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## On the Reform of Special Court Under the View of Reservation of Law

— Railway Transportation Court as an Example

ZHAO Yidan

**Abstract:** The reform of special court should follow the requirements of reservation of law from the legislation law on courts and litigation system. As the representative of the reform, the railway transportation court has two paths of reform: transformation and centralized jurisdiction. The transformation of the railway transportation court into new type of court changes the influence scope of the external effect of the court organization, and then affects the rights and obligations of citizens. The centralized jurisdiction of specific cases by the railway transport court is not the embodiment of the designated jurisdiction formulated by the current law, but a new independent jurisdiction system. Both of the two reform paths fall in the scope of reservation of law, and the existing reform basis does not meet the standard requirements. The “decisions related to legal issues” adopted by the standing committee of the National People’s Congress may provide provisions on matters of reservation of law and form the legal basis for the reform of special courts.

**Keywords:** Judicial Reform; Special Court; Railway Transportation Court; Reservation of Law; Decisions Related to Legal Issues

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## Methodology of the Law Research

—Reflections on My Research Life of Half a Century Between Theory and Practice

ITO Makoto (Author)

LIU Ying (Translator)

**Abstract:** On the one hand, legal research should explore the reasonable interpretation of the current legal norms, deepen the research level of the theoretical circle, guide the application and reform of the practical circle; On the other hand, we should find out the problems that have not been realized in practice, question the general theory, and provide new theories on this basis to enlighten the future trend of legislation. Law researchers have the advantages of freedom to choose

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research objects, independence from job restrictions and interests, continuous and self-discipline activities guaranteed, etc., but at the same time, they should appropriately adjust their research attitude according to their own age, pay attention to maintaining the distance between their own thinking and case law and general theory, and carefully judge whether to accept other work tasks that may affect their own research, pay attention to broadening the research field of vision through communication with the outside world to keep their thinking from being limited by the practice guided by case law, so as to prevent the decline of research.

**Keywords:** Methodology; Law Research; Law Interpretation; Theory; Practice