KEEPING UP WITH THE JONES (STANDARDS): A TRIBUTE TO PROFESSOR WILLIAM C. JONES

WILLIAM P. ALFORD*

According to the conventional wisdom, our capacity to master and work creatively with new languages diminishes sharply once we pass our early adulthood. But in this, as in so many other respects, William C. Jones, Charles Nagel Professor Emeritus of International and Comparative Law, shows us by example why we had best not let our sense of what is possible be curtailed by the conventional wisdom. For far from being a limiting force, the path Bill Jones has pursued has proven to be one of singular richness, not only for him individually, but for Chinese legal studies generally.

It is, indeed, true that Bill Jones did not embark on the study of Chinese language until he was well into his forties, a time when many among us find it all too easy to settle back into that which we already know. That late start has, however, proven to be no impediment, either linguistically or intellectually. Notwithstanding a humility so genuine and thorough-going that it constantly leads one to question whether he could really have been teaching law all these years, Professor Jones has emerged as one of history's most important scholars of Chinese legal language and law. This is perhaps most obvious with respect to his monumental work, *The Great Qing Code*, published in 1994 by the Oxford University Press.[1] Through this undertaking, carried out with the able assistance of Cheng Tianquan and Jiang Yongling, Jones has provided us with the first modern, western-language translation of the principal legal code of the Qing Dynasty, the last Chinese dynasty (1644-1911). The brilliance and care that mark *The Great Qing Code* seem likely to ensure that it will stand the test of time even better than the last major rendering of the code in English by George Staunton in 1810.[2] Jones's brillance and care are also evident in his translations of a range of contemporary Chinese sources, including collections of cases and other

* Henry L. Stimson Professor of Law and Director of East Asian Legal Studies, Harvard Law School.

1. William C. Jones, The Great Qing Code (1995).

2. Sir George T. Staunton, Ta Tsing Leu Lee (Ch'eng-wen Publishing 1966) (London, Cadell & Davies 1810).

materials from the Chinese judiciary,[3] and in his finely crafted articles on a host of specific topics, both historic and contemporary.[4]

Oddly enough, for all his greatness in translating Chinese legal language, Jones's most enduring contribution may well lie elsewhere—in his more analytical writing and in his role as mentor to, and friend of, generations of scholars, Western and Chinese. Jones, in coming to the field of Chinese legal studies relatively late in life, brought with him a far broader and deeper understanding of western legal history than anyone else who has worked in this area—be it in this country or abroad—not to mention a greater record of accomplishment in wholly unrelated fields of legal scholarship. As a consequence, Jones has discerned from the outset, perhaps more fully than any other legal academic, that imperial Chinese law bears a logic and sophistication distinct from that of Roman law, the common law, or other great legal systems. If, as Jones puts it (with characteristic modesty), "we are a long way from understanding the Qing code as a legal system,"[5] we have at least through his writing come to appreciate better the type of questions we should be asking about differences in such central matters as individual volition, the role of community, the nature of liability, and the purpose of punishment. And as is the case with his translations, Jones's analytical work on more modern periods is of comparable lustre. Witness, for example, his current research on the development of civil law in Taiwan, and his 1987 piece on the General Principles of the Civil Law of the People's Republic of China,[6] which, even after a decade of much change on the Chinese mainland, stands as one of the most insightful articles anywhere on that vital topic.

No account of William Jones's career, however, would be complete without serious mention of the leadership that he has provided to the field of Chinese legal studies, apart from his writing and teaching. Few, if any, have more artfully blended the academic's oft contradictory roles as fierce truth teller and gentle, nurturing mentor. During the early years of normalization between the United States and the People's Republic of China, precious few

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3. *See, e.g.*, William C. Jones, *Collection of Civil Law Cases from the People's Republic of China*, 10 Rev. Socialist L. 169 (1984); William C. Jones, *A Translation of the Fourth Draft Civil Code (June 1982) of the People's Republic of China*, 10 Rev. Socialist L. 193 (1984).

4. *See, e.g.*, William C. Jones, *An Approach to Chinese Law*, 4 Rev. Socialist L. 3 (1978); William C. Jones, *Studying the Ch'ing Code—The Ta Ch'ing Lü Li*, 22 Am. J. Comp. L. 330 (1974); William C. Jones, *Theft in the Qing Code*, 30 Am. J. Comp. L. 499 (1982); William C. Jones, *Reflections on the Modern Chinese Legal System*, 59 Wash. U. L.Q. 1221 (1982).

5. Jones, The Great Qing Code, *supra* note 1, at 28.

6. William C. Jones, *Some Questions Regarding the Significance of the General Provisions of Civil Law of the People's Republic of China*, 28 Harv. Int'l L.J. 309 (1987).

American scholars were bold enough to voice criticisms of a newly open China to which they hoped to gain long-awaited access. Nevertheless, Jones, convinced that China's problems could only be effectively addressed after honestly being described, had the courage to speak soberly about the condition of law, legal education, and human rights in China years before such observation's became accepted wisdom. At the same time—and continuously since—Jones has, with his signature modesty and generosity, guided and inspired a legion of young scholars. As busy as he has been with his own work, I doubt that anyone else in this field has taken as much time as he in which thoughtfully and kindly to cultivate future generations, whether through praise or ever so delicately-put critique.

In sum, although he is likely to deny it, Bill Jones has quietly, but powerfully, set standards for all who would aspire to work in the field of Chinese legal studies. We owe it to him to strive arduously to meet those standards as we seek to address the vast and rich legal tradition that he has done so much to illuminate.