Berger Scientfic Press

Trends in Sociology, 2023, 1(2), 12-20
https://bergersci.com/index.php/ts/index
DOI: 10.61187/ts.v1i2.42

The legal transplants of "Taiwan Area" with the perspective of "One Country, Two System" Policy

Yifei Chen[1], Mingxun Yang[2,*]

[1]Law School of Anhui University of Finance & Economics, Bengbu 233030, Anhui, China; recoba380711411@qq.com (Chen, Y.)
[2]School of Social Sciences, University of Macau, Macau 999078, China

*Correspondence: yangmx17@tsinghua.org.cn

Abstract: The formulation of laws has its temporal and spatial background, and is constrained by political changes. The laws of "Taiwan area" area and main-land are different while the reason is Controversy and complex. The laws of "Taiwan area" area are related to the change of political regime. The legal systems formulated by different regimes come from the political demands of the ruling authorities. Therefore, the legal system of compulsory domination over "Taiwan area" has become special legal culture in the history of law. In the development of the legal system in "Taiwan area", there are many elements of succession of the law. With regard to its pros and cons, with the gradual expansion of the internal legal history research, it has also been criticized and reviewed. This article intends to sort out the status of legal succession in "Taiwan area" and this topic. For the academic debate on whether the law will continue to be accepted or not, this article observes from "modernization theory" and "dependency theory" of the national development theories respectively. The author puts forward the view that laws in "Taiwan area" continue to be intertwined with complicated institutional changes and it should adopt a compromise approach.

Keywords: Legislation; Colonial rule; "One country, two system" policy

How to cite this paper: Chen, Y., & Yang, M. (2023). The Legal Transplants of "Taiwan Area" with the Perspective of "One Country, Two System" Policy. Trends in Sociology, 1(2), 12–20. https://doi.org/10.61187/ts.v1i2.42

1. Introduction

In the second half of the 20th century, it became a new research field to explore how to eliminate poverty and lead to prosperity, equality and a democratic society, known as "development research" (Development Studies). This kind of theory or mode of discussing the development of national modernization process, such as political development, economic development, social development or cultural development, is called "national development theory" (Theories of National Development). In the issues related to national development, the legal system also belongs to an important link, because the law is a coercive social norms, very closely associated with human social life, build good perfect legal system can provide a country's political, economic, social, cultural level of basic specification architecture, which is conducive to the development of the country as a whole. In its 2006 (World Competitiveness Yearbook), the Swiss International Academy of Management (IMD) pointed out that in the golden rule of national competitiveness, the government must first work to "develop a stable and predictable legal environment" [1]. This shows that the legal system is good or bad is closely related to the development effect of the country or region.

Traditional theory believe that law has three functions: one is to promote the society to continuously maintain a basic order, including the distribution of political power and the maintenance of economic production order; the other is to provide a normative guide to resolve the conflict when the conflict arises; and three is to guarantee the realization of freedom. From its own cultural background, law can be divided into two categories: inherent law and secondary law. The so-called inherent law is the law that originated from the local culture and is inherited for its inherent inheritance, that is, the product of the so-

called national spirit of the historical school of law. However, in fact, the formation of law cannot be fully attributed to the local inherent culture. Many of them are in the process of foreign interaction to capture the advantages of foreign laws and integrate the integrated legal system. This kind of law is called the successor law. It can be seen from the legal history of various countries that the phenomenon of law is more frequent in modern times than in ancient times. Because the ancient people's wisdom of the people was not open and the traffic was closed, in the modern international exchanges, the global information exchange network is popularized, and the parliament, the government or the court learned from, consulted and compared foreign legal cases. Therefore, the fact of the prevailing laws among civilized countries has been more remarkable since modern times, especially after the Second World War.

As far as developing countries or regions are concerned, the succession of laws is also an inevitable phenomenon. The reason is partly because the country must draw on the experience of advanced countries, and partly led by the foreign political forces or colonial rulers [2]. In the course of the development of the legal system in "Taiwan area", there are also many elements of the law. How the advantages and disadvantages, with the gradual development of the internal legal history research, they have been criticized and reviewed. This paper intends to first sort out the situation of legal succession in "Taiwan area", then try to discuss the problem of legal succession in "Taiwan area" from the national development theory ,with the Perspective of "One Country, Two System" Policy.

