

Citation Guidelines for Chinese Language Materials¹

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¹ In this version (v. 09172013), the editor of Chapter 1, Chapter 2, Section 3.1, Section 3.2, and Section 3.3 is Paul Tao-Chou Chang, and the editor of Section 3.4 is Maria Jiang. All samples are provided by Paul Chang, Maria Jiang, Luke Chuang, and Jay Jiang.

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1. Introduction

The following citation guidelines try to respond to the inconsistency in citing Chinese language materials in the area of legal studies. Though the Bluebook and Chicago Manual have provided some useful citation rules and formats, they do not cover all issues. Different or even conflicting citation rules or formats still exist in many books and law journals. For more complete citation rules and formats, we therefore collect some citation examples in recent published books and law journals, compare and contrast them carefully, and then develop the following citation guidelines.

To help readers understand the rules and formats in the following citation guidelines, some good and bad examples will be provided. The symbol “✓” designates a good example while the symbol “✗” designates a bad example.

2. Chinese Language Materials in Text

Because the Bluebook focuses on citations and does not mention Chinese language materials in running text, we develop the following basic rule based on the Chicago Manual and examples in recently published books and law journals.

2.1. Basic Rule

The most common way to cite Chinese language materials in running text is: **English translation (Pinyin)**. Here is an example: In certain periods, there were “litigation masters” (*song shi*) who provided help to the people in litigation.²

To help readers identify references cited or terms used that are not already widely used in English language material,³ inclusion of Chinese characters in running text is possible but should be limited to specific phrases, not sentences or paragraphs. Though we find one law journal article citing Chinese language materials for a whole sentence and even a paragraph, we believe this is not a commonly accepted rule because no other example can be found.⁴

Another issue is whether or not it is acceptable to include Chinese characters with no Pinyin transliteration. In other words, is this: “there were ‘litigation masters’ (訟師),” without Pinyin, acceptable? Our answer is “no,” because without the Pinyin, a reader who does not understand Chinese cannot find the meaning of the Chinese characters using Pinyin in a bilingual dictionary.⁵ Also, the Pinyin can be handy for the non-Chinese speaker who wants

² Sida Liu, *With or without the Law: The Changing Meaning of Ordinary Legal Work in China, 1979-2003*, in CHINESE JUSTICE: CIVIL DISPUTE RESOLUTION IN CONTEMPORARY CHINA 234 (Margaret Y. K. Woo & Mary E. Gallagher eds., 2011).

³ “Chinese characters, immediately following the romanized version of the item they represent, are sometimes necessary to help readers identify references cited or terms used.” 11.110, the Chicago Manual.

⁴ Cf. Patrick E. King, Timothy T. Lau, & Gautam V. Kene, *Navigating the Shoals of Joint Infringement, Indirect Infringement, and Territoriality Doctrines: A Comparative Analysis of Chinese and American Patent Laws*, 25 Colum. J. Asian L. 275, 277-278 (2012).

⁵ Besides, 20.2.4(b)(i) of the Bluebook also indicates, “For citations to Chinese language sources, regardless of

to refer orally and in writing to the phrase.⁶

Both of the following rules for citing Chinese language materials in running text have their place. Please choose either one of them, but do not mix them in one work.

English translation (Pinyin + Chinese characters)

[Student A's note & sample: (1) See the example in the Chicago Manual: That year the first assembly of the national Diet was held and the Imperial Rescript on Education (*kyōiku chokugo* 教育勅語) was issued.⁷ (2) See the example in the Pacific Rim Law & Policy Journal: In light of these weaknesses, the Ministry of Civil Affairs (Minzhengbu 民政部) has been commissioned to draft China's first "Charity Law" (Cishanfa 慈善法) to facilitate and regulate the philanthropic movement.⁸]

[Student B's sample: In October 1987, the 13th Congress of the CCP recognized the private economy (not just the economy of individual entrepreneurs) as a necessary supplement to the state sector, and in 1988 the Constitution was revised: to the existing acceptance of the "individual" economy was added to the acceptance of the "private" (*siying* 私营) economy.⁹]

Or English translation (Chinese characters) (Pinyin)

[Student A's note & sample: See the examples in the Columbia Journal of Asian Law: (1) During the 2008 Sichuan earthquake, schools—now nicknamed "tofu schools" (豆腐渣学校) (*doufuzha xuexiao*)—collapsed;¹⁰ (2) In 2004, SPC leadership began advocating a "mediate if possible, adjudicate if appropriate" (能调则调, 能判则判) (*neng tiao ze tiao, neng pan ze pan*).¹¹ (3) Some books insert only Pinyin in running text but list Chinese characters in a separate glossary.¹²]

[Student B's sample: More importantly, the government's focus has shifted from the facilitation of "SOF Reform" (国有企业改革) (*guoyouqiye gaige*) to a "harmonious society" (和谐社会) (*hexie shehui*).¹³]

jurisdiction or place of publication, always provide romanization as instructed here."

⁶ Rob Britt's comment. See The BLUEBOOK ¶ 20.2.4 (19th ed. 2010).

⁷ The CHICAGO MANUAL OF STYLE ¶ 11.110 (16th ed. 2010).

⁸ Rebecca Lee, *Modernizing Charity Law in China*, 18 PAC. RIM L. & POL'Y J. 347, 348 (2009). In the original article, the author's Pinyin for the institution and code name is in italics.

⁹ Donald C. Clarke, *Legislating for a Market Economy*, in CHINA IN CHINA'S LEGAL SYSTEM: NEW DEVELOPMENTS, NEW CHALLENGES 13-31, 15 (Donald C. Clarke ed., 2008).

¹⁰ Benjamin Van Rooij, *The People's Regulation: Citizens and Implementation of Law in China*, 25 COLUM. J. ASIAN L. 116, 118 (2012).

¹¹ Taisu Zhang, *The Pragmatic Court: Reinterpreting the Supreme People's Court of China*, 25 COLUM. J. ASIAN L. 1, 18 (2012).

¹² For example, see CHINESE JUSTICE: CIVIL DISPUTE RESOLUTION IN CONTEMPORARY CHINA (Margaret Y. K. Woo & Mary E. Gallagher eds., 2011).

¹³ Charlie Xiao-chuan Weng, *Lifting the Veil of Words: An Analysis of the Efficacy of Chinese Takeover Laws and the Road to a "Harmonious Society"*, 25 COLUM. J. ASIAN L. 180, 183-184 (2012).

2.2. Simplified or Traditional Chinese

Simplified Chinese is the standard Chinese in People’s Republic of China (PRC) while traditional Chinese is the standard Chinese in Republic of China (ROC).¹⁴ When citing a Chinese language material, always keep the Chinese characters in running text consistent with the Chinese commonly used for the material. For example, “*xinfang*” (信访) is the administrative system for hearing complaints and grievances from individuals in the PRC. When citing the term “*xinfang*,” you should use simplified Chinese characters in running text. If the material is commonly used in both areas, the choice for simplified or traditional Chinese depends on which legal system is designated in running text. For example, when discussing the constitutionalism in the ROC, you should use traditional Chinese characters. If the material is not the foregoing cases, the choice depends on who your potential readers are. For example, when citing a legal term used in the Qing Dynasty, use simplified Chinese characters if the potential readers should be familiar with simplified Chinese.

2.3. In Parentheses

Basic rule: Chinese characters and Pinyin should be put in parentheses unless a person or place’s name in Pinyin.¹⁵

Exception: It is acceptable to use Pinyin for a widely known common noun in running text if the form “English translation (Pinyin)” for the noun has previously been used.

[Student A’s note & sample: (1) The basic rule is suggested by the Chicago Manual.¹⁶ (2) Examples for the exception: To avoid appellate reversal, lower Chinese courts judges rely on an ill-defined system of *advisory requests* (*qingshi*) to solicit the views of higher courts and judges on how to decide pending cases. As Chinese judges themselves note, excessive resort to *qingshi* practices has many negative effects.¹⁷ (3) Cf. “Building connections, or *guanxi*, with individuals not bound by family relationships proceeds on the basis of analogies to family relationships...”¹⁸]

[Student B’s sample: (1) According to one study conducted by Professor Jae Ho Chung (2004) of Seoul National University, collective public security incidents (*quntixing zhian shijian*)-incidents wherein groups of people gather to disrupt public order and destroy public property-have been increasing yearly from 8,700 in 1993 to 11,000 in 1995,

¹⁴ Traditional Chinese is also commonly used in Hong Kong and Macau.

¹⁵ BLUEBOOK ¶ 20.2.4.

¹⁶ “They are largely confined to bibliographies and glossaries. Where needed in running text, they may be enclosed in parentheses.” CHICAGO MANUAL ¶ 11.110.

¹⁷ The word *qingshi* is 请示. This usage is found in a book published in 2011 by Cambridge Press. See CHINESE JUSTICE: CIVIL DISPUTE RESOLUTION IN CONTEMPORARY CHINA 59 (Margaret Y. K. Woo & Mary E. Gallagher eds., 2011).

¹⁸ Jane Kaufman Winn, *Relational Practices and the Marginalization of Law: Informal Financial Practices of Small Businesses in Taiwan*, 28 LAW & SOCIETY REVIEW 206 (1994).

15,000 in 1997, 32,000 in 1999, and 40,000 in 2004.¹⁹ (2) This local security system (together with the *Hukou* and *Danwei* systems) also partially explains why China's rapid economic development has not been accompanied by the slums and squatter areas seen in Brazil, Chile, Kenya, and many Asian cities.^{20]}

[Student A's comment: (1) The Pinyin for a common noun is not capitalized. (2) Since “*Hukou*” is a common noun, it should be “*hukou*.” (2) Since “*Danwei*” is a common noun, it should be “*danwei*.”]

[Student C's sample: (1) In a small community, the rule of law (*fazhi*) is often at odds with the rule of personal political power (*renzhi*).²¹ (2) One reason is that transactional work does not involve going to court, so lawyers can bypass some of the social complexities of litigation, such as cultivating relationship with judges and using connections (*la guanxi*).^{22]}

2.4. Pinyin Capitalization

Basic Rule: (1) Personal names and place- names are capitalized.²³ (2) Names of institutions, schools of thought, religions, and so forth are capitalized if set in Pinyin, lowercased if set in italics.²⁴

[Student A's sample: (1) Wang Shengjun replaced Xiao Yang as SPC President.²⁵ (2) During the 2008 Sichuan earthquake.^{26]}

[Student B's sample: The Zhao Zuohai case seemed like a replay of the She Xianglin case, which sent shock waves through the Chinese legal community only five years earlier.^{27]}

[Student C's sample: (1) Professor Yu An of Tsinghua University argued that it is necessary to consider “the issue of courts’ ability to uphold justice.”²⁸ (2) Dozens of petitions against the construction of cellular towers have been submitted to the National Communications Commission (“NCC”) in recent years, and at the municipal level a

¹⁹ Baogang He, *Participatory and Deliberative Institutions in China* in THE SEARCH FOR DELIBERATIVE DEMOCRACY IN CHINA, 176 (Baogang He& Ethan J. Leib eds., 2006).

