a preface and three chapters totaling 76 clauses and provides respectively seven types of crime, such as the offences of:

1. counter-revolution,
2. defacing public property,
3. acting against public order,
4. acting against personal right,
5. economic crimes,
6. acting against a citizen's property, and
7. job-related crimes.

The completion of this legislative document was a symbol that the drafting work on criminal code had formally begun. From then until June 1957, the Law Section of the Standing Committee of the NPC finished twenty-two drafts on criminal code – in less than three years.¹⁰

⁷. Sun Wan-chung, *Zhong hua ren min gong he guo zhu xi ling = Chung hua jen min kung ho kuo chu hsi ling* (Order of the President of the Peoples Republic of China), volume 1. China Democracy and Legal System Press, 2001 Ed., at 1-11.

⁸. Supra note 5, at 166-188.

⁹. Supra note 5, at 166-188.

¹⁰. For the Criminal Code Drafts of the thirteenth, twenty-first and twenty-second, see supra note 5, at 189-281.

(b) Separate Criminal Regulations

During the early 1950s China carried out several political movements that were national in scope. These included repressing counter-revolution and combating the Three Evils and the Five Evils.¹¹ A number of separate criminal regulations were also enacted, including:

- Regulations of the People's Republic of China on Punishing Counter-Revolutionaries (approved on February 20, 1951 at the 11th Session of the Central Government Council and Promulgated on February 21, 1951 by the Central Government);¹²
- Interim Regulations on Punishment for Impairment of State Currency (Promulgated by the Government Administrative Council of the Central People's Government on April 19, 1951);¹³
- Stipulations on Confiscating Property of Counter-revolutionary Criminal (adopted on June 22, 1951 at the 90th Administrative Meeting of the Government Administration Council and Promulgated the Same day);¹⁴
- Regulations for Suppression of Corruption of the People's Republic of China (Ratified on April 18, 1952 at the 14th Session of the Central Government Committee and Promulgated on April 27, 1951 by the Central Government).¹⁵

¹¹. The movement against the "three evils" was the struggle against corruption, waste and bureaucracy launched at the end of 1951 among the personnel of government departments and state enterprises. The movement against the "five evils" was the struggle against bribery, tax evasion, theft of state property, cheating on government contracts and stealing of economic information started at the beginning of 1952 among owners of private industrial and commercial enterprises. See Mao Tse-tung's *On the Struggle Against the "Three Evils" and the "Five Evils"*. Selected Works of Mao Tse-tung, Vol. V, People Press, 1977 Ed., at 53-55. The unofficial translation in English may also be read from the website, Reference Archive: Mao Zedong, at http://www.marxists.org/reference/archive/mao/selected-works/volume-5/mswv5_17.htm (accessed on November 20, 2007).

¹². Commission of Legal Affairs of the Central People's Government, *Zhong yang ren min zheng fu fa ling hui bian = Chung yang jen min cheng fu fa ling hui pien* (Collection of Decrees of the Central People's Government) volume 1951, Law Press, 1982 Ed., at 3-6.

¹³. Ibid, at 200-201.

¹⁴. Ibid, at 39-40.

¹⁵. Ibid, volume 1952, at 29-32.

- Interim Measures on the Public Surveillance of Counter-revolutionist (Ratified on June 27, 1952 by the Government Administration Council and Promulgated on July 17, 1952 by the Ministry of Public Security).¹⁶
- Decision of the Standing Committee of the National People's Congress on the Handling of the War Criminals of the Japanese War of Aggression Against China (Adopted on April 25, 1956 at the 34th Session of the Standing Committee of the National People's Congress).¹⁷
- Decision of the Standing Committee of the National People's Congress for the People's Courts to Decide on Public Surveillance Over All Counter-Revolutionaries (adopted on November 16, 1956 at the 51st Session of the Standing Committee of the National People's Congress).¹⁸
- Decision of the Standing Committee of the National People's Congress on Leniently Handling and Settling the Remnant Counter-Revolutionaries in the Cities (adopted on November 16, 1956 at the 51st Session of the Standing Committee of the National People's Congress).¹⁹
- Resolution of the Fourth Session of the First National People's Congress of the People's Republic of China for the Supreme People's Court to Decide on or Approve Decisions on Cases Involving the Death Penalty (adopted on July 15, 1957).²⁰

B. Research Works

A number of academic works and theses were published during this period. Research in criminal law concentrated mainly on the introduction and study of pre-Soviet Union's criminal law theory. China's criminal theory was still in its inception, and research tasks on criminal law included a number of key aspects discussed below.

¹⁶. Ibid, at 59-61.

¹⁷. Sun Wan-chung, *Zhong hua ren min gong he guo zhu xi ling = Chung hua jen min kung ho kuo chu hsi ling* (Order of the President of the People's Republic of China), Vol. 1. China Democracy and Legal System Press, 2001 ed., at 178-179.

¹⁸. Supra note 5, at 123-124.

¹⁹. Supra note 5, at 121-123.

²⁰. Supra note 5, at 124-125.

(a) Issues on Retroactivity of Criminal Law

Retroactivity of criminal law refers to such an issue that whether a new enacted law can apply to a case that has not been judged or a judicial decision over it has not been decided yet before the new law going into effect. It is of practical significance to the retroactivity of criminal law in the transitional period from old criminal law to the new ones. In April 1949, the People's Government of North China issued a decree entitled *Fei chu guo min dang liu fa quan shu ji yi qie fan dong fa lü de xun ling = Fei ch'u kuo min tang te liu fa ch'üan shu chi i ch'ieh fan tung fa lü te hsün ling* (Order on the Abrogation of Kuomintang's Six Code and All Its Reactionary Laws),²¹ which announced the old criminal law was abolished formally. In this specific period, the old criminal law was annulled but new one has not been enacted. Though some separate criminal regulations provide the clauses on retroactivity, but in majority of laws such clauses were not referred. These issues have attracted academic world's much attention and deep discussion, some articles on the the subject appeared, such as:

- Chang Hung-wen. *Guan yu xing shi fa lü de shi jian xiao li wen ti = Kuan yü hsing shih fa lü te shih chien hsiao li wen t'i* (Issues on the Time Validation of Criminal Law),²²
- Chu Yü-huang. *Wo guo xing fa de su ji li wen ti = Wo kuo hsing fa te su chi li wen t'i* (Issues on the Retroactivity of Criminal Law of Our Country),²³
- Ch'en Li-hao. *Dui wo guo xing fa de su ji li wen ti yi wen de shang que = Tui wo kuo hsing fa te su chi li wen t'i i wen te shang ch' üeh* (A Discussion on the Article Titled "Issues on the Retroactivity of Criminal Law of Our Country"),²⁴ etc.

(b) Issues on the Concept of Crime

The concept of crime is the cornerstone in criminal law theory, and from 1950s study works on legal concept of crime were carried out in criminal law circle and debates concerned focused mainly on the significance of social harmfulness in the concept of crime. There are

²¹. Supra note 3, at 88-89.

²². *Jiao xue jian bao = Chiao hsüeh chien pao* (Teaching Bulletin), 10 (1956).

²³. *Zheng fa yan jiu = Cheng fa yen chiu* (Political-Legal Study), 5 (1956).

²⁴. Ibid, 2 (1957).

two academic articles representative in this subject:

- Chang Hsien-ken. *Guan yu fan zui gai nian zhong she hui wei hai xing wen ti de shang que* = *Kuan yü fan tsui kai nien chung she hui wei hai hsing wen t'i de shang ch'üeh* (Some Discussions on the Issues of Social Harmfulness in the Concept of Crime);²⁵
- Chiang Jen-pao, Tseng Shao T'ang. *Guan yu fan zui gai nian zhong de she hui wei hai xing wen ti de tao lun* = *Kuan yü fan tsui kai nien chung te she hui wei hai hsing wen t'i de t'ao lun* (A Discussion on the Issues of Social Harmfulness in the Concept of Crime).²⁶

(c) Issues on Causality in Criminal Law

In 1950s the Causality of crime had once been an issue that raising much attention of Chinese scholars in criminology for some misjudged cases occurred in judicial practices. There had been many reasons for these erroneously decided cases, among which an important factor is the judicial personnel had not taken causality of crime seriously in their trial works. Some theses important on this topic published at that time are listed below:

- Mei Tse-chün. *Zhe xue shang de yin guo guan xi ji qi zai xing fa zhong de yun yong* = *Che hsüeh shang te yin kuo kuan hsi chi ch'i tsai hsing fa chung te yün yung* (Causality in Philosophy and Its Application in Criminal Law);²⁷
- Chiang Huan-ch'en. *Shen me shi xing fa ke xue zhong de yin guo guan xi* = *Shen mo shih hsing fa k'o hsüeh chung te yin kuo kuan hsi* (What is Causality in the Science of Criminal Law);²⁸
- Yüan Ting. *Du zhe dui xing fa ke xue de yin guo guan xi de yi jian zhai yao* = *Tu che tui hsing fa k'o hsüeh te yin kuo kuan hsi te i chien chai yao* (Digest of Readers' Opinions on the Issues of Causality in Criminal Law Science);²⁹
- Ma K'o. *Ru he jie jue xing fa ke xue zhong de yin guo guan xi* = *Ju ho chieh chüeh hsing fa k'o hsüeh chung te yin kuo*

²⁵. *Hua dong zheng fa xue yuan xue bao* = *Hua tung cheng fa hsüeh yüan hsüeh pao* (Journal of the East China Academy of Politics and Law), 2 (1956).

²⁶. *Fa xue* = *Fa hsüeh* (Law Science), 1 (1957).

²⁷. Supra note 25, 1 (1956).

²⁸. Supra note 25, 2 (1956).

²⁹. Supra note 25, 3 (1956).