2. Law in "Taiwan area" Changes since 1895

The Qing Empire ruled "Taiwan area" in accordance with the traditional imperial rule; from the perspective of modern laws, the Qing Empire ceded "Taiwan area" in 1895 [3]. According to the Treaty of Shimonoseki between China and Japan, the Qing Empire ceded "Taiwan area" and Penghu Islands, which as a whole all transferred its sovereignty to the Japanese Empire. Japan since the Meiji restoration of industrialized modern countries transformation achievements into militarism and imperialist military expansion, with the military victory of the Sino-Japanese war against China and forced the Qing empire ceded "Taiwan area", while soldiers and civilians in "Taiwan area" have tried to establish the "Republic of Formosa", as a flag to fight the Japanese military, but failed because the military strength gap is very big [4]. Therefore, modern Western law was "under the cloak of colonizer law, Japan stepped on the land of 'Taiwan area'" [5]. With the colonial rule of "Taiwan area", the modern western legal thought and system, which started from the Meiji Restoration and indirectly from Western Europe, began to spread from Japan to "Taiwan area".

In the face of "Taiwan area" society, which is deeply influenced by the traditional imperial Chinese laws, the Japanese colonial authorities definitely introduced a large number of western legal concepts and systems, but also referred to the social conditions in "Taiwan area" and gave an organic combination. The British historical jurist Maine (Henrry James Sumner Maine) once made a summary study of ancient law, pointing out that one of the changes of ancient law to modern law is the difference in the proportion of criminal law and civil law: "Ancient law is obviously different from mature legal systems, and the most significant difference lies in the proportion of criminal law and civil law. The older the code is, the more detailed and perfect its criminal legislation is, and the greater the proportion is." [6]

However, subject to the need of colonial rule, the number of Western laws in "Taiwan area" at that time depends on the will of the Japanese colonial rulers. In other words, it is the selection of "Taiwan area" laws based on the benefits of Japanese colonial rule. It is obvious that "selective succession" is based on the interests of colonial rule. On the one hand, just like the ruling mode of western powers in Asian and African colonies, the administrative and judicial organs of the Japanese Empire exerted their state ruling power in "Taiwan area", and the criminal laws involving the ruling order and social and public

security were all shown in the legal ruling pattern of the colonists. On the other hand, the Japanese colonial authorities moderately indulged the colonized people and regulated their civil legal life according to their inherent habits. In the early stage of the Japanese colonial rule in "Taiwan area" (1895-1922), for the purpose of the rule, on July 16, 1898, "Taiwan area" governor issued "law no. 8" and "law 9", the Japanese empire of the western civil and commercial law is not applicable in "Taiwan area", especially involving the civil and commercial legal relations between the people of "Taiwan area", reflect the legacy life custom respect attitude. Even in the administrative and judicial criminal law, the basic principles of some western laws are intentionally excluded. To save judicial funds, for example, since 1904 large-scale implementation of "criminal decisive system" and "civil litigation mediation", let the local administrative departments as the Qing empire local government, has the right to immediately ruling minor crime which often occur, or use official advise to solve civil disputes. So there were phenomenon of administrative and judicial power mixed. In the same year, it even adopted the "body punishment" which banned by western modern criminal law, that is, the imperial Chinese whipping. In order to deal with the anti-Japanese people who tried to subvert the colonial rule, the colonial authorities introduced the "temporary court" system at the end of the first instance in 1896; the bandit penalty order formulated in 1898 violated the "legal principle of criminal punishment" emphasized in the criminal law of modern European continent, making the cruel punishment applied retro [7]. Since January 1, 1923, western-style laws have appeared more and more widely in various laws issued by Japan in "Taiwan area", and the reason is that many westernized laws of the Japanese Empire (including civil and commercial code, civil criminal procedure code, etc.) have been implemented to "Taiwan area". The reason why the Japanese colonial ruling class made such a "choice" was based on the colonial policy of the whole empire towards the "mainland extension doctrine", but some measures contrary to the western legal principles still had the actual needs of the colonial rule and were retained by the rulers [8].