²⁰ *Id.* at 178.

²¹ Peng Wu, *The Good, the Bad and the Legal: Lawyering in China’s Wild West*, 21 COLUM. J. ASIAN L. 183, 202 (2008).

²² Peng Wu, *The Good, the Bad and the Legal: Lawyering in China’s Wild West*, 21 COLUM. J. ASIAN L. 183, 198 (2008).

²³ CHICAGO MANUAL ¶ 11.108.

²⁴ CHICAGO MANUAL ¶ 11.108.

²⁵ Taisu Zhang, *The Pragmatic Court: Reinterpreting the Supreme People’s Court of China*, 25 COLUM. J. ASIAN L. 1, 18 (2012).

²⁶ Benjamin Van Rooij, *The People’s Regulation: Citizens and Implementation of Law in China*, 25 COLUM. J. ASIAN L. 116, 118 (2012).

²⁷ Ira Belkin, *China’s Tortuous Path Toward Ending Torture in Criminal Investigations*, 24 COLUM. J. ASIAN L. 273, 274 (2011).

²⁸ Haibo He, *The Dawn of the Due Process Principle in China*, 22 COLUM. J. ASIAN L. 57, 92 (2008).

large number of requests for cellular tower construction are being contested.^{29]}

2.5. Pinyin Italicization

Basic Rule: Common nouns and other words used in an English sentence are lowercased and italicized.³⁰

[Student A's note & sample: (1) Grob's analysis on the legal affairs offices (*fazhiban* or FZBs) of local governments is a much-needed study...³¹ (2) To complete this section on *bu fa*, in Chapter 8 Sida Liu traces the changing meaning of ordinary legal work in china...^{32]}

[Student B's sample: (1) In Chinese terms this institution is called *tingzheng hui*.³³ (2) In Chinese, the duty of loyalty is same as the duty of fidelity and is called “忠实义务” (*zhongshi yiwu*).^{34]}

[Student A's comment: If the Chinese characters are in running text, they should be in parentheses. Thus, “忠实义务” (*zhongshi yiwu*) should be “*zhongshi yiwu*” (忠实义务).]

[Student C's sample: Others have various degrees of legal training, ranging from a law degree from Northwestern University of Politics and Law in Xi'an, to a *da zhuan* (probably the equivalent of a two-year Associate degree) from a local school.^{35]}

2.6. Word Division

Basic Rule: Competing standards exist for word division in Pinyin. Follow commonly accepted guidelines for word division in scholarly publications.³⁶

[Student A's note & sample: (1) Although Library of Congress's New Chinese Romanization Guidelines³⁷ divide each romanized Chinese character with a space

²⁹ Shin-yi Peng, *Regulating Wireless Communications Towers: Taiwan's Experience in Comparative Perspective*, 22 COLUM. J. ASIAN L. 259, 262 (2009).

³⁰ CHICAGO MANUAL ¶ 11.108.

³¹ The word *fazhiban* is 法制办. This usage is found in a book published in 2011 by Cambridge Press. See CHINESE JUSTICE: CIVIL DISPUTE RESOLUTION IN CONTEMPORARY CHINA 9 (Margaret Y. K. Woo & Mary E. Gallagher eds., 2011).

³² The phrase *bu fa* is 不法. This usage is found in a book published in 2011 by Cambridge Press. See CHINESE JUSTICE: CIVIL DISPUTE RESOLUTION IN CONTEMPORARY CHINA 14 (Margaret Y. K. Woo & Mary E. Gallagher eds., 2011).

³³ Baogang He, *Participatory and Deliberative Institutions in China*, in THE SEARCH FOR DELIBERATIVE DEMOCRACY IN CHINA 183 (Baogang He & Ethan J. Leib eds., 2006).

³⁴ Charlie Xiao-chuan Weng, *Lifting the Veil of Words: An Analysis of the Efficacy of Chinese Takeover Laws and the Road to A “Harmonious Society”*, 25 COLUM. J. ASIAN L. 180, 194 n.60 (2012).

³⁵ Peng Wu, *The Good, the Bad and the Legal: Lawyering in China's Wild West*, 21 COLUM. J. ASIAN L. 183, 189 (2008).

³⁶ The Bluebook editor's note: “Note that the Pinyin standard used in many libraries differs with regard to word division and separates most syllables, so when searching for sources in library catalogs, it may be necessary to break up compound words into separate syllables.”

³⁷ *New Chinese Romanization Guidelines*, LIBRARY OF CONGRESS PINYIN CONVERSION PROJECT, <http://www.loc.gov/catdir/pinyin/romcover.html> (last visited Apr. 28, 2013).

except for geographic names and given names, nowadays many journals and books do NOT follow this rule but divide Pinyin in light of Chinese language custom. (2) In a 2011 published book “Chinese Justice” by Cambridge Press, the author provided a glossary for word division. For example: (i) *butai xinren* 不太信任, (ii) *dang de zuzhibu* 党的组织部, and (iii) *you fazhi yishi de guanyuan* 有法治意识的官员.^{38]}

[Student B’s sample: Deliberative, participatory, and consultative institutions are expressed in many Chinese terms such as *minqing kentanahui* (民情恳谈会), *minzhu kentanahui* (民主恳谈会), *minzhu licaihui* (民主理财会), *minqing zhitongche* (民情直通车), *jumin luntan* (居民论坛), *xiangcun luntan* (乡村论坛), and *minzhu ting (yi) zheng hui* (民主听(议)证会).^{39]}

[Student C’s sample: Scholars highlight a unique phenomenon known as *yulun jiandu* (舆论监督), or “public opinion supervision,” where citizen awareness of an issue is mobilized to act as a check against the state, to influence court decisions, or to push for legislative or policy reforms.^{40]}

2.7. Specific Usage & Examples

2.7.1. Name

[Student A’s sample]

- ✓ Wang Shengjun replaced Xiao Yang as SPC President.⁴¹

[Student A’s note: (1) Personal names are usually spelled without apostrophes or hyphens,⁴² and (2) in Chinese language texts the surname is always given first.^{43]}

- ✓ Kuomintang (國民黨) [Nationalist Party, hereinafter KMT] troops unified China and established a central government in Nanjing in 1928.
- ✓ Guomintang (Kuomintang 國民黨) [Nationalist Party, hereinafter KMT] troops unified China and established a central government in Nanjing in 1928.

[Student A’s note: (1) Whenever using a widely known name such as “Kuomintang” instead of its Pinyin, a reference librarian suggests to add a note for clarification. Here an example in a law journal article, “This article uses the romanization commonly applied

³⁸ CHINESE JUSTICE: CIVIL DISPUTE RESOLUTION IN CONTEMPORARY CHINA (Margaret Y. K. Woo & Mary E. Gallagher eds., 2011).

³⁹ Baogang He, *Participatory and Deliberative Institutions in China* in THE SEARCH FOR DELIBERATIVE DEMOCRACY IN CHINA, 181 (Baogang He & Ethan J. Leib eds., 2006).

⁴⁰ Anne S.Y. Cheung, *Public Opinion Supervision: A Case Study of Media Freedom in China*, 20 COLUM. J. ASIAN L. 357, 358 (2007).

⁴¹ Taisu Zhang, *The Pragmatic Court: Reinterpreting the Supreme People’s Court of China*, 25 COLUM. J. ASIAN L. 1, 18 (2012).

⁴² CHICAGO MANUAL ¶ 11.108.

⁴³ “Transcribe authors and editors of Chinese text in Pinyin, joining multiple syllables of surname and/or forename without hyphens or commas.” BLUEBOOK ¶ 20.2.4(b)(ii)(A).

to names of particular places and persons, for example, Kuomintang. In the absence of established convention, it uses Pinyin as the default.”⁴⁴ (2) Chinese and Japanese characters, immediately following the romanized version of the item they represent, are sometimes necessary to help readers identify references cited or terms used. Where needed in running text, they may be enclosed in parentheses.^{45]}

- ✓ Jiang Jieshi (Chiang Kai-shek) unified China and established a central government in Nanjing in 1928.

[Student A’s note: Whenever there is a widely known spelling other than Pinyin, it is also acceptable to put the Pinyin in running text and the widely known spelling in parentheses.^{46]}

- ✓ In 1995, the Constitutional Court of Taiwan (Sifayuan Dafaguan Huiyi) took a case filed by the defendant Xu Xinliang (Hsu Hsin-liang) and his defense attorney Chen Shuibian (Chen Shui-bian) for Xu’s 1989 detention by a prosecutor on the grounds that Xu was suspected of treason.

[Student A’s note: (1) Sifayuan Dafaguan Huiyi (司法院大法官會議). (2) Hsu Hsin-liang (許信良) and Chen Shui-bian (陳水扁) are the names commonly used in Taiwan. In Taiwan, if a given name has two Chinese characters, a hyphen is inserted in the English spelling. Because the usage is commonly used by Taiwanese people and government, a given name without a hyphen may cause confusion in Taiwan.

[Student B’s sample]

- ✓ The Zhao Zuohai case seemed like a replay of the She Xianglin case, which sent shock waves through the Chinese legal community only five years earlier.⁴⁷

[Student C’s sample]

- ✓ In a phone interview with the author, the presiding judge in the case, Judge Zhen Lingling, confirmed that the issue of due process was the main reason why the court invalidated the administrative review decision⁴⁸.]

⁴⁴ Margaret K. Lewis, *Taiwan’s New Adversarial System and the Overlooked Challenge of Efficiency-Driven Reforms*, 49 VA. J. INT’L L. 651, 652 n.1 (2009).

⁴⁵ CHICAGO MANUAL ¶ 11.110.

⁴⁶ “The hanyu pinyin romanization system is applied to Chinese names of persons, places, and terms. The transliteration is also used for the titles of Chinese publications. Names of individuals are written in the Chinese way: surname first, such as Mao Zedong. Some popular names have traditional Wade-Giles spellings appearing in parentheses after the first use of the hanyu pinyin, such as Jiang Jieshi (Chiang Kai-shek), as do popular names of places like Guangzhou (Canton). The order is reversed for a very few places whose names are widely known, such as Tibet (Xizang) and Yangtze (Yangzi or Changjiang) River.” See the note on transliteration in a book published in 2013 by University Press of Kentucky, MODERN CHINESE LEGAL REFORM: NEW PERSPECTIVES (Xiaobing Li & Qiang Fang eds., 2013).

⁴⁷ Ira Belkin, *China’s Tortuous Path Toward Ending Torture in Criminal Investigations*, 24 COLUM. J. ASIAN L. 273, 274 (2011).

⁴⁸ Haibo He, *The Dawn of the Due Process Principle in China*, 22 COLUM. J. ASIAN L. 57, 101 (2008).

