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978-1-107-05337-3 - China and Islam: The Prophet, the Party, and Law

Matthew S. Erie

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CHINA AND ISLAM

China and Islam examines the intersection of two critical issues of the contemporary world: Islamic revival and an assertive China, questioning the assumption that Islamic law is incompatible with state law. It finds that both Hui and the Party-State invoke, interpret, and make arguments based on Islamic law, a *minjian* (unofficial) law in China, to pursue their respective visions of “the good.” Based on fieldwork in Linxia, “China’s Little Mecca,” this study follows Hui clerics, youthful translators on the “New Silk Road,” female educators who reform traditional madrasas, and Party cadres as they reconcile Islamic and socialist laws in the course of the everyday. The first study of Islamic law in China and one of the first ethnographic accounts of law in post-socialist China, *China and Islam* unsettles unidimensional perceptions of extremist Islam and authoritarian China through Hui *minjian* practices of law.

MATTHEW S. ERIE, an anthropologist and a lawyer, is an associate professor of Modern Chinese Studies at the University of Oxford. His earlier works on law and society have appeared in publications such as *American Ethnologist*, *Law and Social Inquiry*, the *Hong Kong Law Journal*, and the *Oxford Encyclopedia of Islam and Law*. He has lived and studied in China and the Middle East, and has practiced law in New York City and Beijing.

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32 Avenue of the Americas, New York NY 10013

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www.cambridge.org

Information on this title: www.cambridge.org/9781107053373

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First published 2016

A catalogue record for this publication is available from the British Library.

Library of Congress Cataloguing in Publication Data

Names: Erie, Matthew S., author

Title: China and Islam: the prophet, the party, and law / Matthew S. Erie.

Description: Cambridge: Cambridge University Press, 2016. |

Series: Cambridge studies in law and society |

Includes bibliographical references and index.

Identifiers: LCCN 2016003010 | ISBN 9781107053373 (hardback)

Subjects: LCSH: Islamic law – China. | Law – China.

Classification: LCC KBP69.C5 E75 2016 | DDC 342.5108/5297–dc23

LC record available at <http://lcn.loc.gov/2016003010>

ISBN 978-1-107-05337-3 Hardback

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*To my mother and father, and
In memory of Loren V. Erie*

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Zhengjiao bu zhengquan.

(Contend for the teaching, do not contend for power.)

A Hui saying

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ACKNOWLEDGMENTS

In its entirety, my pilgrimage to China's Little Mecca has taken place over a period of approximately thirteen years. Like any journey, this one would have been meaningless and indeed impossible without those who prepared and guided me. In reflecting on those who have kindly provided support to the writing of this book, my concerns are twofold. The first is that I may unintentionally omit someone who has been a resource in some way during this time. In the event that I do so, I can only express my sincerest apologies. The second concern is more specific to China: I cannot name the majority of the people based in China who were the most helpful to me. To those individuals, I can only say that the fact that you cared to assume the risk of helping a non-Muslim foreigner speaks volumes of your inclusiveness and gives hope for surmounting the various cultural, national, and political divides that are too often reified rather than overcome.

I express my gratitude first and foremost to my mentors, especially Steven Sangren and Jacques deLisle, who, respectively, taught me how to think like an anthropologist and how to think like a lawyer, and then how to think against the grain in both disciplines. China, as I have learned from them, requires one to do so. They have taught me that producing scholarship is a commitment to principles, moral ones as much as intellectual ones. Much of this project has been animated by their lessons.

In my ungraceful attempts to straddle the two worlds of anthropology and law, I have benefited from numerous teachers. At Cornell, Andrew Willford, Viranjini Munasinghe, and Magnus Fiskesjö spent countless hours in their homes, in Ithaca diners, or in Shanghai coffee houses taking me through the anthropological traditions from taboo to ethnicity. Also at Cornell, I thank the late Terry Turner, Allen Carlson, Chris Garces, Eric Tagliacozzo, David Powers, Shawkat Toorawa, Vilma Santiago-Irizarry, Annelise Riles, Nimat Barazangi, and Mark Selden for enriching my graduate training. Among Cornell anthropology students, I thank especially Sara Shneiderman, Zhang Yinong, Eric Henry, Jen

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ACKNOWLEDGMENTS

Shannon, and Amy Levine for their astute criticisms and reflections both in class and in writing during graduate school and after.

I owe a tremendous debt to the incredible community of scholars who pursue “law and society” studies and have been particularly formative in my thinking. These scholars have taught me how to identify and analyze a problem and to assess its importance beyond the immediate context. It has been one of the great privileges of my professional career to work with Sally Engle Merry on the writing of this book. She has given her time and experience toward improving the lucidity of my writing. In addition, such scholars as Frank Upham, Tom Ginsburg, Kim Lane Scheppele, and Justin Richland have not only provided intellectual inspiration but have also been guides in the broadest sense of the word.

