

Classic China Futures Present

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[The Cold War and the Origins of Foreign Relations of the People's Republic of China](#) by NIU Jun, translated by Zhong Yijing [[Brill's Humanities in China Library](#), Brill, 9789004369061]

In [The Cold War and the Origin of Diplomacy of People's Republic of China](#), Niu Jun offers a new analytical framework for understanding the Cold War and PRC's diplomacy from 1949 to 1955.

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Excerpt: September 22, 1947 is a special day in the international history of the Cold War. On this day, the world turned its attention to Europe where the US-Soviet confrontation to divide the world into two competing camps reached a turning point.

On this day, sixteen European countries including the United Kingdom and France attended the European Economic Conference and signed the final report of the Committee of European Economic Cooperation in Paris. The report emphasized that us aid would be critical to Europe's postwar

reconstruction and close relations should be built with the United States. Previously, Soviet foreign minister V. M. Molotov had warned the United Kingdom and France during their three-state foreign ministerial meeting in Paris that they should not accept the Marshall Plan proposed a short while ago by the United States, or it would "divide Europe into two blocs." His warning was futile.

The Soviet Union was apparently also ready to split Europe from the other side. On the same day, communist delegates from the Soviet Union, Eastern European states, France, Italy, and other states held a conference in a small bathhouse in Szklarska Poreba of Silesia, Poland that witnessed the establishment of the Information Bureau of Communist and Workers' Parties of nine European states. The conference adopted the Declaration on International Situation, which proclaimed that "two camps" had appeared in the world: one "imperialist, anti-democratic camp," and one "anti-imperialist, democratic camp." And to bring a bright future of the world, the latter camp should dare to stand up and fight.

Hence, Europe was divided into two. "Two camps" emerged, and the world was also divided into two in politics. Such development of postwar world politics was named by renowned British writer George Orwell as "the Cold War," which was widely taken at the time as a term that most accurately grasped the key features of a new age.

On September 14, one week before "two camps" was declared, a town named Ye Tao near Wu'an city in Hebei Province in China distributed People's Daily, which was still an organ for the Central Bureau of the Lu Yu Border Area of the Communist Party of China (CPC). That day, the newspaper published an editorial entitled "the Great Counter Offensive of the People's Liberation Army." The editorial declared that the CPC military's "great counter offensive has begun," and they would "plant flags of liberation all over China." For sure, nobody at that time would realize how much significance the event as described by the People's Daily editorial would ever come to bear. From such Chinese land lying in East Asia as massive as Europe, a new state would emerge in two years. In light of its size and extent, it resembled a region as large as Europe that achieved the great unity after

years of war fights and disintegration. On the other hand, the CPC's seizure of power also made Chinese foreign policy experience a revolutionary change, which in a rare way in world history destroyed China's past foreign relations system and threw huge shocks and lasting impact on world politics.

This book accounts for history from the birth of the People's Republic of China (PRC) on October 1, 1949 to 1955. In the course of Chinese history, this is a transition period from the CPC's final victory of its revolutionary movement to nation-building, at the same time of which it also witnessed the birth of PRC's foreign policy. From a global context, it matched the period when the United States and the Soviet Union gradually loosened from the early, extremely intense, and almost rigid confrontation and thus encouraged temporary accommodations in limited parts of East Asia. It seemed a mere coincidence that the outbreak of the Cold War and the colossal change in Chinese politics matched perfectly in time as stated above, but from a long-term perspective of global history, such chanced encounter effectively showed that us-Soviet confrontation would spill over from Europe to East Asia, that China would inevitably find its fate entangled with the international Cold War, and that China's future foreign relations were bound to take place and develop in interaction with the Cold War.

On October 10, 1947, the CPC Central Committee issued "Declaration of the Chinese People's Liberation Army" and "People's Liberation Army slogan," which openly declared its strategic goal of seizing national power. Thereafter, related states would have to consider how to deal with a new state that had risen from violent social revolutions and its foreign policies. While historians have dived into us and Soviet historical archives and tried their best to tell logical stories one after another, it could be quite certain that today after years, all those us and Soviet policies toward China as had been told by historians in logical ways should be posed against such historical backdrop as the follows: the United States and the Soviet Union were staging severe confrontation in Europe and, coupled with the inertia of their past dealings with China, both of their leaders were unexcited and underprepared

when corresponding to radically changing Chinese politics; their policies lacked careful articulation at best; the differences between them arose more from their respective history of China policies and relations with Kuomintang and CPC which eventually became differently timed policy adjustments of their countries. Such backdrop, once made clear, was closely related to subsequent development of East Asian international politics, in that during the interaction between New China's foreign policy and the global Cold War system (and vice versa), there was frequent uncertainty and negative impact caused by subjective factors of decision-makers, such as lack of experience, lack of attention, lack of knowledge preparation, and even blindness. To decision makers involved in it, there were indeed many unexperienced attempts and explorations in their perceptions.

Turning back to CPC leaders, they were pressed into similar haste when dealing with foreign affairs, for they did not foresee the fast arrival of the victory of civil war and heavy responsibility of nation-building, not to mention the associated foreign affairs issues which were in fact the most unfamiliar to them. Their various considerations and policies when dealing with the international Cold War system carried careful calculations to reach articulated goals, but against all kinds of complex, rapid, and sometimes violent domestic and foreign shocks, they were indeed also exploring, testing, and watching.

On a deeper level, the so-called "New China's foreign policy" meant foreign policy during the overlap period of revolution and nation-building. With an external world of the Cold War, it had to respond to sometimes severe external environment caused by the global strategic game between the United States and the Soviet Union. Internally, it faced all fundamental appeals of the transition period from revolution to nation-building. These internal fundamental appeals also determined how Chinese would react to the external environment.

If we define the transition period from the perspective of revolution to nation-building, the PRC was at a special stage of building a modern nation-state since the Xinhai Revolution of 1911. In resemblance to new nation-states in the twentieth century, especially new nation-states in Asia after

the Second World War (WWII), China at this stage had some basic issues to solve that comprise of the following aspects.

First, ensure sovereignty and territorial integrity, which as the most fundamental condition to national survival and development, should not be violated or harmed, or the threat they faced should not reach such degree that citizens residing in the state would widely feel insecure. Second, develop the economy and achieve social progress, which was also a basic condition of national survival in today's world and which carried special historic importance to China. Third, achieve and protect national unity, which was undoubtedly an important driving force and goal of New China's foreign policy. Fourth, construct core values of a society and form national identity, including recognition, acceptance, and even admiration of the public toward the new nation's characteristics and basic image, as well as loyalty toward the nation and trust and confidence toward the nation's basic institutions. After the WWII, all ruling parties of new states were faced with legitimacy challenges, partly because these ruling parties had obtained early support as they met public appeals toward national liberation and independent sovereignty during the revolutionary period; once such historic mission was achieved, however, whether they could provide a basic sense of security and necessary sense of pride, as well as meet increasing demand for national economic development and social progress for its citizens, became challenges for their legitimacy.

The same story goes in China. Whether a ruling party could win legitimacy of power was related to solving those basic issues and responding to people's basic appeals; any ideas and policies including foreign policies raised and implemented by the ruling party had to be able to solve or benefit solving those issues, which would then carry lasting, guiding impact. From such point of view, the moment the CPC seized national power and began nation-building, it faced the historic problem of transitioning from a revolutionary party to a ruling party. And such problem turned out particularly hard to solve because the CPC was a revolutionary elite organization founded upon Lenin's ideas of revolutionary organization and it shouldered the important task of completing political, social, and

economic revolutions in a backward country. As it dealt with all the aforementioned challenges, it ran into the crucial mission of transforming itself. The depth of CPC leaders' understanding of achieving such mission also directly linked to their understanding of China's foreign relations.

Objectively speaking, regardless of whether the Cold War existed China would be building a modern nation-state and China's foreign relations would have to comply with those basic appeals; the Cold War international system only led people to make unique choices. Taking a step further, this dictates that to research the relationship between the Cold War and New China's foreign policy, two different aspects need to be addressed. One is the formation and development of New China's confrontational relations with the United States; another is the formation and development of relations with the Soviet Union and other allies. In the realm defined by "foreign policy," the latter relations had richer and more complicated content. History itself determines the content, structure, and process of historical analysis. To disregard or overlook, or even to try to cover up the historic content, complexity, and immense impact of New China's relations with its allies would certainly disallow oneself from presenting a full picture of some key features of New China's foreign policy.

As the early stage of the Cold War coincided with CPC's transition from revolution to nation-building, the complex intertwining of domestic and foreign issues made it critical for CPC policy makers to understand foreign policies. Research of foreign policy at home and abroad have provided many case studies that proved that, in the field of foreign policy, due to factors such as insufficient preparation of specialized knowledge, lack of experience as well as insufficient information and limited timing, leaders often relied more on prior ideas and experience of domestic politics and made policies using their own perceptual framework. During the late revolution and early nation-building period, when CPC leaders made foreign policies they often lacked special knowledge preparation and relevant information and faced rather short decision time, despite the fact that they paid great attention to foreign policy issues as, for example, that Mao Zedong (or Mao

Tse-tung in older writings) and Zhou Enlai (or Chou En-lai in older writings) almost always conducted foreign policy themselves. Their world views, major experiences, and political acumen played a key role in foreign policy making. If one key word must be sought to summarize CPC leaders' world views and major political experiences, it would be "revolution."