- kuan hsi* (How to Solve the Issues of Causality in the Science of Criminal Law),³⁰
- Yang Chao-lung. *Xing fa ke xue zhong yin guo guan xi de ji ge wen ti = Hsing fa k'o hsüeh chung yin kuo kuan hsi te chi ko wen t'i* (Some Issues on the Causality of Criminal Law Science);³¹
 - Chou Yüan-ping. *Ru he ba zhe xue shang de yin guo fan chou ying yong dao xing fa ke xue zhong lai = Ju ho pa che hsüeh shang te yin kuo fan ch'ou ying yung tao hsing fa k'o hsüeh chung lai* (How to apply the Philosophical Causality to the Criminal Law Science).³²
 - Wang Chin-k'o. *Zhong hua ren min gong he guo xing fa zhong de yin guo guan xi = Chung hua jen min kung ho kuo hsing fa chung te yin kuo kuan hsi* (Causality in the Criminal Law of the People's Republic of China);³³

(d) Issues on the Aims of Punishment

During this period, the concept of the aims of punishment provoked much interest among the scholars. There were debates involving the doctrines of punishment, reform, prevention and elimination of crime. Some of these debates were quite vehement among legal academicians. Even so, most of these debates were fairly superficial. Even so, they helped create a precedent for the study of the aims of punishment in the PRC, and they were of great significance for the subsequent development of criminal law theory. The main theses on this subject published during the period are:

- Wang Ch'u. *Tan tan xing fa zhong de ji ge wen ti = t'an t'an hsing fa chung te chi ko wen t'i* (Discussions on the Issues of Punishment);³⁴
- Ch'en Te-chung. *She hui zhu yi lei xing guo jia zhong xing fa de mu di = She hui chu i lei hsing kuo chia chung hsing fa te mu ti* (Aims of Punishment Among the Socialist Countries);³⁵

³⁰. *Fa xue = Fa hsüeh* (Law Science), 4 (1957)

³¹. Ibid.

³². Ibid.

³³. Supra note 22, 23 (1957).

³⁴. Supra note 23, 5 (1956).

³⁵. Supra note 22, 21 (1956).

- Tung Wei. *Wo guo xing fa zhong xing fa de mu di = Wo kuo hsing fa chung hsing fa te mu ti* (Aims of Punishment in Our Country's Criminal Law);³⁶
- Chang Ching-yüeh. *Yu fang fan zui he xiao mie fan zui shi wo guo xing fa de mu di = Yü fang fan tsui ho hsiao mieh fan tsui shih wo kuo hsing fa te mu ti* (The Punishment Aims of Our Country is to Prevent and eliminate Crime);³⁷
- Ch'en Chu-ming. *Tan tan wo guo xing fa de mu di = t'an t'an wo kuo hsing fa te mu ti* (Discussion on the Aims of Punishment of Our Country);³⁸
- Yang Kuang-yin. *Wo dui wo guo xing fa zhong xing fa de mu di de kan fa = Wo tui wo kuo hsing fa chung hsing fa te mu ti te k'an fa* (My Views on the Punishment Aims of Our Country's Criminal Law);³⁹
- T'an Jih-hui. *Guan yu wo guo xing fa zhong xing fa mu di de shang que = Kuan yü wo kuo hsing fa chung hsing fa mu di de shang ch' üeh* (Discussion on the Punishment Aims of Our Country's Criminal Law).⁴⁰

(e) Issues on Retaining or Abolishing the Death Penalty with Reprieve

The death penalty with reprieve gained prominence in the *Movement of Repressing Counter-Revolution* carried out in 1951. For a time, debates about whether it should be retained were heated within the academic field of criminal law. Many theses on this subject were published, for example:

- Lu Wei-ch'ien. *Si xing de huan xing wen ti = Ssu hsing te huan hsing wen t'i*. (Issue on the Reprieve of the Death Penalty);⁴¹
- Ding Shu-ch'i. *Wo guo xing shi li fa zhong shi fou hai yao cai yong "si huan" zhi du ? = Wo kuo hsing shih li fa chung shih fou hai yao ts'ai yung "ssu huan" chih tu?* (Should Our Criminal Legislation Still adopt the Death Penalty System with Reprieve?)⁴²

³⁶. Ibid.

³⁷. Ibid.

³⁸. Supra note 22, 22 (1957).

³⁹. Ibid.

⁴⁰. Supra note 22, 23 (1957).

⁴¹. Supra note 23, 6 (1956).

⁴². Supra note 23, 1 (1957).

- Kao Fang. *Wo guo xing fa zhong de “si huan” he wu qi tu xing shi fu he ren dao zhu yi yuan ze de = Wo guo hsing fa chung te “ssu huan” ho wu ch’i t’u hsing shih fu ho jen tao chu i yüan tse te.* (The Death Penalty with Reprieve and Life Sentences are in Conformity with the Humanitarianism Principle);⁴³
- Ku Li-t’ao. *Dui si xing de chu bu tan tao = Tui ssu hsing te ch’u pu t’an t’ao.* (A Preliminary Discussion on Death Penalty);⁴⁴
- Wang Cheng-li. *Shi fou hai yao cai yong “si huan” zhi du = Shih fou hai yao ts’ai yung “ssu huan” chih tu.* (Should We Still Adopt the Death Penalty System with Reprieve?);⁴⁵
- Kuang Chien. *Tan si xing = T’an ssu hsing.* (On Death Penalty).⁴⁶

(f) Issue on Counter-revolutionary Offence

The offence of counter-revolutionary activity was once a topic that acquired more research than any other issue in criminal law. The heart of the debate was located on whether there is or could be an attempted crime of counter-revolutionary activity. But research published during this period is sparse, though there were a number of textbooks and other teaching materials published. The main thesis on the crime is Li Meng’s *Ru he ren ding fan ge ming zui = ju ho jen ting fan ko ming tsui* (How to Determine the Counter-Revolutionary Crime).⁴⁷ Textbooks published in this period include:

- Chiang Yung. *Zhong hua ren min gong he guo cheng zhi fan ge ming tiao li jie shuo = Chung hua jen min kung ho guo ch’eng chih fan ko ming t’iao li chieh shuo* (Explanation on the Regulations for Suppression of Counter-revolution of the People’s Republic of China). The Masses Law Science Press, 1951 Ed.
- Wu Ch’ung-yün. *Cheng zhi fan ge ming tiao li jiang jie = Cheng chih fan ko ming t’iao li chiang chieh* (Interpretation on the Regulations for Suppression of Counter-revolution). Labor Press, 1951 Ed.
- Criminal Law Teaching and Research Section of the People’s University of the North East China. *Zhong hua ren min gong he*

⁴³. Supra note 30, 6 (1957)

⁴⁴. Supra note 22, 2 (1957).

⁴⁵. Supra note 23, 2 (1957).

⁴⁶. Supra note 22, 26 (1957).

⁴⁷. Supra note 23, 3 (1957).

guo xing fa can kao zi liao hui bian = *Chung hua jen min kung ho kuo hsing fa ts'an k'ao tzu liao hui pien* (Compilation of Reference Materials on the Criminal Law of the People's Republic of China), three volumes. The People's University of the North East China, 1954 Ed.

- Southwestern Academy of Politics and Law. *Zhong guo xing fa can kao zi liao* = *Chung kuo hsing fa ts'an k'ao tzu liao* (Reference Materials on China's Criminal Law), two volumes. Southwestern Academy of Politics and Law Press, 1954 Ed.
- Criminal Law Teaching & Research Section of the People's University of China, Criminal Law & Criminal Procedure Law Teaching & Research Section of the Beijing Academy of Politics and Law. *Zhong hua ren min gong he guo xing fa jiao xue da gang* = *Chung hua jen min kung ho kuo hsing fa chiao hsüeh ta kang* (Teaching Syllabuses of Criminal Law of the People's Republic of China). Law Press, 1956 Ed.
- Law Section of the Standing Committee of the National People's Congress (NPC). *Xing fa zong ze fen jie zi liao hui bian* = *Hsing fa tsung tse fen chieh tzu liao hui pien* (An Annotated Collection on the General Provisions of Criminal Law). Law Press, 1957 Ed.
- Criminal Law Teaching & Research Section of the People's University of China. *Zhong hua ren min gong he guo xing fa zi liao hui bian* = *Chung hua jen min kung ho kuo hsing fa tzu liao hui pien* (A Collection on the Criminal Law Materials of the People's Republic of China), five volumes. Published by the People's University of China during the period 1953-1957.
- Criminal Law Teaching & Research Section of the Central Leadership Institute of Politics and Law. *Zhong hua ren min gong he guo xing fa zong ze jiang yi* = *Chung hua jen min kung ho kuo hsing fa tsung tse chiang i* (Teaching Materials on the Criminal Law of the People's Republic of China). Law Press, 1957 Ed.

THE DEPRESSION & STAGNATION PERIOD (1957-1976)

During the twenty years from 1957 to 1976, China's criminal law underwent a period in which research fell into a long-term stagnation. This period corresponds with several important and uninterrupted political movements, especially, the Great Cultural Revolution.