2.7.2. Law

[Student A's sample]

- ✓ At this period of time, trademark infringement was punished according to the Criminal Code of Republic of China (Zhonghua Minguo Xingfa) [hereinafter the Criminal Code].

[Student A's note: Capitalize when referring to: (1) a specific legislative act, and (2) a specific code.⁴⁹ Code names are capitalized but not italicized just like those in English such as the “Patriot Act.”]

2.7.3. Court

[Student A's sample]

- ✓ The constitutional court of Taiwan, the Council of Grand Justices of the Judicial Yuan (Sifayuan Dafaguan Huiyi), in 1965 delivered the Judicial Yuan No. 109 Interpretation (Sifayuan Shizi Di 109 Hao Jieshi).

[Student A's note: Capitalize when naming any court in full.⁵⁰]

2.7.4. Common Noun

[Student A's sample]

- ✓ To establish a crime, three tests should be applied: the test for constituent elements of a crime (*goucheng yaojian* 構成要件), the test for illegality (*weifa xing* 違法性), and the test for culpability (*yiuzhe xing* 有責性).

[Student A's note: Common nouns and other words used in an English sentence are lowercased and italicized.⁵¹]

[Student C's sample]

- ✓ There are three major principles/ policies, namely, those of freedom of contract (*hetong ziyou*), good faith (*chengxin*), and the fostering of transactions (*guli jiaoyi*), that have been conscientiously followed by the law's drafters and that have been essentially embodied in the law's final formulation⁵².
- ✓ Complaints are now about judicial injustice and corruption, expropriation of rural land, and the increasing number of forced evictions (拆迁, *chaiqian*)⁵³.

[Student A's comment: According our rule, “(拆迁, *chaiqian*)” should be “(*chaiqian*)”

⁴⁹ BLUEBOOK ¶ 8(b)(ii).

⁵⁰ BLUEBOOK ¶ 8(b)(ii).

⁵¹ CHICAGO MANUAL ¶ 11.108.

⁵² Wang Liming & Xu Chuanxi, *Fundamental Principles of China's Contract Law*, 13 COLUM. J. ASIAN L. 1, 2 (1999).

⁵³ Dingjian Cai, *The Development of Constitutionalism in the Transition of Chinese Society*, 19 COLUM. J. ASIAN L. 1, 5 (2005).

拆迁)” or “(拆迁) (*chaiqian*)”.]

3. Chinese Language Materials in Citations

Because the Bluebook has clear instructions in this area, we base these citation guidelines on the Bluebook unless otherwise specified.

3.1. Chinese Characters and Romanization in Citations

3.1.1. Basic Rule

Pinyin (Chinese characters) [English translation]

“When citing a document in a language other than English, always give the document’s full title or name in the original language the first time the document is cited. If desired, the original-language title may be followed by brackets containing its shortened or full-length English title in the same typeface as the original.”⁵⁴

[Student A’s note & sample: (1) “For citations to Chinese language sources, regardless of jurisdiction or place of publication, always provide romanization as instructed here.”⁵⁵

(2) Minfa Tongze (民法通则) [General Principles of the Civil Law].⁵⁶]

[Student B’s sample: Zhengquan Fa (证券法) [Securities Law].⁵⁷]

[Student C’s sample: Guanyu Shenli Qinfa Zhuanli Quan Jiufen Anjian Yingyong Falu Ruogan Wenti de Jieshi (关于审理侵犯专利权纠纷案件应用法律若干问题的解释) [Explanations Regarding Several Issues Concerning the Application of Law in the Trial of Patent Infringement Dispute Cases.]⁵⁸]

3.1.2. Simplified or Traditional Chinese

When citing a Chinese language source, always keep the Chinese characters consistent with the Chinese used in the source. For example, if you cite a book written in traditional Chinese, the Chinese characters in the citation for the book should be traditional Chinese.

3.1.3. Pinyin Capitalization

Pinyin romanization should be capitalized if it is for names or titles.

[Student A’s note: (1) “Capitalized names and titles in languages other than English as

⁵⁴ BLUEBOOK ¶ 20.2.2(a).

⁵⁵ BLUEBOOK ¶ 20.2.4(b)(i).

⁵⁶ Patrick E. King, Timothy T. Lau, & Gautam V. Kene, *Navigating the Shoals of Joint Infringement, Indirect Infringement, and Territoriality Doctrines: A Comparative Analysis of Chinese and American Patent Laws*, 25 Colum. J. Asian L. 275, 283 n.28 (2012).

⁵⁷ Charlie Xiao-chuan Weng, *Lifting the Veil of Words: An Analysis of the Efficacy of Chinese Takeover Laws and the Road to a “Harmonious Society”*, 25 COLUM. J. ASIAN L. 180, 185 n.15 (2012).

⁵⁸ Patrick E. King, Timothy T. Lau, & Gautam V. Kene, *Navigating the Shoals of Joint Infringement, Indirect Infringement, and Territoriality Doctrines: A Comparative Analysis of Chinese and American Patent Laws*, 25 Colum. J. Asian L. 275, 278 n.2 (2012).

they appear on the page. Capitalize translations according to rule 8.”⁵⁹ (2) “For capitalization in Pinyin romanization, follow rule 8 and related guidelines.”⁶⁰ (3) “Capitalize words in a heading or title, including the initial word and any word that immediately follows a colon.”⁶¹ (4) *Shenjieshi Huaner 3 Si, Yiqian Bu Jiance Sanjuqingan* (肾结石患儿 3 死, 以前不检测三聚氰氨) [*Three Infants Died from Kidney Stones; No Detection of Melamine in the Past*].⁶²

[Student B’s sample: *Dongnanya, Oumei, ji Taiwan Diqu Qianglie Fanying Wenti Naifen Shijian* (东南亚、欧美及台湾地区强烈反映问题奶粉事件).⁶³]

[Student A’s comment: The English translation should be added and in italics: [*Strong Reactions in South Eastern Asia, Europe and Taiwan Against the Milk Powder Incident*].]

3.1.4. Pinyin in Italics

Article titles in Pinyin should be in italics.

[Student A’s note: (1) “Cite foreign-language periodicals according to rule 16, as modified by rule 20.2.”⁶⁴ (2) “Italicize article titles and use large and small capitals for periodical names.”⁶⁵ (3) A Bluebook’s sample shows that the italicization rule is applied to foreign-language periodicals: Catherine Labrusse-Riou, *La filiation et la médecine modern*, 38 REVUE INTERNATIONALE DE DROIT COMPARÉ [R.I.D.C.] (1986) (Fr.).⁶⁶]

3.1.5. Pinyin in Large and Small Capitals

Pinyin should be in large and small capitals if it is for the author and title of a book as well as the title of a periodical.

[Student A’s note: “Use large and small capitals for both authors and titles.”⁶⁷]

3.1.6. Word Division

Follow commonly accepted guidelines for word division in scholarly publications.⁶⁸

⁵⁹ BLUEBOOK ¶ 20.2.2(b).

⁶⁰ BLUEBOOK ¶ 20.2.4(b)(i).

⁶¹ BLUEBOOK ¶ 8(a).

⁶² Benjamin Van Rooij, *The People’s Regulation: Citizens and Implementation of Law in China*, 25 COLUM. J. ASIAN L. 116, 118 n.5 (2012). However, in the original citation, Pinyin is not in italics though for a title of news headline.

⁶³ *Id.* at 120 n.11. In the original citation, the title in Pinyin was not italicized.

⁶⁴ BLUEBOOK ¶ 20.6.

⁶⁵ BLUEBOOK ¶ 2.1(c).

⁶⁶ BLUEBOOK ¶ 20.6.

⁶⁷ BLUEBOOK ¶ 2.1(b).

⁶⁸ *See* 2.5.

3.2. Books, Periodicals and Newspapers

3.2.1. Books

Citation format: <AUTHOR'S FULL NAME>, <TITLE OF BOOK IN PINYIN (Chinese Characters) [ENGLISH TRANSLATION]> <page cited> (year).

[Student A's sample]

- ✓ Ma Yingjiu (Ma Ying-jeou 馬英九), *Yongyuan de Qiu Laoshi* (永遠的丘老師) [*My Mentor Forever, Prof. Qiu*], in GUOJIFA LUNJI (國際法論集) [INTERNATIONAL LAW ARTICLES IN COLLECTION] 21, 21-23 (Qian Fu (錢復) et al. eds., 2001).

[Student D's sample]

- ✓ ZHOU ZHONGFEI (周仲飞), *YINHANGFA YANJIU* (銀行法研究) [Analysis of Banking Law], 20-25 (2010).

[Student A's comment: (1) The author's name should be in large and small capitals.
(2) The title of the book should be in large and small capitals.]

Sample Citations from Law Journals:

[Student A's sample]

- ✗ WANG MINGLIANG (汪明亮), *Yanda de Lixing Pingjia* (嚴打的理性评价) [AN ANALYSIS OF THE RATIONALITY OF THE STRIKE HARD POLICY] 59-80 (2004).⁶⁹
- ✓ WANG MINGLIANG (汪明亮), *YANDA DE LIXING PINGJIA* (嚴打的理性评价) [AN ANALYSIS OF THE RATIONALITY OF THE STRIKE HARD POLICY] 59-80 (2004).

[Student A's note: Title of book in Pinyin is not in small capitals.]

- ✗ *JAW-PERNG WANG* (王兆鵬), *DANGSHIREN JINXING ZHUYI ZHI XINGSHI SUSONG* (當事人進行主義之刑事訴訟) [CRIMINAL TRIAL UNDER THE ADVERSARIAL SYSTEM] 16 (2004).⁷⁰
- ✓ *WANG ZHAOPENG* (WANG *JAW-PERNG* 王兆鵬), *DANGSHIREN JINXING ZHUYI ZHI XINGSHI SUSONG* (當事人進行主義之刑事訴訟) [CRIMINAL TRIAL UNDER THE ADVERSARIAL SYSTEM] 16 (2004).

[Student A's note: (1) Author's surname should be first. (2) There should not be a hyphen in author's given name. (3) The title of the book should be capitalized.]

- ✗ *HUNGDAH CHIU* (丘宏達), *XIAN DAI GUO JI FA* (現代國際法) [MODERN INTERNATIONAL LAW] (1995).⁷¹

⁶⁹ Benjamin Van Rooij, *The People's Regulation: Citizens and Implementation of Law in China*, 25 COLUM. J. ASIAN L. 116, 130 n.63 (2012).

⁷⁰ Yu-Jie Chen, *One Problem, Two Paths: A Taiwanese Perspective on the Exclusionary Rule in China*, 43 N.Y.U. J. INT'L L. & POL. 713, 719 n.26 (2011).

