

Nationalist government to realize the medical professionals' vision. The chapter is well written but somewhat less connected to the narrative and arguments of the previous chapters.

Neither Donkey nor Horse: Medicine in the Struggle over China's Modernity is intensely argued and contains a great wealth of materials and information. It offers both a panoramic view and strong theses. Its analysis is sharp and stimulating. Although Lei is theory-minded, his prose is clear and accessible. The book is easily the best scholarly work on the history of Chinese medicine of the Republican period. It will be essential reading for anyone interested in the history of modern Chinese medicine and indeed should be an important reference for students of the history of Republican China. In the conclusion, Lei claims that the book is intended to serve "as [a] heuristic tool for reflecting on a series of ever expanding issues: (1) the relationship between medicine and the state, (2) the (im)possibility of productive crossbreeding between Chinese medicine and biomedicine, (3) the notion of 'China's modernity,' and finally (4) the 'Great Divide' between modern and premodern" (p. 260). The book indeed serves as an excellent starting point for such reflection.

Shang-Jen Li

Academia Sinica

E-mail: shangli@asihp.net

Ng, Michael H.K. *Legal Transplantation in Early Twentieth-Century China: Practicing Law in Republican Beijing (1910s–1930s)*. London: Routledge, 2014. ISBN: 9780415713566. 188 pp. \$145.00 (Hardcover). DOI 10.3868/s020-005-016-0010-7

In *Legal Transplantation in Early Twentieth-Century China: Practicing Law in Republican Beijing (1910s–1930s)*, Michael H.K. Ng explores the process through which the new legal institutions, practices, and ideas of Western countries and Japan were introduced to late Qing and early Republican China and negotiated with older imperial traditions of policing and law. The book focuses on the case of Beijing, a city which is brought to life through the rich archival records of police and legal professionals and detailed spatial analysis of various social, economic, and criminological patterns as they played out across different urban districts. Divided into five chapters as well as an introduction and conclusion, the book presents an overview of the major institutions and actors which transformed the "practice" of

law in Beijing, a word which Ng uses to refer both to “the occupational practice of law” and the pragmatic experimentation necessitated by China’s rapid implementation of a completely new legal system (pp. 1–2). Thus, Ng is interested not only in introducing the new courts, police, and lawyers which began to emerge in the last years of the Qing, but also in exploring the ways in which new institutions and practices were implemented on the ground, often in dialogue with older ideas about the administration of justice and law enforcement.

In Chapter 1, Ng draws on a collection of case documents published by Beijing judicial officials in the mid-1910s to explore the interplay between old and new practices in early Republican trial procedure. Some of the older practices which Republican judges adopted from Qing judicial procedure included methods of forensic body examination, procedures for documenting property exhibits in written legal judgments, and particular ways of weighing mitigating factors, such as lack of premeditation, when sentencing homicide cases. In each of these examples, Ng argues, Republican judges drew on older practices to supplement if not improve the new legal system in which they worked. In Chapter 2, Ng focuses on the Capital Police Bureau (*Jingshi jingchating*), the modern police force established in Beijing on the basis of the institutional experiments of the New Policies reforms (1901–11). Ng shows that this agency handled a broad portfolio of municipal functions which ranged from promoting public hygiene to providing relief to the urban poor to supervising and regulating businesses. Ng argues that the broad municipal role played by the Beijing police reflected the lingering influence of a “traditional conception of the scope of police work” which was broader than the focus on criminal investigation and law enforcement which, Ng suggests, defined the new models of policing imported from the West and Japan (pp. 49–50, 30). The broad role of the Beijing police also reflected, Ng argues, the interest of this agency in “[demonstrating] its usefulness to the public” vis-à-vis the old gendarmerie of the capital, an institution which continued to play a role in the city until the mid-1920s (p. 48).

In Chapters 3 and 4, Ng draws on the archives of the Beijing Bar Association to examine the growth of Beijing’s modern legal profession and the educational background and professional activities of the city’s lawyers. Ng also explores lawyers’ attempts to suppress the “phony lawyers” (*fèi lǚshǐ*), legal practitioners who lacked professional credentials, and to assert professional authority and autonomy vis-à-vis the state. In these chapters, Ng also draws several comparisons between the experience of practicing law in Beijing and the situation in Shanghai. Ng argues, for example, that while Beijing lawyers benefited from the important political status which the city maintained until the late 1920s, they also suffered from the fact that clients in Beijing were more willing to employ those who were not credentialed members of the profession. In Chapter 5, Ng explores the

production of knowledge about crime in Beijing. Ng juxtaposes divergent understandings of the nature and extent of crime in the city as revealed through the early 20th-century academic work of Yenching University sociologist Yan Jingyue and crime statistics collected by the Beijing police, including statistics pertaining to the new category of “police contravention” (*weijing*) offenses. Ng argues that Yan’s apparent sympathy for certain kinds of criminals as well as police officials’ wariness of Beijing’s second-hand goods markets as areas requiring heavier policing each reflected, in its own way, that “traditional” understandings of the social meaning and causes of crime persisted alongside new ones based on “Westernized statistical methods” and sociology (pp. 93–94, 107, 110, 112). Thus, much as in the other chapters, the administration of justice and law enforcement in Republican Beijing reflected a mixture of old and new institutions, perceptions, and imperatives.

