

period to the modern edition. I have every intention of making this chapter prescribed reading for my students.

This then brings me to the second aim; namely, whether the translation will be “useful.” Utility is a slippery concept, but I have no doubt that this translation will be used widely and for a long time. It is clear and dynamic without coming across as overly technical or dense. There is a great sense of “dynamic equivalence,” and the retention of technical legal terms in Latin in brackets makes for a very enjoyable read. The text and translation appear on facing pages, and the font is clear and legible. The inclusion of a list of technical Roman-law terms at the end of the third volume also adds another dimension of utility to the translation. I was particularly impressed by the decisions concerning the *apparatus criticus* and the notes occurring in the original Blume translation. They add a nice touch to the project without leaving the reader with a sense of despair.

Regarding my final point; namely, whether the translation will have an impact on various academic fields, I have no doubt that this translation will open up a new world to those not yet familiar with the Codex. It is a vivid text full of life and can be used across many disciplines to show, for example, how Imperial law operated and what the concerns of the Imperial administration were across a span of a number of centuries when the fortunes of the Empire waxed and waned. Of course, no work is above criticism, and, therefore, I offer one small point of critique: the price. Although the volumes are substantial, the price tag places the set out of the price range of most readers. One would hope that the press will invest in a more affordable paperback or online version. This translation certainly deserves to be read as widely as possible.

To all three questions posed at the start of this review, the answer is a resounding yes. Bruce Frier and his team of translators (familiar names for anyone working on Roman law in the Anglophone world) are to be thoroughly congratulated for their excellent efforts. My prediction is that this translation will become even more celebrated than the Watson translation of the Digest. Now, if only they would turn their translation efforts next to the *Basilika*...

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Li Chen, *Chinese Law in Imperial Eyes: Sovereignty, Justice, and Transcultural Politics*, New York: Columbia University Press, 2015. Pp. ix + 401. \$60 cloth (ISBN 9780231173742).
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Li Chen's *Chinese Law in Imperial Eyes* is one of several major works published in recent years that emphasize the reverse impact that “oriental” and

colonial encounters had on the development of Western legal institutions. Whereas historians in decades past commonly thought of the global transmission of legal knowledge and influence as a predominantly West-to-East and North-to-South process—with European imperial powers disseminating their legal institutions to Asia, Africa, and the Americas—scholars now recognize that transmission also ran in the opposite direction. Within the somewhat narrower confines of East Asian legal history, Chen's work joins Teemu Ruskola's *Legal Orientalism* (Harvard University Press, 2013) in emphasizing how perceptions of Chinese law played a crucial role in the formation of Western European and American legal identity.

Even when compared with other landmark studies in this highly influential literature, *Chinese Law in Imperial Eyes* stands out for its empirical richness and theoretical depth. The book offers a sweeping history of how Sino-British legal encounters, beginning with the 1784 *Lady Hughes* case, both reflected and shaped the British elite understanding of legal rights and procedure. It shows how the British perception of Chinese law evolved from one of admiration and cautious assessment to full-blown disdain over the course of a century. More importantly, Chen illustrates the shifting role that these perceptions played in the development of British legal institutions during the late eighteenth and early nineteenth centuries: Chinese law moved, in essence, from a partially positive example to be selectively admired to a negative one that nonetheless helped define the boundaries of "civilized" criminal law and punishment. The archival research that supports this narrative is meticulous and detailed, but equally impressive is the precision, and in some cases even elegance, of Chen's theoretical analysis.

Another way to understand the book's contribution is to place it within the extensive literature on Western perceptions of China. Including such classical works as Jonathan Spence's *The Chan's Great Continent* (Norton, 1999), this literature examines how Western intellectual and political elites understood—and, in many cases, imagined—the Chinese "other." The souring of Western attitudes toward China over the course of the eighteenth and nineteenth centuries and its subsequent impact on European imperialism is familiar terrain to scholars who work on these issues. What *Chinese Law in Imperial Eyes* adds, however, is a distinctive emphasis on the *legal* dimensions of this transformation. Many of the most formative Sino-British interactions were not diplomatic or economic, but rather legal: criminal prosecutions, public executions, and negotiations of extraterritorial rights. Given the centrality of law in European sociopolitical discourse, these legal interactions played a particularly crucial role in defining European perceptions of China. Legal transmission and interpretation tends to involve a different mindset, one that is more formalist and functional than other forms of cultural and political interaction, and Chen does an admirable job of unpacking the unique nuances of this process.