⁷¹ Jerome A. Cohen, *Hungdah Chiu, China, and International Law: A Life Well Spent*, 27 MD. J. INT'L L. 9, 12

- ✓ QIU HONGDA (CHIU HUNG-DAH 丘宏達), XIANDAI GUOJIFA (現代國際法) [MODERN INTERNATIONAL LAW] (1995).
[Student A's note: (1) The word division for the title of the book should follow Chinese language custom as “Xiandai Guoji Fa.” (2) The title of the book in Pinyin should be capitalized.]
- ✗ LUOPING HAN (罗平汉), CUNMIN ZIZHI SHI (村民自治史) [HISTORY OF VILLAGERS' SELF-GOVERNANCE] 112-16 (2006).⁷²
- ✓ LUO PINGHAN (罗平汉), CUNMIN ZIZHI SHI (村民自治史) [HISTORY OF VILLAGERS' SELF-GOVERNANCE] 112-16 (2006).
[Student A's note: (1) The surname of the author should be Luo, instead of Luopin; the last name of the author should Pinghan, instead of Han. (2) The title of the book in Pinyin should be capitalized.]
- ✗ LIU WENJING (刘文静), WTO TOUMINGDU YUANZE YU WOGUO XINGZHENG GONGKAI ZHIDU (WTO 透明度原则与我国行政公开制度) [THE WTO PRINCIPLE OF TRANSPARENCY AND CHINA'S INSTITUTION OF OPEN GOVERNMENT] 40-50 (2008).⁷³
- ✓ LIU WENJING (刘文静), WTO TOUMINGDU YUANZE YU WOGUO XINGZHENG GONGKAI ZHIDU (WTO 透明度原则与我国行政公开制度) [THE WTO PRINCIPLE OF TRANSPARENCY AND CHINA'S INSTITUTION OF OPEN GOVERNMENT] 40-50 (2008).
[Student A's note: (1) The word “yu” (与) is a conjunction and should not be capitalized. (2) The Pinyin for “制度” is zhidu, not zhizu.]

[Student B's sample]

- ✗ PENG BING (彭冰), Zhongguo Zhengquan Faxue (中国证券法学) [CHINESE SECURITIES LAW] 268, 286 (2007).⁷⁴
- ✓ PENG BING (彭冰), ZHONGGUO ZHENGQUAN FAXUE (中国证券法学) [CHINESE SECURITIES LAW] 268, 286 (2007).

[Student B's note: The article's title in Pinyin should be in large and small capitals.]

[Student C's sample]

- ✗ Su Yongqin (苏永钦), Sifa Xingzheng Zuzhi de Fazhan Qushi: Cong Shenpan Duli yu Guojia Geifu Sifa Yiwu de Jinzhang Guanxi Tan Qi (司法行政组织的发展趋势: 从审判独立与国家

n.10 (2012).

⁷² Liu Wenjing, *Approaching Democracy Through Transparency: A Comparative Law Study on Chinese Open Government Information*, 26 AM. U. INT'L L. REV. 983, 987 n.14 (2011).

⁷³ Liu Wenjing, *Approaching Democracy Through Transparency: A Comparative Law Study on Chinese Open Government Information*, 26 AM. U. INT'L L. REV. 983, 989 n.25 (2011).

⁷⁴ Charlie Xiao-chuan Weng, *Lifting the Veil of Words: An Analysis of the Efficacy of Chinese Takeover Laws and the Road to a “Harmonious Society”*, 25 COLUM. J. ASIAN L. 180, 182 n.4 (2012).

给付司法义务的紧张关系谈起) [*Development Trends in the Administrative Organization of the Judiciary: Starting from the Tense Relationship Between Judicial Independence and the State's Obligation to Financially Support the Judiciary*], in Fazi yu Xiandai Xingzheng Faxue (法治与
现代行政法学) [THE RULE OF LAW AND MODERN ADMINISTRATIVE LEGAL STUDIES] 45
(2004)⁷⁵

- ✓ Su Yongqin (蘇永欽), *Sifa Xingzheng Zuzhi de Fazhan Qushi: Cong Shenpan Duli yu Guojia Geifu Sifa Yiwu de Jinzhang Guanxi Tan Qi* (司法行政組織的發展趨：從審判獨立與國家給付司義務的緊張關係談起) [*Development Trends in the Administrative Organization of the Judiciary: Starting from the Tense Relationship Between Judicial Independence and the State's Obligation to Financially Support the Judiciary*], in FAZI YU XIANDAI XINGZHENG FAXUE (法治與現代行政法學) [THE RULE OF LAW AND MODERN ADMINISTRATIVE LEGAL STUDIES] 45 (2004)

[Student C's note: (1) The original source of the article is traditional Chinese, so we should not use the simple Chinese in the citation. (2) Article titles in Pinyin should be in italics. (3) The title of the book in Pinyin should be capitalized.]

- ✗ Jin Wensi (金問泗) [WUNSZ KING], *Waijiao Gongzuo de Huiyi* (外交工作的回憶) [MEMORIES OF MY DIPLOMATIC WORK] 119 (1968)⁷⁶
- ✓ JIN WENSI (金問泗), *WAIJIAO GONGZUO DE HUIYI* (外交工作的回憶) [MEMORIES OF MY DIPLOMATIC WORK] 119 (1968)

[Student C's note: (1) Author's name should be used in standard Pinyin. (2) Author's name in Pinyin should be in large and small capitals; (3) Title of a book in Pinyin should be in large and small capitals.]

3.2.2. Periodicals

Basic Rule:

Consecutively paginated:

Citation format: <Author's Full Name (Chinese Characters)>, <Title of Article in Pinyin (Chinese Characters) [*English Translation*]>, <volume no.> <TITLE OF JOURNAL IN PINYIN (Chinese Characters) [ENGLISH TRANSLATION]>, <page on which article begins>, (year).

[Student A's note: 16.3 of the Bluebook]

Non-consecutively paginated:

⁷⁵ Taisu Zhang, *The Pragmatic Court: Reinterpreting the Supreme People's Court of China*, 25 COLUM. J. ASIAN L. 1, 34 n.149 (2012).

⁷⁶ Wen-Wei Lai, *Forgiven and Forgotten: The Republic of China in the United Nations War Crimes Commission*, 25 COLUM. J. ASIAN L. 306, 309 n.4 (2012).

Most PRC periodicals and a few ROC periodicals have issue number (*qi* 期) but no volume number (*juan* 卷) and every issue is always paginated separately. Many ROC periodicals have volume and issue number but every issue in one volume is always paginated separately.

Citation format: <Author's Full Name (Chinese Characters)>, <Title of Article in Pinyin (Chinese Characters) [English Translation]>, <volume no.> <TITLE OF JOURNAL IN PINYIN (Chinese Characters) [ENGLISH TRANSLATION]>, <issue no.>, <date or year of publication>, at <page on which article begins>, .

[Student A's note: 16.4 of the Bluebook]

[Student A's sample]

- ✓ Huang Shaogu (黃少谷), *Shen Jian Fenli yu Sifa Gexin* (審檢分隸與司法革新) [*Separation of Judges and Prosecutors and Judicial Reform*], 31 FALING YUEKAN (法令月刊) [LAW MONTHLY], no.10, 1980, at 7.

[Student A's note: (1) This periodical has volume number and issue number but issues are not consecutively paginated. (2) 法令月刊第 31 卷第 10 期第 7 頁.]

- ✓ Zhang Zhongxin (章忠信), *Jiushier Nian Xin Xiuzheng Zhuzuoquan Fa Jianxi* (九十二年新修正著作權法簡析) [*Brief Analysis for the New Copyright Act of 2003*], YUEDAN FAXUE ZAZHI (月旦法學雜誌) [TAIWAN L. REV.], no.103, 2003, at 103, 118.

[Student A's note: (1) This periodical has an issue number only. (2) 月旦法學雜誌第 103 期第 103 頁.]

Sample Citations from Law Journals:

[Student A's sample]

- ✗ Tze-Lung Chen, (陳志龍), *Zhengju faze zhi xiuzheng fangxiang* (證據法則之修正方向) [*The direction of the revisions of evidence rules*], 52 YUEDAN FAXUE ZAZHI 60 (月旦法學雜誌) [TAIWAN L. REV.], at 74 (1999).⁷⁷
- ✓ Chen Zhilong (Chen Tze-Lung 陳志龍), *Zhengju Faze zhi Xiuzheng Fangxiang* (證據法則之修正方向) [*The Direction of the Revisions of Evidence Rules*], YUEDAN FAXUE ZAZHI (月旦法學雜誌) [TAIWAN L. REV.], no.52, 1999, at 60, 74.

[Student A's note: (1) Author's surname should be first. (2) Author's given name should be in standard Pinyin. (3) There should be no hyphen in author's given name. (4) Title of article in Pinyin and its English translation should be capitalized. (5) Title of journal in Pinyin should be capitalized, and large and small caps should be used. (6) Taiwan Law Review has issue number only.]

⁷⁷ Yu-Jie Chen, *One Problem, Two Paths: A Taiwanese Perspective on the Exclusionary Rule in China*, 43 N.Y.U. J. INT'L L. & POL. 713, 716 n.9 (2011).

- ✘ He Weifang (贺卫方), *Zhongguo Sifa Guanli Zhidu de Liang Ge Wenti* (中国司法管理制度的两个问题) [*Two Problems in China's System of Judicial Administration*], *Zhongguo Shehui Faxue* (中国社会科学) [SOC. SCI. CHINA], no.6, 1997, at 116.⁷⁸
- ✓ He Weifang (贺卫方), *Zhongguo Sifa Guanli Zhidu de Liang Ge Wenti* (中国司法管理制度的两个问题) [*Two Problems in China's System of Judicial Administration*], *ZHONGGUO SHEHUI KEXUE* (中国社会科学) [SOC. SCI. CHINA], no.6, 1997, at 116.
- [Student A's note: (1) Title of article in Pinyin should be italicized. (2) Title of journal in Pinyin should be in large and small capitals. (3) 科学 is kexue, not faxue.]
- ✘ Su Li (苏力), *Faguan Linxuan Zhidu Kaocha* (法官遴选制度考察) [*A Probe into the Judge Selection System*], *Faxue Yuekan* (法学月刊) [LEGAL SCI. MONTHLY], no.3, 2004, at 3, 4-8.⁷⁹
- ✓ Su Li (苏力), *Faguan Linxuan Zhidu Kaocha* (法官遴选制度考察) [*A Probe into the Judge Selection System*], *FAXUE YUEKAN* (法学月刊) [LEGAL SCI. MONTHLY], no.3, 2004, at 3, 4-8.
- [Student A's note: (1) Title of article in Pinyin should be italicized. (2) Title of journal in Pinyin should be in large and small capitals.]
- ✘ Song Yuansheng (宋远升), *Xingshi Cuo An Bijiao Yanjiu* (刑事错案比较研究), *1 Fanzui Yanjiu* 73 (犯罪研究) [CRIM. RES.], at 75 (2008).⁸⁰
- ✓ Song Yuansheng (宋远升), *Xingshi Cuo An Bijiao Yanjiu* (刑事错案比较研究) [*Comparative Research on Wrong Criminal Trials*], *FANZUI YANJIU* (犯罪研究) [CRIM. RES.], no.1, 2008, at 73, 75 (2008).
- [Student A's note: (1) Title of article in Pinyin should be italicized and English translation should be provided. (2) Title of journal in Pinyin should be in large and small capitals. (3) This periodical has no volume number. The issue number "1" should follow the title of the periodical as "no. 1". (4) The number "73" is the page on which the article begins.
- ✘ You-Chen Su, (蘇友辰), *Cong Su Chien-Ho an kan Taiwan sifa de qushi* (從蘇建和案看臺灣司法的缺失) [*Looking at the flaws of Taiwan's judiciary from the perspective of the Su Chien-Ho case*], 208 *LUSHI ZAZHI* 62 (律師雜誌) [TAIPEI BAR J.], at 63 (1991).⁸¹
- ✓ Su Youchen (Su You-chen 蘇友辰), *Cong Su Chien-Ho An Kan Taiwan Sifa de Qushi* (從蘇建和案看臺灣司法的缺失) [*Looking at the flaws of Taiwan's judiciary from the perspective of the*

⁷⁸ Taisu Zhang, *The Pragmatic Court: Reinterpreting the Supreme People's Court of China*, 25 COLUM. J. ASIAN L. 1, 3 n.7 (2012).