On the law side, I am indebted to William Burke-White, Sally Gordon, Eric Feldman, and Gideon Parchomovsky, all of whom taught me that the study of law can be much more than doctrine. I also thank Wang Chenguang, Gao Qikai, and the late He Meihuan at Tsinghua University Law School for first exposing me to the human side of Chinese law. Jerome Cohen, William Alford, Zhu Suli, Eva Pils, Zhang Xisheng, Teemu Ruskola, Rachel Stern, Liu Sida, John Ohnesorge, Benjamin Liebman, Zhao Xudong, Carl Minzner, Ethan Michelson, Timothy Webster, Benjamin van Rooij, Stéphanie Balme, Michael Dowdle, Mo Zhang, Jedidiah Kroncke, Neysun Mahboubi, and others who have shared their knowledge of law and society in China have been invaluable to my writing. I am particularly thankful to David Livdahl for bringing Norwegian humor to the practice of law in China.

Numerous scholars have patiently exposed me to the breadth and minutiae of Islamic legal studies, including, at Princeton, Michael Cook, Hossein Modarressi, Bernard Haykel, and Max Weiss. In addition, scholars across the academy, including Tamir Moustafa, Brinkley Messick, Timothy Daniels, Saba Mahmood, Asifa Quraishi-Landes, Anver Emon, Jonathan Brown, Sherif Omar Hassan, Mitra Sharafi, Mark Massoud, Darryl Li, Nurfadzilah Yahaya, Guy Burak, Mariam Amin Shehata, Ambassador Sallama Shaker, Hussein Rashid, and Frank Stewart, have encouraged me to realize where the Hui experience approximates that of Muslims elsewhere and where it diverges.

I have benefited in countless ways from the two founders of the modern study of Islam in China, Dru Gladney and Jonathan Lipman. From how to take notes during an interview to how to correctly pronounce the name of Xunhua’s “Jiezi” Mosque (it’s “Gazi”), the founders have shared

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ACKNOWLEDGMENTS

their encyclopedic knowledge of this topic. This book is indebted to them beyond the mere number of citations to their works. Liu Wei, Zvi Ben-Dor Benite, Ding Hong, Rahile Dawut, Gao Zhanfu, Wang Jianping, Yang Wenjong, Zhou Chuanbin, Xu Lili, Chang Chung-fu, Rian Thum, James Frankel, Ma Haiyun, and Roberta Tontini, among others, have also enhanced my understanding of the historical, textual, and intellectual dimensions of Muslims in China.

In preparing my book, I have benefited from the feedback I received during presentations at various institutions (in reverse chronological order): Louisa Schein organized a group reading of a portion of my book by China specialists at Rutgers University, which provided well-rounded feedback, particularly on my characterization of the *minjian*. William Nelson hosted my talk at the New York University Law School's Golieb Legal History Colloquium, whose participants pushed me to improve the precision of the book—namely, my discussion of custom. William Alford and Intisar Rabb created a lively environment in their International and Comparative Law Workshop at Harvard Law School, and their students provided piercing comments regarding the viability of shari'a in secular systems. Michael Gilsenan graciously twice invited me to speak at the Kevorkian Center for Near Eastern Studies, including at his Islamic Law in Society Symposium, during which scholars from NYU and elsewhere provided critical responses to the question of Islamic law's localization in Chinese society. In addition, Mark Turin and Sienna Craig spearheaded the Himalayan Studies Conference at Yale University, during which I presented on a panel organized by Tenzin Jinba that helped me contextualize the role of ethnicity in my study in the Sino-Tibetan borderlands. Lastly, I thank the organizers of various panels at the Law and Society Association, American Anthropological Association, and Association of Asian Studies for allowing me to present portions of the book in progress. I am thankful to all participants during these various presentations, and especially John Osburg, Hans Steinmüller, Luo Yu, Megan Steffen, and Marissa Smith.

A number of people have read various drafts or parts of drafts. Max Oidtmann's firsthand insights on Northwest China were invaluable in transforming the dissertation into the book manuscript. Tim Haupt lent his ethnographic eye to the draft manuscript and was a true writing companion. Michael Gilsenan, Adnan Zulfiqar, and Michael Meyer not only read the manuscript in full but have also been co-travelers in different trajectories across disciplines, area studies, and professions. I owe them much.

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ACKNOWLEDGMENTS

This study has required that I gain familiarity with a number of languages, and I want to thank my language teachers—in particular, Amy Shen, Li Bing, Sharif Rosen, Albert Johns, Frances Yufen Lee Mehta, Qiuyun Teng, Namgyal Tsepak, Nizar Hermes, Wasim Shiliwala, Brenton Sullivan, and Hamza Zafer—for their patient guidance.