The generation of CPC leaders who determined the form and evolution of New China's foreign policy almost all joined politics around the time of the First World War (WWI). In China, the period was called "the age of revolution." China's foreign relations since 1840 caused huge shocks, pains, and damages to China's politics, economy, society, and culture. Continued political crises provoked a tide of revolts in the grassroots and reform activities in the upper circle, which merged into a trend of "revolution the must" in the early twentieth century and social atmosphere was intense and fierce just as dry wood that would burn at sparks of fire. As the famous poet Wen Yiduo wrote:

The twentieth century is a century of revolt. The appeal of "freedom" has given us a sharp weapon against authorities, and thus revolution and blood has become the feature of modern civilization. The epoch produced large crowds of revolutionaries who had a revolutionary mind and revolutionary passion, who increasingly believed in and pursued radical reforms, and who bore the hope that revolution would completely change the world and China. In those days, these communists almost all went through an intellectual journey in their political life: from national salvage to revolution, from learning from the West to admiring the Bolshevik revolution in Russia, and finally placing faith in Leninism. Revolution was their final choice for national salvage as well as the core segment that linked their enterprise to faith in Leninism. Such collective memory of history, from the Opium War to the Xinhai Revolution of 1911, led these communists to increasingly believe that only through radical political and social revolution could they fully terminate China's shameful position in the international community and even completely destroy the international

system. They widely believed through experience of China's modern social reforms and revolutions that China's national liberation movement had to go together with China's radical political and social revolutions; China's future revolutionary movement would surely bear the double mission of political reform and national liberation, the goals of which would include creating whole new foreign relations and further striving to create a new type of international order in which China held a very important and respected position.

Mao Zedong was their example and representative. In China's twentieth-century political spectrum from reform to revolution, he did not at first take the side of radical reform, but subsequent political experience and intellectual development made "revolution" the core content of Mao's ideology. When first taking the political stage, Mao believed that the world's fundamentals were movement and change, and human history was an endless cycle of order and mess, success and demise, where "mess" and "demise" meant recreation of new history: "In all centuries, all nations engage in various revolutions, often washing off the old and brandishing with the new, which are major changes of life and death, success and demise." On the other hand, world politics were full of upheavals and crises. "Lack of freedom, lack of equality, and great wars would persist as the heaven and the earth and never exhaust." Mao particularly hated the dark and messy age surrounding China at the time, and hated any power that threw the Chinese nationality into oppression and shame. In his understanding, after WWI, "countries were bad to the extreme, humans were painful to the extreme, and the society was dark to the extreme."

During this period, Mao was also subject to complex influences of different social thoughts, but an outstanding and consistent feature of his thoughts was the compassion and admiration for almost any grassroots revolution happening in other countries and societies, and he believed that only through united grassroots movement would the unreasonable world order be destroyed. After WWI, disappointment and anger toward the major powers, as well as admiration for the Russian

Bolshevik victory and grassroots revolutions around the world reinforced Mao Zedong's inclination toward radical revolution from both directions. He believed that the world had been divided into two. One side was major powers shamelessly seeking selfish gains and deceiving and blackmailing each other at the Paris Peace Conference, which was lifeless and bloody; the other side was grassroots mass revolutions represented by Russian Bolshevism forming a world trend that was too strong to be stopped.

As an idealistic, romantic and outspoken young intellectual, Mao was deeply influenced by radical thinkers in China. He believed that the world was entering "a new era of world revolutions," in which the Chinese national liberation and social revolutionary movement was part of the worldwide revolutionary movement, and "transforming China" was closely associated with "transforming the world." He believed that Chinese went for social revolution in China because it was easier for them to participate in revolution where they grew up, and the significance of it was to contribute to the world by standing on "the soil of 'China.'" China's revolutionary movement must eventually "join hands with liberated nations around the world."

As Mao dived into practices of social revolution, his thoughts became increasingly revolutionized and he eventually became a follower of Leninism. What made him turn to revolution was his experience in the summer of 1919 joining and organizing the campaign to expel militant Zhang Jingyao and the subsequent Hunan Autonomy Movement. The latter was his first time to participate in "nationbuilding," namely to create an "autonomous" Hunan Republic through reform, but it failed. Mao Zedong reached a conclusion from the failed experience: China's only solution was to adopt the most radical means of revolution. Mao Zedong began to actively comment and research on Russian Bolsheviks' successful October seizure of power, and he developed an admiration for it. As he saw it, "Lenin used a million party members, built the unprecedented success of grassroots revolution, wiped out anti-revolution party," and by relying on the reliable party organization, "rose with a call, gave orders across the land, and without admiring the government, the labor and rural class occupying

eighty or ninety percent of national population responded to the call. The Russian revolution owed its success to all these points." He said that if China had such "full revolution," he would go for it. He commented on Cai Hesen as such: "I see Russian revolution as a convenient modification when all means were exhausted and led to nowhere. It was not abandoning some better means and going only for such means of terror." Mao said that since then he began to study Marxism and soon turned a communist.

To be more exact, Mao in fact became a Chinese revolutionary who embraced Leninism, and accepting Lenin's theories was to him more of catalyzing a new thought "Imperialism is war," "imperialism is the eve of proletarian revolution." Lenin's discourse was so close to the world vision in Mao Zedong's mind and so compatible with Mao Zedong's sense of crisis, that it provided a theorized explanation for the messy and dark world politics that he had sensed, and led his inclinations and scattered thoughts to gradually form a quite solid idea system. He could quickly accept and use the new discourse to describe the nature of world politics, in that after the ww1 the general trend of world politics was still intense conflicts and confrontation, and the confronting parties were respectively "the oppressed class" represented by the Communist International and the "anti-revolution forces" represented by the League of Nations. In the bipolar world, the two forces were waging "the final fight." In the structure of world politics dominated by the bipolar fight, the oppressed class and nations had no other choice but engaging in radical revolutions and adopting the "alignment with Russia" policy. In China, "whoever engages with imperialism would be considered as no friend by the people, no matter when." If previously Mao had diverse and changing views of the world, now it settled on the only perspective: revolution. It needs to be pointed out that Mao's understanding reflected the collective sense of the CPC. Such understanding of world politics logically led to more policy of world revolution than foreign policy. But it indeed provided the starting point and foundation of CPC leaders' theoretical understanding of world politics.

From the Great Revolution movement in the early 1920s to the showdown between Kuomintang and CPC after the WWII, the Chinese political arena presented stormy organized mass movement and large-scale violent revolutions. Such fierce and spectacular phenomenon harbored revolutionary ideology, revolutionary passion and revolutionary social psychology. By this time, Mao had become a creator, leader, representative and admirer of such state. In his well-known philosophical writings, he raised revolution to the height of fundamental law of social movement, namely:

In class society, revolution and revolutionary war are inevitable; otherwise a society could not accomplish its developmental leap or overthrow the violent ruling class and let the people obtain political power.

In all political fights, revolution was the fiercest and indispensable means of action, as it was "rebellion, with violent action of one class overthrowing another class." Mao firmly believed that only revolution could create a new China, sweep off the shame cloaking China over a century, and further create a new international order of "world harmony."

Mao's admiration for revolution was fundamentally associated with his understanding and identification of the character of Chinese nation. While he believed that the Chinese nation faced unprecedented crisis, he increasingly believed that the Chinese nation was capable and would eventually attain a new life through radical revolt. When he could quietly think through and express his historical views in Yan'an, Mao raised those obscure, crude and unsettled views to a theoretical level. In his discussion, the Chinese nation was a nation "with glorious revolutionary tradition," including the people fighting against oppression of the ruling class and people of all nationalities "fighting against oppression of foreign nations, all lifting such oppression through means of revolt." The highly positive comment on the Chinese nation's past class revolutions and national revolutions became an important component of the revolutionary nationalism constructed by Mao.

Although Mao's theory about revolution increasingly matured and his tactical thinking

gradually perfected, his longing and praise for revolution and the mental state of revolution were consistent and always palpable. He had a classic statement of the Marxism fundamentals as he understood it: "Marxism has thousands of theories, but one sentence could summarize them all: 'Revolt is right.'" "According to this maxim, we rise to revolt, to fight, to build socialism." That Mao used such language to explain the essence of Marxism was only partly because he was trying to use popular language to mobilize people to join revolution; the logic behind his language indeed quite accurately reflected Mao's unique understanding of Marxism, namely that the fundamental feature of the theory was to advocate revolt against existing order and participation in complete revolution, as people would win the whole world while the cost would be no more than "lose chains on the neck."

In the final stage of winning the revolution, CPC leaders had shown their attention and support for revolutionary movements outside China's borders. It was partly derived from the inner impetus of China's revolutionary movement, which was the hope that China's revolutionary victory would have huge impact on the whole world, or at least China's neighboring regions. Since China's revolution was part of world revolution, the victory of Chinese revolution should and must provoke major changes in the structure of international politics. Such impulsion and hope became a strong force that encouraged them to take major actions abroad. Description and analysis of any major foreign policy issue of this period should carefully consider such historical issue, that Mao and his generation had built long-term admiration for revolution in the Chinese society, which heavily influenced New China's foreign policy and it persisted over time.

In summary, the interaction between the Cold War, revolution to nation-building, and revolutionary ideology provides the starting point, major keys and basic framework for describing and analyzing the historical process of the Cold War and the origins of New China's foreign policy. In such interactive historical process, New China's foreign policy took roots and evolved and gradually constructed a series of visions, vocabularies, and

diplomatic behaviors, as well as some important features that had lasting impact.

