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Titolo	On the Constitutionality of Compiling a Civil Code of China : A Process Map for Legislation Born out of Pragmatism // by Zhu Wang
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ISBN	981-13-7900-9
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Descrizione fisica	1 online resource (xxv, 340 pages) : illustrations
Disciplina	346.51
Soggetti	Private international law Conflict of laws Civil law Constitutional law Private International Law, International & Foreign Law, Comparative Law Civil Law Constitutional Law
Lingua di pubblicazione	Inglese
Formato	Materiale a stampa
Livello bibliografico	Monografia
Nota di bibliografia	Includes bibliographical references.
Nota di contenuto	The Necessity of Substantially Compiling Civil Code as Soon as Possible -- The Constitutional Awareness in Compiling a Civil Code -- "Pragmatic Methods" in Compiling a Civil Code -- The Object Whose Constitutionality Should be Judged -- The Constitutionality of Legal Interpretation -- The Constitutionality of Legislative Procedures -- The Constitutionality of Legal Application -- The Legislative Design of Compiling a Civil Code in the "Mode of the Codifying of Non-Basic Laws" -- Big Data Analysis on Whether Several Rules in the General Provisions of Civil Law Should be Kept or Not -- Add a Chapter of "Obligations and Liabilities" in Volume of The General Provisions of Civil Law to Regulate the System of "General Provisions of Obligation Law" -- Discovering Techniques for Formatively Compiling Articles of Civil Code from the General Provisions of Civil Law -- The Background of the Compilation and the Adjustment to the Structure of the Tort Liability Volume of the Civil Code -- The Background of Compiling a Civil Code -- Auxiliary Work for Compiling a Civil Code.
Sommario/riassunto	This book explains the urgent necessity to compile a Civil Code and

calls for constitutional awareness in compiling that Civil Code, highlighting the need for it to be done in a democratic and scientific manner. It advocates “Pragmatic Methods” as a new approach to compiling a Civil Code of China and shares the author’s thoughts on the constitutionality of compiling a Civil Code, explains the object that is to be judged in terms of its constitutionality, and the constitutionality of legal interpretation, of legislative procedures and of legal application. The book also illustrates the author’s “mode of the codifying of non-basic laws” for compiling a Civil Code, and includes a detailed discussion on compiling a Civil Code to reveal how many valid laws there are China – a matter that is of vital importance to the compilation of the Civil Code. The Appendix includes statistics on the number of civil cases classified according to causes of actions, based on “Judicial Opinions of China” website, which is the first step of the author’s plan to investigate civil customs reflected in judgment documents with the help of big-data analytical methods.
