

and strategies against it could be generalized based on a limited number of examples. While the informalization of work was addressed, the discrimination of migrant workers was not. Conference speakers focused on discrimination against the disabled and against LGBT and homosexual groups, whereas women's discrimination in employment and discrimination against the elderly was not specifically mentioned. Thus, the three groups most massively affected — migrant workers, women and the elderly — were not highlighted. While migrant workers and women are widely discussed elsewhere, an inclusion of the growing number of aged people being victims of discrimination is strongly suggested for next year's symposium. Besides, the choice of groups affected by discrimination might well lead to the marginalization of the issue, and one wonders, if this kind of selection has been a good idea.

In a separate session, the use of law to prevent discrimination in China was discussed. A series of books published recently in Beijing and Wuhan introduce the concept of "gender and law" to law schools. The main authors, Li Ao (Wuhan University), Liu Minghui (Chinese Women's University), and Guo Mingzheng (Northwestern Polytechnical University, Xi'an), were all present and engaged in a fruitful discussion on how to best include gender issues in law studies. Experience has shown that it is difficult to formally establish a completely new course program. But gender can be included in general studies and even in translation seminars. To achieve this, there must be training for law school teachers in gender awareness and knowledge. The "Young Scholars Training" offered by CRI represents a step in this direction.

Liu Minghui complained that the increasing number of laws makes it difficult to point out the deficits concerning gender discrimination in each of them. But the conference showed that a sufficient number of feminist law professors exists to make drafts of laws more compatible with gender equality. Examples also prove that numerous women are willing to take their cases and the laws to court. Most recently, the biggest hindrance has been the judges. Conference participants agreed in their hope for a decisive ruling on employment discrimination, or on sexual harassment by the Supreme Court that all judges would have to adhere to. Finally, to empower all present in their attempts to gender mainstream society by gendering the laws, the conference concluded with a media training.

Astrid Lipinsky

## **Asia-Europe Legal History Forum 2nd Annual Symposium: "Concepts and Processes. Asian-European Legal Exchanges in Modern Times"**

Beijing, 04.–06. November 2013

The Asia-Europe Legal History Forum (*Ya-Ou falüshi luntan*) was inaugurated in August 2012 with a Symposium on Periodization and Codification held both at the Max Planck Institute for European Legal History, Frankfurt and at the University of Vienna, Austria.

The original idea for such a forum was put forward by Professor Chen Hwei-syin from the National Chengchi University in Taiwan, who received her Dr. iur. from Regensburg University in Germany, is fluent in German and was looking for a German counterpart in her research on Chinese legal history.

Currently, research on Chinese legal history has already spread to East Asian countries and is institutionalized in the form of a conference series there. For example, the bi-annual East Asian Conference on Philosophy of Law series, founded in Japan in 1996, has since been held in Hong Kong, in the People's Republic of China, and in Taiwan, among other countries. The most recent 8th Conference was held in Taiwan in 2012. Conference languages are Chinese, Japanese and Korean. While translation among these languages is provided, a translation into

a western language is not. Thus western participants can only participate if they are fluent in one of the Asian languages, and participation is confined to members of western East Asian studies departments.

On the other hand, legal history is researched and taught in European law faculties in either a national (Austrian, German) or European (Ancient Greek and Roman law) perspective. Non-European legal cultures are seldom included. In addition to the Institute for Legal and Constitutional History (Institut für Rechts- und Verfassungsgeschichte), University of Vienna, a European partner institution was found in the Max Planck Institute for European Legal History in Frankfurt/Main. The First Annual Forum, held in both Frankfurt and Vienna from 20.–24. August, 2012, addressed the topics of codification and periodization of law (Conference report available online at: <http://journal.juridicum.at/?c=145&a=3015>).

Main Chinese organizers and contributors in 2012 as well as in 2013 came from the Legal History Department of the China University of Political Science and Law. This Department alone consists of a dozen Chinese legal history professors and provides a much broader basis of research into Chinese law than do its German and Austrian counterparts.

The 2nd Annual Forum was divided into five different thematic areas:

1. Chinese characteristics and the European center
2. The differences between East and West in comparative law perspective
3. Asian-European legal exchanges in the 19th Century
4. The philosophical significance of Asian-European legal exchanges
5. Legal elites in the process of introducing extraterritorial law

The sub-categories were close to the individual research focus of the respective speakers and also gave depth to the broad Forum title of “Concepts and Processes. Asian-European Legal Exchanges in Modern Times.” While the program agenda provided English titles, all speeches were given in either German or Chinese and translated simultaneously into the other language.

Among the issues the Forum raised and discussed the following stood out:

Why did China, whose 4000 years of legal tradition were described in detail by the doyen of legal history studies in China, Zhang Jinfan, give up its native law in an instant (Chen Hweisyin, Zhu Yong)?

