

## Muslim China: Regulating Religious Resistance and Cooptation

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Date : February 5, 2018

Matthew Erie, [China and Islam: The Prophet, the Party, and Law](#) (2016).

In late October of 2017, China's central leader Xi Jinping gave a speech in which he expressed a renewed campaign to "sinicize" religious practice under greater Party control. This call is part of a long history of ambivalence, repression and bureaucratization that has characterized the uneasy practice of religion under China's formally atheist single-party state. But it is this tactic of bureaucratization that most eludes outside understandings of the regulation of religion in China.

Into this relative void, [Matthew Erie's](#) *China and Islam: The Prophet, the Party, and Law* presents a model of the contribution that legal ethnography can make to understanding not only the regulation of social life in contemporary China but also to a myriad of critical issues constituting the multi-faceted relationship of Islam to contemporary nation-states. As both a socio-legal and comparative inquiry, [Erie's ethnographic and scholarly investment](#) over the better part of a decade has produced a rich empirical account that speaks in a wide range of theoretical and disciplinary registers and offers value for an equally wide range of readers.

The focal point of Erie's study is the city of Linxia located in the Hui Autonomous Prefecture of central China. Linxia has the distinction of being China's only majority Muslim city, and has sat at the cross-road of Islamic engagement with China for centuries. Much of *China and Islam* gives life to the elusive concept of *minjian* ([??](#)), which attempts to capture the myriad of informal legal norms and practices Hui citizens produce in iterative negotiations with the formal law of the state. At turns, *minjian* draws parallels to "civil society" or "customary law." The lack of precise definition relates the constant and intertwined co-optation and resistance that characterizes Hui relationships to a formally hostile state. Erie shows the inter-relationship between competing concerns about ethics, morality and judgment as the Chinese Communist Party (CCP) attempts to manage Hui life through Muslim intermediaries who are often the products of state-run Islamic schools and employed as public servants. The complexity Erie reveals is one of "mutual access, information sharing, and suspicion."

The tropes of opposition or assimilation that often define the limited global vocabulary regarding the political possibilities of Islam are shown by Erie to be insufficient for capturing either Hui views of the state or state views of the Hui. The Hui are the only ethnic group defined by religion in China, and the global diversity of Islamic legal practice is represented by their general association with the Sunni Hanafi school as they produce a variety of syncretic interpretations that Hui religious leaders invoke with the authority of formal religious law, or *jiaofa* ([??](#)).

Erie pairs his sustained ethnographic engagement with life in Linxia with novel, and perhaps now singular, access to archival materials.<sup>1</sup> In each chapter, he provides a historical backdrop for a particular aspect of the life of the law in Linxia. This approach allows Erie to show the contingency of state-society relations, but also the powerful legacy of the past. For example, he places the Bureau of Religious Affairs, one of the many governmental organs tasked with regulating religious practice, in the longer history of Chinese state practice of limited sovereignty granted to minority groups. The CCP's creation of "autonomous" regions itself reflects this legacy, and explains the relative domination of the state in criminal law but its lighter presence in family law—as evident in the traditional Hui exemption from the one-child policy.

Each chapter of the book then explores the construction of *minjian* in a particular facet of Hui life. Erie's background as a comparative property scholar is routinely on display as he grounds the relationships of different Hui and

governmental actors in their contests over the ongoing development of Linxia's public and private spaces. This architectural texture to Erie's account expands to his discussion of parallel contests of clerical authority over proper ritual observation, a battleground that exhibits the dual demands put on Hui civil servants by a state that seeks to actively reduce heterodoxy.

*China and Islam's* fourth chapter is particularly instructive for how the regulation of education is a decisive site for exploring the different priorities of state and civil society actors in Linxia. Traditional state-run schools teach standardized versions of Islamic legal theory and practice, and are now matched by privately funded institutions—many of which seek to improve Arabic fluency, not to improve religious piety but to produce graduates who can serve as effective commercial intermediaries on the China New Silk Road trade initiative. This chapter also gives great detail to Linxia's place within transnational Islam, producing new interconnections with the larger world of Islamic practice, alongside disillusionment that foreign Muslims do not match the self-deprecating idealizations popular among some Hui.

Similarly, Erie's chapter on marriage law gives logistical depth to the triangulated negotiations Hui women engage in with the state and the embedded patriarchy of Linxia's *minjian*. The fluidity between Islamic and state courts as strategic forums for divorce litigation will be familiar to scholars of legal pluralism, as will the local specificity of views on bride price that technically violate both traditional Islamic and state law.

Scholars of private law are provided a chapter on the moral economics of Linxia, and its relationship to the burgeoning transnational practices of Islamic banking and finance. Pairing theories of gift giving with the incentive structures produced by tax law, Erie shows how a mutual desire for economic development gives rise to a culture of financial regulation that is "betwixt and between censor and celebration."

A chapter on dispute resolution draws on the classic preoccupation of legal anthropology with varieties of adjudication as Erie maps the informal consultations that provide the pragmatic sinews of what he calls Linxia's "matrix of interests and sources of law." The notable character Old Dong, an illiterate but highly respected mediator, illuminates a system where formal law is dependent on social relationships but also renders legal decision-making often opaque to local citizens. *China and Islam* does not present any simple reifications of any of the actors analyzed, clearly showing how *minjian* can at turns be as oppressive as the state.

Erie achieves this remarkable act of mapping the reality of legal practice in Linxia while also recurrently placing it within the highly politicized discourse on Islam, as active within China as it is in many liberal nation-states. Erie is steadfast that the Islamic faith of the Hui does not produce irreconcilable antagonisms, but informs the pragmatic problem solving that always lies at the intersection of informal and formal law. That the Hui increasingly distance themselves from Uyghur Muslims both reflects the complexity of Hui identity within China and their inescapable embeddedness in what Erie calls the "global currents of fear" eagerly redeployed by the CCP. And it should be noted that much of the book was produced in a process that required very real risks by its informants.

There is also a trenchant challenge to many liberal critics of Islam never far from the surface of the book. The CCP engagement with the Hui actively questions presumptions about what authoritarianism means in China, and the political institutions in which Islam can thrive. But more so it provokes the thought that if the Chinese Communist Party can embrace the very same tropes of "terrorism" or "radical Islam" in service of its own interests that are used to justify the repression of Islam in democratic regimes, then this mirror image is truly an ugly one.

If there is any limitation to *China and Islam*, it is that few readers will likely possess all the fluencies required to delve fully into each aspect of Hui life Erie explores. The linguistic achievement of the book is no small feat in itself, drawing on data derived from sources and scholars working in Mandarin, English, Arabic, Persian and local dialects. It makes use of an immense gamut of social theory throughout, and readers would be well served to engage first with those parts of the book that speak most directly to their interests. Though for anyone interested in how law operates in China, especially outside of its eastern urban corridors, *China and Islam* is simply a must read.

1. There are a host of [new concerns about renewed restrictions on ethnographic and archival sources](#) for researchers in China. [?]

Cite as: Jedidiah Kroncke, *Muslim China: Regulating Religious Resistance and Cooptation*, JOTWELL (February 5, 2018) (reviewing Matthew Erie, **China and Islam: The Prophet, the Party, and Law** (2016)), <https://intl.jotwell.com/muslim-china-regulating-religious-resistance-cooptation/>.