

Chapter four (pp. 96–123) deals with Jewish professions and the Jewish economy (such as merchants and vintners), aspects that deviate from the Pact of Umar, and insults to Islam. It also includes a discussion of the competent court in cases of the abutter's right of pre-emption; the validity of testimony by Jews (which also belongs in the first chapter); and the payment of debts by Muslims to Jews and vice versa. Personally I am quite doubtful that Wagner's conclusion that Sharia played an important role in the economic relations between Jews and Muslims (p. 123) would withstand the test of the sources that he uses.

In the last chapter (pp. 124–150) a number of distinctions between theory and practice are employed to look at violence by Muslims against Jews and vice versa (in theory a Jew is forbidden to bear weapons, but in practice is often armed; in theory the Jews expect to be defended by Muslims, but in practice are assaulted by them; etc.). The author presents two anecdotes at great length: the first concerns the striking of a qadi by a Jew; the second, which he refers to, following others who did so, as a "blood libel."

I regret that a number of my studies relevant to the topic at hand were not included in the bibliography. These include "Between Jewish Law and Muslim Law: The Right of Preemption (*Matzranut*) of Persons of Differing Religions," *Pe'amim* 45 (1990): 71–88 (in Hebrew), and, on Jews who take their cases to Islamic courts, *Jewish and Islamic Law: A Comparative Study of Custom During the Geonic Period* (Cambridge, MA: ILSP, Harvard Law School, 2003, pp. 101–12). Regarding Maimonides and his connection to Islamic law, see my "Maimonides' Halakhic Writings against the Background of Muslim Law and Period," in *Maimonides: Conservatism, Originality, Revolution*, ed. A. Ravitsky (Jerusalem, 2008), 247–94 (in Hebrew).

These comments do not minimize the fact that this book is broad and interesting and opens a new window for the study of the legal status of the Jews of Yemen in the twentieth century.

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*Law, State, and Society in Early Imperial China: A Study with Critical Edition and Translation of the Legal Texts from Zhangjiashan Tomb No. 247.* 2 vols. Translated and edited by ANTHONY J. BARBIERI-LOW and ROBIN D. S. YATES. Sinica Leidensia, vol. 126. Leiden: BRILL, 2015. Vol. 1: pp. cxiv + 377; vol. 2: pp. xiv + 1038. €299, \$389.

For decades, A. F. P. Hulsewé's *Remnants of Ch'in Law* has received much acclaim for its scholarly commitment to the study of early Chinese law. His work has been read and cited by many scholars who study not only legal and administrative but also social and cultural history. Thirty-one years have passed since Hulsewé's publication, and now we have a comparable study published by Anthony Barbieri-Low and Robin Yates. They have given us the first English publication of the two early Han dynasty excavated texts from Zhangjiashan, the *Statutes and Ordinances of the Second Year* and the *Book of Submitted Doubtful Cases*, which is an exceptional advent for Sinologists and for readers interested in China's early imperial history and Chinese legal studies. The former text is so far the most comprehensive legal text from early China, providing information on various early Han statutes that demonstrate a continuation of law found in earlier Qin statutes from Shuihudi, the later Tang codes, and the Qing dynasty. The latter text provides case records disclosing the legal process of the Han courts and a vivid description of one actual Han legal court.

This translation is significant for many reasons, but the most compelling is the rich content about early imperial China that will help readers expand and deepen their understanding of Chinese society and culture. As law is an important tool of statecraft that controls various aspects of society, this book is a valuable source for the study of legislation, politics, mores, and society as a whole (p. 67, p. 216). The chosen title, *Law, State, and Society in Early Imperial China*, could not be more accurate. The reader should recognize these two books not merely as textbooks for administrative or legal history but as a door to understanding everyday life in the early Han dynasty.

This two-volume edition contains three sections. In the first volume, the first section includes a detailed index of translations for official titles, ranks, measurements, and regional names, along with a map. The second section, "Introductory Study," consists of eight subsections that cover general information about the two excavated texts, such as excavation reports, reconstruction methodology, and research on key topics. At the end, the editors provide a lengthy and thorough bibliography of secondary sources, useful for those interested in the Zhangjiashan legal texts and related historical matters. The editors also included Korean scholarship, which has been neglected by many Anglophone Sinologists due to the language barrier.

The second volume is dedicated to translations of the two Zhangjiashan legal texts based on seven different transcript versions of the original source. They also provide the reconstructed Chinese graphs before the English translation, offering a useful side-by-side comparison. Even the transcription symbols and original punctuation marks are precisely represented. Each section opens with a general overview of the historical meaning and function of the featured statute, sometimes with an explanation of the reconstruction method. All in all, the translation is clear and accurate, with plenty of informative footnotes to help elucidate the main text. Every Chinese graph is translated into English, and if a term cannot be fully or directly translated into English, a footnote is there to explain the meaning. The footnotes not only deliver information relevant to the Zhangjiashan legal texts but also bring other texts into the discussion, such as earlier Qin statutes, historiographies, and traditionally transmitted monographs, enabling the reader not only to understand the continuity of traditional Chinese legislation but also divisive social activities. For example, while translating the salaries of officials in "The West and East Weaving Shops," the editors also give a detailed explanation of government-operated weaving shops and their function based on the *Han shu* and other secondary resources (pp. 1064–65). The translation itself is beyond censure, so this review will focus on the first volume.

As is standard for any writing on excavated texts, the editors explain the excavation process, the reconstruction of disordered slips, the structure of each text, and dating methods (sections 2.1, 2.3, and 2.5). Most interesting is the editors' explanation of the transcription and annotation of the Zhangjiashan legal texts in section 2.1, which details each of their strengths and weaknesses and suggests which version newcomers should consult first. The short yet detailed explanation of previous studies on the Zhangjiashan legal texts is also helpful in understanding the development of early China's legal and administrative history in learning about the work of key scholars in the field.

