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GUOXUE AND TRANSDISCIPLINE AS ILLUSTRATED BY LAW AND LITERATURE

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The complexity of society is producing more and more disciplines – yet the side effect of such proliferation is a lack of collaboration between these disciplines. Therefore, researchers are introducing transdisciplinary work to integrate them. Although guoxue is an old-fashioned research about China and things Chinese, it not only indicates that the idea of disciplines has existed in traditional Chinese academia, but it also has a transdisciplinary nature. In this article, in order to make transdisciplinarity and guoxue illustrate each other, I will explain how it is possible for guoxue to be transdisciplinary and use law and literature as an example to show how disciplines can work together and be transcended. In addition, I will use some Confucian classics, which scholars read as guidelines for how to be a local government official, as examples to illustrate the transdisciplinary nature of guoxue.

KEYWORDS: guoxue, transdisciplinarity, law and literature, taiji and wuji

I. DISCIPLINE AND TRANSDISCIPLINE

The idea of a discipline known as *Paideia* was formed for educational purposes in ancient Greece. It has a long history in the West and “can be defined as academic studies that focus on a self-imposed limited field of knowledge [...]. Dirks (1996) traces the origins of academic disciplines back to the ancient Greeks, around 500 BCE [...].”¹ Mathematics and music can trace their origins as academic disciplines back to this period. In the Middle Ages, disciplinary areas became the fundamental components of a Christian training and included the trivium (grammar, logic and rhetoric) and the quadrivium (arithmetic, astronomy, music and geometry).²

Disciplines have since grown and evolved along with changes in society and the human mind. When society requires new perspectives and tools to develop, when researchers have different concepts of knowledge and when college students need

¹ Cohen – Lloyd 2014, p. 189.

² Fang Delong 2000.

diverse skills to meet the market's needs, new disciplines and sub-disciplines emerge and proliferate, and disciplines now designated "old fashioned" fade away or even disappear. Smart, Feldman and Ethington (2006) applied John Holland's Person-environment fit theory to classify academic disciplines in higher education into: the investigative (including biology and life sciences, earth science and sociology), the artistic (including architecture, fine arts and foreign languages), the social (including humanities, psychology and education), and the enterprising (including business, communications and marketing). However, as John M. Brazton and Lowell L. Hargens point out: "The proliferation of academic disciplines quickly led to concerns about the integrity of higher education. Following a long-established pattern, some worried that disciplinary specialization meant scholarly disintegration and a decline in standards of intellectual excellence."³ More disciplines had created a problem.

It is easy to overlook this view of disciplines as a whole when new disciplines appear. Disciplines need to collaborate to avoid possible blind spots and overlaps, and the boundaries between them must be transcended. This does not mean that a new discipline should remain within its originating discipline, nor that the original discipline should close or allow itself, alongside its new companion, to be taken over by an even newer discipline. It means that the original discipline and the new, as well as other disciplines with similar research interests, should collaborate under the name of transdiscipline.

The term "transdiscipline" has been used to mean different things. We use the term transdiscipline here to denote sets of research models, techniques, and literature that have application across many disciplines and across disciplinary silos [...] Research within a transdiscipline shares a common goal [...] Transdisciplines do not subsume disciplines. That is, each discipline (or parts of it) may "belong to" a variety of transdisciplines. We are not suggesting adding yet one more layer of bureaucracy to academia. Instead, the suggestion is to bring together elements from across diverse fields to yield better science. The focus of each transdiscipline is the solution to its own problem-set, bringing to bear the best discipline specific approaches to the problem.⁴

A transdiscipline, therefore, is a set of disciplines that share and work together to solve the same problem. Transdisciplinarity, then, is the methodology of transdisciplinary research, and I will discuss it in the third section of this article. I will be focusing on the transdiscipline of the humanities. Disciplines may be involved in more than one transdiscipline. For example, philosophy can collaborate with history to solve some problems about literature (with philosophy, history and literature thus forming one transdisciplinary set), and it can also work with economics to deal with issues about law (with philosophy, economics and law forming another). In short, transdiscipline is an idea oriented around problem-solving that refers to the collaboration between disciplines. As an umbrella term that covers other related disciplines, transdiscipline does not eliminate the distinctive contribution each discipline can make to solve a commonly shared problem, nor does it add another disciplinary layer above those involved with the primary problem.

³ Brazton – Hargens 1996, p. 1.

⁴ Cohen – Lloyd 2014, p. 203.

My article focuses on both the significance and mutual illustration of the Chinese notion of discipline – *guoxue* 國學 (national study), with which Chinese academics responded to the West’s definition – and transdiscipline. In the second section, I will use the idea of discipline to explain what *guoxue* is. In the third section, I will use the case study of law and literature to clarify the ideas of transdiscipline and transdisciplinarity. I will also compare transdisciplinarity with other methods, such as multi-disciplinary and inter-disciplinary research, in order to better characterise transdisciplinarity. In the fourth section, and using an additional discussion about law and literature, I will employ *wuji* 無極 and *taiji* 太極, two concepts from Chinese philosophy, alongside Julia Kristeva’s idea of *chora*, to build a theoretical foundation for transdisciplinarity. In the last section, I will conclude that transdisciplinarity is suitable for *guoxue* because *guoxue* is not only disciplinary, but also transdisciplinary. *Guoxue*’s nature and research method has always involved different disciplines, such as law and literature, working together to solve problems.

2. GUOXUE AND DISCIPLINE

In contrast to the long history of discipline in the West, the idea of discipline has not really existed in traditional Chinese academia (*Zhongguo juyou de xueshu* 中國舊有的學術),⁵ even if Chinese scholars have long specialized in different research areas, such as the six specialties of the central government’s six bureaus: civil official (*li* 吏), finance (*hu* 戶), etiquette (*li* 禮), military (*bing* 兵), punishment (*xing* 刑) and infrastructure (*gong* 工). Responding to the Western idea of discipline introduced at the end of the Qing dynasty, scholars of the early Republic, such as Liu Yizheng 柳詒徵 (1880–1956), used *guoxue* to argue that although the word discipline (*xueke* 學科) was rarely used, the notion had long existed in Chinese academia. As Zheng Dian 鄭奠 (1896–1968) says:

Academic discipline is a universal idea and has no boundary [...] There must be a reason for the birth of a discipline. Different peoples have different beliefs; different countries have different systems. They [peoples and countries] have gained their own strength after the development from generation to generation [...]. I reckon that *guoxue* is vast, and that every research in our country, whether it be humanities or sciences, is included. As for arts and technologies, which are not Chinese scholars’ specialties, they are also included in *guoxue* only if they have methods and principles and are beneficiary to the people. Besides, we can also learn from the disciplines in the West. Then, *guoxue* can be improved and thrive more than ever [...]⁶

⁵ Here, I am using Hu Shi’s 胡適 words in *Qingdai xuezhe de zhixue fangfa* 清代學者的治學方法 (1930), which I have translated as “traditional Chinese academia.” Even though Hu Shi did not specify the time and the definition, judging from the content of his article, the term he used refers to the disciplinary methodologies that Chinese scholars, from the Han dynasty to the end of the Qing dynasty, employed to do research.