The book is organized in a largely chronological manner, beginning in the later eighteenth century and ending with the Opium War. It therefore sets the ideological stage for the monumental clashes between Chinese and Western imperialism that define much of modern Chinese history. Chapters One and Two look at two watershed moments in Sino–British legal interaction: the 1784 *Lady Hughes* Case and the 1810 translation of *The Great Qing Code* into English by George Thomas Staunton. What stands out from Chen’s treatment of these events is the intense vulnerability exhibited by a variety of British actors, ranging from traders in Canton to reviewers of Staunton’s translation. Rather than approaching China with the disdain and straightforward cultural chauvinism that would characterize later nineteenth century British imperialism, in this earlier phase, the British were significantly less confident in their criticism and condemnation. The crucial economic importance of the China trade and the dominant regulatory position of the Qing court, for example, tempered the budding sense of cultural superiority that British traders harbored in the later eighteenth century. This fanned the flames of an increasingly prevalent narrative among the British that they were the *victims* of an unaccommodating and inconsistent Chinese legal system. Staunton’s mischaracterization of the *Qing Code* as a purely penal system also fed into this perception. In many ways, this self-perception of victimhood and injury was central to the nineteenth century British approach to Chinese affairs: an important theme that reappears throughout the book.

Chapters Three and Four trace, at different levels of generality, the broad shift in European imaginations of Chinese law that occurred from the eighteenth to the nineteenth centuries. Whereas Qing law was often portrayed as having admirable qualities in the mid-eighteenth century—its systemic control of local adjudication and sentencing, for example, was hailed as a major achievement—by the nineteenth century, European commentators were nearly unanimous in their condemnation of Qing criminal punishments as inhumane and barbaric. In both phases, however, Qing law played a constitutive role in the development of European institutions. First, it was seen as a model that warranted some selective transplantation, and later, it became a negative example that helped marked out the lower bounds of normatively acceptable law-making, below which law was no longer considered civilized, and claims of legal sovereignty were no longer respectable.

Chapter Five ties together these various themes into a detailed examination of British justifications for the Opium War. The perception of victimhood and injury worked side by side with the perception of Chinese law as uncivilized, to persuade different segments of the British public. Over time, the latter seemed to overshadow the former as the dominant rationale for British aggression. This was indeed true in rejecting Chinese claims to full legal sovereignty in the later nineteenth century, but the former played an important role in the lead up to open warfare in 1840. It was only somewhat later that full-blown

claims of cultural superiority were able to wipe out the normative unease that significant portions of the British population felt toward the Opium trade: an unease that was addressed by portraying the British navy as acting merely in self-defense.

Chen's book is not without its limitations: in particular, it documents the *existence* of this shift in European perceptions and its impact on law and foreign policy, but does not enable any measurement, even a qualitative one, of *how significant* the impact really was. Quantitative estimates are probably impossible here, but one nonetheless desires a "thicker" qualitative assessment of historical consequence, perhaps of the sort found in David Armitage's *The Ideological Origins of the British Empire* or, more recently, Lauren Benton and Lisa Ford's *Rage for Order: The British Empire and the Origins of International Law, 1800–1850*. Moreover, the reasons for the shift in European perception are largely underdeveloped. This may be too much to ask of a book that already covers an enormous amount of material, but one nonetheless senses a missed opportunity to engage some of the deeper intellectual and cultural undercurrents in eighteenth century Europe: rising secularism in political thought, changing understandings of individual dignity, and the growing importance of law as a fundamental legitimating principle. Chen does mention these from time to time, but does not engage them in detail.

Nonetheless, this is more of a wish list for further elaboration than a criticism. *Chinese Law in Imperial Eyes* is an intelligent and thorough examination of a major episode in transnational legal history. It is, without doubt, an important contribution to this growing academic literature, and sets a high bar for future work on the global impact of non-Western law.

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Rafe Blaufarb, *The Politics of Fiscal Privilege in Provence, 1530s–1830s*, Washington, DC: Catholic University of America Press, 2012. Pp. xiii + 312. \$75 cloth (ISBN 978-0813219509).
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Rafe Blaufarb's excellent book shows just how much early modern political conflict in France revolved around the question of noble tax exemption. His focus is a single judicial proceeding, the *Procès des Tailles*, or land tax trial (with local variants and offshoots), spanning more than 250 years in Provence. Beginning in the 1540s and ending in the 1830s, this was a province-wide contest between two of the three *corps* (or bodies) that constituted the absolutist social order: the