The legal status of Taiwan has experienced a complicated changing process, involving three interrelated factors. With the transition from traditional international law to modern international law, the "return" means of territorial alteration was proposed and developed during World War II, and the legal status of Taiwan was built right on the basis of the new rules. Taiwan, from being occupied by Japan to "returning" to China, completed the certification process in accordance with international law through the complete treaty chain. After breaking their promises, the United States, Britain and other countries finally returned to their original positions under the new historical conditions. The Republic of China and later on the People's Republic of China, as "the international subject" on behalf of China, accepted Taiwan's "return", on which a consensus was reached in the international community as well, including the United States, Britain and Japan. These three factors confirm the legal status of Taiwan area, predestine its future, and indicate the path to the solution of the problem. "Reunify peacefully, and One Country Two Systems" is the best way to end the political antagonism between Mainland China and Taiwan. And to achieve complete national reunification is an irreversible historical trend.

After Japan's defeat, "Taiwan area"'s legal system development entered a new stage. Since October 25, 1945, the Nanjing Nationalist Government accepted "Taiwan area" on behalf of "China" with the role of allied forces, and began to implement the laws of the Republic of China with the characteristics of modern European law. At the end of 1949, the Nanjing Nationalist Government failed in the civil war between the Kuomintang and the Communist Party. The government of the Republic of China controlled by the Kuomintang authorities moved to "Taiwan area", leaving only "Taiwan area" and Penghu Islands as its actual control area. Since then, the partition of the two sides lasted for more than 70 years. The KMT established a system of authoritarian rule through party reform after retreating to Taiwan area. According to the "Constitution of the Republic of China" and the relevant provisions of party government coordination, the "Legislative Yuan"

nominally enjoyed certain "legislative", financial, supervisory, questioning, and consenting powers. However, in reality, by giving Chiang kai-shek (蒋介石) the status of the super-leader beyond the party organization and the "Constitution", strictly regulating the relationship between party and government under the "party-led" government and strictly controlling factional activities in the "Legislative Yuan", the "Legislative Yuan" became a subordinate to the KMT as rubber stamp for the "President" and "Executive Yuan". The "Legislative Yuan" only had the appearance of democracy, but the essence was to ensure the smooth operation of the KMT's authoritarian ruling system.

It is worth mentioning that the "Taiwan area" under the Nanjing national government period of legal system, the law in the form of the Republic of China not interrupted, so the "Taiwan area" as a legal system of the republic of China as an "province" status has not changed, even though contemporary "Taiwan area" has the western model of democratic transformation, and tried to seven times the so-called "constitution" content, but "Taiwan area" is not "the constitution of the republic of China" in the legal sense of the country.

On the whole, the legal culture of "Taiwan area" law in modern China is based on the basic norms of modern Western individualism, to ensure that the rights of citizens are not arbitrarily violated by the public power of the state, but the connotation of the constitutional legal order is temporarily frozen by the very legal system in wartime. Therefore, whether the basic order of western liberal democracy can return depends on whether the "Taiwan area" authorities end the very legal state at the empirical legal level and return to the usual constitutional legal order. This political decision comes from the geostrategic vision of the Kuomintang ruling authorities and the judgment of the internal political stability in "Taiwan area". Main pointed out that modern law had changed from a "violent law" that maintained the rule of feudal monarchs to a "law of citizens" that cared for the interests of the people. The former is to safeguard the authority of the king and focus on the obligations of the people, while the latter is to protect the rights of the people and focus on the adjustment of conflicts of interests. So, its civil and commercial rule law, since the continuation of the Japanese colonial rule western route accumulated experience in judicial practice, while gradually formed to adapt to the needs of "Taiwan area" local social or economic development, even teasing "Taiwan area" and western countries in the international political alliance, and after the received or actively transplanted a lot of European and American legal system.