⁶ Unless otherwise stated, all translations in this article are the author’s. The original text: 學術以天下為公，初無國界可守...。學不徒生，必有所因。民族殊則思想亦異。地域隔則政制不同。更歷年累世，相傳相承。自各有所長，豈一朝一夕之故哉...。愚謂國學之範至廣，凡域內固有之學，無間於心與物皆隸焉。即至方技藝術，有理可究，有法可守，有益於民者，亦得被此稱。固非詞章之士所能專也。至於遠西學術，足以參鏡。苟善用之，自今而後，國學昌明，必過於前。 Zheng Dian 1920, pp. 2–3.

Zheng Dian is pointing out that traditional Chinese academia – literature, philosophy, history and so on – already had an idea that was equivalent to the Western notion of discipline. Scholars believed that traditional Chinese academia was not disciplinary enough only because its concept of discipline was different. *Guoxue*, a more general term describing the idea of discipline, only includes disciplinary areas that are subjects of research and useful. Since the Western concept of disciplines is now well accepted within Chinese academia, *guoxue* can therefore learn from the West to improve and become popular again.

Zheng Dian mentions a number of disciplines in *guoxue*, traditional Chinese academia. In *Qiliu* 七略 (Seven Catalogs), there are the six arts (*liuyi* 六藝): philosophy (*zhuzi* 諸子), literature (*shifu* 詩賦), the military (*bingshu* 兵書), mathematics (*shushu* 術數), and medicine (*fangji* 方技). *Zhongjing xinbu* 中經新簿 (New List of the Central Collection of Classical Works) comprises four categories through *sibu* 四部 – *jing* 經 (Confucian classics), *shi* 史 (historiography), *zi* 子 (masters and philosophers), *ji* 集 (belles-lettres) – in which the military and mathematics are categorized as philosophy. *Qilu* 七錄 (Seven Copies) subsumes military studies under philosophy, while excluding mathematics and medicine. *Suishu jingjizhi* 隋書經籍志 (Treatises on Classics in the Book of Sui) established the four basic Confucian categories, or disciplines of classics, history, philosophy and literature in traditional Chinese academia. These above-mentioned documents show that the categorization of disciplines changes and evolves throughout history, and that although Chinese academia has considered *sibu* an equivalent idea of discipline in *guoxue* for a very long time, this does not mean that the categorization of disciplines cannot be altered. Traditional Chinese academia has been influenced by the West's idea of discipline. However, any new categorization should take both the West's influence and Chinese academia's traditions into consideration.⁷

It is questionable whether *jing*, *shi*, *zi* and *ji* can be considered disciplines in line with the Western concept. *Sibu*, as a matter of fact, is a classification method that adopts the same approach as the Western notion, arguing that disciplines should be divided if they have different research domains. *Guoxue*, as a general term that covers *jing*, *shi*, *zi*, *ji* and all other techniques and sciences in traditional Chinese academia, was created to indicate that the idea of discipline and disciplinary classification had already existed in traditional Chinese academia for a very long period. In addition, much like the disciplines in the West, traditional Chinese academia has its own methodology that makes itself a discipline.

Guo, as in the term *guoxue* or *guogu* 國故 (National Heritage), refers to China as a nation. Scholars have been critical of this re-naming of traditional Chinese academia, arguing that this does not make it a discipline (e.g., Xu Xiaotian 許嘯天, 1886–1946). They argue that a discipline is defined by its methodology, such as philology and historiography. Therefore, an ambiguous word like *guo* has nothing to do with discipline

⁷ 國學之封域所包至廣，宜析類別，取便觀省。往昔部次可考者，漢七略為始。凡六藝，諸子，詩賦，兵書，術數，方技六部。晉荀勗因中經新簿分為四部。而兵書，術數，遂入于諸子，史籍離六藝而別立為部。阮孝緒作七錄，以兵歸子，而技術復在其外。及隋經籍志始以兵，醫，天文，歷數，五行，盡歸子部，於是經，史，子，集之名大定，後世仍用焉...。今所欲述者有二事焉。一則經子之名，慮難確守。為腹為目，旨趣各殊。二則探索前籍，當暫仍舊緒，以省凌亂之煩。若研尋之法既異，則所得者自與曩昔殊致。整理有成，即更為部署亦無不可者。要之，分類析觀，以便探討，與家法流別之部次有殊。並行不悖，義相成焉。 Zheng Dian 1920, p. 3.

(according to Fu Sinian 傅斯年, 1896–1950).⁸ However, as mentioned above, proposing the idea of *guoxue* was undeniably an effort to recognize traditional Chinese academia in a disciplinary way. Moreover, even if *guoxue*, compared with other disciplines, is not a name for a particular discipline, it is a term that comprises all studies in traditional Chinese academia, has its own methods, such as philology and exegesis, and applies its own approaches, like the historical and biographical. These methods are used to study every subject that is included in Chinese academia, as Hu Shi 胡適 (1891–1962) states:

In the name of traditional Chinese academia, *puxue* 樸學 in the Qing dynasty is the only scientific one. *Puxue* is a broad term that roughly covers four parts: (1) philology (*wenzixue* 文字學), which is about the changes and travels of pronunciation, and the phonetic-loan and mutual-explanation relationships between characters; (2) exegesis (*xunguxue* 訓詁學), which applies scientific method and uses objective evidence to explain the meanings of words in ancient classics; (3) textual criticism (*jiaokanxue* 校勘學), which applies scientific method to correct errors in ancient classics; (4) higher criticism (*kaodingxue* 考訂學), which is research about the authenticity of ancient classics and their authors, and everything regarding the authors [...] *Puxue* is also called *Hanxue* 漢學. *Hanxue* is probably used to criticize *Songxue* 宋學, because the Qing scholars did not agree with the Song scholars' methodology, considering them to be subjective on archeological issues and talking only about ideas, not facts [...].⁹

Hu Shi states that traditional Chinese scholars, because they lacked the scientific equipment and could only rely on logical deduction, usually ignored facts, evidence and the inductive method in science, arguing that only *puxue* can roughly qualify as a scientific discipline of traditional Chinese academia. Even the so-called intuition in philosophy (*zhijue* 直覺, *zhiguan* 直觀, *mingxin jianxing* 明心見性), which is more like a state of enlightenment, can hardly be called a method. A pure mental activity of logical deduction, or even an intuitive one, is still an indispensable part of research. Hu Shi might believe in matter-of-fact science and misjudge the mental activity of logical deduction as a sort of mystical philosophy. The fact that traditional Chinese academia has its own methods, such as philology, exegesis, textual criticism and higher criticism, is highlighted.