How far did Japanese/Western colonial politics (Stefan Kroll and Milos Vec on biased understandings of “*Voelkerrecht*” (international law), and Thomas Duve on the problems of legal transfer) enforce Western law on China (Li Xiuqing, Wang Renshan)?

While a lack of interest in and knowledge about China in the West became obvious (Lena Foljanty, Robert Heuser with examples), Chinese speakers tried to quantify the amounts of outside pressure and voluntary choice when the Qing Dynasty decided to adopt Western law in its last years (Zhang Zhongqiu, Zhang Xiaogeng).

Concepts like morals in the legal order, or the need to learn from history, while critically seen by German legal historians, are obviously highly regarded in contemporary China.

While this was a legal history forum, Chinese participants traced crucial, often traditional legal concepts like harmonic relationships, the reluctance to sue and to punish, and the unachieved implementation of a rule of law in China to the present. The role of Japan in the late-Qing legal transplants to China was identified as needing further in-depth discussion, as were



Feuerbach and Savigny, who are both obviously well known among Chinese legal historians (Japanese and Korean experts were invited, but unable to participate).

From a China studies perspective, the presence of German legal studies sinologists in addition to Robert Heuser would have been an asset and is hoped for. They are available for 2015 at both Frankfurt and Vienna universities.

The 3rd Annual Symposium of the Asia-Europe Legal History Forum will be organized at National Chengchi University in Taiwan by Chen Hwei-syin in March 2015. German, Austrian and Asian organizers agreed on the topic of "Familie/Gemeinwesen und Staat" (*jiating yu guojia*) as the central topic, because this relationship has been mentioned continuously during the 2nd Forum and was identified as a golden thread running through the discussions of Chinese legal historians.

Astrid Lipinsky

## 24. Jahrestagung der Deutschen Vereinigung für Chinastudien

Würzburg, 08.–09. November 2013

Unter dem Titel „Raum und Grenze“ lud die Deutsche Vereinigung für Chinastudien (DVCS) im November 2013 zu ihrer 24. Jahrestagung zur Erkundung und Reflexion räumlicher Zusammenhänge in den China-Studien ein. Gastgeber war in diesem Jahr die Sinologie des Instituts für Kulturwissenschaften Ost- und Südasiens der Universität Würzburg. Neben Beiträgen mit dem konventionellen Ansatz von Raum als Territorialität sowie zu Geographie und Kartographie bildeten Untersuchungen zu Raum und Grenze als sozialer Konstruktion sowie symbolische und imaginative Raumrepräsentation die Schwerpunkte der Tagung. Die kollegiale Atmosphäre der Tagung und die breiten Themenbereiche boten die Möglichkeit, relevante Fragen im interdisziplinären Gedankenaustausch innerhalb der China-Forschung auf den Grund zu gehen.

Zur Einführung hielt Dagmar Schäfer (MPIWG, Berlin) einen Festvortrag zum Thema „Chinas virtuelles und wirkliches Grün: Ortsbestimmungen und Bestandsaufnahmen“, in dem sie zeigte, wie aus der Perspektive der Technikgeschichte Topografie und Information in der historischen Betrachtung und gegenwärtigen Forschung zu China in Verbindung gesetzt werden können. Vorgestellt wurden in diesem Zusammenhang Datenbank- und Forschungsprojekte zu Asien/China, die „eine geographische Verortung als Organisationsprinzip verwenden, um die Vielzahl von Quellen mit unterschiedlichen Formaten zu erfassen und zu analysieren.“

Martin Hofmann (Heidelberg) eröffnete das erste Panel mit seinem Vortrag „Wo liegt das Westmeer?“. Auf Grundlage von Text- und Kartenmaterial aus der späten Kaiserzeit Chinas untersuchte er den umstrittenen Terminus „Westmeer“ und stellte die grundlegenden Interpretationsvarianten und die damit verbundenen räumlichen Vorstellungen dar. Anhand des Reiseberichts des Mönchs Faxian (5. Jh.) ging Haiyan Hu-von Hinüber (Freiburg) der Frage nach, warum Faxian das Wort „Zhongguo“ für Indien benutzt und China hingegen als ein „Land am Randgebiet“ bezeichnet hat. Grete Schönebeck (Frankfurt) analysierte die Friedhöfe in China und diskutierte, wie der Friedhof im heutigen China als Ort der Toten von den Lebenden gestaltet sowie als Raum sozialer Interaktion der Beteiligten betrachtet wird. Am Beispiel der Makroregionen Südchinas in der späten Qing-Zeit thematisierte Silvia Ebner von Eschenbach (München) die Erschließung marginaler Flächen für die Landwirtschaft.

Das zweite Panel „Der Große Nordwesten und der chinesische Staat: Raumkonzeptionen und Strategien der Raumtransformation“ richtete seinen Fokus auf den Großraum Nordwestchina