As for the constitutional system, basic human rights and criminal law, depends on authoritarian ruling atmosphere, Chiang Ching-guo (蒋经国) in 1987 "martial law", successor lee in 1991 for "wild lily student movement", end "mobilization counter-insurgency period" temporary terms, began to greatly promote constitutional reform, the deepening democratic political development path evolution. After Chen Shui-bian (陈水扁) took office in 2000, who became the leader of "Taiwan area" for the first time, and the localization trend of "Taiwan area"'s laws and regulations became more obvious [9].

3. Taiwan Area Legal Inheritance Dialectics: Two Perspectives of National Development Theory

In "Taiwan area", China area, the legal circle for the problem of legal contention, to the existence of positive and negative different opinions.Affirmalists think, due to the transportation of science and technology progress, mobile costs tend to be low, cultural exchanges become increasingly frequent, the increasingly close relationship between regional, more affected by globalization, cultural differences also gradually fusion, social life form approaching similar, therefore, as a social life standard law, since also have different and from the same trend. Under the frequent cultural exchanges, various legal areas are more and more eager to seek good intentions. For the implementation of good laws, through comparative imitation, choose good ones, not complacent, so that behind the trend of The Times. In the 19th century, the school of historical law once believed that law

was the expression of the national spirit, which could only grow up naturally and cannot be created artificially. Legislation in advance would cause problems that could not be universally accepted by the people. During the period of the republic of China jurist Wang Boqi analysis and claims: "the so-called law is growing, no creation, in terms of the stage of the phenomenon, the truth, but the so-called growth or create law, in time, also did not start cannot take root in the public consciousness, grow up and bear fruit." "So precocious legislation, in its temporary effectiveness, but it has a great role in enlightening people's awareness." "Although many of our codes are partly collected from other countries, the transplanted legal system will not be the same, but if different nations should have different legal systems, it is obviously not true." [10]

Those who hold the negative believe that blind plagiarism or even the overall transplantation of foreign legal systems is often incompatible with the local social situation, so that the ancient fable that "orange beyond the north is bitter" is a progressor of legal norms to maintain the social order, or even enough to harm it. On July 23, 1930, the Central Executive Committee of the Kuomintang sent a letter to the legislative principles of the Inheritance of the Civil Law, indicating that the legislative style of the legal marital property system follows the Swiss civil Law, and the Relatives of the Civil Law, which came into force on May 5,1931, also set the same legislative rules [11].

The text of this letter clearly follows the legislation of the Swiss civil law: "The joint property system stipulated by the Swiss civil law includes the common control in the middle, and the main points are as left: 1) During the duration of marriage, all the property of both parties is 'marriage and marriage', and the restriction is not reserved by the wife. 2) About the marriage and birth belong to the wife at the time of marriage, and the property inherited or donated by the wife during the marriage is brought into the birth by the wife, and the wife still keeps its ownership. Husband for oneself into the birth and marriage birth does not belong to the wife of the part, are all. 3) The income of the wife and the natural fruit brought into the birth belong to the husband when separated, but the wife retains the birth is not limited. 4) Marriage and marriage are managed by the husband, and the management fee is borne by the husband. The wife may have the management power on behalf of both parties. 5) The husband is useful to the wife into the birth, and bears the responsibility of the beneficiary. Six, the husband in addition to the management, must the wife agree, shall not punish the wife brought into labor, but has returned to the husband owner, not in this limit. Seven, the wife for marriage and birth, within the scope of both parties, can be punished. From the above seven points, the Swiss joint property system, which is convenient to maintain a common life, sufficient to protect the rights of both sides, compromise is also suitable in our country, so it is to be adopted as the usual legal system."