A. Summary of Research

During 1957 to 1976, criminal law research focused on six main areas:

(a) Issues related to Crime and Two Kinds of Contradictions

In 1957, Chinese leader Mao Tse-tung published his famous work *On the Correct Handling of Contradiction Among the People*,⁴⁸ in which he advances the doctrine of two different kinds of contradictions. Some scholars then introduced this doctrine into their study of criminal law, and advanced the idea that these two different kinds of contradictions also exist in criminal phenomena. Soon afterwards, debates on the topic commenced among academicians. A number of theses on this subject were published in succession, among which the following are representative:

- Chu Chi-liang, *Guan yu fan zui de mao dun xing zhi wen ti: xue xi mao zhu xi “liang lei mao dun” xue shuo de yi dian ti hui = Kuan yu fan tsui te mao tun hsing chih: hsüeh hsi mao chu hsi “liang lei mao tun” hsüeh shuo te i tien t’i hui* (Study on Contradiction Nature of Crime: Understandings of Study on Chairman Mao’s Theory of Two Different Kinds of Contradictions);⁴⁹
- Yeh Chün. *Cong xing shi fan zui zhong kan ren min nei bu mao dun de zhuan hua wen ti = Ts’ung hsing shih fan tsui chung k’an jen min nei pu mao tun te chuan hua wen t’i* (From the Angle of Criminal Offence to Observe the Transformative Issue of Contradictions Among the People);⁵⁰
- Lo Su-chüan. *Guan yu fan zui de mao dun xing zhi de shang tao = Kuan y fan tsui te mao tun hsing chih te shang t’ao* (Discussions on the Contradiction Nature of Crime);⁵¹

⁴⁸. *Selected Works of Mao Tse-tung*, Vol. V, People Press, 1977 Ed., at 363-402. The unofficial translation in English may also be read from the website, Reference Archive: Mao Zedong, at http://www.marxists.org/reference/archive/mao/selected-works/volume-5/mswv5_58.htm (accessed on November 21, 2007).

⁴⁹. *Zheng zhi yu jing ji = Cheng chih yü ching chi* (Politics and Economy), 1 (1960).

⁵⁰. Supra note 30, 8 (1958).

⁵¹. Supra note 30, 7 (1958).

- Wang Wen-sheng. *Cong liang lei she hui mao dun kan fan zui de mao cun xing zhi = Ts'ung liang lei she hui mao tun k'an fan tsui te mao tun hsing chih* (From the Angle of Two Different Social Contradictions to Examine the Contradiction Nature of Crime);⁵²
- Chan Lien-fang. *Ru he qu fen fan zui xian xiang zhong liang lei mao dun = Ju ho ch' ü fen fan tsui hsien hsiang chung liang lei mao tun* (How to Distinguish the Two Different Kinds of Contradictions in Criminal Phenomena?)⁵³
- Li K'o-jen. *Dui fan zui mao dun xing zhi wen ti de ji dian kan fa = Tui fan tsui mao tun hsing chih wen t'i te chi tien k'an fa* (Some Opinions on the Issue of Contradiction Nature of Crime).⁵⁴

(b) Issue on Causality of Crime

During this period, the issue of causality of crime was still taken seriously by scholars and some papers on this subject were published, such as:

- Chüan Hsin-kuang. *Shi tan xing fa zhong de yin guo guan xi = Shih t'an hsing fa chung te yin kuo kuan hsi* (Discussions on Causality of Criminal Law);⁵⁵
- Ma Ch'i' & Kuang Chien. *Ma lie zhu yi yin guo xing de li lun zai fa xue zhong de ying yong = Ma lieh chu i yin kuo hsing te li lun tsai fa hsüeh chung te ying yung* (Causality in Marxist Theory and Its Application in the Legal Science);⁵⁶
- Yang Tun-hsien. *Dui "fan zui wei hai jie guo" de yi dian qian jian: yu quan xin guang tong zhi shang que = Tui "fan tsui wei hai chieh kuo" te i tien ch'ien chien: yü Chüan Hsin-kuang t'ung chih shang ch'üeh* (Some Elementary Views on the Dangerous Consequences of a Crime: Discussions with Comrade Chüan Hsin-kuang).⁵⁷

⁵². Supra note 30, 5 (1958).

⁵³. *Zheng fa xue xi = Cheng fa hsüeh hsi* (Political-Legal Learning), 3 (1958).

⁵⁴. Ibid.

⁵⁵. Supra note 23, 3 (1963).

⁵⁶. *Dong bei ren min da xue ren wen ke xue xue bao = Tung pei jen min ta hsüeh jen wen k'o hsüeh hsüeh pao* (Journal of Humanities Sciences of North East People's University), 2 (1958).

⁵⁷. Supra note 23, 1 (1964).

(c) Issues on Retaining or Abolishing Life Imprisonment

In 1957 there were some academic discussions about the relative merits of life imprisonment, and three representative articles were released in journals:

- Hsü Fei. *Dui wu qi tu xing cun fei wen ti de yi jian = Tui wu ch'i t'u hsing ts'un fei wen t'i te i chien* (Some Opinions toward the Existence and Abolishment of life imprisonment);⁵⁸
- Li I-ch'eng. *Lue lun wo guo xing fa shang de wu qi tu xing wen ti = Lüeh lun wo guo hsing fa shang te wu ch'i t'u hsing wen t'i* (A Brief Discussion on the Issue of life imprisonment in the Criminal Law of Our Country);⁵⁹
- Wang tsu-ch'en. *Dui wu qi tu xing cun fei wen ti de shang que = Tui wu ch'i t'u hsing ts'un fei wen t'i te shang ch'üeh* (Discussions on the Issue of Existence and Abolishment of life imprisonment).⁶⁰

B. Featured Research Results on Criminal Law

During this period the academic works in criminal law that were published openly were mainly translated versions of the former Soviet Union's criminal works and some other countries' criminal codes. Little research was published on criminal law due to the stagnancy of research works during the Cultural Revolution. The one monograph written by a Chinese scholar that is most representative of the works published during that time is Li Kuang-ts'an's *On Accomplice*⁶¹ (Law Press, 1957 Ed., reprinted in 1981). A handful of other reference books were also published, such as:

- Criminal Law Teaching & Research Section of the People's University of China. *Zhong hua ren min gong he guo xing fa can kao zi liao = Chung hua jen min kung ho guo hsing fa ts'an k'ao tsu liao* (Compilation of Reference Materials on the Criminal Law of the People's Republic of China, six volumes. People's University of China), 1958 Ed.

⁵⁸. Supra note 22, 23 (1957).

⁵⁹. Supra note 23, 3 (1957).

⁶⁰. Ibid.

⁶¹. This work is considered by scholars as the earliest monograph on criminal law of new China and is of great value to understanding the academic viewpoints and background on criminal law science.-author note.

- Political & Legal Institute of Shang Hai Academy of Social Sciences. *Song shi xing fa zhi zhu shi = Sung shih hsing fa chih chu shih* (Annotated Annals on Criminal Law of Sung Dynasty). The Masses Press, 1962 Ed. 150p.
- Ch'iu Han-p'ing. *Li dai xing fa zhi = Li tai hsing fa chih* (Criminal Law Annals of Dynasties), Two Volumes. The Masses Press, 1962 Ed. 642p.

C. Criminal Legislation

(a) Drafting Work of the Criminal Code

During the Cultural Revolution, the drafting work on a new criminal code was still under way. The General Office of the Standing Committee of the NPC printed and distributed three editions of the draft criminal code. Each of them is listed here:

- Draft of Criminal Code of the People's Republic of China (the twenty-seventh amendment), completed in December 1962;⁶²
- Draft of Criminal Code of the People's Republic of China (the thirtieth amendment), finished on February 27, 1963;⁶³
- Draft of Criminal Code of the People's Republic of China (the thirty-third Amendment), completed on October 9, 1963.⁶⁴

(b) Separate Criminal Decrees

In addition to drafting the criminal code, the Standing Committee of the NPC also passed several separate criminal decrees, listed below:

- Decision of the Standing Committee of the National People's Congress Granting Special Amnesty to Criminals Who Have Truly Mended Their Ways (adopted on September 17, 1959 at the 9th Session of the Standing Committee of the National People's Congress);⁶⁵
- Decision of the Standing Committee of the National People's Congress Granting Special Amnesty to the War Criminals of the Chiang Kai-shek Clique and the Puppet Manchukuo Regime Who Have Truly Mended Their Ways (adopted on November

⁶². Supra note 5, at 281-308.

⁶³. Supra note 5, at 309-337.

⁶⁴. Supra note 5, at 337-365.

⁶⁵. Supra note 7, at 316.

19, 1960 at the 32nd Session of the Standing Committee of the National People's Congress),⁶⁶

- Decision of the Standing Committee of the National People's Congress Granting Special Amnesty to War Criminals of the Chiang Kai-shek Clique, the Puppet Manchukuo Regime and the Puppet Mengjiang Autonomous Government Who Have Truly Mended Their Ways (adopted on March 30, 1963 at the 91st Session of the Standing Committee of the National People's Congress);⁶⁷
- Decision of the Standing Committee of the National People's Congress on Releasing by Special Amnesty All War Criminals in Custody (adopted on March 17, 1975 at 2nd Session of the Standing Committee of the National People's Congress).⁶⁸

RECOVERY AND PROSPERITY PERIOD (1976-2000)

In October 1976 the Great Cultural Revolution ended. It had lasted for about 10 years. Research in the science of criminal law was renewed. From then on, the PRC's science of criminal law enjoyed an initial recovery period lasting about three years. This initial recovery period ushered in a more accelerated and fuller development era for this area of legal scholarship.

On July 1, 1979, at the 2nd session of the Fifth National People's Congress, the first criminal code of the PRC was passed. It became effective on January 1, 1980. On March 14, 1997, the amended criminal code was passed. The promulgation of a criminal code and its revision have doubtless given much impetus to the study of criminal law and greatly promoted the growth and development of the science of criminal law.

Between 1976 and 2000, researchers in criminal law centered their studies on critical problems relating to the criminal legal system and a number of academic works were published. In this period, the research can be divided into three stages principal stages:

⁶⁶. Supra note 7, at 378.

⁶⁷. Supra note 7, at 391.

⁶⁸. Supra note 5, at 135.