⁷⁹ Charlie Xiao-chuan Weng, *Lifting the Veil of Words: An Analysis of the Efficacy of Chinese Takeover Laws and the Road to a "Harmonious Society"*, 25 COLUM. J. ASIAN L. 180, 220 n.206 (2012).

⁸⁰ Margaret K. Lewis, *Controlling Abuse to Maintain Control: The Exclusionary Rule in China*, 43 N.Y.U. J. INT'L L. & POL. 629, 671 n.186 (2011).

⁸¹ Yu-Jie Chen, *One Problem, Two Paths: A Taiwanese Perspective on the Exclusionary Rule in China*, 43 N.Y.U. J. INT'L L. & POL. 713, 717 n.15 (2011).

Su Jian-ho (Su Chien-ho) case, LUSHI ZAZHI (律師雜誌) [TAIPEI BAR J.], no.208, 1991, at 62, 63.

[Student A's note: (1) Author's surname should be first. (2) Author's given name should be in standard Pinyin. (3) There should be no hyphen in author's given name. (4) Title of article in Pinyin and its English translation should be italicized. (5) Title of journal in Pinyin should be in large and small caps. (6) Because this periodical is not consecutively paginated, the issue number and the date of publication "1991" should be "no. 208, 1991".]

[Student B's sample]

- ✓ Xu Xin & Tian Lu (徐昕&田璐), *Fayuan Zhixing zhong de Baoli Kanfa: 1983-2009* (法院执法中的暴力抗法: 1983- 2009) [*Acts of Violent Resistance Against judicial Enforcement: 1983-2009*], *Fazhi yu Shehui Fazhan* (法制与社会发展) [L. & SOC. DEV.], no.1, 2011, at 3.⁸²
- ✗ Xu Xin & Tian Lu (徐昕&田璐), *Fayuan Zhixing zhong de Baoli Kanfa: 1983-2009* (法院执法中的暴力抗法: 1983- 2009) [*Acts of Violent Resistance Against judicial Enforcement: 1983-2009*], *FAZHI YU SHEHUI FAZHAN* (法制与社会发展) [L. & SOC. DEV.], no.1, 2011, at 3.

[Student B's notes: (1) The article's title in Pinyin should be italicized. (2) The journal's title in Pinyin should be in large and small capitals.]

[Student C's sample]

- ✗ Tong Zhiwei (童之伟), *Xianfa Shiyong Ying Yixun Xianfa Benshen Guiding de Lujing* (宪法适用应依循宪法本身规定的路径) [*The Constitution's Application Should Follow the Path Stipulated by Constitution Itself*], 6 *Zhongguo Faxue* (中国法学) [CHINA LEGAL SCI.] 22, 27 (2008).⁸³
- ✓ Tong Zhiwei (童之伟), *Xianfa Shiyong Ying Yixun Xianfa Benshen Guiding de Lujing* (宪法适用应依循宪法本身规定的路径) [*The Constitution's Application Should Follow the Path Stipulated by Constitution Itself*], *ZHONGGUO FAXUE* (中国法学) [CHINA LEGAL SCI.], no.6, 2008, at 22, 27.

[Student C's note: (1) Title of article in Pinyin should be italicized. (2) Title of journal in Pinyin should be in large and small capitals. (3) This periodical has no volume number. The issue number "6" should follow the title of the periodical as "no. 6". (4) The number "22" is the page on which the article begins.]

- ✗ Xiao Yang (肖扬), *Zhongguo Sifa Gaige de Chengji yu Fazhan Qushi* (中国司法改革的成就与发展趋势) [*Achievements and Developing Trends in Chinese Legal Reform*], *Renmin Sifa* (人民

⁸² Benjamin Van Rooij, *The People's Regulation: Citizens and Implementation of Law in China*, 25 COLUM. J. ASIAN L. 116, 129 n.54 (2012).

⁸³ Taisu Zhang, *The Pragmatic Court: Reinterpreting the Supreme People's Court of China*, 25 COLUM. J. ASIAN L. 1, 16 n.56 (2012).

司法) [PEOPLE'S JUDICATURE], no.13, 2007, at 4.⁸⁴

- ✓ Xiao Yang (肖扬), *Zhongguo Sifa Gaige de Chengji yu Fazhan Qushi* (中国司法改革的业绩与发展趋势) [Achievements and Developing Trends in Chinese Legal Reform], RENMIN SIFA (人民司法) [PEOPLE'S JUDICATURE], no.13, 2007, at 4.

[Student C's note: (1) Title of article in Pinyin should be italicized. (2) Title of journal in Pinyin should be in large and small capitals.]

3.2.3. Newspapers

Citation format: <Author's Full Name (Chinese Characters)>, <Headline in Pinyin (Chinese Characters) [English Translation]>, <TITLE OF THE NEWSPAPER IN PINYIN (Chinese Characters) [ENGLISH TRANSLATION]>, <date of article>, at <page on which article appears>, available at <Internet Source>.

[Student A's sample]

- ✓ Luo Tianbin (羅添斌), *Bao Dao Ge Yu Wuo Qianghua Zhicaiquan Baohu* (包道格籲我強化智財權保護) [Douglas Paal Calling for Taiwan's Stronger IPR Protection], ZIYOU SHIBAO (自由時報) [THE LIBERTY TIMES], Oct, 19, 2003, at Shenghuo Xinwen (生活新聞), available at <http://www.libertytimes.com.tw/2003/new/oct/19/today-life2.htm>.

[Student A's note: "When material is otherwise undated, the date that the website was last visited should be placed in a parenthetical after the URL."⁸⁵]

Sample Citations from Law Journals:

[Student A's sample]

- ✗ Bai Long (白龙), *Wang Shengjun Yaoqiu Ganjing Xuexi Ma Xiwu Zuo Yi Xin Weimin de "Pingmin Faguan"* (王胜俊要求干警学习马锡五做一心为民的“平民法官”) [Wang Shengjun Demands that Policemen Learn from Ma Xiwu and Become "Commoner Judges" that Only Serve the People], Renmin Ribao (人民日报) [PEOPLE'S DAILY], Aug. 8, 2009, available at http://www.npc.gov.cn/npc/xinwen/fztd/sfgz/2009-08/08/content_1512847.htm.⁸⁶
- ✓ Bai Long (白龙), *Wang Shengjun Yaoqiu Ganjing Xuexi Ma Xiwu Zuo Yi Xin Weimin de "Pingmin Faguan"* (王胜俊要求干警学习马锡五做一心为民的“平民法官”) [Wang Shengjun Demands that Policemen Learn from Ma Xiwu and Become "Commoner Judges" that Only Serve the People], RENMIN RIBAO (人民日报) [PEOPLE'S DAILY], Aug. 8, 2009, at 1, available at http://www.npc.gov.cn/npc/xinwen/fztd/sfgz/2009-08/08/content_1512847.htm.

⁸⁴ Charlie Xiao-chuan Weng, *Lifting the Veil of Words: An Analysis of the Efficacy of Chinese Takeover Laws and the Road to a "Harmonious Society"*, 25 COLUM. J. ASIAN L. 180, 204 n.122 (2012)

⁸⁵ BLUEBOOK ¶ 18.2.3(e).

⁸⁶ Taisu Zhang, *The Pragmatic Court: Reinterpreting the Supreme People's Court of China*, 25 COLUM. J. ASIAN L. 1, 19 n.69 (2012).

[Student A's note: (1) Title of headline in Pinyin should be italicized. (2) Title of newspaper in Pinyin should be in large and small capitals. (3) Page number should be provided.]

- ✘ Sun Jibin (孙继斌), *Xingshi bianhu "san nan" weihe bian "shinan"* (刑事辩护《三难》为何变《十难》) [How Criminal Defense's "Three Difficulties" became "Ten Difficulties"], FAZHI ZHOUMO (法治周末) [LEGAL WEEKLY], Jan. 18, 2011, available at <http://www.legalweeklcn/content1.jsp?id=165663>.⁸⁷
- ✓ Sun Jibin (孙继斌), *Xingshi Bianhu "Sannan" Weihe Bian "Shinan"* (刑事辩护《三难》为何变《十难》) [How Criminal Defense's "Three Difficulties" became "Ten Difficulties"], FAZHI ZHOUMO (法治周末) [LEGAL WEEKLY], Jan. 18, 2011, at 1, available at <http://www.legalweeklcn/content1.jsp?id=165663>.

[Student A's note: (1) The title of the article should be capitalized. (2) The English translation for the title of the headline should be italicized. (3) Page number should be provided.]

- ✘ Wang Chen, *Zai "Zhong'guo Renquan Lilun yu Shijian de Fazhan he Chuangxin" Lilun Yantaohui shang de Jianghua* [Speech at the Conference on Development and Innovation in China's Human Rights Theories and Practice], RENMIN RIBAO [PEOPLE'S DAILY], Aug. 26, 2011, at 8.⁸⁸
- ✓ Wang Chen (王晨), *Zai "Zhong'guo Renquan Lilun yu Shijian de Fazhan he Chuangxin" Lilun Yantaohui shang de Jianghua* (在“中国人权理论与实践的发展和创”理论研讨会上的讲话) [Speech at the Conference on Development and Innovation in China's Human Rights Theories and Practice], RENMIN RIBAO (人民日报) [PEOPLE'S DAILY], Aug. 26, 2011, at 8.

[Student A's note: Since this is a Chinese language source, Chinese characters are inserted to help readers identify the source.]