Former justice judge professor Lin Jidong for "civil law relatives" legislative opinion points out that for the treatment between marital property, legislators a blind western legal system, for money between couples, a member belongs to financial boundaries, the rules and Chinese customs obviously completely incompatible, not only no differences, and easy to breed disputes [12]. For this example, blindly following foreign laws is easy to breed disadvantages, and it is difficult to form the compatibility between laws and local society and culture. Professor Wang Tai-sheng, a legal historian in "Taiwan area", also pointed out: "It seems to be the vision of advanced lawmakers to first transplant a non-local legal system and then implement the legal system to become the standard of social life. Whether it can be achieved is to a considerable extent that the transplanted legal system itself must be adjusted due to the suspected society, and the society must also produce the environment or energy to realize the transplantation of the law." He further argued: "In the hundred years since the western model improved 'Taiwan area' society, it has been difficult to localize laws, because it is well known that in the first fifty years, there was the colonial autocracy of Japan, and in the last fifty years, there was the autocratic dictatorship of the Kuomintang. In this case, it is extremely difficult for the people to have

the opportunity to choose the content of the 'state' with their independent will. Since the contents of the actual law are all assigned to the rulers, the people naturally cannot express their own opinions, only abide by it. The laws enacted are beneficial or disadvantageous to the people and are beyond the control of the people. But today's situation is very different, as "Taiwan area"'s civil society is booming and politically democratic. It is because people can choose the laws they need that the opportunity to localize the law comes." "Therefore, today, we must reinterpret 'Taiwan area''s legal development from the standpoint of 'Taiwan area''s subjectivity." "In order to construct our own legal theories, We should apply advanced experience according to local conditions and shouldn't apply it mechanically." [13] As for the debate about the academic world, we try to observe it respectively from the perspectives of "modernization theory" and "dependence theory" of national development theory.

From the perspective of modernization theory (Modernization Theories), in the process of backward society towards modernization, the reason for its undevelopment is mainly restricted by internal factors. If we can accept the advanced technology, scientific knowledge and modern culture and thought of developed countries, and overcome the traditional conservative mentality, we will be able to move towards the development road. Dr. Parsons (T. Parsons) The backward areas of post-development should imitate more advanced countries (especially the United States), and actively introduce various evolutionary images of modern society, including technology, system and concepts, that is, they can accelerate the speed of development and reduce the gap with developed countries [14]. In other words, the modern theory will evolution point of view to distinguish between western countries and low development society, both is "modern" and "traditional" poles, the latter development strategy need to closely follow the former development experience, through industrialization, urbanization, improve literacy rate, promote social mobility, development of mass communication, establish democracy, can develop into a progressive society [15]. Based on this, since the western developed countries follow the legal system, is also one of the important means for "low development countries" to overcome the traditional obstacles and accelerate modernization, special affirmation.

On the contrary, the dependence theory (Dependence Theories) takes the development experience of Latin American countries as an example to deny the development of the border areas as the dominant national model, because the latter has never been in the stage of lagging development. So-called "dependence", according to the Brazilian scholar Dr. Santos (Dos Santos), refers to "the border area economy by its dominant economic development and expansion, when dominant countries can dominate two or two more countries or regions of economic dependence, dominant countries to use its advantage to expand its development energy, and positive or negative influence border countries, assume dependence form between countries and border areas." [16] Quality, Dr. Santos think under the core capitalist expansion, in the dependence of the border areas must fall into the plight of low development, the solution should be outside the socialist revolution route, the backward development of border areas should transfer through the international division of labor system, autonomy take appropriate strategies, to overcome the dependence on difficulties [17]. German scholar frank (Andre Gunder Frank) to "will-border (metropolis-satellite)" development model, for example, the western countries as will (metropolitan), border areas as satellite town (satellite), with the relationship between the dependence, advanced countries through transnational trade exploitation border areas, continuous capital accumulation, lead to the latter long to low development or stagnation [18]. Furthermore, it relies on the theory that one can follow the legal system from advanced countries and ignores the investigation of local society, economy and culture, which as a result is unable to develop the local legal system independently. Obviously, the dependence theorists believe that it will be difficult to get rid of the path of dependence, and it is still difficult to get rid of the dilemma after the rule of law civilization of western countries.

