ORIGINS OF CHINESE JURISPRUDENCE

Abstract

Many basic jurisprudential issues (such as the meanings of human existence; the goals of life; the need for society, norms and authority; the bases and justifications of norms and authority; the qualifications of those who exercise authority and make and enforce norms; the objectives, means, methods and procedure of such actions; the solutions to conflict of norms; the remedies to misuse and abuse of norms and authority; the relationship among people, particularly between the individual and the authorities, etc.) have always been on people’s minds though often vaguely. Four schools of thinkers in ancient China – the Ruists, the Daoists, the Mohists and the Legalists – put them in sharp focus and constructed elaborate theories to address them. This paper intends to present certain points of those theories as the origins of Chinese jurisprudence and to sketch some of their influence on its development in later times.

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