[Student B's sample]

- ✘ He Shaoqi (贺绍奇), *Tuichu Fangshi Buru Tuichu Gushi* (退出房市不如退出股市) [It Is Better to Withdraw from the Stock Market than from the Real Estate Market], *Jingji Guancha Bao* (经济观察报) [ECON. OBSERVER], Apr. 12, 2011, at 43.⁸⁹
- ✓ He Shaoqi (贺绍奇), *Tuichu Fangshi Buru Tuichu Gushi* (退出房市不如退出股市) [It Is Better to Withdraw from the Stock Market than from the Real Estate Market], *JINGJI GUANCHA BAO* (经

⁸⁷ Jeremy Daum, *Tortuous Progress: Early Cases Under China's New Procedures for Excluding Evidence in Criminal Cases*, 43 N.Y.U. J. INT'L L. & POL. 699, 703 n.13 (2011).

⁸⁸ Dngsheng Zang, *China's "Attitude" Toward Human Rights: Reading Hungdah Chiu in the Era of the Iraq War*, 27 MD. J. INT'L L. 263, 298 n.145 (2011).

⁸⁹ Charlie Xiao-chuan Weng, *Lifting the Veil of Words: An Analysis of the Efficacy of Chinese Takeover Laws and the Road to a "Harmonious Society"*, 25 COLUM. J. ASIAN L. 180, 201 n.104 (2012). In the original citation, the article title in Pinyin was not italicized and the newspaper title in Pinyin was not in large and small capitals.

济观察报) [ECON. OBSERVER], Apr. 12, 2011, at 43.

[Student B's notes: (1) The article's title in Pinyin should be italicized. (2) The journal's title in Pinyin should be in large and small capitals.]

3.3. ROC Statutes, Regulations, and Cases

[Paul: The 19th Bluebook provides a couple of rules and examples for PRC statutes, regulations and, cases, but has no indication for the ROC counterpart. After comparing PRC and ROC legal systems carefully, I found that it is not feasible to apply the rules and examples for PRC materials to ROC materials because of the differences between two systems. For example, after an ROC law is passed by its legislature, the Legislative Yuan, it will not become effective until the President promulgates the law by publishing a new issue of the Presidential Office Gazette (Zongtongfu Gongbao 總統府公報). By contrast, a PRC law is passed and promulgated by the National People's Congress. When it is passed and promulgated, its effective date is decided at the same time. Moreover, no passing date and effective date are articulated in an ROC law. ROC laws always provide, "This law will become effective when it is promulgated." It is impossible to know the date of passage and the effective date of a law by looking at the text of the law. While a date of passage can be found only in the Legislative Yuan Gazette (Lifayuan Gongbao 立法院公報), an effective date is articulated in the Presidential Office Gazette. On the contrary, PRC laws always include the date of passage and the effective date prominently near the beginning of the text. Therefore, though it is easy to include a PRC law's date of passage and effective date in a citation, that is not the case for ROC laws. Given the differences, I have therefore developed separate citation rules for ROC materials based on rules used for some civil law countries with similar political systems.]

3.3.1. ROC Constitution

Citation format: MINGUO XIANFA <article no.> (date of promulgation).⁹⁰

✓ MINGUO XIANFA art. 1 (1947).⁹¹

3.3.2. ROC Statutes and Legislative Materials

ROC Statutes

Citation format: <Title of statute in Pinyin (Chinese characters) [English translation]>, <date of promulgation>, <PRESIDENTIAL OFFICE GAZETTE IN PINYIN (Chinese character) [PRESIDENTIAL OFFICE GAZ.]>, <issue no.>, <year>, at <page no.>.

[Student A's sample]

✓ Zhonghua Minguo 53 Nian Zhuzuoquan Fa (中華民國 53 年著作權法) [Copyright Act of 1964],

⁹⁰ BLUEBOOK ¶ T2.41.

⁹¹ BLUEBOOK ¶ T2.41.

Jul. 10, 1964, ZONGTONGFU GONGBAO (總統府公報) [PRESIDENTIAL OFFICE GAZ.], no. 1556, 1964, at 1.

[Student A's note: (1) The Bluebook provides no instruction for this type of citation to an ROC law. (2) Therefore, I recommend using as a model the Bluebook example for German acts: Waffengesetz [Weapons Act], Mar. 18, 1938, RGBI. I. (3) ROC laws passed by the ROC legislature are always promulgated by the President. (4) The ROC President promulgates a law by publishing a new issue of the ROC Presidential Office Gazette. (5) When citing a past law, the ROC reign title "Zhonghua Minguo 53 Nian" is added.]

- ✓ Minshi Susong Fa (民事訴訟法) [Civil Procedure Act] art. 77^{quaterdecies}, Feb. 7, 2003, ZONGTONGFU GONGBAO (總統府公報) [PRESIDENTIAL OFFICE GAZ.], no.6506, 2003, at 6,

[Student A's note: (1) No instructions specific to ROC laws are provided in the Bluebook. (2) This is a current ROC law.]

[Student C's sample]

- ✓ Zhuanli Fa (專利法) [Patent Act], Dec. 21, 2011, ZONGTONGFU GONGBAO (總統府公報) [PRESIDENTIAL OFFICE GAZ.], no. 7008, 2011, at 2.

[Student C's note: This is a current ROC Law]

- ✓ Zhonghua Minguo 83 Nian Zhuanli Fa (專利法) [Patent Act of 1994], Jan. 21, 1994, ZONGTONGFU GONGBAO (總統府公報) [PRESIDENTIAL OFFICE GAZ.], no. 5824, 1994, at 1.

[Student C's note: This is a past law. When citing a past law, the ROC reign title "Zhonghua Minguo 83 Nian" and "of 1994" is added.]

- ✓ Shangbiao Fa (商標法) [Trademark Act], Jun. 29, 2011, ZONGTONGFU GONGBAO (總統府公報) [PRESIDENTIAL OFFICE GAZ.], no. 6981, 2011, at 86.

[Student C's note: This is a current ROC Law]

- ✓ Zhonghuaminguo 92 Nian Shangbiao Fa (商標法) [Trademark Act of 2003], May 28, 2003, ZONGTONGFU GONGBAO (總統府公報) [PRESIDENTIAL OFFICE GAZ.], no. 6526, 2003, at 22.

[Student C's note: This is a past law. When citing a past law, the ROC reign title "Zhonghua Minguo 92 Nian" and "of 2003" is added.]

Sample Citations from Law Journals:

[Student A's sample]

- ✗ Zhonghua Minguo Xingshi Susong Fa (中華民國刑事訴訟法) [Republic of China Criminal Procedure Code] art. 158-4 (promulgated by the Legislative Yuan, July 28, 1928, effective Sept.

1, 1928, as amended June 1, 2010) (Taiwan).⁹²

- ✓ Xingshi Susong Fa (刑事訴訟法) [Code of Criminal Procedure] art. 158*quinquies*, Feb. 6, 2003, ZONGTONGFU GONGBAO (總統府公報) [PRESIDENTIAL OFFICE GAZ.], no.6505, 2003, at 88, (Taiwan).

[Student A's note: (1) The official English name “Code of Criminal Procedure of the Republic of China” was renamed as “Code of Criminal Procedure” in 1967. (2) Article 158*quinquies* or 158-4 was promulgated on Feb. 6, 2003. (3) If the citation refers to a current law, there is no need to include “Zhonghua Minguo.”]

ROC Legislative Materials

Citation format: <volume no.> <LEGISLATION YUAN GAZETTE IN PINYIN (Chinese character) [LEGIS. YUAN GAZ.]>, <issue no.>, <date of material>, at <page no.>.

[Student A's sample]

- ✓ 95 LIFAYUAN GONGBAO (立法院公報) [LEGIS. YUAN GAZ.], no.25, May 5, 2006, at 171.

[Student A's note: (1) No instructions specific to ROC laws is provided in the Bluebook. (2) Lifayuan Gongbao is the title of the official serial (Gazette) that reports on the ROC legislature. (3) All ROC legislative materials including bills, addresses and statements can be found in the Lifayuan Gongbao.]

Sample Citations from Law Journals:

[Student A's sample]

- ✗ 92 LEGIS. YUAN GAZ. 102 (2003) (Taiwan).⁹³
- ✓ 92 LIFAYUAN GONGBAO (立法院公報) [LEGIS. YUAN GAZ.], no.?, 2003, at 102 (Taiwan).

[Student A's note: (1) Since the material is in Chinese, Pinyin and Chinese characters should be inserted. (2) It is not possible to find the material referred to using this citation. This citation contains volume number “92” and page number “102” but skips the required “issue number.” In fact, there are several issues in one volume and the issues are not consecutively paginated. (3) Legislation Yuan Gazette is a periodical so it should be in large and small caps.]

3.3.3. ROC Regulations

Citation format: <Title of regulation in Pinyin (Chinese characters) [English translation]>, <date of promulgation>, <Governmental order issuing regulation in Pinyin (Chinese

⁹² Margaret K. Lewis, *Controlling Abuse to Maintain Control: The Exclusionary Rule in China*, 43 N.Y.U. J. INT'L L. & POL. 629, 649 n.80 (2011).

⁹³ Margaret K. Lewis, *Controlling Abuse to Maintain Control: The Exclusionary Rule in China*, 43 N.Y.U. J. INT'L L. & POL. 629, 649 n.77 (2011).

characters) [English translation], <source, if available>.

[Student A's sample]

- ✓ Fayuan Jiaqiang Huanxing Xuangao Shishi Yaodian (法院加強緩刑宣告實施要點) [Court to Strengthen Probation Implementation Guidelines], Jun. 13, 1992, *Zhonghua Minguo* 81 Nian 6 Yue 13 Ri Sifayuan (81) Ting Er Zi Di 09173 Hao Han (中華民國 81 年 6 月 13 日司法院(81)廳二字第 09173 號函) [Judicial Yuan, Jun. 13, 1992, ((81) Ting Er) No. 09173 Order], 34 SIFAYUAN GONGBAO (司法院公報) [JUDICIAL YUAN GAZ.], no.8, 1992, at 48.

[Student A's note: (1) No instructions specific to ROC regulations is provided in the Bluebook. (2) Every ROC regulation is issued by a governmental order.]

[Student C's sample]

- ✓ Gongping Jiaoyi Weiyuanhui Duiyu Shiye Fa Qinhai Zhezuoquan, Shangbiaoquan, huo Zhuanliquan Jinggaohan Anjian zhi Chuli Yuanze (公平交易委員會對於事業發侵害著作權、商標權或專利權警告函案件之處理原則) [Fair Trade Commission Disposal Directions (Guidelines) on the Reviewing of Cases Involving Enterprises Issuing Warning Letters for Infringement on Copyright, Trademark, and Patent Rights], Jan. 28, 2010, *Zhonghua Minguo* 99 Nian 1 Yue 28 Ri Xingzhengyuan Gongping Jiaoyi Weiyuanhui Gong Fa Zi Di 0990000718 Hao Ling (中華民國 99 年 1 月 28 日行政院公平交易委員會公法字第 0990000718 號令) [Executive Yuan Fair Trade Commission, Jan. 28, 2010, (Gong Fa) No. 0990000718 Order], 16 XINGZHENGYUAN GONGBAO (行政院公報) [EXECUTIVE YUAN GAZ.], no.19, 2010, at 217.

