On the Judicial Power Examination of the Salt Court Officials in the Late Tang Dynasty—— Take the Epitaph of Lu Boqing And His Wife Cui as an Example

Hailong Sun*

Abstract: The epitaph of Lu Boqing and his wife Cui is respectively entitled “Preface to the tomb of Lu Fu of Fan Yang” and “Preface to the epitaph of Lu Gong’s wife”. The two epitaphs, totaling more than 1,400 characters, record Lu’s family and official experience. Lu Boqing successively served as the official of the salt and iron system, including the inspector of the Dongwei Bridge, the Yunyang governor, the judge of the two pools, the governor of the Langzhong governor and the supervisor of Yancheng. The experience of the middle and lower levels of the epitaph is an important data for us to study the acquisition of judicial power and the transfer of judicial positions in the late Tang Dynasty.

keywords: Tang Dynasty, Salt courtyard, Judicial power, Judicial position, Lu Boqing, Epitaph

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Constitutional Remedies: In One Era and Out the Other

Richard H. Fallon, Jr.; trans. by Mengyao Zhang, Xinjie Xu, Weihang Luo*

Abstract: Despite the ringing dictum of Marbury v. Madison that "every right, when withheld, must have a remedy," rights to remedies have always had a precarious constitutional status. For over one hundred years, the norm was that victims of ongoing constitutional violations had rights to injunctive relief. But the Constitution nowhere expressly prescribes that norm, and recent Supreme Court decisions, involving suits for injunctions and damages alike, have left the constitutional connection between rights and remedies more attenuated than ever before.

This Article explores the conceptual and doctrinal connections between constitutional rights and entitlements to judicial remedies. Whole Woman's Health v. Jackson — which largely vindicated Texas's strategy for insulating an antiabortion law from judicial challenge via suits for injunctions — furnishes the Article's primary window into the current doctrinal landscape. But the Article's perspective is broadly historical. It assumes throughout that we cannot understand the present law without understanding the background from which it developed and, in increasingly important respects, from which it now deviates.

The Article's central thesis combines empirical and normative aspects: Although the modern Supreme Court has wielded separation of powers arguments to truncate constitutional remedies, the Court's premises are mistaken. The Constitution frequently, though not invariably, requires effective remedies for constitutional rights violations. When Congress fails to authorize such remedies, nothing in the Constitution's history or tradition precludes a role for the Supreme Court in devising remedies that are necessary to enforce substantive rights. If we have entered an era in which a majority of the Justices believe otherwise, the situation is a deeply regrettable one in which the concept of a constitutional right will be cheapened.

Keywords: constitutional remedies, constitutional rights, Whole Woman's Health v. Jackson, injunctive relief, originalism, textualism

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How Medicalization of Civil Rights Could Disappoint

Allison K. Hoffman; trans. by Xinyan Pang*

Abstract: This paper responds to Craig Konnoth's article "Medicalization and the New Civil Rights," exploring the adverse effects of transforming civil rights claims into a framework secured by medical rights. Although medicalization may offer a new pathway for anti-discrimination and rights protection from a short-term utilitarian perspective, in the long run, this transformation may bring sociological limitations, reducing the emphasis on structural solutions that can address the root causes of racism, sexism, and other forms of discrimination, and may also conceal some discrimination issues. The paper also examines the volatility of the pragmatic benefits of medicalization, pointing out that medicalization may make people more willing to accept civil rights claims because it shifts the responsibility away from individuals, thus making them more eligible for support. However, its short-term benefits may gradually disappear as medical rights become a new battleground for civil rights disputes.