Unfortunately, no matter how hard those traditional Chinese scholars defended and tried to use *guoxue* to promote traditional Chinese academia, the term *guoxue* is still considered old-fashioned and non-disciplinary. Although *guoxue* may not be considered sufficiently disciplinary, its transdisciplinarity is able to

⁸ See Luo Zhitian 2001.

⁹ 中國舊有的學術，只有清代的樸學，確有科學的精神。而樸學一個名詞包括甚廣，大要可分四部分：(1) 文字學。(philology) 包括字音的變遷，文字的假借通轉等等。(2) 訓詁學。訓詁學是用科學的方法，物觀的證據，來解釋古書文字的意義。(3) 校勘學。(Textual Criticism) 校勘學是用科學的方法，來校正古書文字的錯誤。(4) 考訂學。(Higher Criticism) 考訂學是考定古書的真偽，古書的著者，及一切關於著者的問題的學問...。而樸學又稱為漢學...。而漢學是對於宋學而言的。因為當時的學者不滿意於宋代以來的性理空談...。漢學這個名字，很可能表示學者的公同趨向。這個公同趨向，就是不滿意於宋代以來的學者，用主觀的見解，來做考古學問的方法...。Hu Shi 1912, pp. 28–29.

ease the negative consequences of disciplinary division and proliferation. Thus, the idea of transdiscipline can also be implemented as an optimal method within *guoxue*. In the next section, I will illustrate what transdiscipline is and how it works as a method by using the example of law and literature.

3. “LAW AND LITERATURE” AND TRANSDISCIPLINARITY

“Law” and “literature” in the humanities are considered to be two separate, autonomous and complementary disciplines. Under the impetus of James Boyd White, a “Law and Literature movement”¹⁰ emerged in the United States in the 1970s, its proponents using literature to improve the law. There are three main sub-categories of Law and Literature: 1) Law in Literature, which studies how the law as an element is represented in literary works; 2) Law as Literature, which investigates what and how the law can learn from literature, since both are composed of words, sensitive to rhetoric and require interpreting; 3) Literature as Law, which analyses literary works that have legal elements and discuss legal issues, to illustrate how literature functions as law either in a fictitious world or in reality.

As Jane B. Baron concludes, these two disciplines were brought together for three reasons: moral uplift,¹¹ hermeneutics and narrative.¹² Law can learn from literature, since law has been separated from morality and is not open to interpretation. However, the idea that literature is more humane, moral and well-informed about interpretation has been challenged. Baron states:

In this view of law as “literary” in character, law does not require supplementation by anything “outside” itself, because – given the level of abstraction at which the process of doing law is described – nearly everything that could be outside is actually already “inside” law.¹³

Baron indicates that law has everything that literature has, even if the suggestion is that law is unique, literature is insipid and that law is an independent discipline. It also implies that, even if law has everything literature has and literature does not have what law has, law and literature are not that different. As James Boyd White states, law and other humanities disciplines, such as philosophy and literature, are involved in the “cultural and ethical activity of making meaning in relation to others.”¹⁴ Law needs help from other disciplines not because it is isolated from the humanities, but because it is in fact part of humanity. In short, “Law” and “Literature” become “Law and Literature” not because they are separate and different, but

¹⁰ Guyora Binder says: “The law and literature movement [...] is part of a larger profusion of interdisciplinary study of society, particularly applying the methods of the humanities to subjects studied by the social sciences. All such interdisciplinary importations share an implicit logic. The host and guest disciplines are in one sense interchangeable – both can illuminate the same phenomena.” *Binder – Weisberg 2000*, p. 5.

¹¹ Richard Posner argues that literature cannot help law with moral issues and that “there is a fair amount of literature that is downright immoral.” See *Posner 1996*, p. 82.

¹² *Baron 1999a*, pp. 1064–1066.

¹³ *Baron 1999b*, p. 44.

¹⁴ *White 1984*, p. 275.

because they have similarities. With topics like justice, for instance, “Law and Literature” is both a narrative with words and requires interpretation. In other words, even if Law and Literature was originally intended to improve the law, it can still be a transdiscipline that crosses the boundary between law and literature,¹⁵ and requires both disciplines to work together to solve problems they equally share. In the first section of the present article, I explained what I understood as the term transdiscipline – but what is transdiscipline when it is linked to other terms, such as multidiscipline and interdiscipline?

Law and Literature in Comparative Literature is an interdisciplinary research field. The principle of interdisciplinary research is “comparative” and uses “theoretical frameworks and methodologies” from other disciplines, which is the “principle of method.”¹⁶ But what is interdisciplinary research? And what is the difference between inter-, multi- and trans-discipline? Julie Thompson Klein describes the different forms of disciplinary interactions, including “multidisciplinarity,” “interdisciplinarity” and “transdisciplinarity”:

Multidisciplinarity was defined as an approach that juxtaposes disciplines. Juxtaposition fosters wider knowledge, information, and methods. Yet, disciplines remain separate, disciplinary elements retain their original identity, and the existing structure of knowledge is not questioned.¹⁷

Multidisciplinarity, which is “a ‘false’ or at best ‘weak’ form [...] lacking intercommunication,”¹⁸ only juxtaposes two disciplines and applies “knowledge from one discipline in order to contextualize another.”¹⁹ In other words, multidisciplinarity is a method in which one discipline forms only the background of the target discipline. The background discipline and the target discipline do not really interact; their connection exists only on a superficial level.

Interdisciplinary research, as Klein and Newell argue, is “a process of answering a question, solving a problem, or addressing a topic that is too broad or complex to be dealt with adequately by a single discipline or profession.”²⁰ Interdisciplinary research must “call upon sources from different disciplines towards the goal of solving questions posed *within multiple disciplines*.”²¹ In short, interdisciplinary research is problem solving and question oriented. In interdisciplinary research,

¹⁵ As Baron suggests, “our understanding of the categories may be as much a product of our attempts to compare and contrast them as of any quality that they have apart from the context of those contrasts.” See Baron 1999a, p. 1082. The boundary between law and literature may have never existed. It may have been created to reinforce the idea of difference.

¹⁶ As Steven Tötösy de Zepetnek states: “This view of interdisciplinarity has been traditionally advocated in Comparative Literature and thus I denote this approach as the ‘comparative principle’ of interdisciplinarity in literary study. Second, interdisciplinarity postulates the principle of method, that is, the application of theoretical frameworks and methodologies used in other disciplines for the acquisition of knowledge in the analysis of literature and/or the literary text or texts. The second basic principle shall be denoted therefore as the ‘principle of method’.” See Tötösy de Zepetnek 1998, p. 79.

¹⁷ Klein 2010, p. 17.

¹⁸ Klein 2010, p. 17.

¹⁹ Klein 2010, pp. 17–18.