This book will follow time sequence and the above stated framework to unfold the picture of Chinese foreign policy from 1949 to 1955. The book consists of an introduction, four chapters with eleven sections, and a conclusion. The introduction mainly introduces the book's analytical framework, proposing the basic elements and keys for understanding and analyzing the relationship between the Cold War and Chinese foreign policy during this period. Chapter i analyzes the process and historical reasons of CPC's choice to ally with the Soviet Union and to confront the United States around the time of founding of the nation as well as its impact on New China's foreign policy. Chapter z describes major decision-making on the "Aid Vietnam to Resist France" policy and participation in the Korean War after founding of the nation, and analyzes the historic background of China's military actions in Indochina and on the Korean Peninsula and its impact on the over spill of the Cold War to East Asia. Chapter 3 describes the three major diplomatic moves in China's neighborhood between 1953 and 1955, including the Korean armistice, restoration of peace in Indochina, and settlement of the first Taiwan Strait crisis and opening of ambassadorial meetings between China and the United States. It analyzes the internal connections among the three events and illustrates the essence and features of China's neighborhood policies. Chapter 4 discusses key adjustment of China's foreign policy in July 1954, including China's decision to develop nuclear weapons and its active diplomatic engagement all over Asia, which led China's foreign policy to enter a new phase.

Many events in these chapters are well remembered by Chinese and richly discussed by international and domestic academia, thus no detailed introduction here. The contribution of this book is to place those separately studied important events in a historical framework that has an inner mechanism of connection and operation and that reveals the external and internal conditions that have caused these continuous events. Of course, to do so requires verification of those related historical events in as much detail as possible, and

by diving into new archives and new historical facts, it supplements or modifies some conclusions from past research. <>

[The Constitution of Ancient China](#) by Su Li, edited by Zhang Yongle & Daniel A. Bell, translated by Edmund Ryden [Princeton University Press, 9780691171593]

How was the vast ancient Chinese empire brought together and effectively ruled? What are the historical origins of the resilience of contemporary China's political system? In [The Constitution of Ancient China](#), Su Li, China's most influential legal theorist, examines the ways in which a series of fundamental institutions, rather than a supreme legal code upholding the laws of the land, evolved and coalesced into an effective constitution.

Arguing that a constitution is an institutional response to a set of issues particular to a specific society, Su Li demonstrates how China unified a vast territory, diverse cultures, and elites from different backgrounds into a whole. He delves into such areas as uniform weights and measurements, the standardization of Chinese characters, and the building of the Great Wall. The book includes commentaries by four leading Chinese scholars in law, philosophy, and intellectual history—Wang Hui, Liu Han, Wu Fei, and Zhao Xiaoli—who share Su Li's ambition to explain the resilience of ancient China's political system but who contend that he overstates functionalist dimensions while downplaying the symbolic.

Exploring why China has endured as one political entity for over two thousand years, [The Constitution of Ancient China](#) will be essential reading for anyone interested in understanding the institutional legacy of the Chinese empire.

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Excerpt: China's economic prosperity has brought increasing interest in the future of its political system. In this context, the Chinese constitution has gradually become a focus of public attention. Among contemporary Chinese legal scholars, Zhu Suli's studies on the ancient Chinese constitution occupy a unique position. His approach, radically different from the mainstream, gives rise to many new findings with deep implications for understanding contemporary China. (As Zhu Suli often uses "Su Li" as his pen name, he will be referred to as Su Li hereafter.)

Before the twentieth century, imperial China never had a written Constitution defining major aspects of political life. In the early twentieth century, in an effort to be recognized as a modern state, China imported the Western civil law tradition, in which lawyers were trained to deal with written laws. Although the great constitutional monarchist Yan Fu at that time understood constitution as the fundamental structure of physical bodies and social organizations, and applied the concept to the interpretation of China's ancient political institutions, the understanding of the constitution as a written text still dominated China's constitutional minds. The concatenation of new revolutions further set aside the ancient Chinese legal tradition. Because of this rupture, to contemporary Chinese constitutional lawyers, ancient Chinese politico-legal institutions seem more remote than German Grundgesetz

(Basic Law) or the U.S. Constitution. Similarly trained in the civil law tradition, Chinese legal historians rarely call the ancient Chinese politico-legal institutions they study "constitutional." In contrast, Su Li focuses on a series of ancient institutions and practices beyond legal texts, and calls them "constitutional." Although he could lean on Western intellectual traditions that encompass ancient institutions and practices in constitutional history, Walter Bagehot's interpretation of the British constitution, or Rudolf Smend and Carl Schmitt's notion of *die Verfassung*—in contemporary China the attempt to do this is an intellectually pathbreaking adventure.

This is merely one of the many intellectual adventures Su Li has attempted. In China, his intellectual reputation reaches far beyond legal circles. It is widely recognized that he has made groundbreaking contributions to the sociology of law, law and economics, and law and literature in China. He reinterprets Mao Zedong's and Confucius's insights about human nature and social institutions using the academic discourse of social sciences; he repeatedly reminds readers of China's internal complexity. Like Richard Posner—one of his favorite contemporary scholars—he often crosses the border and tests the nerves of other legal scholars by challenging established doctrines in constitutional, civil, criminal, administrative, and intellectual property law and other disciplines.

Su Li was born in Anhui Province on 1 April 1955 and served in the People's Liberation Army between 1970 and 1976. Like Justice Oliver Wendell Holmes, who once served in the U.S. Army, he stands ramrod straight, even now in his sixties. After more than five years' service as a mapping and surveying soldier, he parlayed his military experience into employment. In 1978, the second year after resumption of the college entrance exam following the end of the Cultural Revolution, he was admitted to the Department of Law of Peking University. After his graduation in 1982, he served in the Guangdong customs office for two years, and then returned to Peking University as a graduate student in the history of Chinese legal thought. In 1985, he went to the United States and studied first at McGeorge School of Law at the University of the Pacific in California, and later at

Arizona State University. He earned LL.M. (1987, U.S. business tax law), M.A. (1992, U.S. legal system), and Ph.D. (1992, interdisciplinary studies of law) degrees before returning to Peking University in 1992 to teach in the Department of Law. He served as dean of the School of Law from 2000 to 2010.

Su Li experienced nearly the entire process of the reconstruction of the legal academic tradition after the Cultural Revolution. After 1949, China systematically imported the Soviet legal tradition, but during the Cultural Revolution, even this tradition was partially suppressed, not to mention Western liberal or social democratic traditions. During Su Li's period of undergraduate studies—a crucial time for the reconstruction of China's legal academic tradition—law students still studied Soviet legal theory, but they were increasingly attracted to Western legal thought. As China moved toward a market economy, Soviet legal discourse gradually lost favor. Legal thought from the United States, Europe, and Japan provided new sources for academic progress. It is almost a tacit consensus among legal scholars that China should follow Western developed countries in the reconstruction of its legal system.

In 1992, Su Li was one of the few law professors in China with a doctorate from the United States. Against the natural expectation that he would promote American mainstream legal and political doctrines, Su Li attracted the attention of academia as an anti-mainstream scholar. In 1996, four years after his return to China, he published his first book, *Fazhi Jiqi Bentu Ziyuan* (Rule of Law and Its Indigenous Resources). While most of his colleagues were discussing how to speed up the transformation of Chinese society by transplanting more Western legal institutions, Su Li openly doubted the feasibility, or even desirability, of doing this. Western legal institutions and doctrines, as he remarks, are "local knowledge" (a term he borrows from the American anthropologist Clifford Geertz) that may not satisfy or fit the needs of Chinese society, especially its rural segment. The urgent task is to study the concrete shape and needs of Chinese society, and uncover "indigenous resources" for China's rule of law.

In *Rule of Law and Its Indigenous Resources*, the chapter on Zhang Yimou's movie *The Story of Qiu Ju* is the most influential piece. In this film, the village chief, impatient with Qiu Ju's husband for his curse of failing to father sons, kicks him in the testicles. Qiu Ju, pregnant at that time, asks the village chief to apologize. After being bluntly refused, Qiu Ju appeals to higher authorities, one level after another, for official intervention to force the village chief to apologize for his misdeed. Before long, Qiu Ju goes into a difficult labor. The village chief calls on a few young men, who carry Qiu Ju to the hospital tens of miles away, where she delivers her child safely. The village chief's assistance, which goes beyond his official duty, restores the balance between the two families. However, the legal system responds to Qiu Ju's petition belatedly, charging the village chief with intentional injury. The police apprehend the chief, leaving Qiu Ju deeply perplexed. She expects no more than an apology from the village chief, but the system prescribes imprisonment. Su Li remarks that Qiu Ju is certainly ignorant of the law, but her expectation has a solid basis of legitimacy in rural China. Her perplexity implies the tension between the social logic of rural society and the formal legal system deeply influenced by the modern West.

To understand Qiu Ju's expectation and perplexity, Su Li turned to Fei Xiaotong (1910-2005), one of the founding fathers of China's sociology and anthropology. Fei's *From the Soil: The Foundations of Chinese Society* presents an influential interpretation of the social life of China's preindustrial rural communities. In a society based on face-to-face interaction between people familiar with each other, punishment is administered with an eye to restoring the social relation of interdependence. In contrast, in a society of strangers, officials do not have to consider how punishment will fix the social balance between them. For Qiu Ju, an apology from the village chief is sufficient to restore the status of her family in the village. Although the chief kicks the husband, his help in Qiu Ju's childbirth restores the balance between the two families. However, the legal system of the state has no idea of the concrete interaction between the two families. Su Li points out that the "universal" system of legal discourse,

deaf to Qiu Ju's appeal, has its own limitations. Rule of law in such a huge and complex country cannot be successful without understanding Qiu Ju's expectation and perplexity. Therefore, it behooves legal theorists in China to uncover the indigenous resources of rule of law in China.