A. *The First Stage (1976-1988)*

In this stage, scholarship was focused mainly on the drafting, propagandizing and explaining the criminal code. Academic studies were carried out on some important issues involving the criminal code. Typical academic works published during this period are:

Textbooks

- Yang Ch'un-hsi [et al.]. *Xing fa zong lun = Hsing fa tsung lun* (General Theories of Criminal Law). Pei Ching: Pei Ching University Press, 1981. 342p.
- Wang Tso-fu [et al.]. *Xing fa ge lun = Hsing fa ko lun* (Specific Theories of Criminal Law). Pei Ching: the People's University of China Press, 1982. 265p.
- Kao Ming-hsüan [et al.]. *Xing fa xue = Hsing fa hsüeh* (Criminal Law Science). Pei Ching: Law Press, 1982. 600p.

Monographs

- Kao Ming-hsüan. *Zhong hua ren min gong he guo xing fa de yun yu he dan sheng = Chung hua jen min kung ko kuo hsing fa te yüen yü ho tan sheng* (The Gestation and Naissance of the Criminal Law of the People's Republic of China: a Working Personnel's Reading Notes). Pei Ching: Law Press, 1981. 258p.
- Wu Chen-hsing. *Lun jiao suo fan = Lun chiao so fan* (On Instigator). Ch'ang Ch'un: Chi Lin People's Press, 1986. 190p.
- Ku Hsiao-jung. *Xing fa zhong de yi zui yu shu zui wen ti = Hsing fa chung te i tsui yü shu tsui wen t'i* (The Issues of Singular Crime and Plural Crimes in the Criminal Law). Shang Hai: Hsüeh Lin Press, 1986. 148p.
- Li Kuang-ts'an [et al.]. *Xing fa yin guo guan xi lun = Hsing fa yin kuo kuan hsi lun* (Theory on Causality of Criminal Law). Pei Ching: Pei Ching University Press, 1986. 314p.
- Kao Ming-hsüan. *Xin zhong guo xing fa xue yan jiu zong shu = Hsin chung kuo hsing fa yen chiu tsung shu* (A Summary of Study on New China's Criminal Law: 1949-1985). Cheng Chou: Ho Nan People's Press, 1986. 971p.
- Li Kuang-ts'an [et al.]. *Lun gong tong fan zui = Lun kung t'ung fan tsui* (On Joint Crime). Pei Ching: China University of Political Science and Law Press, 1987. 226p.

- Chao Ping-chih. *Fan zui wei sui de li lun yu shi jian = Fan tsui wei sui te li lun yü shih chien* (The Theory and Practice on Attempted Crime). Pei Ching: the People's University of China Press, 1987. 335p.
- Ch'en Hsing-liang. *Zheng dang fang wei lun = Cheng tang fang wei lun* (On Justifiable Defense). Pei Ching: the People's University of China Press, 1987. 304p.
- T'ien Wen-ch'ang. *Xing fa mu di lun = Hsing fa mu ti lun* (On Aims of Punishment). Pei Ching: China University of Political Science and Law Press, 1987. 105p.
- Fan Feng-lin [et al.]. *Fan zui gou cheng lun = Fan tsui kou ch'eng lun* (On Composition of Crime). Pei Ching: Law Press, 1987. 404p.
- Wang Tso-fu. *Zhong guo xing fa shi yong = Chung kuo hsing fa shih yung* (The Application of Criminal Law of China). Pei Ching: Chinese People's Public Security University Press, 1987.562p.

Works on China's Criminal Law History

- Ch'iao Wei. *Zhong guo xing fa shi gao = Chung kuo hsing fa shih kao* (Manuscripts on History of Criminal Law in China). Hsi An: Science Research Department of Northwest Academy of Politics & Law, 1982. 282p.
- Ts'ai Shu-heng. *Zhong guo xing fa shi = Chung kuo hsing fa shih* (The Criminal Law History of China). Nan Ning: Kuang Hsi People's Press, 1983. 223p.
- Chou Mi. *Zhong guo xing fa shi = Chung kuo hsing fa shih* (The Criminal Law History of China). Pei Ching: The Masses Press, 1985. 481p

B. The Second Stage (1988-1997)

From 1988 to 1997 when the revised criminal code was promulgated, research work on criminal law developed basically along the three paths: the first focuses on a special criminal legislation and amendments to the existing criminal code. The second path was a thorough and careful study of the revisions of the criminal code enacted in 1979. The third path was scholarship on the basic theory of criminal law. During this stage, the number of academic works concerning topics mentioned above numbers in the hundreds. Examples of the several types include:

Textbooks

- Kao Ming-hsüan [et al.]. *Zhong guo xing fa xue = Chung kuo hsing fa hsüeh* (China's Criminal Law Science). Pei Ching: the People's University of China Press, 1989. 675p.
- Lin Chun [et al.]. *Zhong guo xing fa jiao cheng = Chung kuo hsing fa chiao ch'eng* (A Course on Criminal Law of China). Pei Ching: the People's Court Press, 1989. 714p.
- Chao Ping-chih [et al.]. *Xing fa xue tong lun = Hsing fa hsüeh t'ung lun* (General Theory of Criminal Law Science). Pei Ching: Higher Education Press, 1993. 822p.

Monographs

Monographs on the science of criminal law may, according to the subjects they dealt with, be classified into several sorts as listed below:

(1) Works Involving Special Criminal Legislation

- Criminal Law Section under the Commission of Legislative Affairs of the Standing Committee of the NPC. *Guan yu jin du de jue ding he guan yu cheng zhi zou si, zhi zuo, fan mai, chuan bo yin hui wu pin de fan zui fen zi de jue ding shi yi = Kuan yü chin tu te chüeh ting ho kuan yü ch'eng chih tsou ssu, chih tso, fan mai, ch'uan po yin hui wu p'in te fan tsui fen tzu te chüeh ting shih i* (Explanation on the Decision of Prohibition Against Narcotic Drugs & the Decision on the Punishment of Criminals Who Smuggle, Produce, Sell or Disseminate Pornographic Articles). Pei Ching: Law Press, 1991. 140p.
- Ch'u Huai-chih [et al.]. *Fu shu xing fa gui fan ji jie = Fu shu hsing fa kwei fan chi chieh* (A Concentrated Explanation to the Affiliated Criminal Law Norms). Pei Ching: China Procuratorial Press, 1992. 499p.
- Liu Yen. *Xing fa shi yong xin lun - quan guo ren da chang wei hui xiu gai he bu chong de fan zui = Hsing fa shih yung hsin lun - ch'üan kuo jen ta ch'ang wei hui hsiu kai ho pu ch'ung te fan tsui* (A New Theory on Application of Criminal Law - Crimes Amended and Supplemented by the Standing Committee of the National People's Congress). Pei Ching: China University of Political Science and Law Press, 1993. 400p.

- Liu Chia-ch'en. *Xin zui tong lun = Hsin tsui t'ung lun* (General Theory on New Crimes). Pei Ching: the People's Court Press, 1996. 811p.
- Li En-tz'u [et al.]. *Te bie xing fa lun = T'e pieh hsing fa lun* (Theory on Special Criminal Law). Pei Ching: Chinese People's Public Security University Press, 1993. 483p.
- Ch'en Hsing-liang. *Xing fa xin zui ping shi quan shu = Hsing fa hsin tsui p'ing shih ch'üan shu* (A Complete work on Comments of New Crimes in Criminal Law). Pei Ching: China Democracy and Legal System Press, 1995. 1388p.
- Chou Tao-luan. *Dan xing xing fa yu si fa shi yong = Tan hsing hsing fa yü ssu fa shih yung* (The Separate Criminal Law & Judicial Application). Pei Ching: the People's Court Press, 1996. 721p.

(2) Works Dealing With Certain Crimes or Separate Crime – Comprehensive Studies

- Ou Yang-t'ao [et al.]. *Zui yu fei zui, zui yu zui de jie xian = Tsui yü fei tsui, tsui yü tsui te chieh hsien* (The Bourn between Crime and Non-crime and Among the Crimes). Pei Ching: the People's Court Press, 1995. 596p.
- Chao Ping-chih [et al.]. *Xing fa ge lun wen ti yan jiu = Hsing fa ko lun wen t'i yen chiu* (Researches on Issues of Specific Subjects of Criminal Law). Pei Ching: China Legal System Press, 1996. 715p.

Economics and Crime

- Chang Ch'iung. *Zhong guo jing ji fan zui zui xing lun = Chung kuo chi ching fan tsui tsui hsing lun* (Theory of Crime and Punishment for Economic Offences in China). Pei Ching: the Ta Ti Press, 1989. 515p.
- Liu Pai-pi [et al.]. *Jing ji xing fa xue = Ching chi hsing fa hsüeh* (Science of Economic Criminal Law). Pei Ching: the Masses Press, 1989. 697p.
- Ch'en Hsing-liang. *Jing ji xing fa xue (zong lun) = Ching chi hsing fa hsüeh (tsung lun)* [Science of Economic Criminal Law (General Theories)]. Pei Ching: China Social Sciences Press, 1990. 367p and (Specific Theories), 350p.