At Princeton, Jeremy Adelman and Mark Beissinger created an ideal environment in which to write this book. I also thank the late Paul Sigmund III, my gracious housemate, for the many conversations over early-night dinners of roast chicken and creamed spinach to discuss Christian and Islamic theologies.

I would like to thank the various libraries and archives where I conducted research for this book—namely, the Linxia City Library, Linxia Prefectural Archives, the Beijing Center’s Donald Daniel Leslie Collection, the Chinese University of Hong Kong’s University Services Center, the Gansu Provincial Archives, the Xinjiang Uyghur Autonomous Region Archives, the Christian and Missionary Alliance Archives at the Billy Graham Center, the Harvard-Yenching Library’s Carter D. Holton Collection, Cornell University’s Wason Collection, and Princeton University’s East Asian Library.

Certainly, administrative staff at universities, my former law firm, and various libraries made my life easier during the various stages of the book’s production. I owe a sincere thank-you to Camellia Liu, Donna Duncan, Elizabeth Edmondson, Liren Zheng, the late Raymond Lum, Diane Natanson, Jayne Bialkowski, and Carole Frantzen.

Some portions of Chapters 1 and 7 of this book draw from two previously published works: “Muslim Mandarins in Chinese Courts: Dispute Resolution, Islamic Law, and the Secular State in Northwest China” in *Law & Social Inquiry*, (40(4): 1001–30, 2015), and “Defining Shari’a in China: State, *Ahong*, and the Post-secular Turn” in a special issue of *Cross-Currents: East Asian History & Culture Review* (no. 12, September 2013). I am grateful to *Law & Social Inquiry*, *Cross-Currents*, and Cambridge University Press for allowing me to do so. The *Cross-Currents* special issue was the result of an international conference I organized at Cornell in 2012, and I thank the participants from China, Taiwan, and the United States as well as the Jeffrey Lehman Fund for Scholarly Exchange with China for funding the conference.

This book is based on my dissertation, fieldwork for which was funded by the National Science Foundation Doctoral Dissertation Research Improvement Grant, the Fulbright-Hays Doctoral Dissertation Research Abroad Grant, and various Cornell grants. The book was written with

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funding from the Princeton Institute for International and Regional Studies, the Luce/ACLS Program in China Studies Postdoctoral Fellowship, and the Smith Richardson Foundation Strategy and Policy Fellows Program.

I owe a special thanks to John Berger and his production team at Cambridge University Press for their support. The manuscript was copyedited by Allison Brown and Allan Edmands. I am indebted to Tsering Wangyal Shawa and Sorat Tungkasiri for their help with generating the maps.

Most of all, I thank the people of Linxia and elsewhere in China, who took the time to speak to me when they had very little to gain from doing so. I am grateful to them for sharing with me their stories, their complaints, their victories, and their aspirations.

My journey would not have been possible without the support of my wife, Yaeji Regina Park, who has been with me every step of the way – from late-night Skype calls in smoke-filled *wangba* during fieldwork to early-morning conversations years later at the kitchen table honing “The Argument” with all her precision as a lawyer. She is a fellow pilgrim and makes the journey worthwhile.

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ABBREVIATIONS

Ar.	Arabic
AR	autonomous region
BCA	Bureau of Civil Affairs
BEA	Bureau of Ethnic Affairs
BON	Bank of Ningxia
BRA	Bureau of Religious Affairs
CBRC	China Banking Regulatory Commission
CCP	Chinese Communist Party
Ch.	Chinese
CPPCC	Chinese People's Political Consultative Conference
EAGC	Education Administration Guidance Committee
GWDP	Great Western Development Policy
ICBC	Industrial and Commercial Bank of China
IRC	Islamic resource center
KTV	karaoke bar
MCA	Ministry of Civil Affairs
NGO	nongovernmental organization
NPC	National People's Congress
PLA	People's Liberation Army
PMC	people's mediation committee
PRC	People's Republic of China
PSB	Public Security Bureau
Q.	Qur'an
RMB	renminbi, the official currency of China
SAEA	State Administration of Ethnic Affairs
SARA	State Administration of Religious Affairs
SARS	severe acute respiratory syndrome
SCO	Shanghai Cooperation Organization
SEAC	State Ethnic Affairs Commission
SEZ	special economic zone
U.	Uyghur
UFWD	United Front Work Department
Yi-Xie	China Islamic Association (Zhongguo Yisilanjiao Xiehui)