Su Li's idea of indigenous resources inspired fierce debates. Critics from both the left and the right attacked his notion of indigenous resources as a token of nostalgia for preindustrial rural society. But this charge is probably too simplistic. Su Li refuses the truth claimed by believers of modernization, not because he attempts to find a different version of truth in the remote past. Rather, as an antifoundationalist, he is almost instinctively suspicious of all kinds of claims to universality. As the Chinese translator of Foucault's Nietzsche, *Genealogy, History*, Su Li often quotes Nietzsche's remarks about truth and Foucault's analysis of "discourse/power" in his own works. From an antifoundationalist perspective, it doesn't make any sense to believe there is something foundational in the remote past. Therefore, his notion of "local knowledge" and "indigenous resource" may have more affinity to the present than the past. Contemporary China is characterized by unbalanced development—highly urbanized, advanced regions coexisting with poor, self-sustained preindustrial villages. Su Li emphasizes that these different regions may need different approaches to governance, and argues that the belief of most lawyers that "the more modern, the better" is a hegemonic way of thinking.

If *Rule of Law and Its Indigenous Resources* announces Su Li's approach, *Song Fa Xia Xiang, Sending Law to the Countryside*, published in 2000, best illustrates his approach in a series of empirical studies. In this book, based on elaborate investigation and interviews at basic-level courts in rural China, Su Li depicts the disparity between primary judges in rural China and the legal formalism in textbooks. Many basic-level courts in rural China are characterized by their embeddedness in the local society. Judges care more about substantive justice as recognized by the concrete community; in terms of legal reasoning, judges are usually consequentialists who reach a conclusion before considering legal inference,

application, and argumentation. They tailor the facts of the case according to their moral intuition, so as to facilitate the legal application leading to a given result. They solve the central issue of the dispute, but also care deeply about peripheral issues, such as the enforcement of the judgment, in order to eradicate the origins of the dispute from the local community. In this solid study, Su Li urges his colleagues to keep China's complexity in mind and not to denounce local practices from a static ideal of the rule of law, but to understand the legitimacy of these practices in their own social contexts.

Sending Law to the Countryside provoked a wave of research on rural China's judicial practices and pushed China's sociology of law and legal anthropology forward significantly. However, Su Li's emphasis on the inner diversity and complexity of China also invites a question: How are China's diversity and complexity integrated into a large political entity? Obviously, mere research on grassroots society is insufficient to answer this question.

In *Daolu Tongxiang Chengshi (The Road to the City)*, published in 2004, Su Li provides a primary answer to the question and anticipates his later study of the ancient constitution of China. The last part of this book discusses the constitution of the People's Republic of China (PRC). However, Su Li's interest lies not in how the constitutional text was written and interpreted but in the actual process of state building. This chapter investigates not only some general problems of the twentieth century, including national independence, social revolution, and modernization, but also how a series of particular conditions, such as the size of the country, unbalanced development, peasant revolution, and "feudal tradition" (in the Marxist sense), influenced the Chinese form of constitution and constitutional development. Su Li especially reinterprets Mao's *On the Ten Major Relationships* as a classic work in understanding the constitutional relationship between the central and local governments. In China, the history of the party and constitutional law are two fields that rarely communicate with each other. Su Li's study exemplifies how to use documents in the history of the party to conduct constitutional studies.

If the need to study judicial practices in rural China pushes Su Li to use Fei Xiaotong and the Confucian tradition, the need to understand the integration of the big country compels him to reinterpret Mao. His generation, growing up in an environment full of Mao's quotations, is very familiar with Mao's ideas. However, after the Cultural Revolution, many instinctively denounced Mao as the opposite of rule of law. In Su Li's view, the integration of political community is the basis of the rule of law. The Communist Revolution integrated this fragmented country and laid a political foundation for China's rule of law. Mao, as the most important leader of the party, should be taken seriously in legal studies. Su Li's approaches to Confucius and Mao are very similar: he is interested in the political function of Confucianism and Maoism, rather than the discourses the two thinkers used to construct their systems of thought. In other words, intellectual history or the history of ideas is never his interest. Confucianism gained a prominent position because of its successful response to a series of social and political needs. Similarly, Maoism is notable not as a belief system, but as a systematic response to many of the fundamental problems of modern China.

In terms of theoretical tools in research, Su Li is fond of cost-benefit analysis from law and economics. As the main Chinese translator of Richard Posner's works, he appreciates Posner's use of economics in the analysis of legal problems, and attempts to apply cost-benefit analysis to the study of constitutional history. From this theoretical tool, we can judge that his approach to history is necessarily *etic* rather than *emic*. For him, the discourse or rhetoric that historical actors used might serve their actions but rarely reflects the real function of their actions in the society. An outsider can use the analysis of utility to penetrate their discourses to reach a more comprehensive explanation. This preference resonates with Su Li's Nietzschean suspicion of truth—of course, one may legitimately wonder whether Nietzsche would trust economics. But at least Su Li does not claim that his cost-benefit analysis is a privileged approach to another form of truth.

The intellectual distance between *The Road to the City* and the current book on the ancient Chinese

constitution is actually not too vast. But this potential had not been actualized until he stepped down from his position as dean of the Peking University School of Law in 2010. Su Li worked for a time as a visiting professor in Xinjiang and Tibet. In the wide-open spaces of Inner Asia with its diverse cultures, he decided to launch a project to depict the ancient constitution of China. He produced and published a series of articles on different aspects of China's ancient constitution. His writings in this book represent only a part of his scholarship on this subject. But we are confident that they have crystallized his most important ideas on the subject.

Su Li's Depiction of China's Ancient Constitution

This book captures five pieces written by Su Li: one introduction, three related articles, and a response to the four commentators. Due to limited space, we omit his influential studies on the institution of emperorship, the configuration and regulation of military power, the internal integration of small agricultural communities, and so on.

Introduction: The Effective Constitution of Ancient China

In the introduction, Su Li announces that the subject of his study is "effective constitution," rather than constitutional law on paper. The former consists of a series of institutions and practices, which, evolving in response to changing social and historical conditions, integrate different parts of China into a whole. Some of these institutions and practices may be stipulated by written laws, some may guide specific cases of administrative and legal decision as principles or rules, but most of them just live in and shape Chinese politico-legal practices subliminally. The unwritten is often more important than the written.

The "effective constitution" can be prescriptive in two senses: one is in the sense of complying with the so-called universal values: liberty, democracy, human rights, rule of law, constitutionalism, and so on. But the other sense is more important: these institutions and practices are indispensable for the peaceful life of the people of this vast land, and are therefore desirable and good. This inference indicates Su Li's pragmatic and consequentialist tendencies. In other words, he tends to evaluate an

institution primarily by the actual benefits it brings in the long run, which may include unintended consequences, rather than by the normative justification by its designers and proponents. His frequent use of the word "peace" may give the audience a Hobbesian impression. There are similarities, but essentially his notion of peace goes much deeper than mere preservation of life.

Su Li divides the structure of the "effective constitution" of ancient China into three interrelated levels. The first level is the constitution of individual social life, referring to the generation of cooperation and order in small agricultural communities. Su Li attaches the Confucian conception of Qi Jia regulating the family) to this level. The second level is how to constitute a unified, large politico-cultural community above those small agricultural communities that lack horizontal contact with and recognition of one another. This entails not only a strong central government, but also the willingness and capacity of the politico-cultural elites to go beyond their hometowns to participate in state affairs, so as to maintain a stable dynasty, a huge state that can provide the people with peace and acquire their respect in return. Su Li attaches the Confucian conception of Zhi Guo (governing the state) to this level. The last level is how to extend the politico-economic-cultural influence of the dynasty in the central plains characterized by agricultural civilization and to suppress the influence of the nomadic civilization in the north. In Su Li's eyes, this is exactly what the Confucian conception of Ping Tianxia (bringing peace to the world under heaven) signifies.

Central-Local Relationship and Geopolitical Considerations in China's Ancient Constitution

A large state with diverse peoples, religions, and cultures is difficult to administer and always at risk of falling apart. Therefore, the relationship between the central government and local constituent entities is crucial. In this book, Su Li views the feudal system of the Zhou dynasty as an early attempt to build the constitution of a large state. However, as the historical conditions evolved, the feudal system was finally abandoned and the new unitary system under the emperor became the new principle. The commandery and county system , also

known simply as the commandery system, plays the crucial function of integrating different localities of the country into an overarching entity.

Then, Su Li proceeds to the geopolitical considerations in China's division of administrative areas. To consolidate the central government and curb centrifugal forces on the local level, ancient rulers of China divided administrative areas prudently. They may have divided a culturally homogeneous area into two pieces or merged culturally heterogeneous areas into a single province.

Finally, Su Li also briefly analyzes the problem of Ping Tianxia, which aims at providing a basic institutional framework to settle conflicts between an agricultural dynasty and the surrounding nomadic peoples. The issue sometimes arises as a special form of the relationship between the central government and local entities.

Through these analyses, Su Li argues that the unitary system, resulting from a long trial-and-error process, is the only feasible option for agricultural China.

It would be absurd to reduce this institution to the ambition of the emperor or the ignorance and servility of his subjects. Readers familiar with modern Chinese intellectual history can easily detect the political implications of this conclusion: for Su Li, radical critics of China's past political system since the late Qing era were usually motivated by the contemporary need for political mobilization, but their critique rarely truthfully presented the functionality of the political system in China's past.

