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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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MATTHEW S. ERIE

University of Oxford



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Matthew S. Erie

Frontmatter

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

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

Matthew S. Erie

Frontmatter

[More information](#)

Zhengjiao bu zhengquan.

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

A Hui saying

Cambridge University Press

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

Matthew S. Erie

Frontmatter

[More information](#)

CONTENTS

<i>List of figures</i>	page viii
<i>List of tables</i>	x
<i>Acknowledgments</i>	xi
<i>Abbreviations</i>	xvi
<i>A note on language</i>	xvii
Introduction: the Party-State enters the mosque	1
1 History, the Chinese state, and Islamic law	43
2 Linxia at the crossroads	86
3 Ritual lawfare	130
4 Learning the law	173
5 Wedding laws	220
6 Moral economies	260
7 Procedural justice	305
Conclusion: Law, <i>minjian</i>, and the ends of anthropology	341
<i>Glossary</i>	354
<i>References</i>	370
<i>Index</i>	436

Cambridge University Press

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

Matthew S. Erie

Frontmatter

[More information](#)

FIGURES

0.1	Map of Northwest China. <i>Source</i> : the author	page xviii
1.1	Mausoleum containing the graves of two qadis, near Jiezi Mosque in Xunhua County, Qinghai Province. <i>Source</i> : the author	52
1.2	One of the few remaining <i>qadihanas</i> in China, located in Kuqa, Xinjiang. <i>Source</i> : the author	74
2.1	Map of Linxia. <i>Source</i> : the author	94
2.2	Map of southwestern Gansu Province. <i>Source</i> : the author	96
2.3	A rendering of a heavily fortified Linxia during the Kangxi period (1662–1723). <i>Source</i> : <i>Hezhou Annals in the Period of the Kangxi Emperor</i> (1707) (reproduced as Wang 2009)	99
2.4	The “Hezhou Three Mas” family lineages (simplified). <i>Source</i> : the author	104
2.5	A newspaper advertisement for one of the first Salafi schools in China. <i>Source</i> : Qi family archives	109
2.6	A view of Linxia (Hezhou) in the 1920s, looking south, as photographed by Carter D. Holton. Courtesy of Harvard-Yenching Library of the Harvard College Library, Harvard University	122
2.7	A view of Linxia in 2012, looking south. <i>Source</i> : the author	123
2.8	A view of the south end of the former home of Ma Tingxiang. <i>Source</i> : the author	124
3.1	A Xidaotang bride wearing a “silver flower.” <i>Source</i> : Ding family archive	149
3.2	Sufis reciting the <i>dhikr</i> after a funeral. <i>Source</i> : the author	161
3.3	A Salafi burial. <i>Source</i> : the author	162
3.4	Number of Chinese hajjis (1955–2010). <i>Source</i> : China Islamic Association (2010)	169
4.1	Pupils and teacher of Qixi Private Girls’ School. <i>Source</i> : Xidaotang archives	191
4.2	Muslim men from all over the world gathered for Friday prayer at the Yiwu mosque. <i>Source</i> : the author	212
5.1	Marriage age by gender. <i>Source</i> : the author	232

Cambridge University Press

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

Matthew S. Erie

Frontmatter

[More information](#)

LIST OF FIGURES

5.2	A bride's family moves her assets to the home of the groom's father. <i>Source</i> : the author	248
6.1	An aerial view of Bafang, looking southeast, taken from Bafang's first high-rise. <i>Source</i> : the author	274
6.2	Xidaotang collecting <i>nietie</i> on the birthday of the Prophet Muhammad in 2012. <i>Source</i> : the author	277
6.3	Storefront <i>awqāf</i> along one of the main streets in Bafang. <i>Source</i> : the author	285
6.4	<i>Minjian</i> gift circulation. <i>Source</i> : the author	300
7.1	A cleric's chambers. <i>Source</i> : the author	329
7.2	The disputing constellation in Northwest China. <i>Source</i> : the author	335

Cambridge University Press

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

Matthew S. Erie

Frontmatter

[More information](#)

