

# The History of the Contractual Thoughts in Ancient China

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# Preface

This book is a pioneer for exploring the evolution of the ancient contractual theories in China. Prof. Kaiguo Li, one of the founders of civil law in China, commended that, “this book has filled the vacancy in the field”. At the same time, it adopts a new angle to demonstrate the concept of contracts ever since the Western Zhou Dynasty. With empirical researches and historical materials, it also rebuts the hypotheses and assumptions that the civil and criminal laws were an integrated system in ancient China. After its first publication in 2000, the book brought a group of scholars on the issue, and a substantial number of students have been inspired. The author and the press have received a good deal of correspondence for opinion exchanges. Thus, we found it necessary to translate the book so as to introduce it to more interested readers for further discussion and to promote cultural exchanges among different countries. Howsoever, it is not easy to even make the first step, because of too many ancient concepts and ideograms, as well as the characters in bone, bronze, bamboo, silk scripts in different dynasties which posed a big obstacle in front of us. Much work including consulting professors and doing literature review has been done to solve the difficulty and fathom the complexity of understanding those ancient Chinese expressions and the culture behind them. Additionally, as translators, though we have cooperated in several projects previously, still, we both are so fully engaged in our daily work that we usually feel pressed for time to complete such a great book’s translation this time. It took us more than three years to read and study the book itself and additional two for translation. Nevertheless, after more than five years’ work, it is finally done. We thought we would be excited at the final moment, except we were not, since the translation work has been a routine in these past years, now the ending of the work is just a wave goodbye to an old friend.

The translation of this book demanded not only English and Chinese language understanding, but ancient legal and archaeological knowledge. It will not be done without the assistance and help of the following people: Dr. Tian Lei and Dr. Chen Kun, who helped in verifying the meaning of ancient scripts and in discussing the proper translations of terms; Eli Zhang, Yaoyao Liu and Jane Shu, who helped in the primary study and format proofing during the process; Xinting Cai helped to

sort out the dynasties with the names, time and capitals in the appendix so as to make a clearer guide for those who are less familiar with Chinese dynasties.

The utmost gratitude we would like to express is to Prof. Yunsheng Liu, whose work has been a profound material for understanding and studying the ancient Chinese contractual concepts, and whose confidence in us has been a tremendous encouragement in the past five years and will always be an unforgettable memory in our life.

Chongqing, China

Sun Lin  
Duan Jing

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