Crisis, Challenge, and Future Prospects: The Dilemma of “Marginalization” in Research on Chinese Legal History

——The Example of Mainland China

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Abstract

In recent years, the research of Chinese legal history is located in a 「marginalization」 position in the legal science research in mainland China. This can be found in follow phenomenas: Its researchers were" more than four forms " and " two quick ways "; the achievements were full of 「six characters ", and short of " three characters "; and it’s at the tendency of been treated as Jurisprudence. It’s almost in the crisis of been abandoned in the undergraduate course of legal science and the subject course of National Judicial Examination. The research item at the provincial or departmental level is decreased year by year,and the researchers in the Institute of Chinese legal history were mostly apply themselves to the research of jurisprudence. To escape from this 「how-d'ye-do」, we should first processes the relations between the historical materials and the methods of its research properly, then take the clearing up of the historical materials as a main task. We should also appraisal and inherit the achievements of the senior researches in a historical perspective. At last, in order to avoiding the duplicated research, and do more special research, make more "masterpiece", and make more works with individuality, we must strengthened academic standard training, and cultivate a nice style in research, do more academic intercommunions with the overseas scholars.

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