3.3.4. ROC Cases

Citation format: <Title of Court (Chinese characters) [English translation]> <date of adjudication>, <docket no.⁹⁴> <categories>⁹⁵, <official website of the Judicial Yuan>.

[Student A's sample]

- ✓ Zuigao Fayuan (最高法院) [Sup. Ct.], Jun. 7, 2007, *Minguo* 96 (Taishang) No. 3064 Criminal Judgment (中華民國 96 年 6 月 7 日 96 年度台上字第 3064 號刑事判決), <http://jirs.judicial.gov.tw/FJUD/>.

[Student A's note: (1) Because there are no instructions specific to ROC cases in the Bluebook, I have referred to the Bluebook's citation format for Japanese cases, which is similar. Here are examples: (i) Saiko Saibansho [Sup. Ct.] Dec. 4, 2007, Hei 18 (kyo) no.45, 61 SAIKO SAIBANSHO MINJI HANREISHU [MINSHU] 3245, 3252 (Japan). (ii) Chiteki zaisan Koto Saibansho [Intellectual Pro. High Ct.] Nov. 13, 2008, Hei 20 (gyo ke) no.10112, SAIKO SAIBANSHO SAIBANREI JOHO [SAIBANREI JOHO] 1, 8, <http://www.courts.go.jp/japan>. (3) In the foregoing example, "Hei 20" means the 20th year of the Heisei (へいせい 平成) era. (4)

⁹⁴ Including category name and case number

⁹⁵ Civil, criminal, or administrative.

This is the full name of a Japanese case in Japanese: 大阪地方裁判所平成 23 年 11 月 9 日平成 20 年(ワ)第 9708 号裁判. (5) In fact, the citation format for Japanese cases in the Bluebook is a direct English translation for the full name of Japanese cases. (6) All Taiwanese cases are published on the official website of the Judicial Yuan. If you can read Chinese and have date of adjudication and docket number at hand, you can find any court case there.]

[Student C's sample]

- ✓ Zhihuicaichan Fayuan (智慧財產法院) [Intellectual Property Ct.], Apr. 23, 2012, Minguo 101 (Zhisu) No. 3 Criminal Judgment (中華民國 91 年 4 月 23 日 101 年度智訴字第 3 號刑事判決), <http://jirs.judicial.gov.tw/FJUD/>.

3.4. PRC Statues, Regulations, and Cases

3.4.1. PRC Constitutions

Citation format: XIANFA <article>, <section> (<year>) (<country abbreviation if not evident from context>).

- ✓ XIANFA art.35, § 1 (1982) (China).

[Student A's note: Constitutions, T2.9 of the Bluebook.]

3.4.2. PRC Laws

Citation format: <romanized Chinese law name> (<Chinese law name>) [<English translation of law name or shortened name>] (promulgated by <enacting/adopting authority>, <promulgation date>, effective <effective date>) <volume number> <source> <first page>, <page(s) of specific material, if desired> (<country abbreviation if not evident from context >).

[Student B's sample]

- ✓ Shipin Anquan Fa (食品安全法) [Food Safety Law] (promulgated by the Standing Comm. Nat'l People's Cong., Feb.28, 2009, effective June 1, 2009) 2009 STANDING COMM. NAT'L PEOPLE'S CONG. GAZ.159 (China).

[Student B's note: **If you have a UW NetID:** To find the volume number and page number of a specific statute, go to

<http://lib.law.washington.edu/eald/OnlineDBsList.htm#China>, click CAJ Chinese Interface or CAJ English Interface, (**You need to use your UW username and password to log in on UW law library website first in order to use the website**).

Once you have logged in, click “期刊导航” or “Journal Navigation”, type in “全国人民代表大会常务委员会公报”, click the logo of the publication material, and type in the statute's Chinese title or search by key word, e.g. “食品安全法”. There could be more than one result that comes up. Just click the one you are looking for and it will show its volume number and page number.]

- ✓ Shipin Anquan Fa (食品安全法) [Food Safety Law] (promulgated by the Standing Comm. Nat'l People's Cong., Feb.28, 2009, effective June 1, 2009),
http://www.npc.gov.cn/wxzl/gongbao/2009-05/07/content_1517190.htm (China).

[Student B's note: **If you do not have a UW NetID:** When print sources are not accessible or you cannot access UW-only resources such as <http://cnki.net/>, cite online sources that are available. For example, the National People's Congress publishes all the statutes here: http://www.npc.gov.cn/wxzl/gongbao/node_4508.htm.]

[Student D's sample]

- ✓ Zhonghua Renmin Gongheguo Xingzheng Xuke Fa (中华人民共和国行政许可法) [Administrative License Law of the People’s Republic of China] (P. R.C.) (promulgated by Standing Committee of the Nat’l People’s Cong., Jul.,1. 2004) 2003 STANDING COMM. NAT’L PEOPLE’S CONG. GAZ. 439 (China).

[Student A’s comment: (1) Of all three sample citations in the “Laws” section of T2.9 of the Bluebook, no one’s title of laws contain “the People’s Republic of China”. (2) Of all three sample citations in the “Laws” section of T2.9 of the Bluebook, no one insert “(P.R.C.)” immediately after the title of laws. (3) The abbreviation “comm.” should be used consistently, so “promulgated by Standing Committee” should be “promulgated by Standing Comm.”. (4) According to T2.9 of the Bluebook, the effective date should be included. (5) The source should be in large and small capitals.]

- ✓ Zhonghua Renmin Gongheguo Yinhangye Jiandu Guanli Fa (中华人民共和国银行业监督管理法) [Law of the peoples Republic of China on Regulation of and Supervision Over the Banking Industry] (promulgated by Standing Comm. Nat’l People’s Cong., Dec. 12. 2003, amended at Oct. 31. 2006) 2003 STANDING COMM. NAT’L PEOPLE’S CONG. GAZ. 326 (China).

[Student A’s comment: (1) Of all three sample citations in the “Laws” section of T2.9 of the Bluebook, no one’s title of laws contain “the People’s Republic of China”. (2) In the English Translation for the title of the law, “Over” should be in lower case (R8 of the Bluebook: Do not capitalize prepositions when they are four or fewer letters). (3) The date of the amendment “amended at Oct. 31. 2006” should be “amended Oct. 31, 2006”.⁹⁶ (4) According to T2.9 of the Bluebook, the effective date should be included.⁹⁷ (5) The source should be in large and small capitals.]

3.4.3. PRC Rules and Regulations

Citation format: <romanized Chinese regulation or rule name> (<Chinese regulation or rule name>) [<English translation of regulation or rule name or shortened name>] (promulgated by <enacting/ adopting authority>, <promulgation date>, effective <effective date>) <source> <publication date>, at <first page>, <pages of specific material, if desired> (<country abbreviation if not evident from context >).

[Student B’s sample]

- ✓ Jinchukou Shipin Anquan Guanli Banfa (进出口食品安全管理办法) [Administrative Measures on Import and Export Food Safety] (promulgated by the St. Gen. Admin. Quality Supervision, Inspection and Quarantine, Sept. 13, 2011, effective Mar.1, 2012) ST. COUNCIL GAZ., Apr. 20,

⁹⁶ Charlie Xiao-chuan Weng, *Lifting the Veil of Words: An Analysis of the Efficacy of Chinese Takeover Laws and the Road to a “Harmonious Society”*, 25 COLUM. J. ASIAN L. 180, 185 n.20 (2012).

⁹⁷ Charlie Xiao-chuan Weng, *Lifting the Veil of Words: An Analysis of the Efficacy of Chinese Takeover Laws and the Road to a “Harmonious Society”*, 25 COLUM. J. ASIAN L. 180, 185 n.20 (2012).

2012, at 73 (China).

[Student B's note: **If you have a UW NetID:** To find the page number of a specific rule or regulation, go to <http://lib.law.washington.edu/eald/OnlineDBsList.htm#China>, click CAJ Chinese Interface or CAJ English Interface, (**You need to use your UW username and password to log in on UW law library website first in order to use the website**). Once you have logged in, click “期刊导航” or “Journal Navigation”, type in “国务院公报”, click the logo of the publication material, and type in the rule or regulation's Chinese title or search by key word, e.g. “进出口食品安全管理办法”. When the rule or regulation comes up, click it, and it will show the page number. To find the publication date, go to http://www.gov.cn/ziliao/gbagg/jingtai/gbagg_gwygb_zhjs.htm (Chinese Version) or <http://english.gov.cn/documents/gazettes/index.htm> (English Version), type in rule or regulation's Chinese title on Chinese language interface or English title on English language interface, it will show the publication date. However, you may find that the search engine of English language interface does not work as well as the Chinese one.]

- ✓ Jinchukou Shipin Anquan Guanli Banfa(进出口食品安全管理办法) [Administrative Measures on Import and Export Food Safety] (promulgated by the St. Gen. Admin. Quality Supervision, Inspection and Quarantine, Sept. 13, 2011, effective Mar.1, 2012), http://www.gov.cn/gongbao/content/2012/content_2112770.htm (China).

[Student B's note: **If you do not have a UW NetID:** When print sources are not accessible or you do not have authorization to access to <http://cnki.net/>, cite online sources that are available. For example, the State Council publicizes all the state regulations on their free webpage at <http://www.gov.cn/gongbao/>.]

[Student D's sample]

- ✓ Guowuyuan Guanyu Guli Zhichi he Yindao Geti Siying deng Feigongyouzhi Jingji Fazhan de Ruogan Yijian (国务院关于鼓励支持和引导个体私营等非公有制经济发展的若干意见) [Several Opinions of the State Council on Encouraging, Supporting and Guiding the Development of Individual and Private Economy and Other Non-Public Sectors of the Economy] (promulgated by State Council Feb. 19. 2005, effective Aug. 12 2005) 2005 ST. COUNCIL GAZ. 7-12 (China).

[Student A's comment: (1) Of all three sample citations in the “Rules and regulations” section of T2.9 of the Bluebook, a “comma” is inserted between the enacting authority and the promulgation date. Thus, “promulgated by State Council Feb. 19. 2005” should be “promulgated by State Council, Feb. 19, 2005”. (2) The source should be in large and small capitals. (3) In the first sample citation in the “Rules and regulations” section of T2.9 of the Bluebook, the source is “ST. COUNCIL

GAZ., Oct. 20, 2003, at 29 (China)”, not “2003 ST. COUNCIL GAZ. 29 (China)”.]

3.4.4. PRC Cases

Citation format: <romanized Chinese case name> (<Chinese case name>) [<English translation of case name or shortened name>] <source> (<court abbreviation> <date of decision>) (<country abbreviation if not evident from context >).