Ng notes in the conclusion that the book is intended to speak to the concerns of historians of law in China and scholars of comparative law in global contexts. Given that my reading of the book was informed by the concerns of the former, this review will focus on what the book says about China’s modern transformation as viewed through legal history and urban history. This book provides an overview of the main actors and institutions which were involved in the administration of justice and law enforcement in early 20th-century Beijing and locates them in relation to the particular spatial dynamics and social patterns of the city. It demonstrates that despite the political uncertainty and social dislocation of the period, a great amount of institutional change occurred, and rapidly so, in Beijing’s legal and police institutions and that there emerged in the city a new community of credentialed lawyers who actively promoted their interests vis-à-vis perceived professional competitors and the state. The book also provides the basis for comparisons with the police and judicial institutions of Shanghai and other Chinese cities while giving a sense of the ways in which Beijing’s unique institutions, especially the gendarmerie, shaped the experience of judicial reform and policing. Ng’s point that older practices and expectations informed the conception and workings of modern police and legal institutions in early 20th-century China is an important one. In making this argument, Ng is contributing to a significant body of scholarship which has examined various ways in which the Republican judiciary continued to grapple with imperial precedents in civil and criminal law as well as in the organization of judicial institutions, a legacy which is especially apparent in the significant role which county magistrates played in the administration of justice in many Chinese localities well into the 20th century. Ng’s book is notable for surveying a range of ways in which old and new policing and legal practices interacted in one city while demonstrating that these legacies facilitated the modern administration of justice while, at other times, presenting challenges to new institutions and professional groups as they struggled

for legitimacy.

Ng's discussions of the interaction between old and new institutions would have been more satisfying if the case studies and analyses had been developed further. The discussion of Republican judges' use of older trial procedures in Chapter 1, for example, gives little sense of the context in which older practices were used in the individual cases which are discussed, how much leeway officials actually had to choose these procedures and sentencing principles over others, and whether these practices survived past the mid-1910s, an important consideration for assessing how influential they were. There are also instances in which Ng's focus on the interplay between "traditional" and "Western" practices as a central thread of the story seems overdrawn. Ng's argument that the Capital Police Bureau oversaw a broad portfolio of municipal functions because it was following a "traditional" conception of policing which was broader in scope than the police practices of Western countries loses sight of just how *modern* the anxieties about China's capacity to maintain hygiene (*weisheng*) and manage the economic and social ramifications of urban poverty, to take two examples, actually were. That the Beijing police implemented measures to address issues such as these is not comfortably characterized as reflecting its adherence to a "traditional" pattern of policing or as resulting from its competition with the gendarmerie. In another instance, Ng suggests that over the 1920s and 1930s lawyers in Republican Beijing established their offices near police stations because they were appropriating a "traditional" pattern—namely, that "negotiating with *yamen* officers such as clerks, runners, and secretaries prior to a trial was traditionally one of the major functions of the litigation masters of the imperial period" (pp. 70, 88). Yet, one wonders whether other factors, located more firmly in these two decades, could better explain lawyers' decisions about where to locate their offices. Even if Beijing lawyers did decide to set up shop near police stations—a claim which is not proven by the map on p. 72, which only suggests a correlation in the overlapping spatial distribution of the two—one would need additional evidence to show that this decision was made in response to "traditional" expectations and not simply other considerations arising in the present moment.

One is impressed with the body of data which informs this study as well as the ways in which spatial patterns are presented in maps of Beijing which overlay different datasets. One is also impressed with the potential contributions which this kind of spatial analysis has to offer the study of legal history and urban history given that, as the author notes, "All events are manifested in space in one way or another, and thus have a geographical dimension" (p. 8). Thus, maps which show the changing spatial distribution of lawyers' offices in Beijing from the 1910s to 1930s raise intriguing questions about the growth of the profession, its impact on the city, and changes in the market for legal services (p. 66). Likewise, mapping the locations of native-place lodges and guilds alongside the locations of lawyers (p. 71)

further confirms the importance of the northern-central areas of the Outer City to the economic and social life of Beijing during this period while raising questions about the co-development of urban institutions and professions. Given that the analysis of spatial patterns figures so prominently in the book, a more sustained discussion of the ways in which the tools of historical GIS are used to establish spatial relationships and correlations would have been welcomed (beyond brief mention of the concepts of “clustering,” p. 65, and “spatial mean,” p. 75, n. 33). Given Ng’s use of spatial analysis to raise new questions about Chinese legal history, urban history, and modernity, a discussion of the uses and limitations of this kind of evidence would have represented an even deeper engagement with the rich body of data on which this book is based.

Daniel Asen
Rutgers University–Newark
E-mail: da467@rutgers.edu

Wang, Haicheng. *Writing and the Ancient State: Early China in Comparative Perspective*. New York: Cambridge University Press, 2014. ISBN: 9781107028128. xxii+385 pp. \$ 99.00 (Hardcopy).
DOI 10.3868/s020-005-016-0011-4

Writing and the Ancient State: Early China in Comparative Perspective is an ambitious book, ambitious both in terms of the problem it unpacks and the materials the author has collected and examined. It reconstructs the functions of writing in early civilizations, through which the author attempts to probe a fundamental question: the origins of writing, especially its invention in Chinese civilization.

Facing a deficit in the field—the extremely limited sources, scholars have three options for approaching the creation of the Chinese writing system: (1) hold back on publishing until further materials are discovered; (2) base research primarily on the available materials; (3) use certain clues that come from comparative studies to fill in the missing parts of the picture that concerns writing in ancient China. The author has taken the third approach, which requires the researcher not only to develop expertise in early China but to master the research landscape of other ancient civilizations, including Mesopotamia, Egypt, Mesoamerica (the Maya lowlands and Central Mexico), and the Andes.

The introduction of *Writing and the Ancient State*, on a theoretical level, defines and justifies the subject, methodology, as well as research scope. Recent