TABLES

1.1	Population size of officially recognized Muslim minority ethnic groups over time	<i>page</i> 9
2.1	Linxia City population by ethnic group	91
3.1	A summary chart of teaching-school interpretations of law	159
4.1	Typical daily schedule for a student in scriptural hall education	180
4.2	Textbooks created by the Yi-Xie for the Islamic Scriptural Study Institutes	200
4.3	Comparison of secondary-level educational institutions in southwest Gansu	216
5.1	Ranking of divorce rates per administrative unit	243
6.1	Per capita income of rural households by area	290
7.1	Bureaucracies in the Muslim Northwest	312

Cambridge University Press

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

Matthew S. Erie

Frontmatter

[More information](#)

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Cambridge University Press

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

Matthew S. Erie

Frontmatter

[More information](#)

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Cambridge University Press

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

Matthew S. Erie

Frontmatter

[More information](#)

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Cambridge University Press

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

Matthew S. Erie

Frontmatter

[More information](#)

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Matthew S. Erie

Frontmatter

[More information](#)

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Matthew S. Erie

Frontmatter

[More information](#)

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)

Cambridge University Press

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

Matthew S. Erie

Frontmatter

[More information](#)

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.

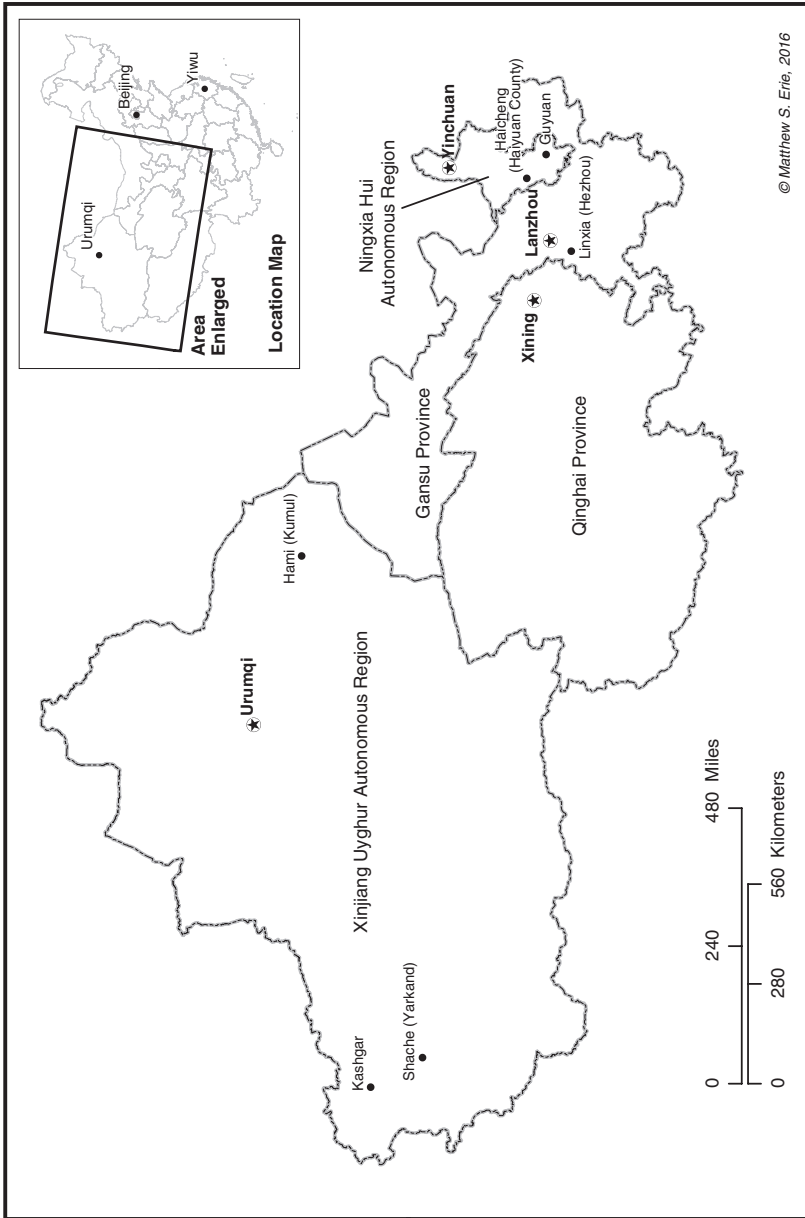


Figure 0.1 Map of Northwest China
Source: the author