In section 2.2, "Principles of Translation and Working Methodology," the editors make some interesting arguments. One is that some of the Zhangjiashan statutes are "abbreviations or abstracts of longer, more complete statutes" of the Han dynasty (pp. 30–31). Compared to other excavated statutes from Gurenti and Xuanquan, the editors suggest that the Zhangjiashan statutes were written in shortened form as mnemonic devices so that officials could remember the content of the original statute (p. 27). While this explanation seems plausible, whether officials copied an abbreviated version for educational purposes or for private usage is unknown, not to mention whether they were legally permitted to do so. Also interesting is the fact that the *Book of Submitted Doubtful Cases* is written in formal legal language, even when the text describes oral depositions (p. 33). This choice opens up yet another argument, later in section 2.5, about the possibility of reading some of the legal stories in this text as examples of "court-case literature" (*gong'an xiaoshuo*) popular in later dynastic periods (p. 99). If this claim is true, and it is quite credible, then it points to the development of a reading culture inside the judicial scribe's circle that could have been used not only for entertainment but also for instruction.

The other three chapters provide a general explanation of (a) the forms of early China's legislation, focusing not only on the most common Qin and Han examples but also on Wei and Chu during the Warring States period (section 2.4); (b) the entire judicial process, including denouncement and accusation, arrest, investigation and interrogation, trial and sentencing, and review and reinvestigation if one appeals (section 2.6); and (c) both physical and monetary punishments (section 2.7). Although this introductory section of volume one gives the reader a thorough and detailed explanation of the overall judicial system, personnel, and case examples, this approach might seem rudimentary to those who are already familiar with traditional Chinese legal history. The writing is accurate, but the only new contribution is a rich collection of primary and secondary sources for English readers. Indeed, the first three chapters are not meant to be argumentative but to state the facts.

Section 2.8, “Conclusions,” is the most interesting because it touches on several important questions surrounding Chinese law. Two topics are addressed here: the function and range of effectiveness of early Chinese legislation and the continuity of traditional Chinese law based on the Zhangjiashan legal texts. For the first topic, the editors offer ten functions of the extant Qin and Han statutes and ordinances, which were to “serve as both the idealized blueprints for the construction of the engine of the state and the instruction manual for officials to operate its intricate and interrelated mechanisms” (p. 210). About these ten functions of early imperial Chinese law, I want to raise two points. That early Chinese law managed to control ideology and religious practices by centralizing the spirit world, outlawing and suppressing unauthorized local sacrifices, and defining proper, authorized, religious practices for commoners and officials is true. What is missing from this section is the function of daybooks (*rishu*), which represent a belief system of the time and are found primarily in the tombs of scribes, although the Zhangjiashan tomb lacks one. A connection between the usage of daybooks and statecraft and thoughts about whether the standardization of daybooks was a result of centralizing religion would have provided an even richer discussion.

Another question refers to women’s legal status during the Qin and the Han. The editors argued that women had “much more prominent legal status than had been believed” but that status declined shortly after the promulgation of Zhangjiashan law (p. 214). As noted by the editors, women, including wives and daughters, had rights that were comparable or equal to their male family members, but only when the men were absent. Daughters could inherit a father’s rank if no sons were present, widows and unmarried adult females had property rights only until another husband arrived, etc. These conditions do not indicate an elevation in legal status for women, for they were only granted these rights in support of a patrilineal society.

Addressing continuity of traditional Chinese law, the editors thoroughly connected the dots from the Qin statutes from Shuihudi tomb no. 11 and the imperial Qin laws from the Longgang site to the statutes from Zhangjiashan tomb no. 247. They argued that the Han statutes did not simply adopt the Qin statutes and legal process but included revisions in language and introduced different levels of punishment (p. 221). Although the similarities are examined in length and detail, the reader would do well to read earlier sections in volume one, especially sections 2.4, 2.6, and 2.7, which contain profound examples and case studies. Furthermore, the editors claim that the Tang code, nine centuries later, succeeded the general principle of law from both the Qin and the Han but in some cases added further complexity. For example, while the Tang adopted the Qin and Han law on illicit profit, the Tang statute determined the “principal” and “accessories” in a crime as well as whether a theft was by stealth or by force. Furthermore, the Tang statute applied five categories to sentencing homicides according to intent, causation, and method of killing, which have been credited to Tang legislators but could be traced back to Qin and Han laws (pp. 237–39). A list of nineteen items describing the similarities between Han statutes and Tang code confirms the continuity (p. 241).

*Law, State, and Society in Early Imperial China* is definitely a thoroughly researched contribution to the field of early Chinese studies that provides overarching information on early imperial Chinese history and a profound translation for researchers. This book will appeal to those who study traditional law, Qin and Han society, and early imperial administrative history.

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*Ideology of Power and Power of Ideology in Early China*. Edited by YURI PINES, PAUL R. GOLDIN, and MARTIN KERN. Sinica Leidensia, vol. 124. Leiden: BRILL, 2015. Pp. viii + 348. €120, \$152.

The general absence of Chinese political thought in Western philosophical studies and encyclopedias is well attested, and most shameful. *Ideology of Power and Power of Ideology in Early China*, edited by Yuri Pines, Paul Goldin, and Martin Kern, is devoted to its further exploration, and hopeful expanded appreciation. In his introduction, Pines protests what he sees as a “woeful” paucity of attention to the political in research on the early Chinese intellectual tradition: “Of the many thousands of