²⁰ Klein – Newell 1997, pp. 393–394.

²¹ Emphasis in original text. Mill 2011, p. 4.

methods from other disciplines will cooperate with the method of the target discipline to form a more powerful and effective tool to solve some problem that cannot be solved within a single discipline. Compared with multidisciplinary, interdisciplinary is a process in which the target discipline interacts with and adopts, and also adapts, other disciplines to improve its disadvantage and reinforce its strength.

An interdisciplinary method is used to look for solutions to problems shared by two or more disciplines. However, sharing the same problems does not mean that these disciplines have the same reason for solving them. For example, the purpose of “Law” in “Law and Literature” is to make law self-sufficient, while the purpose of “Literature” in “Law and Literature” is to study literature about law. Thus, law and literature remain two individual disciplines with contrasting objectives. Giles Gunn says that “meanings are always produced from a position.”²² The gap between law and literature has not been transcended.²³ That is to say: each subject is still restricted by its own discipline. Stanley Fish discusses as follows:

[B]eing interdisciplinary – breaking out of the prison houses of our various specialties to the open range first of a general human knowledge and then of the employment of that knowledge in the great struggles of social and political life – is not a possible human achievement. Being interdisciplinary is more than hard to do; it is impossible to do.²⁴

Being interdisciplinary is impossible because the purpose of interdisciplinarity is still limited by the idea of discipline. In other words, two disciplines, being applied in an interdisciplinary manner, are still the “other” to each other. Transdisciplinary research, therefore, has been introduced to make “research without disciplinary boundary” possible. However, some questions arise: Why is interdisciplinary research not enough? Why do the boundaries between disciplines need to be transcended? And why is transdisciplinarity as a methodology so crucial in research? Julie T. Klein states:

Whereas “interdisciplinarity” signifies the synthesis of two or more disciplines, establishing a new metalevel of discourse, “transdisciplinarity” signifies the interconnectedness of all aspects of reality, transcending the dynamics of a dialectical synthesis to grasp the total dynamics of reality as a whole.²⁵

Transdisciplinarity, as a new metalevel of discourse, indicates a re-construction of knowledge based on the idea that the world is a dynamic unity that cannot be divided and can only be fully understood as a whole. Transdisciplinary research is required not only because problems have become more and more complicated and cannot be solved singlehandedly, but also because the world has always been an organic totality and all disciplines have always been connected, which reflects

²² Gunn 1992, p. 188.

²³ Julie Stone Peters talks about the confrontations between law and literature professors because of their mutual misunderstandings. See Peters 2005, p. 443.

²⁴ Fish 1989, pp. 18–19.

²⁵ Klein 1990, p. 66.

a concept similar to *taiji*, as I will explain in the next section. Research ought to be conducted from a transdisciplinary point of view. Every discipline has been created not to solve only its own problems, but to solve the problems shared by all other disciplines and by the whole of mankind, and to seek the truth and mystery of the universe. It is what Chinese scholars have been doing since traditional Chinese academia was founded. This is why *guoxue*, as a general term that comprises all the disciplines in traditional Chinese academia, is transdisciplinary. In the next section, I will explain why disciplines should be transcended and work together to pursue a common goal.

4. BEFORE AND AFTER DISCIPLINE

Disciplines have existed and developed over a very long time. Now is the moment to integrate them in the name of transdiscipline. However, is it possible to have disciplines collaborate without contradictions? Have disciplines ever been united before? Have they ever shown the possibility of transdiscipline? As the Big Bang theory suggests, everything came from the same origin, or even from what was before the origin. In a similar way, even if disciplines differ, they all originated from the same place. Chinese philosophy contains a similar idea, called *taiji*, with which philosophers explain the origin of everything in the universe. As Zhou Dunyi 周敦頤 (1017–1073) says in *Taijitu shuo* 太極圖說 (Explanation of the *Taiji* Diagram):

The Supreme Polarity [*taiji* 太極] in activity generates *yang* 陽; yet at the limit of activity it is still. In stillness it generates *yin* 陰; yet at the limit of stillness it is also active. Activity and stillness alternate; each is the basis of the other. In distinguishing *yin* and *yang*, the Two Modes are thereby established. The alternation and combination of *yang* and *yin* generate water, fire, wood, metal and earth. With these five [phases of] *qi* 氣 harmoniously arranged, the Four Seasons proceed through them. The Five Phases are unified in *yin* and *yang*; *yin* and *yang* are unified in the Supreme Polarity; the Supreme Polarity is fundamentally non-polar [*wuji* 無極].²⁶

There are two opposite but complementary forces, passive and negative *yin* and active and positive *yang*, that interact to create everything. What generates *yin* and *yang* and what *yin* and *yang* are from/in is called *taiji*. If *taiji* is illustrated in Lao Zi's words, *taiji* is *yi* 一 (One) or *dao* 道 (the Way) and is an active being and driving force (*cunyou qie huodong* 存有且活動), a metaphysical entity that creates the whole universe. Although "the Supreme Polarity is fundamentally non-polar" seems to suggest that *wuji* 無極 is a hierarchically superior layer to *taiji*, *wuji* and *taiji* are not two separate and diachronic stages of creation. *Wuji* is the ontological and transcendental entity of *taiji*, and *taiji* is the existential and creational manifestation of *wuji*. From a temporal point of view, *wuji* and *taiji* are the beginning of time and the existence before time. From a spatial point of view, *wuji* and *taiji* are where everything has not yet but is about to appear, and are also a space, or a singularity in

²⁶ My additions in brackets. Translated by Joseph A. Adler. See Adler 2015, p. 52. The original text: 太極動而生陽，動極而靜，靜而生陰。靜極復動，互為其根；分陰分陽，兩儀立焉。陽變陰合，而生水火木金土。五氣順布，四時行焉。五行，一陰陽也；陰陽，一太極也；太極本無極也。

physics, that contains all the elements and ingredients that beings require to form and exist. Moreover, *wuji* and *taiji* are both a static blueprint and a dynamic driving force of every potential and possible existence.

As *wuji* and *taiji* suggest, everything in the universe is logically and philosophically from the same origin. As the creation of the universe is described in *Dao de jing* 道德經, Chapter 42: “Dao begat one; / One begat two; / Two begat three; / Three begat all things”²⁷ (*dao sheng yi, yi sheng er, er sheng san, san sheng wanwu* 道生一，一生二，二生三，三生萬物).²⁸ Beings are meant to grow by nature. In other words, even if things are different and distant from each other, at this current moment they are still connected, as both the language of law and the language of literature have developed from a presumptive proto-language, which is both a symbolic system and a pre-language signification process of signs that I will explain later, and share the same nature as narrative arts.