- Chao Ch'ang-ch'ing. *Jing ji fan zui yan jiu = Ching chi fan tsui yen chiu* (Research on Economic Crime). Ch'eng Tu: Ssu Ch'uan University Press, 1997. 644p.
- Wang Tso-fu. *Jing ji huo dong zhong zui yu fei zui de jie xian = Ching chi huo tung chung tsui yü fei tsui te chieh hsien* (Bourn of Crime and Non-crime in Economic Activities). Pei Ching: China University of Political Science and Law Press, 1993. 599p.
- Ou Yang-t'ao [et al.]. *Sheng chan xiao shou jia mao wei lie chan pin fan zui pou xi ji dui ce = Sheng ch'an hsiao shou chia mao wei lieh ch'an p'in fan tsui p'ou hsi chi tui ts'e* (The Anatomy and Countermeasures toward Crimes of Producing and Marketing Fake or Substandard Products). Pei Ching: China University of Political Science and Law Press, 1994. 327p.
- Ku Hsiao-jung. *Zheng quan wei fa fan zui = Cheng ch'üan wei fa fan tsui* (Infraction and Crime on Negotiable Securities). Shang Hai: Shang Hai People's Press, 1994. 202p.
- Kao Ming-hsüan [et al.]. *Zhong guo cheng zhi jing ji fan zui quan shu = Chung kuo ch'eng chih ching chi fan tsui ch'üan shu* (The Complete Book on the Punishment of Economic Crime in China). Pei Ching: China University of Political Science and Law Press, 1995. 1452p.
- Yang Ch'un-hsi [et al.]. *Wo guo dang qian jing ji fan zui yan jiu = Wo kuo tang ch'ien ching chi fan tsui yen chiu* (The Current Study on Economic Crimes in Our Country). Pei Ching: Pei Ching University Press, 1996. 754p.

Individual Crimes

- Ning Han-lin. *Sha ren zui = Sha jen tsui* (Homicide). Pei Ching: the Masses Press, 1986. 264p.
- Chin K'ai [et al.]. *Qin fan cai chan zui xin lun = Ch'in fan ts'ai ch'an tsui hsin lun* (New Theory on Crimes of Property Violation). Pei Ching: Knowledge Press, 1988. 340p.
- Ou Yang-t'ao [et al.]. *Zha pian zui de pou xi yu dui ce = Cha p'ien tsui te p'ou hsi yü tui ts'e* (The Anatomy and Countermeasures toward Crimes of Fraud). Pei Ching: Chinese People's Public Security University Press, 1988. 244p.
- Sun Ch'ien. *Guo jia gong zuo ren yuan zhi wu fan zui yan jiu = Kuo chia kung tso jen yüan chih wu fan tsui yen chiu* (Study on Functionary Crimes of State Personnel). Pei Ching: China Procuratorial Press, 1990. 312p.

- Chao Yung-lin. *Wo guo xing fa zhong dao qie zui de li lun yu shi jian* = *Wo guo hsing fa chung tao ch'ieh tsui te li lun yü shih chien* (The Theories and Practices on Larceny in Criminal Law of Our Country). Pei Ching: the Masses Press, 1989. 159p.
- Yeh Kao-feng. *Wei hai gong gong an quan zui xin tan* = *Wei hai kung kung an ch'üan tsui hsin t'an* (A New Discussion on Crimes of Endangering Public Security). Cheng Chou: Ho Nan People's Press, 1989.
- Chao Ping-chih [et al.]. *Du pin fan zui yan jiu* = *Tu p'in fan tsui yen chiu* (Study on Drug Offence). Pei Ching: the People's University of China Press, 1993. 683p.
- Hsiao Yang [et al.]. *Hui lu fan zui yan jiu* = *Hui lu fan tsui yen chiu* (Study on Bribery Offence). Pei Ching: Law Press, 1994. 422p.
- Fan Feng-lin [et al.]. *Zhi wu fan zui de fa lü dui ce ji zhi li* = *Chih wu fan tsui te fa lü tui ts'e chi chih li* (Legal Countermeasures and Control against Crime by Taking Advantage of Duty). Pei Ching: Chinese People's Public Security University Press, 1994. 646p.

On Criminal Law Philosophy & Criminal Policies

- Ch'en Hsing-liang. *Xing fa zhe xue* = *Hsing fa che hsüeh* (Philosophy of Criminal Law). Pei Ching: China University of Political Science and Law Press, 1992. 702p.
- Ma K'o-ch'ang. *Zhong guo xing shi zheng ce xue* = *Chung kuo hsing shih cheng ts'e hsüeh* (The Criminal Policy Science of China). Wu Han: Wu Han University Press, 1992, 623p.
- Yang Ch'un-hsi [et al.]. *Xing shi zheng ce xue* = *Hsing shih cheng ts'e hsüeh* (On Criminal Policy Science). Pei Ching: Pei Ching University Press, 1994. 460p.
- Ch'en Hsing-liang. *Xing fa de ren xing ji chu* = *Hsing fa te jen hsing chi ch'u* (Human Nature Basis of Criminal Law). Pei Ching: China Fang Cheng Press, 1996. 583p.
- Hsiao Yang. *Zhong guo xing shi zheng ce he ce lue wen ti* = *Chung kuo hsing shih cheng ts'e ho ts'e lüeh wen t'i* (Issues on Criminal Policies and Tactics of China). Pei Ching: Law Press, 1996. 468p.

On Fundamental Theory of Criminal Law

- Kao Ming-hsüan [et al.]. *Xin zhong guo xing fa de li lun yu shi jian = Hsin chung kuo hsing fa te li lun yü shih chien* (The Theory and Practices of New China on Criminal Law). Shih Chia Chuang: Ho Pei People's Press, 1988. 721p.
- Wang Tso-fü. *Zhong guo xing fa yan jiu = Chung kuo hsing fa yen chiu* (Study on Criminal Law of China). Pei Ching: the People's University of China Press, 1988. 759p.
- Chao Ping-chih [et al.]. *Zhong guo xing fa de yun yong yu wan shan = Chung kuo hsing fa te yün yung yü wan shan* (The Application and Perfection of China's Criminal Law). Pei Ching: Law Press, 1989. 383p.
- Kan Yü-p'ei. *Fan zui yu xing fa xin lun = Fan tsui yü hsing fa hsin lun* (A New Theory on Crime and Punishment). Pei Ching: Pei Ching University Press, 1991. 709p.
- Chao Ping-shou. *Xing fa ruo gan li lun wen ti yan jiu = Hsing fa jo kan li lun wen t'i yen chiu* (Study on Some Theoretic Issues of Criminal Law). Ch'eng Tu: Ssu Ch'uan University Press, 1992. 721p.
- Chao Ping-chih. *Xing fa xin tan suo = Hsing fa hsin t'an so* (New Exploration on Criminal Law). Pei Ching: The Masses Press, 1993. 728p.
- Kao Ming-hsüan [et al.]. *Xing fa xue yuan li = Hsing fa hsüeh yüan li* (Fundamentals of Criminal Law Science, three vols). Pei Ching: the People's University of China Press, 1993.
- Kao Ming-hsüan. *Xing fa wen ti yan jiu = Hsing fa wen t'i yen chiu* (Study on Issues of Criminal Law). Pei Ching: Law Press, 1994. 431p.
- Ma K'o-ch'ang. *Xing fa li lun tan suo = Hsing fa li lun t'an so* (Exploration on Criminal Law Theory). Pei Ching: Law Press, 1995. 422p.
- Pao Sui-hsien. *Xing fa xue yan jiu xin shi ye = hsing fa hsüeh yen chiu hsin shih yeh* (New Visual Field on Research of Criminal Law Science). Pei Ching: Chinese People's Public Security University Press, 1995. 572p.
- Kao Ko. *Xing fa wen ti zhuan lun = Hsing fa wen t'i chuan lun* (Special Discussions on Issues of Criminal Law). Ch'ang Ch'un: Chi Lin University Press, 1996. 450p.

Special Research on Criminal Legislation

- Chao Kuo-ch'iang. *Xign shi li fa dao lun = Hsing shih li fa tao lun* (Guide to Criminal Legislation). Pei Ching: China University of Political Science and Law Press, 1993. 262p.
- Li Hsi-hui. *Xing fa jie shi lun = hsing fa chieh shih lun* (Theory on Interpretation of Criminal Law). Pei Ching: Chinese People's Public Security University Press, 1995. 246p.

On Special Research of Crimes

- Ma K'o-ch'ang. *Fan zui tong lun = Fan tsui t'ung lun* (General Theory of Crimes). Wu Han: Wu Han University Press, 1991, 816p.
- Chang Ming-k'ai. *Fan zui lun yuan li = Fan tsui lun yüan li* (Fundamental Theory of Crimes). Wu Han: Wu Han University Press, 1991, 582p.
- Tseng Hsien-hsin. *Fan zui gou cheng lun = Fan tsui kou ch'eng lun* (On Composition of Crime). Wu Han: Wu Han University Press, 1988.
- Yeh Kao-feng. *Gu yi fan zui guo cheng zhong de fan zui xing tai lun = Ku i fan tsui kuo ch'eng chung te fan tsui hsing t'ai lun* (Theory on Crime Patterns in the Course of Intentional Offences). K'ai Feng: Ho Nan University Press, 1989. 390p.
- Chao Ping-chih. *Fan zui zhu ti lun = Fan tsui chu t'i lun* (On Subject of Crime). Pei Ching: the People's University of China Press, 1989. 422p.
- Yeh Kao-feng. *Gong tong fan zui li lun ji qi yun yong = Kung t'ung fan tsui li lun chi ch'i yün yung* (Theory on Joint Crimes and Its Application). Cheng Chou: Ho Nan People's Press, 1990.
- Wang Yung. *Ding zui dao lun = Ting tsui tao lun* (Guide to Crimination). Pei Ching: the People's University of China Press, 1990. 300p.
- Sun Kuo-ch'iang [et al.]. *Guo shi fan zui dao lun = Kuo shih fan tsui tao lun* (Guide to Negligent Crimes). Nan Ching: Nan Ching University Press, 1991. 271p.
- Chiang Wei. *Fan zui gu yi yu fan zui guo shi = Fan tsui ku i yü fan tsui kuo shih* (Criminal Intent & Criminal Negligence). Pei Ching: the Masses Press, 1992.