4. Comparison of Marriage Law between the Two Sides

No matter from the perspective of geographical relations, historical traceability, or the feelings of family and country, the culture of Taiwan and the mainland has a consistent and inseparable connection. As a part of the cultural inheritance, the traditional legal culture also plays a very similar and important role in the formulation and operation of the cross-strait laws. Due to the differences in history and law, Chinese traditional culture is more clearly reflected in the modern marriage and family affairs legislation in Taiwan. The mainland, which has the historical and cultural tradition of the same roots and similar legal transplantation background, should also learn from the useful experience of Taiwan in the legislative and judicial process of marriage and family affairs, and let the traditional legal culture play its due role in the formulation and operation of modern civil laws. In modern law of Taiwan area, the "Civil Law relatives" not only retains the language habits of traditional Chinese characters and part of classical Chinese, but also, it follows the traditional etiquette and law and absorbs some western modern legislative technology and thought, showing the characteristics of interweaving traditional etiquette thought and modern legal concept.

However, Article 972 of the Civil Code of Taiwan stipulates that "the engagement shall be concluded by the men and women themselves." It can be seen that the original marriage" law "excluded the same sex marriage. It is worth noting that in the past, household registration system in Taipei city, Tainan city offer same-sex partners document about their relationship, while this measure does not have legal effect. However, related household notes can be used to sign the consent as proof for same-sex partners. But in the practice, there are still many hospitals refused to admit the effectiveness of same-sex partner household notes. For a period of time, there was much discussion in Taiwan on whether to give same-sex marriage should be protected, until the "Justice" of Taiwan explained willing to agree with sexual marriage and asked the legislature to amend it within two years. Thus, Taiwan is known as the first region of legalized same-sex marriage in Asia, which has attracted a lot of attention. Taiwan "executive yuan" on February 21, 2019 by "judicial court", "interpretation law" draft, draft clear same-sex partners can use the future "civil law" marriage, stipulates the definition of same-sex marriage relationship, the minimum age, form elements, substantive requirements, invalid and revocation, ordinary effect, property effectiveness, termination, the parties raising obligations and inheritance, etc., with "double the parties" refer to "same-sex marriage relations", and many of the provisions adopt the legislative technique of "quasi-application", such as Article 24 "Provisions of the General Provisions of the Civil Law on spouse, husband and wife, marriage or marriage, as stipulated in Article 2." With the process of same-sex marriage amendment, the opposition of Taiwan society has also continued.

5. Conclusion

The theory of modernization flourished in the 1950s and was replaced by dependent theory in 1970. The single-line evolutionary history view of modernization theory is difficult to deduce the western racial centralism color, and the traditional and modern analysis is too rough, which is its disadvantage. On the other hand, from the economic development experience of the Asian tigers, the so-called "dependence" does not necessarily cause economic stagnation or the possibility of capital accumulation and deny the possibility of development. Since the 1980s, because any of the above national development theories are insufficient to fully explain the stagnation and dependence of modernization, the researchers of national development theory are no longer limited to a certain theory, but began to try to reconcile the modernization theory and the dependence theory of the two university arguments.

In this paper, it is necessary to learn the theory of "open complex large system" proposed by scientist Qian Xuesen (钱学森) et al. For individuals, the human brain has a trillion of interacting neural cells, so each person is an "open and complex system", extending to the society and in the material, political and spiritual categories, it cannot build model analysis in a quantitative way [19]. Indeed, the complex of modern society, law to complete specification, science and technology, progress more emerging legal challenges, even the law to solve the problem itself may change by idea change, it all with natural science research can be observed through variable strain number change is different, people composed of social variables, the complex, quantitative or qualitative analysis, so as the social norms of the law should keep dynamic change, due to experience and try feasible solutions.

Considering the law and ignoring the advanced western law and society, it is difficult to focus on the historical context, the local social structure, cultural tradition, and the stagnation of the legal system and social development. This paper believes that "Taiwan area" of China needs to improve the legal inheritance, and use this experience to prove the deepening development of local legal theory, and expand the influence of its contribution to the great rejuvenation of Chinese civilization. All in all, "One Country Two Systems" is the best way to end the political antagonism between Mainland China and Taiwan area [20]. And to achieve complete national reunification is an irreversible historical trend.

Acknowledgement

This paper is supported by the fund project: Research on "One Country, Two Systems Practice" and Taiwan Plan (**ACKYC23068**).