“Law” and “Literature,” which both use language for description, are two disciplines that develop based on a presumptive proto-language as their common origin. Therefore, language is the common feature shared by law and literature and is the platform for these two disciplines to communicate. As Paul Gewirtz says: “[L]aw as literature [...] examines law and legal texts the way a literary text might be examined [...] [But] both law and literature attempt to shape reality through language, use distinctive methods and forms to do so, and require interpretation.”²⁹ In the following section, I will explain how language can make transdiscipline possible.

Language, as a signifying process, is created to express meaning; however, it is an imperfect tool. As Noëlle McAfee points out: “[A]ll our attempts to use language neatly, clearly, and in an orderly way are handmaidens of our attempts to be neat, clearly demarcated, orderly subjects. But such attempts are continuously disrupted by certain elements of our signifying practice.”³⁰ Language is ideally a logical, clear and complete symbolic system. However, the idea that language can clearly express meaning is questionable because of the rupture between the signified and the signifier.

Symbolic would seem an appropriate term for this always split unification that is produced by a rupture and is impossible without it. Its etymology makes it particularly pertinent. The *σύμβολον* is a sign of recognition: an “object” split in two and the parts separated, but, as eyelids do, *σύμβολον* brings together the two edges of that fissure.³¹

With language, an object is split into two parts. One is the object’s symbolic representation; the other is the object itself. With language, the object is the symbol, not the object itself, as it would be in the “real” world. Such a fracture between the “signified” (here, the object) and the “signifier” (here, the symbol) leads to two

²⁷ Su Daniel Baida and Chen Shangyu’s translation. See *Yuan Zhiming* 2010, p. 94.

²⁸ Dao is one; one generates *yin* and *yang* as two; *yin* and *yang* interact and integrate to create a new the third existence, making three; the three then create everything.

²⁹ Brooks – Gewirtz 1996, p. 4.

³⁰ McAfee 2004, p. 13.

³¹ Kristeva 1984, p. 49.

possible directions of language application – clarity and ambiguity. The law, because of its duty to make clear judgments, tends to use logical and rational language to address meanings; in contrast, literature praises and values the ambiguous aspect of language and embraces uncertainty and interpretations.

These two aspects of language, or two distinct languages, coexist so we can use them to identify objects. That is to say, the language of clarity and the language of ambiguity are two sides of the same coin. The language of law and the language of literature thus share the same purpose and should work together to make language complete. In a similar fashion, since clarity and ambiguity derive from a proto-language as the origin of languages, this origin can be seen as a creation from/in *taiji* and *wuji*, or as *taiji* or *wuji* themselves. The origin of language not only comprises clarity and ambiguity, like the two opposite but complementary energies of *yin* and *yang*, but is also a driving force and an active being that pushes the proto-language to develop. Because this argument about law and literature concerns language, in addition to *taiji* and *wuji*, Julia Kristeva's theory about *chora*, which is similar to *taiji* and *wuji* as the idea of the origin of everything, will be introduced to explain the transcendence of the language of law and the language of literature.

Chora is a complicated idea, as Noëlle McAfee makes clear: "Kristeva's notion of the *chora* is extremely hazy: the *chora* is often translated as womb or receptacle, but Kristeva doesn't seem to mean that it is just a space; she says it is an articulation, a rhythm, but one that precedes language."³² *Chora*, which is a term from Plato's *Timaeus*, is "a modality of significance in which the linguistic sign is not yet articulated as the absence of an object and as the distinction between real and symbolic."³³ That is to say, from a language point of view, *chora* is a state in which language, as a signification process and a symbolic system, is about to happen. In the state of *chora*, a language as a symbolic system that expresses meanings does not exist. However, a pre-language, which is not yet a language as a symbolic system, does exist in this state and consists of signs with significances. Meanings in a language as a symbolic system are logical and clear; significations of signs in a pre-language state are ambiguous and require interpretation. The language of law, which is clearer and more logical, inherits the nature of language as a symbolic system. As a counterpart of the language of law, the language of literature, which is more ambiguous and requires interpretation, inherits the nature of the pre-language as linguistic signs with significances.

Moreover, drawing on the ideas of *taiji* and *wuji*, I believe that *chora* is a blueprint for language and an expression of its potentiality at a state where, as a symbolic system, it is about to appear but has not yet come into existence. *Chora* has every element and ingredient that the creation of language requires and is a place where every possible language can be generated. It is an energy and a driving force that makes language possible and allows it to develop. *Chora* can therefore be understood as the static and active ontological existence of language in the form of *taiji* and *wuji*, and thus explains that the language of law and the language of literature were not originally separated, and that, in the name of transdiscipline,

³² McAfee 2004, p. 18.

³³ Kristeva 1984, p. 26.

they can communicate and collaborate with the knowledge that they are from the same origin.

I have now explained the possibility of a transdisciplinary approach to law and literature from the perspective of language. In the final section, I will adopt a theoretical point of view to explain why *guoxue* is transdisciplinary by using the problem-solving nature and methodology of transdisciplinarity. I will also use evidence from traditional Chinese scholars, magistrates and judges to show, from a practical point of view, how law and literature can be distinct disciplines but interact through *guoxue*.

5. GUOXUE AND TRANSDISCIPLINE

5.1 *Taiji* and the Ultimate Truth

As mentioned above, transdiscipline is an idea where different but related disciplines work together to solve the problems they commonly share. In the previous section, I explained the connection between disciplines. All disciplines stem from the same origin, the same womb. No matter how far they are from each other and how different they are, they are siblings and belong to the same family. In this section, I will continue to apply the idea of *taiji* to illustrate why “problem-solving” is possible in terms of transdiscipline. I will also use some examples from law and literature to show the collaboration between disciplines in traditional Chinese academia. In the end, I will conclude that *guoxue* has been a form of transdisciplinarity. *Guoxue* and transdisciplinarity can illustrate one another.

Zhu Xi 朱熹 (1130–1200) once explained what *taiji*, the origin of everything, is in his comment on the *Taijitu* 太極圖 (The *Taiji* Diagram):

The supreme ultimateness (*taiji*, the supreme Polarity) is the ultimate truth and reason (*zhili* 至理) of the mind of the whole of mankind. Every issue and object has an ultimateness (*ji* 極) [...], such as the king's kindness and the respect from the king's subordinates. The sum of all the ultimatensses of every affair and object is the supreme ultimateness.³⁴

Zhu Xi describes it thus:

Taiji is the *li* 理 of the universe and of all the beings (*tiandi wanwu* 天地萬物). There is a *taiji* in the universe; and there is a *taiji* among all the beings. *Taiji* even already existed before the universe.³⁵

Taiji, like *chora*, is a complicated idea. A person, an item or even something abstract like a phenomenon has its own *ji* or *li*. All sorts of things that belong to the same classification also have a *ji* or *li*. Ultimately, everything in the universe, or other universes beyond, congregates together to become the *taiji* or *zhili*. In order to validate

³⁴ The original text: 仲履云：「太極便是人心之至理。」曰：「事事物物皆有箇極，是道理之極至。」蔣元進曰：「如君之仁，臣之敬，便是極。」曰：「此是一事一物之極。總天地萬物之理，便是太極。太極本無此名，只是箇表德。」 See *Taijitu*.