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A NOTE ON LANGUAGE

I have endeavored to minimize foreign terms. However, because much of the work of making sense of Islamic law in Chinese society among Hui requires translation, this book necessarily tracks several concepts across languages (Arabic or Persian, Chinese, and English). Where foreign language terms or phrases are of particular salience to the text, I gloss them in English, although I do not gloss a few key terms, such as *minjian*, in order to retain some of the term's texture. Chinese terms are rendered in pinyin with the exception of a handful of Taiwanese names and such pre-PRC figures as Chiang Kai-shek and Sun Yat-sen, which I render in Wade-Giles. Where two different Chinese words have the same pinyin, I provide the Chinese characters to distinguish. I have provided the names of laws and regulations in pinyin after the English translation. For Arabic terms, I have followed the transliteration system of the *International Journal of Middle East Studies* ("IJMES style"). Pursuant to the IJMES style, I use half-rings for 'ayn (e.g., shari'a) and hamza (e.g., Qur'an) and -ay and -aw endings for diphthongs. For Chinese names within the text and in the Chinese language reference list, following standard Chinese usage, I begin with the family name and then provide the given name (e.g., "Ma Laichi" in text or "Ma, Laichi" in the reference list). For Arabic names in the reference list that begin with "al-" I alphabetize them according to the first letter after "al-." When citing works in foreign languages, I have retained the original spelling of and capitalization in foreign language titles pursuant to the preference of the author. For interview material, I have attempted to minimize transliterations, but I have included the pinyin for Chinese and used IJMES style for Modern Standard Arabic where applicable. In transliterating terms from the local dialect of Bafanghua, which includes Chinese and Arabic as well as other languages, in accordance with Hui phonetics, I have modified pinyin for terms that diverge from the Chinese or Arabic original languages (e.g., *bei homo* for the Chinese *bai maozi* ["white cap"] and *nietie* for the Arabic *niyya* ["intent"]). Following the main text is a multilanguage glossary, which includes both the Chinese and Arabic scripts for relevant words.

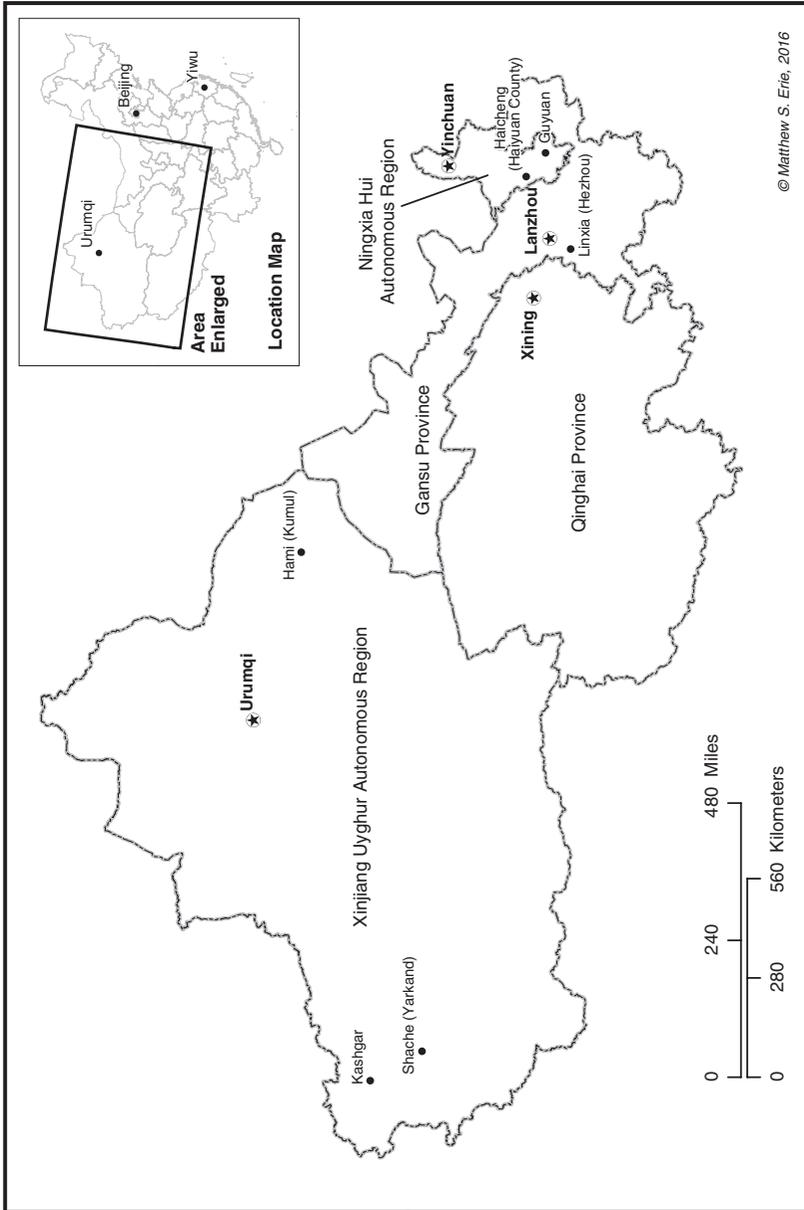


Figure 0.1 Map of Northwest China
 Source: the author