Why is shari’a the taboo of modern law? The speaker examines the “spread of halal” controversy in China as a window to assess how nativist public opinion influences state law and policy whereas state law is foreclosed to providing protection to rights provided for in shari’a. Among Chinese Muslims (Hui), qingzhen (lit. “pure” plus “true”) or “halal” is the kernel of their localized shari’a, and one that prohibits consuming pork. The symbol qingzhen has proliferated in the course of China’s economic modernization such that it pervades the public sphere, creating anxiety among Han Chinese that Chinese society and government is becoming “Islamicized.” Hui fear that the profusion of qingzhen foments food insecurity and endangers truth-in-labeling. In response, they have sought greater protection for their diluted core symbol in national legislation – attempts which have only exacerbated Hui-Han relations. Based on observations from over seven years of field research and interviews with Hui legal entrepreneurs, and drawing from the anthropology of taboo, the speaker explains the debate in China by taking the Hui idea of shari’a as a taboo to reflexively think about how secular non-Muslim states regard shari’a as the taboo of modern law.

ABOUT THE SPEAKER

Matthew S. Erie (J.D., Ph.D.) is an Associate Professor of Modern Chinese Studies and Associate Research Fellow of the Socio-Legal Studies Centre at the University of Oxford. Professor Erie’s interdisciplinary work stimulates conversations between law and anthropology to study the procedural aspects of domestic and cross-border commercial dispute resolution. In particular, he investigates the emergence and reconciliation of conflicts of law and normative pluralism in the course of increasing intersections of non-liberal values and Anglo-American common law.