

voluminous but also scattered and fragmentary. His choice of Shanghai and Beijing as main locations for observation is also deserving of great praise, since, although both were metropolitan cities of the period, they presented different geographical and cultural characteristics. However, critical readers may expect more elaboration on Beijing, as the overwhelming majority of Hu's narrative is devoted to Shanghai, while the coverage of Beijing is often only partial and limited.

This minor quibble aside, *Shenghuo de luoji* is a compelling book to read, deserving critical acclaim for its insightful contribution to the discussion of cultural life, the urban world, and identity-building in the Republic of China. Many chapters will become useful references for scholars on the Republic of China and will surely inspire future studies. Certainly, it will also appeal to readers generally interested in Chinese studies and cultural history.

Ruling Before the Law: The Politics of Legal Regimes in China and Indonesia. BY WILLIAM HURST.
Cambridge University Press, 2018. 316 pp. \$110.00 (Cloth).

REVIEWED BY CHEN WANG-DUFIL, Faculty of Law, University of Ottawa
doi:10.1017/jea.2019.6

William Hurst's book offers us an innovative perspective on the legal regimes developed outside the Western democratic core. Hurst selects two important Asian developing countries, China and Indonesia, and analyzes how their legal regimes were formulated through the interplay of law, politics, and society across time. Hurst challenges the conventional Anglo-American understanding of developing countries' legal systems as being weak for lacking the democratic essence of "rule of law." Conversely, he establishes a theoretical and analytical framework that can reveal how cases and adjudicated processes proceeded in particular socio-political settings.

As the author himself states, this book contributes from at least two aspects: it focuses on the judicial politics in developing countries outside the dominant Western legal regime, and it moves beyond the traditional normative approach of analysis, gathering empirical evidence from ground-level legal institutions. Moreover, Hurst proves persuasive in establishing a remarkably comprehensive theoretical framework with broad implications. This framework categorizes legal regimes into four types: rational pluralism, mobilizational legal regimes, neotraditional legal regimes, and rule by law regimes. Hurst's research is also impressive for its thorough field research in multiple urban and rural localities in China and Indonesia. The extensive empirical data has provided fertile ground for his microlevel analysis.

Hurst provides a historical overview of the development of Chinese and Indonesian legal regimes. In brief, the ancient Chinese legal system was committed to preserving the political power of the ruling elites, and the more recent Marxist ideology generally retained this highly unified legal apparatus as a tool of control. During the reform era, China began to require the nonintervention of political powers into adjudication, particularly in the civil arena, so as to facilitate rapid economic growth and maintain political stability. In Indonesia, a much more fragmented legal pluralism was in place before a coherent political order existed to enshrine it. During the colonial era, the Dutch colonizers established the legal system that primarily protected private wealth and economic advantages of commercial elites, whereas the Japanese occupiers developed a more unified system with streamlined institutions to enforce the law. Indonesia still operated a plural legal system that blended at least three legal regimes years after independence. Hurst finds China and Indonesia to be broadly comparable in many core aspects, despite their different routes to legal modernization.

Following this overview, Hurst introduces the mobilizational legal regimes that emerged in China and Indonesia from the early 1950s to late 1970s. Under this type of legal regime, the ruling elites promoted specific agendas of social change by manipulating seemingly objective judicial institutions, norms, and processes to their advantage. This type of legal regime could be found in China from the Maoist Era to 1979, when the prevalence of charismatic authority caused the pervasive intervention by non-legal political actors against legal practices. In Indonesia, the wealthy elites mobilized to pursue civil litigation, mainly dealing with land and property, in order to protect their political power and privilege from 1955 to 1971. However, the dearth of rural criminal cases in this era demonstrated that Indonesia's criminal system remained relatively untouched due to the elites' indifference. Under these regimes, the law was developed as a tool of political and social mobilization, and judicial decision-making was highly politicalized rather than simply being lawless or disorderly.

Continuing in this vein, Hurst explores the development of the rule by law regimes in China and Indonesia. Under these regimes, nonjudicial political authorities refrain from intervening in judicial decisions, or intervene only in a quite predictable manner. Hurst places China's civil adjudication since the 1980s in this category. China's civil dispute resolutions in the reform era have been reported to become more reliable, transparent, predictable, or fair in substance (p. 144), and more effective or speedy in procedure. This is because China's general aim of fostering rapid economic growth outweighs the power of authorities. Concurrently, the Indonesian criminal adjudication process after the *Reformasi* has been marked by more transparent and accountable courts and prosecutors, as democratization has removed much of the political influence from the criminal process. This being said, Indonesian criminal law can no longer serve as a simple tool of repression. By contrast, no similar reforms have taken place in the Indonesian civil arena, as the wealthy elites cannot allow their socio-economic positions to be challenged through civil litigation.

Lastly, Hurst illustrates the neotraditional legal regimes under which non-legal factors exert high levels of intervention in the adjudication process. Neotraditional legal regimes maintain the power of non-legal actors and support an established hierarchy and entrenched elites. This type of legal regime may either join other types of legal regimes as hybrid neotraditional legal regimes or may stand on their own as pure neotraditional legal regimes. For instance, China's criminal system has continued to be influenced by political factors, despite the significant reforms in reducing political intervention in the arena of civil law since Deng Xiaoping's administration. In Indonesia, democracy after *Reformasi* has effectively restricted political actors' intervention into criminal proceedings; but wealthy elites' intervention still persists in the civil arena. This type of legal regime is generally more stable and flexible than others.

This book is distinguished by its encouragement of readers to challenge the conventional view of non-Western developing countries as lawless or disorderly. Hurst advances legal scholarship by offering a new theoretical and analytical framework to explain that legal regimes in developing countries demonstrate much more complexity than has been recognized, and would reward further examination by Western scholars. The book is also valuable for its impressive amount of raw data it has provided. Although the lack of a complete record of the court proceedings from local legal institutions limited the quantities of data that Hurst could collect, his methods of data collection are impressive indeed. However, among the numerous cases that Hurst compares side-by-side, many are from remote areas, where the practices of legal institutions are not necessarily representative. This book would benefit from a further explanation of Hurst's rationale for choosing these sites for fieldwork. Overall, however, Hurst's book has provided readers with both considerable empirical evidence and a theoretical framework with broad implications.