

An important forum from
The Journal of Asian Studies

State, Sovereignty, and the People:

A Comparison of the "Rule of Law" in China and India

By *Jonathan K. Ocko* and *David Gilmartin*

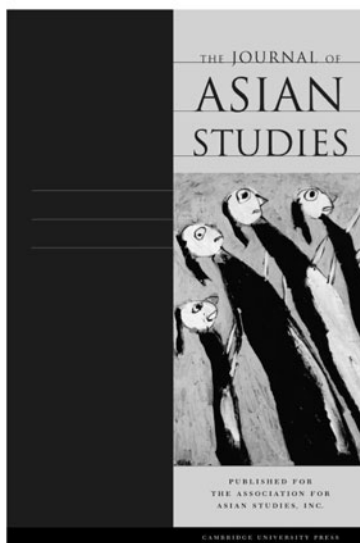
This groundbreaking article uses a focus on the rule of law to raise comparative questions about the construction of sovereignty and rights in China and India, within the larger global processes that shaped the 19th and 20th centuries. These questions include:

- How did the rule of law help to define the principles on which the Indian and Chinese states rested?
- How did this concept define these states' relationships to the societies they ruled?
- How can the rule of law help us to understand the ways that these states legitimized their authority?
- What are the political implications of China's and India's differences (and similarities) in the role of the law in their societies in the 19th century, and how can these help us to understand their different patterns of historical evolution in the 20th century?

This fascinating research is followed by five commentaries by leading legal historians, then a rejoinder by the article's authors. The commentaries are:

- Sovereignty, Rule of Law, and Ideologies of the Nation,
by Vivienne Shue
- Justice or Legitimacy: A Response to Ocko and Gilmartin,
by Paul W. Kahn
- Rule of Law in China and India: A Historical-Cultural Approach,
by Randall Peerenboom
- Not Just a Concept: Institutions and the "Rule of Law",
by Lauren Benton
- The Limits of Legal Sovereignty: China and India in Recent History,
by Prasenjit Duara

The lead article in this forum is available for all to read at <http://journals.cambridge.org/jas>



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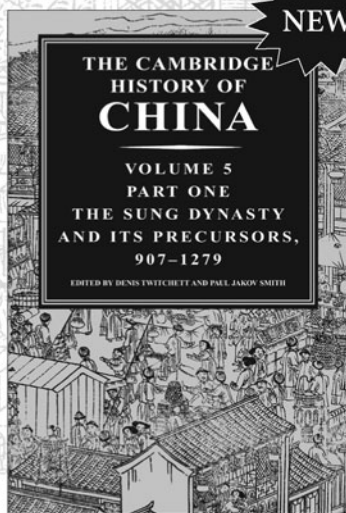
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