- Ch'en Hsing-liang. *Gong tong fan zui lun = Kung t'ung fan tsui lun* (On Joint Offence). Pei Ching: China Social Sciences Press, 1992. 552p.
- Hsü i-jen. *Gu yi fan zui jie duan xing tai lun = Ku i fan tsui chieh tuan hsing t'ai lun* (Theory on Patterns in the Phase of Intentional Crime). Shang Hai: Fu Tan University Press, 1992. 287p.
- Hsiung Hsüan-kuo. *Xing fa zhong xing wei lun = Hsing fa chung hsing wei lun* (The Theory on Action in Criminal Law). Pei Ching: the People's Court Press, 1992. 314p.
- Liu Pai-pi. *Fa ren fan zui lun = Fa jen fan tsui lun* (The Theory on Corporation Crime). Pei Ching: the Masses Press, 1992. 346p.
- Hou Kuo-yün. *Guo shi fan zui lun = Kuo shih fan tsui lun* (The Theory on Negligent Crime). Pei Ching: the People Press, 1993. 451p.
- Li Chieh. *Fan zui jie guo lun = Fan tsui chieh kuo lun* (The Theory on Criminal Consequence). Ch'ang Ch'un: Chi Lin University Press, 1994. 309p.
- Ch'ing Feng. *Fan zui ben zhi yan jiu: zui yu fei zui jie shuo xin lun = Fan tsui pen chih yen chiu: tsui yü fei tsui chieh shuo hsin lun* (Study on Essence of Crime: A New Theory on Differentiation of Crime and Non-crime). Pei Ching: Chinese People's Public Security University Press, 1994. 245p.
- Ho Ping-sung. *Fan zui gou cheng xi tong lun = Fan tsui kou ch'eng hsi t'ung lun* (Systemic Theory on Composition of Crime). Pei Ching: China Legal System Press, 1995. 523p.
- Liu Ming-hsiang. *Xing fa zhong cuo wu lun = Hsing fa chung ts'o wu lun* (The Theory on Mistakes in Criminal Law). Pei Ching: China Procuratorial Press, 1996. 300p.
- Wu Chen-hsing. *Zui shu xing tai lun = Tsui shu hsing t'ai lun* (The Theory on Patterns of Quantity of Crime). Pei Ching: China Procuratorial Press, 1996. 333p.

On Criminal Responsibility

- Chang Ming-k'ai. *Xing shi ze ren lun = Hsing shih tse jen lun* (The Theory on Criminal Responsibility). Pei Ching: China University of Political Science and Law Press, 1992.

- Chang Chih-hui. *Xing shi ze ren tong lun = Hsing shih tse jen t'ung lun* (General Theory on Criminal Responsibility). Pei Ching: Police Officer Education Press, 1995. 503p.
- Feng Chün. *Xing shi ze ren lun = Hsing shih tse jen lun* (The Theory on Criminal Responsibility). Pei Ching: Law Press, 1996. 306p.

On Theory of Criminal Penalty

- Ch'iu Hsing-lung [et al.]. *Xing fa xue = Hsing fa hsüeh* (On Punishment Science). Pei Ching: the Masses Press, 1988.
- Fan Feng-lin [et al.]. *Xing fa tong lun = Hsing fa t'ung lun* (General Theory on Punishment). Pei Ching: China University of Political Science and Law Press, 1994. 703p.
- Chao Ping-shou [et al.]. *Xing fa zhuan lun = Hsing fa chuan lun* (Special Discussions on Punishment). Ch'eng Tu: Ssu Ch'uan University Press, 1995. 392p.
- Ma K'o-ch'ang. *Xing fa tong lun = Hsing fa t'ung lun* (General Discussions on Punishment). Wu Han: Wu Han University Press, 1995, 862p.
- Chou Chen-hsiang. *Xing fa shi yong lun = Hsing fa shih yung lun* (Theory on Application of Punishment). Pei Ching: Law Press, 1990.
- Chou Chen-hsiang. *Zi shou zhi du de li lun yu shi jian = Tzu shou chih tu te li lun yü shih chien* (The Theory and Practice of Voluntary Surrender System). Pei Ching: the People's Court Press, 1989, 197p.
- Su Hui-Yü. *Liang xing fang fa yan jiu zhuan lun = Liang hsing fang fa yen chiu chuan lun* (Special Discussion on Research of Sentencing Method). Shang Hai: Fu Tan University Press, 1991. 258p.
- Ku Hsiao-jung [et al.]. *Liang xing de yuan li yu cao zuo = Liang hsing te yüan li yü ts'ao tso* (The Principle and Operation of Sentencing). Shang Hai: Shang Hai Academy of Social Sciences Press, 1991. 361p.
- Ch'en Hsing-liang [et al.]. *Xing zhong tong lun = Hsing chung t'ung lun* (General Discussions on Kinds of Punishment). Pei Ching: the People's Court Press, 1993. 595p.
- Yü Wei. *Liang xing tong lun = Liang hsing t'ung lun* (General Discussions on Sentencing). Wu Han: Wu Han University Press, 1993, 610p.

- Hu Yün-t'eng. *Si xing tong lun = Ssu hsing t'ung lun* (General Discussions on Capital Punishment). Pei Ching: China University of Political Science and Law Press, 1995. 331p.
- Chang Wen-hsüeh. *Zhong guo huan xing zhi du li lun yu shi jian = Chung kuo huan hsing chih tu li lun yü shih chien* (Theory and Practice on Probation System of China). Pei Ching: the People's Court Press, 1995. 278p
- Sun Li. *Fa jin xing yan jiu = Fa chin hsing yen chiu* (Study on Pecuniary Penalty). Pei Ching: Chinese People's Public Security University Press, 1995. 225p.

On Criminal Law Reform

- Hsüeh Jui-lin [et al.]. *Xing fa de xiu gai yu wan shan = Hsing fa te hsiu kai yü wan shan* (The Revision and Perfection of Criminal Law). Pei Ching: China University of Political Science and Law Press, 1989. 328p.
- Ma K'o-ch'ang [et al.]. *Xing fa de xiu gai yu wan shan = Hsing fa te hsiu kai yü wan shan* (The Revision and Perfection of Criminal Law). Pei Ching: the People's Court Press, 1995. 702p
- Chao Ping-chih [et al.]. *Xing fa xiu gai yan jiu zong shu = Hsing fa hsiu kai yen chiu tsung shu* (A Research Summary on the Revision of Criminal Law). Pei Ching: Chinese People's Public Security University Press, 1990. 632p.
- Tsui Ch'ing-sen. *Zhong guo dang dai xing fa gai ge = Chung kuo tang tai hsing fa kai ko* (The Contemporary Reform of China's Criminal Law). Pei Ching: Social Sciences Academic Press, 1991. 394p.
- Wang Tso-fu. *Xing fa wan shan zhuan ti yan jiu = Hsing fa wan shan chuan t'i yen chiu* (A Special Study on Perfection of Criminal Law). China Radio & TV Universities Press, 1996.
- Chao Ping-chih. *Xing fa gai ge wen ti yan jiu = Hsing fa kai ko wen t'i yen chiu* (Study on Issues of Criminal Law Reform). Pei Ching: China Legal System Press, 1996. 761p.
On Foreign Criminal Law Science and Comparative Criminal

Legal Science

- Ch'en Ming-hua. *Dang dai su lian dong ou xing fa = Tang tai su lien tung ou hsing fa* (The Contemporary Punishment in the Soviet Union and Eastern European Countries). Pei Ching: Chinese People's Public Security University Press, 1989.

- Ho P'eng. *Wai guo xing shi fa xuan lun = Wai kuo hsing shih fa hsüan lun* (Selections on Criminal Law of Foreign Countries). Ch'ang Ch'un: Chi Lin University Press, 1989. 341p.
- Ho P'eng. *Xian dai ri ben xing fa zhuan ti yan jiu = hsien tai jih pen hsing fa chuan t'i yen chiu* (A Special Study on Modern Japanese Criminal Law). Ch'ang Ch'un: Chi Lin University Press, 1994.
- Kao Ko. *Bi jiao xing fa xue = Pi chiao hsing fa hsüeh* (Comparative Criminal Law Science). Ch'ang Ch'un: Ch'ang Ch'un Press, 1991, 706p.
- Ma K'o-ch'ang. *Jin dai xi fang xing fa xue shuo shi lue = Chin tai hsi fang hsing fa hsüeh shuo shih lüeh* (A Brief History of Modern West Criminal Law's Theory). China Procuratorial Press, 1996, 358p.
- Kan Yü-p'ei. *Bi jiao xing fa xue da quan = Pi chiao hsing fa hsüeh ta ch'üan* (A Complete Collection on Comparative Science of Criminal Law). Pei Ching: Pei Ching University Press, 1997, two vols, 1156p.

International Criminal Law

- Huang Chao-chiung. *Guo ji xing fa gai lun = Kuo chi hsing fa kai lun* (An Outline of International Criminal Law). Ch'eng Tu: Ssu Ch'uan University Press, 1992. 369p.
- Liu Ya-p'ing. *Guo ji xing fa xue = Kuo chi hsing fa hsüeh* (International Criminal Law Science). Pei Ching: China University of Political Science and Law Press, 1992.
- Chang Chih-hui. *Guo ji xing fa tong lun = Kuo chi hsing fa t'ung lun* (General Theory of International Criminal Law). Pei Ching: China University of Political Science and Law Press, 1993. 344p.
- Shao Sha-p'ing. *Xian dai guo ji xing fa jiao cheng = Hsien tai kuo chi hsing fa chiao ch'eng* (A Course on Modern International Criminal Law). Wu Han: Wu Han University Press, 1993, 357p.
- Chao Yung-ch'en. *Guo ji xing fa yu si fa xie zhu = Kuo chi hsing fa yü ssu fa hsieh chu* (The International Criminal Law & Judicial Assistance). Pei Ching: Law Press, 1994. 328p.

Reference Books

- Yang Ch'un-hsi [et al.]. *Xing shi fa xue da ci shu = Hsing shih fa hsüeh ta tz'u shu* (Big Dictionary of Criminal Law Science). Nan Ching: Nan Ching University Press, 1990. 810p.
- Ma K'o-ch'ang [et al.]. *Xing fa xue quan shu = Hsing fa hsüeh ch'üan shu* (A Complete Collection of Criminal Law Science). Shang Hai: Shang Hai Science & Technology Press, 1993. 1335p.
- Kao Ming-hsüan [et al.]. *Zhong hua fa xue da ci dian, xing fa xue juan = Chung hua fa hsüeh ta tz'u tien, hsing fa hsüeh ch'üan* (China Law Science Dictionary·Criminal Law). China Procuratorial Press, 1996. 837p.

C. The Third Stage (1997-)

On March 14, 1997 the NPC promulgated the revised Criminal Code and from then on the academic field of criminal law began to engage in the work of propagandizing and explaining the amended Criminal Code, and research in some criminal subjects was also commenced in succession. Results from some of this research in this third stage are listed below:

Works on Explaining the Amended Criminal Code

- Wang Tso-fu. *Zhong guo xing fa de xiu gai yu bu chong = Chung kuo hsing fa te hsiu kai yü pu ch'ung* (The Revision & Supplement of China's Criminal Law). China Procuratorial Press, 1997. 370p.
- Chao Ping-chih. *Xin xing fa quan shu = Hsin hsing fa ch'üan shu* (A Complete Book of New Criminal Law). Pei Ching: Chinese People's Public Security University Press, 1997. 1870p.
- Chang Ch'iung. *Xiu ding xing fa tiao wen shi yong jie shuo = Hsiu ting hsing fa t'iao wen shih yung chieh shuo* (A Practical Interpretation on the Clauses of Revised Criminal Law). Pei Ching: China Procuratorial Press, 1997. 604p.
- Huang T'ai-yün. *Zhong hua ren min gong he guo xing fa shi yi yu shi yong zhi nan = Chung hua jen min kung ho kuo hsing fa shih i yü shih yung chih nan* (A Guide to the Explanation and

Application of the Criminal Law of the People's Republic of China). Pei Ching: the Red Flag Press, 1997.

- Hu K'ang-sheng [et al.]. *Zhong hua ren min gong he guo xing fa shi yi* = *Chung hua jen min kung ho kuo hsing fa shih i* (An Explanation on the Criminal Law of the People's Republic of China). Pei Ching: Law Press, 1997. 727p.
- Chou Tao-lüan [et al.]. *Xing fa de xiu gai yu shi yong* = *Hsing fa te hsiu kai yü shih yung* (The Revision & Application of Criminal Law). Pei Ching: the People's Court Press, 1997. 948p.
- Liang Hua-jen [et al.]. *Xin xing fa tong lun* = *Hsin hsing fa tung lun* (A General Discussion on New Criminal Law). Pei Ching: the Red Flag Press, 1997. 531p.
- Kao Hsi-chiang. *Zhong hua ren min gong he guo xing fa de xiu ding yu shi yong* = *Chung hua jen min kung ho kuo hsing fa te hsiu kai yü shih yung* (The Revision & Application of Criminal Law of the People's Republic of China). Pei Ching: China Fang Cheng Press, 1997. 1007p.
- Chao Ping-chih. *Xin xing fa dian de chuang zhi* = *Hsin Hsing fa tien te ch'uang chih* (The Creation of New Criminal Code). Pei Ching: Law Press, 1997, 578p.
- Liu Chia-ch'en. *Xin xing fa xin wen ti xin zui ming tong shi* = *Hsin hsing fa hsin wen t'i hsin tsui ming t'ung shih* (A Complete Explanation of the New Criminal Law, New Issues and New Accusation). Pei Ching: the People's Court Press, 1997. 1252p.
- Fan Feng-lin [et al.]. *Zhong guo xin xing fa li lun yan jiu* = *Chung guo hsin hsing fa li lun yen chiu* (A Theoretic Study on the New Criminal Law of China). Pei Ching: the People's Court Press, 1997. 1066p.
- Ou Yang-t'ao. *Zhong hua ren min gong he guo xin xing fa zhu shi yu shi yong* = *Chung hua jen min kung ho kuo hsin hsing fa chu shih yü shih yung* (The Interpretation and Application on New Criminal Law of the People's Republic of China). Pei Ching: the People's Court Press, 1997. 862p.
- Ch'en Hsing-liang. *Xing fa quan shu* = *Hsing fa ch' an shu* (A Complete Collection of Criminal Law). Pei Ching: Chinese People's Public Security University Press, 1997. 1540p.
- Chou Ch'i-hua. *Xin xing fa ge zui shi yong yan jiu* = *Hsin hsing fa ko tsui shih yung yen chiu* (A Study on the Application of Crimes Described in the New Criminal Law). Pei Ching: China legal System Press, 1997. 592p.

- China Procuratorial theory research institute. *Xing fa xin zui ming tong lun = Hsing fa hsin tsui ming t'ung lun* (General Discussions on the New Accusation of Crime in Criminal Law). Pei Ching: China legal System Press, 1997. 431p.
- Chou Tao-luan [et al.]. *Xing fa zui ming jing shi = Hsing fa tsui ming ching shih* (A Concise Interpretation on Accusation of Criminal Law). Pei Ching: the People's Court Press, 1998. 1129p.
- Ch'en Cheng-yün [et al.]. *Jing ji qi zha fan zui de jie xian yu ren ding chu li = Ching chin ch'i cha fan tsui te chieh hsien yü jen ting ch'u li* (The Limits of Economic Fraud Crimes and Their Cognizance and Disposal). Pei Ching: China Fang Cheng Press, 1997. 718p.

Teaching Materials on Criminal Law

During this third stage, a number of teaching materials that corresponded to the new criminal code began to appear, such as:

- Chou Cheng-hsiang. *Xing fa xue jiao cheng = Hsing fa hsüeh chiao ch'eng* (A Course in Criminal Law Science). Pei Ching: Chinese People's Public Security University Press, 1997. 831p.
- Tu Fa-ch'üan. *Xin xing fa jiao cheng: zui ze xing guan xi lun = Hsin hsing fa chiao ch'eng: tsui tse hsing kuan hsi lun* (A Course in New Criminal Law: theory on Relations Among Crime, Criminal Responsibility and Punishment). Hsi An: the Northwest University Press, 1997. 768p.
- Chang Ming-k'ai. *Xing fa xue = Hsing fa hsüeh* (Science of Criminal Law). Pei Ching: Law Press, 1997. 972p (two vols).
- Chao Ping-chih. *Xin xing fa jiao cheng = Hsin hsing fa chiao ch'eng* (A Course on New Criminal Law). Pei Ching: the People's University of China Press, 1997. 950p.
- Su Hui-yü. *Xing fa xue = Hsing fa hsüeh* (Science of Criminal Law). Pei Ching: China University of Political Science and Law Press, 1997. 963p.
- Li Wen-yen. *Zhong guo xing fa xue = Chung kuo Hsing fa hsüeh* (Criminal Law Science of China). Pei Ching: Chinese People's Public Security University Press, 1998.
- Kao Ming-hsüan. *Xing fa xue: xin bian ben = Hsing fa hsüeh: hsin pien pen* (Science of Criminal Law: New Edition). Pei Ching: the People's University of China Press, 1998. 728p.

Comprehensive Study Works on Criminal Theory

- Chao Ping-chih [et al.]. *Xing shi fa zhuan lun = Hsing shih fa chuan lun* (A Special Discussion on Criminal Law). Pei Ching: China Fang Cheng Press, 1998. 1716p (two vols.).
- Liu Shou-fen [et al.]. *Xing shi fa Lü wen ti zhuan ti yan jiu = Hsing shih fa lü wen t'i chuan t'i yen chiu* (A Special Study on the Issues of Penal Statutes). Pei Ching: the Masses Press, 1998. 749p.
- Hou Kuo-yün. *Xin xing fa yi nan wen ti jie xi yu shi yong: jian lun xin xing fa zhong de mao dun yu que xian = Hsin hsing fa i nan wen t'i chieh hsi yü shih yung: chien lun hsin hsing fa chung te mao tun yü ch'üeh hsien* (The Explanation and Application on the Knotty Issues of New Criminal Law: A Discussion on the Contradiction and Defect in New Criminal Law). Pei Ching: China Procuratorial Press, 1998. 429p.
- Ch'en Hsing-liang. *Xing fa shi yong zong lun = Hsing fa shih yung tsung lun* (The General Introduction to the Application of Criminal Law). Pei Ching: Law Press, 1999. 806,686p (two vols).
- Chao Ping-chih. *Yi nan xing shi wen ti si fa dui ce = I nan hsing shih wen t'i ssu fa tui ts'e* (The Judicial Countermeasures to the Criminal Knotty Issues). Ch'ang Ch'un: Chi Lin People's Press, 1999. 407p.
- Ting Mu-ying [et al.]. *Xing fa shi shi zhong de zhong dian nan dian wen ti yan jiu = Hsing fa shih shih chung te chung tien nan tien wen t'i yen chiu* (A Study on Focal and Difficult Issues in the Implementation of Criminal Law). Pei Ching: Law Press, 1998. 964p.
- Law Department of Pei Ching University. *Xing shi fa xue yao lun: kua shi ji de hui gu yu qian zhan = Hsing shih fa hsüeh yao lun: k'ua shih chi te hui ku yü ch'ien chan* (Highlights on Criminal Sciences: Reviews and Prospect of Crossing Century). Law. Pei Ching: Law Press, 1998. 1228p.
- Li Hung. *Bu zuo wei fan yan jiu = Pu tso wei fan yen chiu* (A Study on Negative Offence). Wu Han: Wu Han University Press, 1997, 240p.
- Liu Sheng-jung. *Fan zui gou cheng yuan li = Fan tsui kou ch'eng yüan li* (Fundamentals of Composition of Crime). Pei Ching: Law Press, 1997. 300p.
- Hsien T'ieh-k'o. *Xin xing fa zhong de wei xian fan = Hsin hsing fa chung te wei hsien fan* (Gefährdungsdelikte in the New

Criminal Law). Pei Ching: China Procuratorial Press, 1998. 343p.