References

1. Lin, H. (2006). Legal Institution and National Competitiveness. *RDEC*, *30*(6), 24-34. (in Chinese)
2. Hahm, P., (1983). Korea's Initial Encounter with the Western Law: 1866-191 A.D. *In Sang Hyun Song (ED.), Introduction to the Law and Legal System of Korea (pp. 173-174)*. Seoul: Kyung Mun SA Publishing Co. (in Korean)
3. Wang, T. (2007). The Inspiration from "Taiwan area"'s Experience of Inheriting Foreign Legal Systems. *Academia Sinica Law Journal*, *1*, 111-135. (in Chinese)
4. Chien, Y. & Yang, M. (1992). Chiu Feng-Chia's Constitutional Thought and Contribution of "Taiwan area" State-building. *"Taiwan area" International Law Quarterly*, *2*, 71-100. (in Chinese)
5. Wang, T. (2001). *An Introduction to the Legal History of "Taiwan area"*. (pp.122-124). Taipei: Yuanzhao Publishing Co., Ltd. (in Chinese)
6. Maine, H. (1861). *Ancient Law. (p. 207)*. London: John Murray.
7. Wang, T. (1999). *The "Taiwan area" day rule law reform (P.100)*. Taipei: United Publishing Enterprise Co., Ltd.
8. Wang, T. (1999). *Legal Reform in "Taiwan area" (pp. 111-117)*. Taipei: Lianjing Publishing Co., Ltd. (in Chinese)
9. Wang, T. (2001). *An Introduction to the Legal History of "Taiwan area" (pp.132-133)*. Taipei: Yuanzhao Publishing Co., Ltd. (in Chinese)
10. Wang, B. (1981). *Modern Legal Thought and China's inherent Culture (p. 51)*. Taipei: Legal Communications Journal. (in Chinese)
11. Ministry of Judicial Administration. (1976). *Historical Materials of the Establishment of the Civil Law of the Republic of China (pp. 588-589)* Taipei: Legal Affairs Communications Magazine. (in Chinese)
12. Lin, J. (1982). *An Introduction to Law*, p. 34. Taipei: Wunan Book Publishing Co., Ltd. (in Chinese)
13. Wang, T. (1995). Research on the Legal History of "Taiwan area" subjectivity, *Lawyers*, *192*, 44-45. (in Chinese)
14. Pang, C. (1993). *Theories of National Development: "Taiwan area"'s development experience, pp. 81-84.* Taipei: Chuliu Inc. (in Chinese)
15. Peng, H. (1990). *The Political and Economic Analysis of "Taiwan area"'s Development*, p. 11. Taipei: Fengyun Forum Press. (in Chinese)
16. Santos, D.T. (1970). The Structure of Dependence. *The American Economics Review*, *60*(2), pp.231-236.1970. https://www.jstor.org/stable/1815811
17. Lee, B. (2004). The Impact of Economic Power on the Third World in the 1990s: Case studies in Brazil, Mexico and Indonesia. *Social New Horizon*, *8*, 21-31. http://ntur.lib.ntu.edu.tw/handle/246246/48182
18. Yu, X. (1992). Comparative Research on Modernization Theory and Attachment Theory. *Quarterly Journal of Shanghai Academy of Social Sciences*, 2, 7. (in Chinese) https://kns.cnki.net/kcms2/article/abstract?v=sf24_f5fySZI9_QI-SjO1DbACOY9lI0fAda8NINrfa8ui5C3wfMx7-J_53lWElbmcpbk6owjJY_7N5gOeaW-spFqTR7fKjKGmdJ2p-quY_DMT3DNumoD8V3dvxFMSDUbFslC224hT2g=&uniplatform=NZKPT&language=CHS

19. Qian, X., Yu, J. & Dai, D. (1993). A New Discipline of Science - The Study of Open Complex Giant Systems and Its Methodology, *Chinese Journal of System Engineering & Electronics*, *4*(2), 3-4. https://ieeexplore.ieee.org/abstract/document/6073209
20. Li Y. (2018). The "return" form of territorial change and the legal status of Taiwan. *Historical Monthly Journal*, *3*, 87-101.