³⁵ The original text: 曰：「太極只是天地萬物之理。在天地言，則天地中有太極；在萬物言，則萬物中各有太極。未有天地之先，畢竟是先有此理。 See *Liqi shang*.

morality in Neo-Confucianism, Zhu Xi explains that *taiji* is, in a sense, a transcendental entity that existed before the universe, or any universe, ever did. As a result, Zhu Xi ascertains that there is a single ultimateness that can be approached through the exploration of the *ji* or *li* of every being.

From an epistemological point of view, *ji* is an intellectual realization, an enlightenment, or a *li*, through which people can learn the real reason and truth behind a phenomenon. Everything – whether living or non-living – has a *li*. Once all the *lis* are combined, the supreme ultimateness, *taiji*, or the ultimate realization, *zhili*, is revealed. If we take a disciplinary approach to the concept of *li*, *li* is the answer to a discipline's fundamental question, to the problem that it was formed to solve. Since every disciplinary question or problem has a *li*, disciplines need to work together in order to reach the ultimate realization of the universe and of all beings, *taiji* or *zhili*. This is because all disciplines and their questions are philosophically connected. Zhu Xi certainly did not articulate these ideas to shed light on transdisciplinary research; his ideas, however, imply that the *li* of everything is connected and can communicate to reach *zhili* and *taiji*. Different disciplines are inevitably employed to work together to find out *ji* or *li*, or even *taiji* or *zhili*. Therefore, even if some new research areas, such as Chinese studies (*Zhongguo xue* 中國學 or *Zhongguo yanjiu* 中國研究)³⁶ and area studies,³⁷ indicate an emerging collaboration between disciplines of the endlessly proliferating questions regarding China or things Chinese, the introduction of other disciplines is predestined because the purpose of searching for *taiji* or *zhili* has been inscribed as the nature of traditional Chinese research, *guoxue*.

Guoxue shows that the nature of traditional Chinese academia is transdisciplinary and holistic. All of the methods and approaches, as well as some analytical tools from other disciplines, can work together to solve some common problems shared by different disciplines. I am not saying that traditional Chinese academia was considered to be transdisciplinary in the past. It is hard to believe that traditional Chinese scholars had the awareness that some problems were shared by different research areas and consciously applied different methods or approaches from different disciplines to analyse them. I am instead suggesting that *guoxue*, as a response to the new concept of discipline from the West, was fabricated, on the one hand, to appraise and reinstate a so-called traditional or outdated way of study. On the other hand, it was constructed to demonstrate that traditional

³⁶ According to Lin Miaohua and Lin Shanru, *Zhongguo xue* and *Zhongguo yanjiu* have different implications: “*Zhongguo xue* and *Zhongguo yanjiu* are both translated as ‘Chinese studies’; however, the concepts differ from each other. *Zhongguo xue* refers to academic research regarding traditional Chinese culture. *Zhongguo yanjiu*, which focuses more on politics, economics, military studies, education, sociology, social psychology and so on, represents general research about traditional and modern China.” The original text: 「中國學」與「中國研究」雖同譯自於 Chinese studies, 但概念仍有差異, 「中國學」指對中國傳統文化的學術研究, 「中國研究」則更著重於中國政治、經濟、軍事、教育、社會生活、社會心理等各層面問題的研究, 代表對中國古今全方位的學術文化研究. See Lin – Lin 2018, p. 131.

³⁷ After the Second World War, area studies involving the study of the economics, society and politics of modern China emerged, and particularly proliferated in the United States and the Soviet Union during the Cold War to analyse China and to deploy a global strategy to maximize their national interests. Area studies researchers took an inter-disciplinary approach that used both the social sciences and the humanities fields to form a research area that differed from Sinology.

Chinese academia was as advanced and as scientific a discipline as any in the West. Therefore, *guoxue* was designed to imply transdisciplinarity and was intended to mean the sum of all studies and to be the consummation of all disciplines.³⁸ In such a consummation can be seen traditional Chinese academic's realization of transdiscipline. In this section, I have explained why *guoxue* is transdisciplinary from a philosophical point of view; in the following, I will use law and literature as an example of how *guoxue* is transdisciplinary in a practical sense.

5.2 *Wenxue* 文學 and Transdiscipline

In the West, law – like law in traditional Chinese academia – has not always been an independent discipline separated from other humanities. In Roman times, the practice of law (as an attorney and juridical consul) was more like a hobby for educated and wealthy men than a real job. Ordinary people could represent clients in the courts of law, as long as they had some knowledge of rhetoric.³⁹ That is to say: law in Roman times was in fact an art of both language and rhetoric. Literature, of which rhetoric is an indispensable part, cannot be separated from law.

Literature is now considered to be a discipline that deals with imaginative and creative writing, such as poetry, drama and fiction, but this was not always the case. In the English world, the word “literature” comes from the 14th-century French “littérature,” which itself derives from the Latin word “littera,” meaning “a letter of the alphabet” and related to “reading ability.” In the 17th century, the concept of literature was related to “printed books.” These “printed books” were not about “poetry or poesy,” which was a term of imaginative composition; they were about “writing” or “making.” As Raymond Williams notes, “literature [...] was a category of use and condition rather than of production.”⁴⁰ Literature could be any book as long as it was qualified with “the standards of ‘polite’ or ‘humane’ learning.” Therefore, the concept of literature can also be related to cultivation (education) and culture. The idea of literature as “taste” or “sensibility” thus emerged during the Renaissance and reached its peak in the 19th century. The idea of literature as “imaginative and creative” only began in the 18th century. As Terry Eagleton says:

It was, in fact, only with what we now call the “Romantic period” that our own definitions of literature began to develop. The modern sense of the word “literature” only really gets under way in the nineteenth century. Literature, in this sense of the word, is a historically recent phenomenon: it was invented sometime around the turn of the eighteenth century, and would have been thought extremely strange by Chaucer or even Pope. What happened first was a narrowing of the category of literature to so-called “creative” or “imaginative” work.⁴¹

Like literature in the West, literature in traditional Chinese academia has not always been about imaginative and creative writing. In Chinese literary history, literature (*wenxue* 文學) was the official title for a dean or school principal in the Western

³⁸ As *guoxue* implies, the necessary education was well-rounded and holistic, not disciplinarily divided.

³⁹ See Crook 1967, p. 90.

⁴⁰ Williams 1977, pp. 46–47.

⁴¹ Eagleton 1996, p. 16.