Keywords: Civil Rights Claims, Medical Rights, Discrimination, Inequality

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The Invention of Antitrust

Herbert Hovenkamp; trans. by Zihan Zhang*

Abstract: The long Progressive Era, from 1900 to 1930, was the Golden Age of antitrust theory, if not of enforcement. During that period courts and Progressive scholars developed nearly all of the tools that we use to this dayto assess anticompetitive practices under the federal antitrust laws. In a veryreal sense, we can say that this group ofpeople invented antitrust law. The principal contributions the Progressives made to antitrust policy were (1) partial equilibrium analysis, which became the basis for concerns about economic concentration, the distinction between short- and long-run analysis, and later provided the foundation for the development of the antitrust "relevant market"; (2) the classification of costs into fixed and variable, with the emergent belief that industries with high fixed costs were more problematic; (3) the development of the concept of entry barriers, contrary to a long classical tradition of assuming that entry is easy and quick; (4) the distinction between horizontal and vertical relationships and the emergence of vertical integration as a competition problem; and (5) price discrimination as a practice that could sometimes have competitive consequences. Finally, at the end of this period came (6) theories of imperfect competition, including the rediscovery of oligopoly theory and the rise ofproduct differentiation as relevant to antitrust policy making. Subsequent to 1930, antitrust policy veered sharply to the left. Then, two decades later it turned just as sharply to the right. Eventually it moderated, reaching a point that is not all that far away from the Progressives' original vision.

Keywords: Antitrust Law, Progressive Era, Marginalist Economics

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Medical Civil Rights as a Site of Activism: A Reply to Critics

Craig Konnoth; trans. by Tianyi Cao*

Abstract: This article is a response to critiques of "Medicalization and the New Civil Rights," arguing that medical discourse, often criticized for reinforcing dependency and stigma, can also be a powerful tool for social justice. Drawing on previous events such as the COVID-19 pandemic and racial justice protests, the author examines how activists and policymakers have used medical frameworks to reframe systemic injustices—such as racism and disability discrimination—as public health crises. The article highlights the evolving role of medicine as a site of participatory justice, shaped not only by professionals but by affected communities themselves. Through examples from disability rights, transgender advocacy, and long COVID movements, the paper illustrates how medical civil rights claims, though not without cost, can enable access to benefits, reshape legal categories, and foster solidarity. It calls for a nuanced understanding of medicalization's risks and potential, urging scholars to support strategies that maximize its emancipatory power.

Keywords: Medicalization, Civil rights, Medical civil rights, Social justice, Disability law, Public health, Participatory justice

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Banning Lethal AutonomousWeapons: An Education

Stuart Russell; trans. by Guanda Wu*

Abstract: Lethal autonomous weapons risk harming civilians indiscriminately, violating the principle of distinction under international humanitarian law. Thus, the assertion that "algorithms capable of deciding to kill humans should not be designed" appears self-evident. Additional grounds for prohibiting such weapons include risks of cyber infiltration, conflict escalation, and accountability gaps. Yet this principle faces challenges in arms control area. Proponents argue that autonomous weapons reduce risks to human combatants while protecting civilians, but this view overlooks the complexity of warfare and the varying casualty impacts of different weapon systems. Discussions about lethal autonomous weapons should focus on their potential to fundamentally transform the nature of warfare and shift power balances between states and non-state entities, framing arguments through appeals to national self-interest. With fully autonomous weapon systems becoming operational reality, and given the limited effectiveness of national/international advocacy, public campaigns, and narrow expert consensus, the AI and robotics communities—represented by professional associations—shall articulate clear positions to advance educational efforts toward banning lethal autonomous weapons.

Keywords: Lethal Autonomous Weapons; Arms Control; Educational Campaign

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A Comment on Hillman, Health Crises Contract in Crises

David A. Hoffman; trans. by Tianyi Cao*

Abstract: This article reviews Bob Hillman's work Health Crises and the Limited Role of Contract Law, which examines the challenges faced by contract law during health crises such as the COVID-19 pandemic. Hillman argues that traditional contract law, with its focus on individual rights and predictability, struggles to address the broader public health issues arising from such crises. Building on Hillman's analysis, this paper discusses the application of force majeure clauses and the tension between enforcing private contractual rights and prioritizing public welfare. It highlights the difficulties courts encounter in balancing these competing interests and explores whether the current legal framework is adequate or requires reform to better respond to public health emergencies.

Keywords: Review, Contract Law, Non-performance, Bob Hillman, Health Crises, Force Majeure

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