The Standardization of Language as Cultural Constitution

The operation of the imperial bureaucracy across a vast territory always requires effective and efficient means of communication. From the Qin dynasty on, the bureaucracy was staffed by intellectual elites selected from their localities but sharing a unified script system and approximately similar pronunciation. The forms of writing and pronunciation, therefore, became a crucial part of China's "cultural constitution." Su Li gives high praise to the Qin dynasty's unification of the script system, based on the judgment that the standardization of

Chinese characters became the basis of China's bureaucratic governance. The unified script system provided infrastructure for effective communication between the central authority and its agents in far-flung territories. With a unified script, the intellectual elites could also transcend their parochial identity and find their new role in a dynasty and a civilization.

Although the script has been unified since the Qin dynasty, the pronunciation of Chinese characters varies from one place to another. Many dynasties promoted a certain phonetic system as their Mandarin, which differed from the local dialects and was generally used by politico-cultural elites. Although the scholarly literature has paid little attention to the importance of the standardization of pronunciation in Mandarin, Su Li has elevated it to the status of "cultural constitution." With Mandarin, politico-cultural elites could communicate directly about public affairs, major events, and important historical literature.

The standardization of the script and the phonetic system was the basis of nationwide Confucian education, which integrated the literati in different geographical locations in a transgenerational cultural community. On the cultural level, this gave rise to a "social contract" among generations of literati and maintained the transmission of the ancient institutional and cultural tradition to new generations.

Meritocracy and the Selection of Politico-Cultural Elites

To integrate the vast empire, there should be a system to select elites from different localities to staff the various levels of bureaucracy. Although the Zhou dynasty and later Confucian thinkers highlighted genetic relationships, the efficacy and efficiency of governance were always the primary concern in political practices. As time went on, the significance of genetic relationships further declined and consensus in favor of meritocracy emerged.

In a vast empire, the selection of elites is primarily a matter of institution rather than of the knowledge and integrity of the selectors. Major social forces of different localities or dominant classes would try to influence the selection of political elites through formal or informal channels. A nationally uniform

institution of elite selection would inevitably lead to tension between the central government and other social forces. Su Li traces the development of China's institution of elite selection, from selection to recommendation and finally to the imperial examination system, and analyzes how the institution has adjusted in response to the politico-social-cultural conditions of different periods and how it embodies political rationalization.

Since a written exam cannot accurately convey the virtue of prudence required for political governance, there must be other supplementary mechanisms. For example, many dynasties promoted officials with rich experience in local governance to important ministry positions. Su Li provides an overview of these institutions in chapter 3.

Finally, to integrate diverse localities and peoples, the institution of elite selection has to consider regional balance and social mobility. In this sense, the institution shares much in common with the representative system arising in medieval Europe and prospering in the modern era. Some dynasties were ruled by ethnic minorities from Inner Asia. This led to some variation in the institution of elite selection.

Comments

WANG HUI

Professor Wang Hui from Tsinghua University is a prominent scholar of Chinese literature and intellectual history. He notices that Su Li has made a methodological turn from constitutional text to effective constitution, which overcomes the conventional approach of legal interpretation that treats Western constitutions as models for the Chinese constitution. With a new definition of "effective constitution," Su Li could discuss a set of institutions conventionally regarded as anticonstitutional (e.g., the feudal system, the emperor as an institution) or irrelevant to constitution (e.g., the standardization of characters, measures, and transportation).

Although Wang Hui appreciates Su Li's methodological turn, he has reservations regarding his functionalist approach. As he points out, Su Li takes the successfully constituted civilizational state as a given premise and from there deduces

structure and functions. However, a civilizational body has not only material means of production, legal institutions, languages, and other functional elements, but also beliefs, rituals, systems of knowledge, cosmological visions, and so on. The classical constitution of China cannot be reduced to a set of structural-functional relationships appealing to the taste of modern social sciences. The becoming and evolution of institutions happened in a world of meanings. Without understanding the dimensions of meaning, it is hard to fully appreciate the significance of the institutions.

To illustrate his own approach, Wang Hui explores the evolution of ancient China's cosmology, and interprets the changes to China's major institutions from the pre-Qin era, through the Han and Tang dynasties, to the Song. His study highlights that cosmology, beliefs, and systems of knowledge are also active forces that shape political life and can help us understand the cultural foundation underlying China's institutions.

LIU HAN

Liu Han, a young constitutional law scholar from Tsinghua University, locates Su Li on the contemporary intellectual map and acknowledges his contributions to urging Chinese legal scholars to rethink the meaning of "constitution," not as a modern, liberal, normative conception, but in its original, constitutive, descriptive sense.

Liu Han concurs with Wang Hui that Su Li's structural functionalism pays insufficient attention to the problem of legitimation and the dimension of politico-cultural meaning. Liu Han uses Su Li's study of the institution of the emperor (which was discussed in our workshop at Tsinghua University but omitted from this book) as an example: Su Li explains clearly that the emperor plays a crucial role in the integration of a vast empire, but this integrating function is possible only when the emperor maintains the respect of his subjects. Legitimation, therefore, is the basis of function. Ignoring the dimension of legitimation, it would be difficult to understand the end of the monarchy and the rise of new forms of upper-level leadership in the twentieth century. Although Su Li's approach can grasp the functional continuity between emperor

and party secretary, it may not be able to depict the rupture and continuity in legitimation.

WU FEI

Wu Fei, a philosopher from the Department of Philosophy at Peking University, also appreciates Su Li's attempt to theorize the ancient constitution of China, but criticizes him for downplaying Confucian ideas in his picture of ancient China. China, as Wu Fei points out, is not simply a state, but a civilization—which comprises more than the institutions of a state. By focusing merely on those institutions, Su Li risks reducing a rich civilization to a state. His perspective is modern, too modern.

Wu Fei points out that although a state machine characterized by bureaucracy under imperial leadership came into being during the Qin and Han dynasties, the spiritual core of the civilization remained a ritual system based on the fiction of the patriarchal clan system in the Western Zhou dynasty. In an age when the patriarchal feudal system of the Zhou dynasty had already collapsed, Confucians of the Han dynasty reinterpreted Zhou institutions in their reconstruction of Confucian textual learning and attached the spirit of these reinterpreted institutions to Han institutions. However, in Su Li's interpretation, this dimension is reduced to a function to construct a vast state and govern it effectively, and therefore loses its richness.

ZHAO XIAOLI

Zhao Xiaoli, a scholar from Tsinghua Law School, believes that Su Li's research on ancient Chinese constitution is important not only as historical scholarship but also as a shortcut to understanding the constitution of the PRC. To demonstrate this point, Zhao Xiaoli returns to the Preamble to the 1982 Constitution, which begins with a historical narrative: "China is a country with one of the longest histories in the world. The people of all of China's nationalities have jointly created a culture of grandeur and have a glorious revolutionary tradition?" Zhao Xiaoli points out that the Common Program of 1949 and the 1954, 1975, 1978, and 1982 Constitutions all start with historical narrative. The Preamble to the 1982 Constitution implies that the Chinese people have a "glorious revolutionary tradition," and that the revolutions since the 1840s are the continuation of this tradition. This indicates

a new version of temporality different from conventional Constitutions. It contains all three dimensions of time: past, present, and future. Revolution does not mean cutting off history and dismantling all of the culture of the past, but only purging the tradition's rotten parts. Revolution also gives rise to new cultural elements. This constitutional temporality recognizes the present as the continuation of the past rather than its opposite.

Zhao Xiaoli further points out that Su Li has discussed the similarities between contemporary and past constitutional problems. For example, in the 1980s, with the dissolving of the people's commune, the state retreated from the countryside and a system of "self-governance" was established at the village level. Therefore, the Confucian problem of Qi Jia, defined by Su Li as the effort to organize the everyday life of small communities, returned to contemporary China. In the absence of direct state regulation, peasants have to coordinate social relations in their own communities by themselves, in a way comparable to the way their ancestors did in premodern society. Based on these analogies, a study of the past can shed light on our present situation.

Su Li's Response to Commentators

In his response, Su Li answers not only the questions raised by these four commentators but also those he anticipates from readers.

Regarding the potential assertion that his research is not historical enough, Su Li responds that it is intended not as historical research but as a theoretical undertaking guided by theories of social science. He is not interested in the philosophy of history or abstract political or social theories—the latter often have an innate teleological tendency, aiming at discovering universal historical law or trends, and often overrate universality. His research belongs to the tradition of empirical social science, although it may lack systematic data or statistical analysis; his primary theoretical interest lies in the historical particularity, rather than universality, of China's ancient constitution.

Wang Hui emphasizes the historicity and disparity of the lifeworlds of different periods, and Su Li acknowledges this historicity and disparity, but he believes that they are not very significant in this

project. From his point of view, the three structural issues that Confucians consider—Qi Jia, Zhi Guo, and Ping Tianxia—have existed since the Western Zhou period and arose repeatedly in subsequent dynasties. China's institutions respond to these questions under different conditions. It is the similarity of the questions that elicits similar answers.

In response to Wang Hui's doubt that he identifies structures and functions retrospectively based on the mature shape of the Chinese state, Su Li responds that the institutions he discusses are the products of a long trial-and-error process. In other words, different dynasties have attempted to constitute and reconstitute China under given conditions; although there are many small differences, it is possible to distill some common institutional principles from their practices. Su Li even remarks, borrowing from Ronald Coase's economic theory, that it is possible to compare China to a large enterprise and to learn from the following questions: How did this enterprise arise? What are its institutional conditions? What institutions and practices may reduce its internal organizational costs? The approaches to studying an enterprise can be applied to a larger unit of analysis, such as an empire.