[Student B's sample]

- ✓ Wei Qinjian Su Zhongbao Caichan Baoxian Youxian Gongsi Taishan Shi Zhigongsi, Zhongguo Nongye Yinhang Taishan Shi Zhihang Xiachuan Yingyesuo(卫勤俭诉中保财产保险有限公司台山市支公司, 中国农业银行台山市支行下川营业所) [Wei Qinjian v. PICC P&C Ltd., Taishan Branch & China Agric. Bank, Taishan Branch, Xiachuan Operation Office], 1991 SUP. PEOPLE'S CT. GAZ. 101 (Sup. People's Ct. 2001) (China).⁹⁸

[Student B's note: The print collection of the Supreme People's Court Gazette (KNQ7. T76) is available at the UW Gallagher Law Library.]

- ✓ China Nat'l Technical Imp./Exp. Corp. v. Indus. Res. Co., CHINA L.& PRAC., Aug. 22, 1988, at 26 (Shanghai Interm. People's Ct. May 11, 1988).⁹⁹

[Student B's note: The print collection of China Law & Practice is currently not available at the UW Gallagher Law Library, but UW Law School students may be able to receive a copy via Inter-Library Loan.]

- ✓ Xu Moumou Feifa Chiyou Dupin An (徐某某非法持有毒品案) [In re Xu Moumou Unlawful Possession of Drugs] (Shanghai Putuo Dist. People's Ct. Aug.22, 2008) (Westlaw China).¹⁰⁰

⁹⁸ BLUEBOOK ¶ T2.9.

⁹⁹ BLUEBOOK ¶ T2.9.

¹⁰⁰ BLUEBOOK ¶ T2.9.

4. Excerpts from the Chicago Manual of Style (16th edition)

[Paul: This is for reference only and underline is added. I insert the excerpts from the Chicago Manual and the Bluebook about citing Chinese language materials because they are the most important sources so far. However, since they do not solve all problems and may conflict with each other or some rules used by other academic intuitions, please be advised that the excerpts should not be consider conclusive. When in doubt, you may need to use your own judgment. In that case, establish a pattern and stick to it.]

11.102 Chinese romanization

The Hanyu Pinyin romanization system, introduced by the Chinese in the 1950s, has largely supplanted both the older Wade-Giles system and the place-name spellings of the Postal Atlas of China (last updated in the 1930s), making Pinyin the standard system for romanizing Chinese. Representing sounds of Chinese more explicitly, Pinyin has been widely accepted as the system for teaching Chinese as a second language. As of 2000, the Library of Congress issued new romanization guidelines reflecting the conversion of its entire online catalog records for the Chinese collection to comply with Pinyin. Although a few scholars, long familiar with Wade-Giles or other older systems, have not switched to Pinyin in their writings, Chicago joins librarians in urging that Pinyin now be used in all scholarly writing about China or the Chinese language. (In some contexts it may be helpful to the reader to add the Wade-Giles spelling of a name or term in parentheses following the first use of the Pinyin spelling.) The ALA-LC Romanization Tables (bibliog. 5) available online from the Library of Congress should be used with caution by anyone unfamiliar with Chinese.

11.104 Apostrophes, hyphens, and tone marks in Chinese romanization

Pinyin spellings often differ markedly from the older ones. Personal names are usually spelled without apostrophes or hyphens, but an apostrophe is sometimes used to avoid ambiguity when syllables are run together (as in Xi'an to distinguish it from Xian), except in contexts where tone marks are used. Note that the Pinyin romanization system of the Library of Congress does not include tone marks (the system of accents on certain vowels prescribed by the Hanyu Pinyin system of 1962).

11.108 Chinese and Japanese—capitalization and italics

Although capital letters do not exist in Japanese or Chinese, they are introduced in romanized versions of these languages where they would normally be used in English (see chapter 8). Personal names and place-names are capitalized. In hyphenated names, only the first element is capitalized in romanized Chinese, though both elements may be capitalized in Japanese. Common nouns and other words used in an English sentence are lowercased and italicized (see 7.49, 7.50). Names of institutions, schools of thought, religions, and so forth are capitalized if set in roman, lowercased if set in italics.

Donglin Academy; the Donglin movement

Buddhism, Taoism, feng shui [see 7.52], and other forms . . .

Under the Ming dynasty the postal service was administered by the Board of War (*bingbu*) through a central office in Beijing (*huitong guan*).

The heirs of the Seiyūkai and Minseitō are the Liberal and Progressive parties of Japan.

It was Genrō Saionji (the *genrō* were the elder statesmen of Japan) who said . . . (note that *genrō* is both singular and plural)

11.109 Titles of Japanese and Chinese works

As in English, titles of books and periodicals are italicized, and titles of articles are set in roman and enclosed in quotation marks (see 8.154–95). The first word of a romanized title is always capitalized, as are many proper nouns (especially in Japanese).

Chen Shiqi, *Mingdai guan shougongye de yanjiu* [Studies on government-operated handicrafts during the Ming dynasty], . . .

Hua Linfu, “Qingdai yilai Sanxia diqu shuihan zaihai de chubu yanjiu” [A preliminary study of floods and droughts in the Three Gorges region since the Qing dynasty], *Zhongguo shehui kexue* 1 (1999): 168–79.

Okamoto Yoshitomo, *Jūrokuseiki Nichi-Ō kōtsūshi no kenkyū* [Study of the intercourse between Japan and Europe during the sixteenth century], . . .

Akiyama Kenzō, “Goresu wa Ryūkyūjin de aru” [The Gores and the Ryūkyūans], *Shigaku-Zasshi* (or *Shigaku Zasshi*) . . .

11.110 Inclusion of Chinese and Japanese characters

Chinese and Japanese characters, immediately following the romanized version of the item they represent, are sometimes necessary to help readers identify references cited or terms used. They are largely confined to bibliographies and glossaries. Where needed in running text, they may be enclosed in parentheses. The advent of Unicode has made it easier for authors to include words in non-Latin alphabets in their manuscripts, but publishers need to be alerted of the need for special characters in case particular fonts are needed for publication (see 11.2).

Harootunian, Harry, and Sakai Naoki. “Nihon kenkyū to bunka kenkyū” 日本研究と文化研究. *Shisō* 思想 7 (July 1997): 4–53.

Hua Linfu 華林甫. “Qingdai yilai Sanxia diqu shuihan zaihai de chubu yanjiu” 清代以來三峽地區水旱災害的初步研究 [A preliminary study of floods and droughts in the Three Gorges region since the Qing dynasty]. *Zhongguo shehui kexue* 中國社會科學 1 (1999): 168–79.

That year the first assembly of the national Diet was held and the Imperial Rescript on Education (*kyōiku chokugo* 教育勅語) was issued.

5. Excerpts from the Bluebook (19th edition)

[Student A's note: For reference only; underline added]

20.2.4 Languages That Do Not Use the Roman Alphabet

Transliterate all titles, names, or words cited that are not in the Roman alphabet, using a standard transliteration system (for example, the ALA-LC Romanization Tables).

(b) Chinese language

(i) Chinese language Romanization. For citations to Chinese language sources, regardless of jurisdiction or place of publication, always provide romanization as instructed here. Whenever possible, also provide Chinese characters for authors, titles, and case names. Do not use Chinese characters without accompanying romanization, as some publishers or databases may drop them from citations. Use simplified or traditional characters to reflect the usage of the source. Generally, add an English translation or shortened form in English as provided in rule 20.2.2. Do not cite a Chinese language source in English only.

For romanization of Chinese language citations, use the Pinyin romanization system as set for the in the international standard, *Hanyu Pinyin Fang'an (1958)*, and related documents. Do not include tone marks. Do not use “v” to represent “ü.” Competing standards exist for word division in Pinyin. Follow commonly accepted guidelines for word division in scholarly publications as summarized in the examples below and in table T2. Note that the Pinyin standard used in many libraries differs with regard to word division and separates most syllables, so when searching for sources in library catalogs, it may be necessary to break up compound words into separate syllables.

For capitalization in Pinyin romanization, follow rule 8 and related guidelines. Do not capitalize the possessive “de” (的).

邓小平	Deng Xiaoping
对外贸易经济合作部	Duiwai Maoyi Jingji Hezuo Bu
行政院	Xingzhengyuan
香港法例	Xianggang Fali
臺北地方法院	Taibei Difang Fayuan

(ii) Chinese personal names. When citing a Chinese author or editor's name, regardless of jurisdiction or place of publication, follow rules 15.1 and 16.2, giving the full name in the order it appears on the document. Repeat the full name in subsequent short citations to the source. For Chinese personal names in case citations, follow rule 10.2.1(g).

(A) Chinese language sources. In Chinese language texts the surname is always given first. Transcribe authors and editors of Chinese text in Pinyin, joining multiple syllables of surname

and/or forename without hyphens or commas.

Chen Hongyi (陈弘毅), *Fazhi Qimeng yu Xiandai Fade Jingshen* (法制启蒙与现代法的精神) (1998).

Wang Taisheng (王泰升), *Taiwan Falu de Duanlie yu Lianxu* (台湾法律的断裂与连续) (2002).

(B) English language sources. Chinese names in English texts may follow either Chinese (surname first) or English (surname last) word order. They also may or may not be spelled according to the Pinyin system and may vary in fullness. Transcribe the full name in the order and in the spelling in which it appears on the document.

ALBERT HUNG-YEE CHEN, *AN INTRODUCTION TO THE LEGAL SYSTEM OF THE PEOPLE'S REPUBLIC OF CHINA* (3rd ed., LexisNexis 2004) (1992).

TAY-SHENG WANG, *LEGAL REFORM IN TAIWAN UNDER JAPANESE COLONIAL RULE* (2000).

ZHU SANZHU, *SECURITIES REGULATION IN CHINA* 8-13 (2001).

Guanghua Yu, *Towards a Market Economy: Security Devices in China*, 8 PAC. RIM L. & POL'Y J. 1 (1999).

Table T2 Foreign Jurisdictions

T2.9 China, People's Republic of

Translated sources

For citations to translated or bilingual sources, choose one of the following options:

- 1) Follow rule 20.2.5, giving parallel citations to the original language source and a translated version;¹⁰¹
- 2) Where the original is difficult or impossible to verify, cite to the translated source without reference to the original language version. In this case, it is not necessary to preface the source with “*translated in.*”

Foreign Economic Contract Law (promulgated by the Standing Comm. Nat'l People's Cong., Mar. 21, 1985, effective July 1, 1985), art. 7, 24 I.L.M. 799, 802 (1985) (China).

T2.41 Taiwan, Republic of China

¹⁰¹ Citations to Translations of Non-English-Language Documents. If desired, a work that conveniently reprints the primary authority in translation may be cited when referring to a foreign-language source that is not widely available to researchers in the United States. In such cases, provide the citation to the original source in accordance with rules 20 and 21, and provide a parallel citation to the translated version, according to rule 1.6(a), introduced by “*translated in*”: