

on environmental protection, agrarian- and forestry-science, water-conser-vancy, with a member of the ministry of agriculture and with the well-known anthropologist and sociologist Fei Xiaotong. In the second half of the book the information is discussed in eleven essays which although mainly concentrating on the agrarian sector and the actual reform strategies, also focus on the conditions of perception etc.

Instead of negating the value of the offered insight as a misrepresentation, the authors comprehend the model-units properly as practical arguments for further development strategies. They demonstrate that the units they saw are nevertheless indicators of existing contradictions, on which they focus their attention: Which is it preferable to resolve? Which ones are suitable for use as dynamical factors? Are there some with insufficiently recognized self-dynamics? The connected problems are considered according to various aspects: the relationships between the state-owned, the collective and the private areas of economy; the treatment of the spatial and social disparities; the problems of technological transfers; the everyday-life between the traditional and the modern society; the market as social synthesis...

The analyses of course have not succeeded in probing as deeply as they would in specialist's monographies. The book is a travel report, yet one written by well-informed travellers who display both expertise and caution.

Christoph Peisert

OSKAR WEGGEL: *Chinesische Rechtsgeschichte*. (Handbuch der Orientalistik, Vierte Abteilung, China, Band 6). Leiden/Köln: E.J. Brill, 1980. 298 pages, 128 Guilders (for subscribers of the hand-book 104 Guilders).

Over a long span of time, those interested in Chinese legal affairs had to chase after tiny bits of information, especially from the "Cultural Revolution" onwards. After 1978 the great excitement. China's leadership set about revitalizing the judicial system and declared a sound socialist legal system as being an unrenounceable part of the country's modernization. Judicial institutions were created, a long overdue codification started, legal education and professional training were officially endorsed, lawyers began to practice again, etc. All of course in a framework staked out by the Communist Party.

It is difficult to follow all the relevant events taking place or triggered off by the revival of China's judicial system. Even more so if this is compared with the former dry season. However, all close observation of current affairs should be accompanied by questions such as: What kind of law? What concept of law is received in China today? How is this to be assessed vis-à-vis the historical

context? Oskar Weggel, senior research fellow at Hamburg's Institute of Asian Studies, had tried to deal with such questions.

"China's Legal History" has three main parts: History of the development of traditional law, the system of traditional Chinese law, and modern China and its legal heritage.

The first part follows a chronological order, presenting main legal development of the dynasties. In the second section the author addresses himself to questions of general characteristics, administrative law, civil law, the rites and the position of the emperor, military and criminal law. In the closing bloc Oskar Weggel concentrates on legal development during Republican China and those since 1949. The bulk of the manuscript was finished by summer 1977, with some additions going up to the end of 1979.

The whole book is well written and readable. Trends, continuity and conflicting concepts are presented and illustrated with examples. It is not an apolitical interpretation of legal codes: legal developments are placed in their political and economic context.

The enormous subject had to be condensed to a book-length manuscript. Oskar Weggel is famous for tackling such tasks successfully. In this book he does it by systematic treatment and provides the reader with synoptical surveys and tables (e.g. pp. 136, 210) and displays different concepts in juxtaposition, which has long become one of his trademarks. See for example, his assessment of "li" and "fa" (p. 18f) and the comparison between China and the West in terms of scope and contents of law (pp. 158., 214, 224-229). All this is done in a very distinct and clearly arranged manner. In Weggel's presentation the profusion of information is comprehensible, indeed almost overlooked: the reader feels he is being guided through three thousand years of Chinese legal history.

Footnotes are given on the page. The Book has a detailed index and the bibliography includes four pages as introduction to sources and literature on Chinese law. Chinese names and terms are romanized in the familiar Wade-Giles system.

The book's make-up is unpretentious, its contents comprehensive, the price prohibitive; for a book on law and justice the price of approx DM 120.- is an extortion.

Werner Pfennig