Han dynasty and was also used to describe Confucian scholars who had passed the national examinations. In the Wei, Jin, Southern and Northern Dynasties, literature was then used to describe literary artistry, much like the Western concept of literature today. However, literature was a broad term that also comprised *wenzhang* 文章, which included politics, philosophy and education, as well as law. In the Tang and the Song, *wenzhang* referred to articles written for didactic purposes, such as promoting Confucian virtues (*wen yi zai dao* 文以載道). Therefore, *wenxue* is a broad term that includes literature and anything Chinese other than literature. The suggestion is that literature is comprehensive intellectual category that includes other disciplines, or that literature is actually part of a higher domain of knowledge about *dao*, *ji* or *li*, as the idea of transdiscipline suggests.

Based on *dao*, *ji* or *li*, which not only connects all disciplines but is also the common goal that all disciplines work together to achieve, Confucian classics, such as the Five Classics (*Shijing* 詩經, *Shujing* 書經, *Yijing* 易經, *Liji* 禮記, *Chunqiu* 春秋), can be used for legal purposes even though they were not written for law. In the next section, I will use *Chunqiu* as an example to demonstrate the interaction between law and literary texts.

5.3 *Chunqiu* 春秋 and Law

In traditional Chinese academia, it seems that disciplines have never been divided; disciplines have always worked together to solve some commonly shared problems. Even if disciplines in *guoxue* are considered to be divided, traditional Chinese scholars still treated them, in a practical sense, in a transdisciplinary manner. From the time of Emperor Yang of the Sui dynasty (Sui Yangdi 隋煬帝) in 605 to that of the Guangxu 光緒 Emperor of the Qing dynasty in 1905, scholars, in order to pass the national examination known as *keju* 科舉, and in order to be appointed as local government officials or magistrates, needed to study the Confucian classics, mostly the Four Books and the Five Classics (*sishu wujing* 四書五經).

Since Chinese magistrates were also responsible for dealing with legal cases as judges, they needed to learn how to make legal decisions based on legal principles and precedents. For example, scholars have considered *Chunqiu Gongyang zhuan* 春秋公羊傳 written by Gongyang Gao 公羊高, which is one of the three annotations – along with *Zuo zhuan* 左傳 and *Guliang zhuan* 穀梁傳 – of one of the five classics, *Chunqiu* 春秋 (Spring and Autumn Annals) edited by Confucius, to be a book about legal principles and thoughts, even though it was not written for legal purposes.

Chunqiu is the chronicle of Lu 魯. However, officials have used *Chunqiu*, which is originally a historical document, for legal purposes since the Han dynasty. *Chunqiu* is used for law trials because it is not only a history book but also a literary text that can be interpreted from different disciplinary perspectives, including law.

Chunqiu contains a certain case, “Zhao Dun of Jin regicided (*shi* 弑) his lord Yi Hao” (*jin Zhao Dun shi qi jun Yi Hao* 晉趙盾弑其君夷獯), from the second year of Lu Xuan gong 魯宣公. On the surface, Gongyang Gao’s use of the word “regicide” (derived from rex, regis, “king” and cidium, “killing”) seems to suggest that Confucius accepted Dong Hu’s 董狐, who was an honest and decent historian in the time of *Chunqiu*, view in his record that Zhao Dun murdered his lord.

However, based on the fact that Confucius would have never reiterated someone who murdered his lord in *Chunqiu*, Gongyang Gao thought that Confucius had

pardoned Zhao Dun's crime by mentioning him again in the record of the sixth year of Lu Xun *gong*. Confucius did not believe that Zhao Dun, as a such decent official, was related to this regicide, which was actually committed by his nephew, Zhao Chuan 趙穿, and thought that the law was too harsh on him, even though he did not take revenge for the lord.⁴² According to Gongyang Gao's interpretation, Confucius may not have believed that Zhao Dun was completely innocent, but he definitely did not intend to murder his lord.

From this case, we can see how Gongyang Gao interpreted Confucius's interpretation of this case. Gongyang Gao's interpretation and *Chunqiu* itself were analyzed from a legal point of view, but not specifically for a legal purpose. However, when cases about legal judgments in *Chunqiu* and their interpretations were concluded as some legal principles and used for legal trials in the Han dynasty, the interaction between *Chunqiu*, as a literary text, and law, as a text needs to be logical and clear, began to manifest.

Dong Zhongshu 董仲舒 (179–140 BC), based on *Chunqiu Gongyang zhuan*, reinterpreted Confucius's interpretations of different cases, such as the one mentioned above,⁴³ in the history of Lu, and concluded some principles of law. As outlined in *Chunqiu fanlu* 春秋繁露 (Rich Dew of the Spring and Autumn), *Chunqiu* shows some basic principles of a law trial: looking for the intention based on facts; preventing evil intention from happening; punishing the principle offender severely; if a crime is committed for a good cause, the culprit be punished only slightly. Moreover, law, which is like education, is supposed to teach people how to behave. If people can behave and follow the law, the country will be stable.⁴⁴

As the above-mentioned examples demonstrate, even though Confucian classics⁴⁵ were not written for disciplinary purposes, they have been used in a disciplinary, or even a transdisciplinary, fashion. Therefore, traditional Chinese magistrates were not originally legal professionals; they were scholars with holistic knowledge in traditional Chinese academia.⁴⁶ Such knowledge was not only a transdisciplinary tool for scholars to fulfill their works, but is also the ultimateness, such as good-will

⁴² Confucius says: "Zhao Dun was an excellent official. It is a shame that he was unfairly treated by law. If he could run far enough and cross the border [he was not in the imperial house when this incident happened because he was driven away by the lord], he would not need to take responsibility." The original text: 趙宣子，古之良大夫也，為法受惡。惜也，越境乃免。See *Zuo zhuan*, p. 105.

⁴³ To the question "why did Confucius not write a biography (*zhuan* 傳) for Zhao Dun even though Confucius had forgiven Zhao Dun's crime?" Dong Zhongshu offered his own interpretation and answered: Confucius was trying to make an example, by not writing him a biography he was showing that Zhao Dun did not qualify as a righteous and loyal person. Original text: 世亂廢義，背上不臣，篡弑覆君者多，而有明大惡之誅，誰言其誅？故趙盾、楚公子比皆不誅之文，而弗為傳，弗欲明之心也。See *Chunqiu fanlu*, p. 71.

⁴⁴ The original text: 春秋之聽獄也，必本其事而原其志。志邪者不待成，首惡者罪特重，本直者其論輕...。折獄而是也，理益明，教益行。折獄而非也，闇理迷眾，與教相妨。教，政之本也。獄，政之末也。其事異域，其用一也... See *Chunqiu fanlu*, p. 190.

⁴⁵ Non-Confucian works are also used for legal purposes. For example, legalists of the Warring States Period applied the *Dao de jing*'s idea of "do nothing, then everything is done" (*wei wuwei* 為無為) to enforce the king's power and to develop skills of political manipulation.

⁴⁶ Scholars who did not pass the examination and were not appointed as local magistrates and judges became litigation masters who took legal cases for a living and whose work was similar to that of a lawyer or legal consultant. Their profession was outlawed until the legal reforms at the end of the Qing period. See Macauley 1998.

(*shan* 善) or kindness (*ren* 仁), in Confucianism that guides them as magistrates and judges.

5.4 *Neisheng waiwang* 內聖外王 and Problem-solving

The last question we need to answer is: Do all disciplines in traditional Chinese academia work together transdisciplinarily to solve the same problem or to reach the same goal? The answer lies in *Daxue* 大學 (the Great Learning) and responds to *li* 理 and the idea of transdiscipline:

What the Great Learning teaches, is to illustrate illustrious virtue; to renovate the people; and to rest in the highest excellence [...] Affairs have their end and their beginning. To know what is first and what is last will lead near to what is taught in the Great Learning.

The ancients who wished to illustrate illustrious virtue throughout the kingdom, first ordered well their own states. Wishing to order well their states, they first regulated their families. Wishing to regulate their families, they first cultivated their persons. Wishing to cultivate their persons, they first rectified their hearts. Wishing to rectify their hearts, they first sought to be sincere in their thoughts. Wishing to be sincere in their thoughts, they first extended to the utmost their knowledge. Such extension of knowledge lay in the investigation of things. Things being investigated, knowledge became complete [...].⁴⁷

Traditional Chinese academia, at least in Confucianism, was not only academic and philosophical but also realistic and practical. The purpose of studying in traditional Chinese academia is not only to know the ultimate-ness/truth of the universe and of all the disciplines combined, but also to put such knowledge to practice in the real world. In order to become a king and to serve people on the outside (*waiwang* 外王), one must first become a sage or a *junzi* 君子 on the inside (*neisheng* 內聖).

In order to become a sage or a *junzi* on the inside, the ultimate principle, *zhili*, must be reached. In order to reach *zhili*, the *li* of each individual thing must first be investigated. This *li* can then be integrated to become a completeness. As Zhu Xi's comment makes clear: "[T]he phrase (extension of knowledge lay in the investigation of things) means to exhaustively arrive at the principles of affairs, missing no point as one reaches the ultimate."⁴⁸ That is to say, even though it is impossible for a person to know the *li* of all things, or of all disciplines, in a single life time, it is still possible, if the *li* of as many things as possible is learned, to eventually transcend and integrate every *li* and to reach *zhili*.⁴⁹

⁴⁷ The original text: 大學之道，在明明德，在親民，在止於至善...。物有本末，事有終始，知所先後，則近道矣。古之欲明明德於天下者，先治其國；欲治其國者，先齊其家；欲齊其家者，先修其身；欲修其身者，先正其心；欲正其心者，先誠其意；欲誠其意者，先致其知，致知在格物。物格而後知至...。For both English translation and original text, see ChinaKnowledge.de – An Encyclopaedia on Chinese History, Literature and Art. <http://www.chinaknowledge.de/Literature/Classics/daxue.html> (accessed 20 July, 2020).

⁴⁸ [Eno 2016](#), p. 12.

⁴⁹ See Zhu Xi's comment on *Daxue*'s fifth chapter: 所謂致知在格物者，言欲致吾之知，在即物而窮其理也。蓋人心之靈，莫不有知；而天下之物，莫不有理。惟於理有未窮，故其知有未盡

Critics have said that *guoxue* is not a proper title for an academic discipline because *Guo*, meaning China as a country, does not suggest any particular discipline or methodology. However, what *guoxue*, a term created to respond to the West's idea of discipline and to restore the status and revive the value of traditional Chinese academia, suggests is that traditional Chinese academia was not only disciplinary, but also transdisciplinary because traditional Chinese scholars were meant to use every possible discipline to pursue *zhili*, or *taiji*, the so-called ultimate-ness that transcends all disciplines. *Guoxue* does indicate that the idea of discipline has existed in traditional Chinese academia.

Moreover, *guoxue*'s purpose is not merely to know the mystery of the universe. As the term *waiwang* suggests, serving people is equally or even more important. Disciplines in traditional Chinese academia are not just knowledge; they are built on and guided by *dao* or *zhili*, good-will (*shan*) or kindness (*ren*) in Confucianism, which means that Chinese scholars not only make themselves good human beings, but also help the world get better, the reason for studying *guoxue* mentioned in *Daxue*. As Zheng Dian responds to the questions of "why do we study?" and "what is the purpose of study?" – "not only reach the ultimate truth, but also realize it; not only establish oneself, but also help other people succeed."⁵⁰ We can observe how such idea is realized through transdisciplinary ability.

Since traditional Chinese scholars also qualified as magistrates and judges, they required transdisciplinary abilities. They had to follow the guiding of *dao* or *zhili*, the utmost and ultimate knowledge. With this, a Chinese scholar could go on to become a sage or a *junzi* and then become a king, or at least a judge and a magistrate, who is able to use this knowledge to benefit the people, improve the world and treat people as their own children with kindness, as the term *fumu guan* 父母官 (local magistrate as a parent) suggests. Traditional Chinese scholars also had to transfer what they had learnt from the Confucian classics, such as *Chunqiu*, to a disciplinary ability to solve legal problems, a point illustrated by law and literature. With law and literature as an example of how disciplines can be transcended, *guoxue*, a term used to represent traditional Chinese academia, is actually an advanced idea of transdiscipline that has long existed in Chinese history, and that should not be wrongly judged as an outdated and useless study.

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也。是以大學始教，必使學者即天下之物，莫不因其已知之理而益窮之，以求至乎其極。至於用力之久，而一旦豁然貫通焉，則眾物之表裡精粗無不到，而吾心之全體大用無不明矣。此謂物格，此謂知之至也。 Quoted from *Hu Shi* 1912, pp. 18-19.

⁵⁰ The original text: 人生胡為而修學乎？人生修學意何所在乎？...。窮理以致用，成己而成人。 *Zheng Dian* 1920, p. 5.

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CHINESE ABSTRACT

國學與跨學科研究——以法律與文學為例

隨著社會的多元與複雜化，有各式各樣不同的學科產生。然而學科增生的缺點是學科間缺乏合作與統整，因此用以整合學科的跨學科研究也就孕育而生。國學是一門研究中國及其學術的傳統問學方式，然而國學一詞不只指出了學科此一概念早已存在於中國傳統學術當中，國學更存在著跨學科研究之意涵。因此筆者在此論文中將說明國學與跨學科研究之相互關係，以法律與文學研究為例，來說明國學之所以具有跨學科性質的原因，以及學科間衝破藩籬相互合作的可能性。此外，筆者也會運用儒家經典中的論述，來說明傳統學者是如何將所學在現實中做跨學科的運用，亦以此作為國學中跨學科意涵之證明。

關鍵詞：國學、跨學科研究、法律與文學、太極與無極

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