- Hu Hsüeh-hsiang. *Liang xing de ji ben li lun yan jiu = Liang hsing te chi pen li lun yen chiu* (Research of the Basic Theory of Sentence). Wu Han: Wu Han University Press, 1998. 246p.
- Chang Shao-lien. *Xing fa yin guo guan xi yan jiu = Hsing fa yin kuo kuan hsi yen chiu* (A Study on Causality of Criminal Law). Pei Ching: China Procuratorial Press, 1998. 278p.
- Ch'iu Hsing-lung. *Xing fa li xing dao lun: xing fa de zheng dang xing yuan lun = Hsing fa li hsing tao lun: hsing fa te cheng tang hsing yüan lun* (An Introduction to the Senses of Punishment: Theory on the Fairness of Punishment). Pei Ching: China University of Political Science and Law Press, 1998. 533p. And *Xing fa li xing ping lun: xing fa de zheng dang xing fan si = Hsing fa li hsing p'ing lun: hsing fa te cheng tang hsing fan ssu* (A Comment on the Senses of Punishment: Rethinking on the Fairness of Punishment). Pei Ching: China University of Political Science and Law Press, 1999. 645p.
- Ch'en Hsing-liang. *Xing fa de jia zhi gou zao = Hsing fa te chia chih kou tsao* (The Value Structure of Criminal Law). Pei Ching: Chinese People's University Press, 1998. 703p.
- Yü Chih-Kang. *Zui su shi xiao zhi du yan jiu = Tsui su shih hsiao chih tu yen chiu* (A Study on the System of Prescription of Prosecution). Pei Ching: China Fang Cheng Press, 1999. 496p.
- Yang Ch'un-hsi. *Xing fa ji chu lun = hsing fa chi ch'u lun* (A Basic Theory of Criminal Law). Pei Ching: Pei Ching University Press, 1999. 459p.

Scholarship on Other Crimes

- Mo Hung-hsien. *You zu zhi fan zui yan jiu = Yu tsu chih fan tsui yen chiu* (A Research on Organized Crimes). Wu Han: Hu Pei People's Press, 1998. 286p.
- Juan Fang-min. *Xi qian fan zui de cheng zhi yu yu fang = Hsi ch'ien fan tsui te ch'eng chih yü yü fang* (The Punishment and Prevention of Money Laundering Crime). Pei Ching: China Procuratorial Press, 1998. 391p.
- Ma K'o-ch'ang. *Jing ji fan zui xin lun: po huai she hui zhu yi jing ji zhi xu zui yan jiu = Ching chi fan tsui hsin lun: p'o huai she hui chu i ching chi chih hsü tsui yen chiu* (A New Theory on Economic Crime: A Study on Crimes of Disrupting the Order of

the Socialist Market Economy). Wu Han: Wu Han University Press, 1998, 628p.

- Chao Ping-chih. *Qin fan zhi shi chan quan fan zui yan jiu = Ch'in fan chih shih ch'an ch'üan fan tsui yen chiu* (A Study on Crimes of Infringing upon Intellectual Property Rights). Pei Ching: China Fang Cheng Press, 1999. 410p.
- Ch'en Cheng-yün [et al.]. *Sheng chan xiao shou wei lue shang pin zui de ren ding yu chu li = Sheng ch'an Hsiao shou wei lüeh shang p'in tsui te jen ting yü ch'u li* (The Cognizance and Disposal of Crimes of Producing and Marketing Fake or Substandard Commodities). Pei Ching: China Procuratorial Press, 1998. 209p.
- Ch'en Cheng-yün [et al.]. *Wei hai jin rong guan li zhi xu zui de ren ding yu chu li = Wei hai chin jung kuan li chih hsü tsui te jen ting yü ch'u li* (The Identification and Disposal of Crimes of Endangering the Order of Financial Administration). Pei Ching: China Procuratorial Press, 1998. 291p.
- Ku Hsiao-jung. *Zheng quan fan zui yu zheng quan wei gui wei fa = Cheng ch'üan fan tsui yü cheng ch'üan wei kwei wei fa* (Securities Crime and Securities Deregulation and Infraction). Pei Ching: China Procuratorial Press, 1998. 405p.
- Chao Ping-chih. *Qin fan cai chan zui yan jiu = Ch'in fan ts'ai ch'an tsui yen chiu* (A Study on Crimes of Property Violation). Pei Ching: China legal System Press, 1998. 682p.
- Yü Chih-Kang. *Du pin fan zui zhi li lun wen ti yan jiu = Tu p'in fan tsui chih li lun wen t'i yen chiu* (A Study on Theoretic Issues of Drug Crime). Pei Ching: the Shih Shih Press, 1997. 468p.

It should be mentioned here is that there are two academic series on the science of criminal law published between the end of the last century and the beginning of the 21th century. One is Ch'en Hsing-liang's *Xing shi fa xue yan jiu cong shu = Hsing shih fa hsüeh yen chiu ts'ung shu* (A Study Series on Criminal Law Science), published by China University of Political Science and Law Press during 1998-2000. It includes thirteen special study works involving many theories of criminal law and of crimes. They include:

- Liu Jen-wen. *Guo shi wei xian fan yan jiu = Kuo shih wei hsien fan yen chiu* (A Study on Negligent Dangerous Crime Offender, 1998).
- Cheng Wei. *Zhong zui qing zui yan jiu = Chung tsui ch'ing yen chiu* (A Study on Felony and Misdemeanour, 1998).

- Ch'ü Hsüeh-wu. *Gong ran fan zui yan jiu = K'ung jan fan tsui yen chiu* (A Study on Overt Crime, 1998).
- Lin Wei. *Jian jie zheng fan yan jiu = Chien chieh cheng fan yen chiu* (A Study on Indirect Principal, 1998).
- T'ien Hung-chieh. *Wei fa xing ren shi yan jiu = Wei fa hsing ren shih yen chiu* (A Study on the Knowledge of Illegality, 1998).
- Li Chieh. *Fan zui dui xiang yan jiu = Fan tsui tui hsiang yen chiu* (A Study on the Target of Crime, 1998)
- Huang Ching-p'ing. *Xian zhi xing shi ze ren neng li yan jiu = Hsien chih hsing shih tse jen neng li yen chiu* (A Study on the Limited Capacity for Criminal Responsibility, 1998).
- Chou Kuang-ch'üan. *Zhu yi yi wu yan jiu = Chu i i wu yen chiu* (A Study on Obligatio ad Diligentium, 1998).
- Liu Ming-hsiang. *Jin ji bi xian yan jiu = Chin chi pi hsien yen chiu* (A Study on Urgent Danger Prevention, 1998).
- Li Wen-chien. *Xing shi su song xiao lü lun = Hsing shih su sung hsiao lü lun* (A Theory on the Efficiency of Criminal Proceedings, 1999).
- Liu Shu-te. *Xing wei fan yan jiu = Hsing wei fan yen chiu* (Study of Tatigkeitsdelikte, 2000).
- Feng Ying-chü. *Zang wu fan zui yan jiu = Tsang wu fan tsui yen chiu* (Study on Ill-gotten Goods Offences, 2000).
- Liu Jen-wen. *Yan ge ze ren lun = Yen ko tse jen lun* (A Theory on Strict Liability, 2000).

The other major treatise is a trans-century publication titled *Zhong guo xing shi fa xue yan jiu cong shu = Chung kuo hsing shih fa hsüeh yen chiu ts'ung shu* (A Study Series on the Science of Criminal Law in China). It was compiled by the China Criminology Institute and published by the Masses Press in 2000. The series comprises eleven volumes that include topics relating to both procedural and substantial matters in criminal law. The title of the eleven volumes are:

- Wu Han. *Xing shi zhen cha xue = Hsing shih chen ch'a hsüeh* (Science of Criminal Investigation, 2000).
- Wang Chien-ch'eng. *Xing shi zheng ju xue = Hsing shih cheng chü hsüeh* (Science of Criminal Evidence, 2000)
- Wang Tso-fu. *Xing shi shi ti fa xue = Hsing shih shih t'i fa hsüeh* (Substantive Criminal Law Science, 2000).

- K'ang Shu-hua [et al.]. *Xing shi fan zui xue = Hsing shih fan tsui hsüeh* (Criminal Justice and Criminology, 2000).
- Ch'en Hsing-liang. *Xing shi fa zong lun = Hsing shih fa tsung lun* (General Theories of Criminal Law, 2000).
- T'ien Wen-ch'ang. *Xing shi bian hu xue = Hsing shih pien hu hsüeh* (Criminal Defence Science, 2001).
- Wang Shun-an. *Xing shi zhi xing fa xue = Hsing shih chih hsing fa hsüeh* (Law Science of Criminal Execution, 2001).
- Cheng Lu [et al.]. *Xing shi cheng xu fa xue = Hsing shih ch'eng hsü fa hsüeh* (Law Science of Criminal Procedure, 2001).
- Ho Ping-sung. *Xing shi zheng ce xue = Hsing shih cheng ts'e hsüeh* (Science of Criminal Policy, 2002)
- Liu Chia-ch'en. *Xing shi shen pan xue = Hsing shih shen p'an hsüeh* (Science of Criminal Justice, 2002).