Now it is easy to understand why Su Li cares little about the world of meanings, especially the Confucian ideas of civilization. His response to Wu Fei and Liu Han could be phrased as follows: he works as a social scientist, aiming at explanation rather than interpretation. Su Li recognizes that Confucianism played a very important integrating function, providing ancient China with a constitutional/political/legal theoretical paradigm, a sacred constitutional discourse. In this sense, the integrating function is related to the belief. However, he is not sympathetic to the Neo-Confucian attempt to restore the status of Confucianism as a privileged official doctrine. As a pragmatist, he cares about how Confucianism responded to the questions raised by the practices of governance, rather than its self-promotion.

At the same time, Su Li doesn't believe that Confucianism can explain the historical particularity of China's ancient constitution. This particularity derives not from abstract culture, but from the

concrete problems arising from the production and life of the people on this land, conditioned by the natural geographical and climatic conditions and the corresponding modes of production. To prevent flooding along the Yellow River and the invasion of nomadic peoples from the north, it was necessary to organize the scattered, self-sustaining peasants. This collective interest of survival gave rise to a central authority and fueled its expansion. Confucianism legitimated this system through a set of symbols and meanings, but it cannot explain how it came into being. Here we can clearly see the influence of historical materialism on his arguments.

Finally, Su Li elaborates on the concept of constitutionalism understood as an undertaking to limit the power of government by a constitution, especially a written Constitution. Su Li contends that he doesn't reject this concept in general. However, as a pragmatist and consequentialist, he believes it is still a local concept. He is not sure whether the application of this concept could improve social conditions in China. He even remarks: "it was not the text of the U.S. Constitution that created the great United States of America, but rather the course of American history brought a sacred luster to the U.S. Constitution." From his perspective of effective constitution, every country has its own particular constitutional problem that cannot be answered by self-claimed universal methods or undertakings. Sometimes it is even unnecessary to consider the experiences of other countries.

Su Li and all of his commentators share the historical sense that there is a strong continuity between China's past and present. But this does not mean that they believe China's contemporary political system also primarily aims at integrating agricultural communities. As the collective founder and leader of the system, the Communist Party of China has been very industry-oriented from the beginning. Many parts of China's political institutions are designed to speed up industrialization and urbanization. Almost seventy years after the PRC's founding in 1949, China now has the largest manufacturing industry in the world. What is constant is political leaders' awareness of the difficulty of running a large country and achieving political integration. Even with an urbanization rate as high as 57 percent by 2016,

China still faces enormous centrifugal forces from different aspects of society: the wealth gap between urban and rural areas, tension between different social classes, potential and actual religious and ethnic conflicts, and so on. Fear of chaos persists among political leaders and policy makers. Su Li and his commentators completely understand this fear, although they do not share a single approach in response.

Further Intellectual Implications As Zhao Xiaoli properly points out, China has such a strong sense of historical continuity that even revolutions were conducted with reference to historical precedents in the remote past. Hence, Samuel Huntington's reminder that modernization doesn't equal Westernization can be easily understood and accepted in China. Su Li and his commentators are the carriers of a cultural confidence that the Chinese are capable of finding the path and institutions best for themselves. It would be misleading to call them cultural conservatives—after all, they have different opinions on the future of the Confucian legacy. For example, while Wu Fei cherishes the Confucian tradition, Wang Hui is more interested in China's future-oriented revolution in the twentieth century, which has some spiritual connection with the Daoist and Buddhist tradition reinterpreted by the modern revolutionary intellectual Zhang Taiyan. But they all believe that the study of ancient China has direct practical and intellectual implications for contemporary China.

For readers unfamiliar with Chinese history, this book provides a very useful shortcut to understanding China's ancient constitution. Su Li stresses that his work is not historical research but rather social scientific theoretical research. Thus, he provides a highly concise "stick figure" of ancient China, crystallizing his theoretical reflections. Readers may obtain an overview of the ancient Chinese constitution and understand its function in a short time, without being overwhelmed and confused by too many historical details.

For those already familiar with ancient Chinese history, this book can be read as a contemporary reflection on Chinese history with a unique historical background. One may ask, why do Su Li and his commentators deal with Chinese history in such a way? Would such a discussion have been possible

twenty years ago? Ten years ago? In fact, the birth of such a work requires many conditions, including the confidence brought by China's economic revival as well as a significant knowledge reserve about Western constitutional experiences and theories. Both conditions are indispensable. Without the former, familiarity with the West might only strengthen a cult of the West; without the latter, confidence might lapse into sterile Aufgeregtheit (sterile excitement), as Georg Simmel would call it.

It is still too early to conclude whether Su Li's attempt in this book can lead to an enduring new academic tradition of constitutional theory in China. But he is not the only scholar who has made this kind of attempt. In the twentieth century, Chinese intellectuals borrowed constitutional theories from Japan, Germany, Britain, the United States, France, the Soviet Union, and even Switzerland, but China's political institutions have evolved at their own pace, often leaving theorists surprised. Their bewilderment may be due to irrational practice, but surprise is often a token of incomprehension of reality. The gap between imported theories and the Chinese reality, as a problem to be addressed, is attracting innovative minds in China.

If China's march to revival is not interrupted in the future, sooner or later there will be an "independence movement" in constitutional theory, giving birth to new theoretical paradigms capable of explaining China's actual political practices together with the constitutional experiences of other countries in the world. Su Li's work is an important instigating effort for this intellectual independence movement. His successes and failures in this book will become food for future thinkers. <>

[Victims, Perpetrators, and the Role of Law in Maoist China: A Case-Study Approach](#) edited by Daniel Leese and Puck Engman [Transformations of Modern China, Walter de Gruyter, 9783110531046]

For the first time, this volume provides an analysis of Maoist justice based on original case files, furnishing vivid details that give profound insight into Chinese legal, political, and social history. Taken together, the essays by Michael Schoenhals, Jeremy Brown, Xu Lizhi, and Wang Haigong,

among others, represent a valuable revision to prior research.

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Excerpt: Politics and Law in the Early People's Republic of China by Daniel Leese and Puck Engman

In the fall of 1957, as the Anti-Rightist campaign gained momentum in the People's Republic of China (PRC), representatives of the nascent legal system came under heavy attack. By December, internal campaign documents listed 1,140 members of the judiciary or of university law departments who had been recently purged on grounds of having attacked the socialist system or for having tried to subvert the dictatorship of the proletariat.¹ Among these were the leaders of eight provincial-level justice departments and six high people's courts, as well as some of China's most prominent law scholars.² Particularly hard hit was the criminal adjudication tribunal of the country's highest legal organ, the Supreme People's Court. Most of its members were singled out as "rightists" and lost

their positions and Party membership. These included the chair of the tribunal, Jia Qian, who just one year earlier had been selected by Mao Zedong personally to head the special military courts in Shenyang and Taiyuan tasked with sentencing the remaining Japanese war criminals.⁹ His two deputies, Zhu Yaotang and Lin Hengyuan, as well as the heads of the three criminal sentencing groups, judges Yang Xianzhi, Zhang Xiangqian, and Liu Yinxia, were all expelled from their offices, along with judge He Shao'an, legal advisor Yu Zhongluo, and others. Unlike former Nationalist Party judges, who had been able to stay on in their positions after the founding of the People's Republic due to the lack of qualified communist personnel but then been removed from their offices as part of the Judicial Reform (sifa gaizao) campaign in 1952, most of the accused had joined the Chinese Communist Party (CCP) during the Yan'an period in the late 1930s.

Why was this group at the apex of the Chinese criminal sentencing system purged and socially ostracized for more than twenty years, that is, until the late 1970s, when its surviving members were finally rehabilitated? Internal case verdicts and materials from the relevant organization departments reveal strong tensions between some of the judges mentioned above and Party stalwarts, such as the contemporary vice president of the Supreme People's Court, Gao Wanlin, regarding the role of law. The conflict mainly centered on the question of "administering justice independently" (shenpan duli), as stipulated by Article 78 of the 1954 Constitution. Were cases to be handled according to existing laws and regulations or should the ultimate decision rest with the respective Party committees? Although most of the accused were Party members, they had stressed the importance of independent legal procedure without political interference and the need for clear standards of adjudication as part of a comprehensive "science of law". Given the absence of both a criminal law and a criminal procedure law, many members of the tribunal were troubled by the problem of arbitrary case sentencing due to shifting political tides, the resulting miscarriages of justice, and the lack of defining the precise nature of different types of crime.

A main point of contention was a secret directive by the CCP Center from October 18, 1954, entitled "Renewed Regulations on the Approval Procedure of Death Sentence Cases."¹⁰ It lowered the standard for the approval of "regular" death sentences—those sentences not involving members of the Party, the government, the army, or "well-known" personalities—by stipulating that the CCP Center no longer needed to approve every decision. Instead, Party committees at the municipal or provincial level were granted authority to do so. The directive, in effect, required the Supreme People's Court to get permission from these Party committees in order to overturn a lower-level court's death penalty ruling. Jia Qian was quoted as saying: "If Party committees govern everything, what are courts supposed to do? Lodging appeals against death sentences with the Supreme People's Court thus equals a mere formality." Jia even resisted implementing the directive, leading to further trouble with parts of the court leadership. Judge Zhang Xiangqian complained that even the few existing regulations, for example on economic crime or the punishment of counterrevolutionaries, had seldom been relied on in sentencing work at the Supreme People's Court: "If the original sentence did not mention specific articles, neither did we. If years were added to a sentence, this was done in chaotic fashion.", Jia Qian and his deputy Zhu Yaotang traced the origins of this problem to what they termed "accommodationist thinking" (qianjiu sixiang).¹⁰ Judges had all too often given in to the political directives of Party committees and discarded legal principles. Especially during political campaigns, wrongful sentences had been handed out in large numbers. The only countermeasure at the disposal of the judges had been to return the case to the lower instances and to advocate retrial. Once political passions calmed down, the same case would often be handled in a completely different manner.

The debates on the arbitrariness of criminal case sentencing that came to the fore in the mid-1950s harked back to a contentious issue that had characterized CCP history for a long time: the relationship between politics and law. While ruling by political fiat allowed for the greatest possible discretion, it necessarily resulted in excesses, as Mao himself stated back in 1926: "To right a

wrong, it is necessary to exceed the proper limits; the wrong cannot be righted without doing so." Once political campaigns and revolutionary warfare gave way to state building in local base areas, however, general rules and principles were set up to ease governance. To "operate in campaign mode" meant forgoing top-leadership control over regional developments and eroded social stability. The relationship between politics and law was therefore characterized by a constant ebb and flow of attempts to carve out professional standards of adjudication and the (partial) overruling of the former in times of political campaigns.

By the time the PRC was founded in 1949, substantial laws and detailed procedures with regard to criminal law were still not in place. Besides the legacies of decades of violent conflicts and ongoing consolidation efforts to suppress enemies of the socialist state, the lack of codified laws was due to differing ideas regarding the role of law in socialist society. Most Party leaders shared an instrumental view of law as a weapon of class struggle and as an expression of class interest. Yet, in order to symbolically strengthen the break with the past, many top leaders rejected any semblance of the "bourgeois" laws passed by the Nationalist Party, even for a period of transition. Already in February 1949, the CCP Center abrogated the Six Codes of the Nationalist Party and instructed the courts in the communist-held territories to rely on CCP norms and the study of Marxism-Leninism and Mao Zedong Thought instead, while preparing for the "systematic promulgation" of the "new laws of the people." However, both in practice and theory, the break with the past was less clear. Jia Qian, among others, had argued for a selective appropriation of older criminal adjudication principles, until new laws had been drafted. He referred to it as a "bricks and tiles theory" (zhuanwa lun), which likened using inherited laws to the re-use of construction materials for new purposes after the scrapping of an old building. This issue was not necessarily bound to become contentious given that Dong Biwu, president of the Supreme People's Court from 1954 to 1959 and the leading legal authority of Maoist era China, as well as Stalin's main legal advisor, Andrey Vyshinsky, had voiced

similar views on inheriting older laws. Ultimately, the problem rested less with the concept of inheriting previous laws than with Jia's failure to display personal loyalty to the Party leadership on several issues. With the start of the Anti-Rightist campaign, he was publicly criticized for negating the class nature of socialist law, for expounding an "old law standpoint," and for failing to understand the importance of previous sentencing work as judicial precedent.

While the CCP leadership subscribed to the Leninist concept of an ultimate withering away of state and law, opinions on when and how this stage would be achieved differed. Was the solution to be found in maximizing political power through special legal and public security organs executing clearly defined laws and procedures, or was the inherently "bourgeois" nature of law and legal thinking as such the major obstacle for realizing social justice? The Bolshevik's answer in the years after 1917 tended toward the latter. Lenin and the so-called legal nihilists that led the judiciary at the time only accepted law as a temporary concession and as an instrument of politics that would eventually be replaced by planification and administrative-technical rules. However, by the mid-1930s, Stalin and Vyshinsky had come to argue in favor of a strong state and judiciary to suppress domestic and international enemies as well as to aid socialist construction. As Stalin put it several times: "The withering away of the state will come not through a weakening of the state authority but through its maximum intensification." Capitalist encirclement and the continued need to accustom the populace to the fundamental rules of community life were cited as reasons for the continued need of law in socialist society.

The Soviet Union after 1936 presented one possible model to follow, which displayed a strong emphasis on legal codification and institutionalization, commonly termed "socialist legality." Soviet experts were invited to the People's Republic in order to help with the building of the legal system and Chinese legal officials visited the Soviet Union to see first-hand how the model worked. Up to the Anti-Rightist campaign, it looked like the CCP would follow the path toward a Stalinist legal system, as advocated by the

invited experts. Considerable steps in this direction had been taken with the passing of the 1954 Constitution and several important laws, for example on the organization of courts and procuratorates. Criminal adjudication and criminal procedure did not receive similar codification until 1979. It is in this context that we should view the criticism on arbitrary sentencing by the Supreme People's Court judges, as well as the larger debate on the role of law in socialism, which (re-) emerged in the mid-1950s in legal journals, including Faxue and Zhengfa yanjiu. Calls for legal professionalization, unified standards of adjudication, and non-interference in judicial decision-making processes were, in most cases, not meant to destabilize the Party dictatorship but to strengthen it. Nevertheless, the debates also mirrored the fact that main protagonists of the discussion had come to hold varying views on what constituted "socialist legality."

Given the increasingly leader-centric Chinese political system, Mao Zedong's views on the relation of law and politics carried supreme importance. Carving out a field of special legal expertise did not rest lightly with Mao, who was always weary of potential threats to Party rule and his personal power. Not only was the proclaimed goal of "administering justice independently" bound to restrict political flexibility, it would also lead to a bureaucratization of judicial affairs and to discarding the principle of "putting politics first." At the Nanning Conference in early January 1958, Mao explicitly referred to the discussions in the legal sphere: "Some people in political-legal institutions have stated that Party and state are not separated. Should not each get one half? This will not work. There should be no division at first, later they can be divided." His perception was well in line with his previous views on the continuing threats posed by enemies inside and outside the People's Republic that could only be dealt with effectively by concentrating power. For Mao, law and courts constituted a weapon that, along with the procuratorates and the public security apparatus, fulfilled the fundamental function of detecting, investigating, and sentencing individuals or groups posing a threat or inflicting harm on society. This siege mentality, born from decades of warfare and internecine struggle,

remained dominant and led Mao to ultimately prioritize flexibility over legal institutionalization, as was to become particularly clear during the Great Leap Forward and the Cultural Revolution. This attitude would lead domestic and international critics to claim arbitrary dictatorship or "legal nihilism" as Mao's preferred mode of governance. <>

[Empire and Asian Migration: Sovereignty, Immigration Restriction and Protest in the British Settler Colonies, 1888-1907](#) by Jeremy C. Martens [UWA Publishing, 9781742589749]

[Empire and Asian Migration](#) makes a vital contribution to current historical scholarship on the under-researched imperial connections between colonial sovereignty, white settlers' opposition to Asian migration, and the emergence of the Gandhian anti-colonial movement in the British Empire. This book is the first historical study explicitly to situate the serious imperial tensions arising from global Asian migration within the context of the limited sovereignty exercised by the self-governing colonies and dominions of the British Empire. In particular, it links geographically and temporally diverse trans-colonial popular protests around Asian immigration between 1888 and 1913 to a fundamental constitutional weakness common to all the settler colonies. The book also argues that the evolution of Gandhian satyagraha after the Boer war should be analyzed in tandem with concurrent populist white settler protests against Asian immigration to southern Africa.

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Chapter 1 Colonial sovereignty, the Afghan crisis, and anti-Chinese legislation in New South Wales, 1888

Chapter 2 Colonial sovereignty and immigration restriction in Australia and New Zealand, 1888–1891

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Excerpt: This book examines a series of populist mass protests and their legislative consequences in Australia, New Zealand and South Africa between 1888 and 1907. In particular, it situates imperial tensions arising from global Asian migration during these years within the context of the limited sovereignty exercised by self-governing settler colonies of the British Empire. It also connects geographically and temporally diverse trans-colonial popular protests around Asian immigration to a fundamental constitutional weakness common to all British colonial states.

This weakness stemmed from the fact that while these settler states had by the second half of the nineteenth century largely been granted sovereign status with respect to internal affairs, they remained subservient to the United Kingdom in the realm of external and imperial affairs until the mid-1920s. Although the colonies tolerated their subservient status in exchange for a standing guarantee of British military and naval protection, this underlying ‘tension of Empire’ repeatedly erupted over the issue of legislation restricting and regulating immigration from Asia. The Colonial Office in London regularly vetoed racial laws that risked offending Japan or fomenting unrest in India and it expected settler governments to submit to Britain’s imperial and diplomatic interests when framing immigration policies. Settler governments were thus particularly vulnerable to aggressive and violent agitation for stricter anti-Asian legislation organised by white activists because colonial parliaments never possessed the power to legislate decisively in this area. The competing interests of the settler colonies and the metropole ultimately resulted in a legislative compromise with the enactment of indirect immigration restriction laws

that did not explicitly mention race but were nevertheless squarely aimed at non-white migrants.

Furthermore, this book argues that the genesis of Gandhian satyagraha in the Transvaal after the Boer War should be analysed in tandem with concurrent settler protests against Asian migration to southern Africa. Both white and Indian protesters sought to exploit the limited sovereignty exercised by the Transvaal colonial state. On the one hand, the Transvaal administration, already faced with a violent agitation sparked by the introduction of Chinese mine workers, acceded to white demands to restrict Indian immigration and regulate the economic and political rights of Indians already resident in the Transvaal. On the other hand, the sensitivity of officials in London and Calcutta to the discrimination suffered by British Indians in southern Africa presented an opportunity for anti-colonial protest. Gandhi and his satyagrahis chose peaceful mass action, believing that this form of protest would generate maximum exposure and sympathy in the United Kingdom and India and would be difficult to suppress with violence.

In contrast to these peaceful methods, populist settler protests in Australasia and southern Africa tended to follow a clear pattern. White activists initially exerted pressure on colonial governments to enact explicitly racial legislation to prohibit Asian immigration.

Concerned by the threat to public order but mindful of Britain’s wider imperial interests, these governments attempted to placate demonstrators by negotiating with the Colonial Office to devise solutions to restrict Asian immigration without recourse to laws that would offend China or Japan or inflame nationalist sentiment in British India. However, anti-Asian campaigners spurned these diplomatic efforts as weak and ineffective, and demanded that their elected representatives introduce strict racial immigration measures immediately. Britain’s interests were dismissed as secondary to settlers’ rights to self-determination and racial self-preservation. Such was the intensity of feeling, that protesters often resorted to public violent action that directly undermined governmental authority.

The elected leaders of the settler colonies thus found themselves torn between their imperial obligations to the British government and their responsibility to maintain law and order in the face of extra-legal violence, and from this position of weakness attempted to navigate a course of action. Succumbing to the pressure exerted by protesters, draconian race-based, anti-Asian measures were often hastily introduced, even though it was understood that colonial parliaments could not legislate definitively owing to the Colonial Office's power of veto. Urgent consultations then took place between London and the colonies as settler leaders attempted to secure swift passage of their immigration laws and restore their authority. The result was a negotiated compromise that reflected both the Empire's global interests and imperial officials' recognition of the genuine threat posed to the settler governments by extra-legal action. In the late 1880s, London was grudgingly prepared to tolerate colonial legislation that discriminated against Chinese nationals by name, but when in the 1890s these laws were broadened to cover all 'coloured' immigrants from Asia, the Colonial Office balked.

London's burgeoning alliance with Japan and its reluctance to stoke anti-British sentiment in India ensured that any racial legislation that might offend Japanese or Indian sensibilities had to be vetoed.

Out of this legislative compromise there crystallised a method of indirect immigration restriction that did not explicitly target race or ethnicity but nevertheless was specifically designed to prohibit non-white migration to settler states in Australia, New Zealand and South Africa. The first of these measures evolved out of a dangerous standoff between white protesters and the Natal government in 1897 over the issue of free Indian immigration to that southern African colony. After negotiating with officials in the Colonial Office, the Natal cabinet introduced a bill that proposed an education test to restrict the entry of Indian migrants into the colony. Inspired in part by literacy tests used in the United States to limit the franchise rights of black citizens, Natal's Immigration Restriction Act of 1897 would itself become a

model imperial statute. It was vigorously marketed by Joseph Chamberlain, secretary of state for the colonies, as a solution to the problem of 'coloured' migration to white settler colonies that would not undermine Britain's imperial interests.

However, this book also emphasises the key role played by Japanese diplomats in the imperial transmission of the Natal Act to Australia and New Zealand. In the late nineteenth and early twentieth centuries, the Japanese government repeatedly leveraged its position as a key British ally to press for immigration laws in the settler colonies that exempted Japanese subjects from their operation. These diplomatic interventions included an undertaking by the Japanese consul in London that his government would take no issue with legislation that included 'the provision on the Act passed by the Colony of Natal that immigrants should write out a certificate in some European language', because only educated

Japanese would be able to pass the test and, of these, very few would wish to emigrate to Australia.² Eager to avoid damaging an important alliance, the British Colonial Office applied heavy pressure on Australian colonial governments to abandon racially based immigration laws. Thus Japan's intercession helped to ensure that by the early twentieth century the Natal Act had been adopted throughout Australia as the cornerstone of the White Australia Policy, as well as in New Zealand and southern Africa.

Japanese diplomatic interventions demonstrate that Australia's restrictive immigration regime was shaped in part by international and imperial considerations, rather than being a simple assertion of a new nation's sovereignty. However, the issue of Asian migration could also incite settler colonies to demand greater sovereignty in international and imperial affairs. In particular, the decision by the British government to authorise the importation of thousands of Chinese labourers to work the Transvaal's goldmines after the Boer War prompted the New Zealand prime minister, Richard Seddon, to initiate a forceful diplomatic campaign to abolish the Transvaal labour scheme. This campaign was an independent exercise in foreign

policy, made without the sanction of imperial officials, and was cast as being in New Zealand's national interest. It was illustrative of the rising nationalist sentiment ignited by New Zealand's participation in the Boer War and marked an important point in the country's twentieth-century evolution as a sovereign, independent nation within the British Commonwealth.

If the Chinese labour controversy provided Seddon with an opportunity to assert New Zealand's nascent sovereignty, it also spurred on the rapid acquisition of responsible government by the Transvaal. In this newly conquered colony, widespread opposition to the labour scheme enabled Boer leaders to organise, recruit supporters and augment their political power, whereas in the United Kingdom, the controversy helped the Liberal Party win the British general election of 1906. Once in power, the new Liberal cabinet decided to grant settler self-government to the Transvaal as soon as possible in order to distance itself from an imperial policy that had become a costly political liability. The achievement of settler sovereignty over the Transvaal so soon after the British conquest hastened the movement for closer union between the southern African colonies that led to the formation of the Union of South Africa in 1910; a segregated, white supremacist state that would remain intact for most of the twentieth century.

Historiographical context

This book engages with and builds upon three key historiographical themes within the current scholarship on the British Empire: sovereignty and the settler state; imperial networks and the global spread of racial discourses and identities; and Gandhi and the birth of satyagraha in South Africa.

Historical scholarship on settler sovereignty has become a vital field within the historiography of the British Empire. Lisa Ford places the evolution of nation statehood within both a local and global-imperial context, arguing that Anglophone settler polities around the world undertook to shore up the legitimacy of conquest and settlement in the 1820s and 1830s by defining sovereignty 'as the ordering of indigenous people in space'. Settler courts, in particular, were able to establish

sovereignty as a territorial measure of authority by claiming criminal jurisdiction over indigenous communities. A key insight is that while the story of sovereignty is often told as a history of statehood, Ford insists that its most important context is in fact empire. Empire changed understandings of sovereignty by altering the relationship of people with space and, in the process, 'created the conditions for the redefinition of sovereignty through the legal subordination of people in defined territorial units'. She argues forcefully that sovereignty and empire grew in dialogue at the same time and that European expansion necessitated 'the testing of sovereign authority at its fragile margins'.

Ford (along with Julie Evans, Zoë Laidlaw, Margot Finn and other scholars) correctly identifies violent settler-indigenous relations as the crucible in which settler sovereignty was forged in the British Empire. However, a focus on the control and regulation of indigenous communities and territory during the first half of the nineteenth century obscures the fact that self-governing British settler colonies exercised a limited sovereignty in relation to external and international affairs until well into the twentieth century, and therefore a limited jurisdiction over immigration policies and practices. While responsible government, as conceived by the Durham report of 1839, devolved internal self-government to an elected colonial legislature, foreign, military and constitutional affairs remained the responsibility of the British government. The implications of this limited sovereignty remain under-researched by historians; a lacuna that this book aims to address.

In approaching and analysing the connections between British settler colonies' limited sovereignty and the imperial tensions arising from Asian migration, this study builds upon three insights offered by prominent historians of the British Empire. The first of these is Zoë Laidlaw's remark that the British 'imperial' state in practice 'co-existed with a variety of colonial states and subcolonial polities with overlapping or competing jurisdictions'. The second insight is an observation by Adele Perry and Margot Finn that settlers occupied a 'doubled place' within the Empire, in that they experienced 'being colonized and

colonizing in simultaneous and seemingly contradictory ways'. The third insight is borrowed from Jack P. Greene's characterisation of the seventeenth- and eighteenth-century English/British possessions in North America as a 'negotiated empire' and his argument that from the beginning of settlement 'the weakness of coercive resources in the colonies forced London officials to base metropolitan authority upon settler-created structures of power'.

Over forty years ago, Charles Price made the case that a comparative approach to immigration restriction in the colonies of white settlement 'enables one to fit events into a larger picture, to see that what at first sight appear to be local oddities are actually particular manifestations of wider trends, to understand that obscure origins are a complex but not unusual interplay of forces at work everywhere'. In the 1970s, Price and Andrew Markus produced valuable monographs describing the evolution of Australasian and North American immigration policies; however, in the 1980s and 1990s comparative and transnational analyses were largely neglected in favour of analyses of immigration policies and the nation state. Marilyn Lake attributes this neglect to the 'tyranny of the national narrative' and, echoing Price, emphasises that more attention should be paid to the global context. The 'defensive project of the "white man's country"', she argues, bound together white settler states around the world for 'a spatial politics of exclusion and segregation was common to them all'. The circulation of racialised knowledge helped to structure policies designed to secure these states for white settlers.

In their study *Drawing the Global Colour Line: White Men's Countries and the International Challenge of Racial Equality*, Lake and Henry Reynolds extensively chart the 'transnational circulation of emotions and ideas, people and publications, racial knowledge and technologies' that animated white states and the strategies used to exclude, deport and segregate those considered to be 'non-white'. A key observation is that while several studies have charted racial discourses across the British Empire or highlighted links between

anti-Asian policies in California and Australia, few explore the interrelationship of British and American racial regimes in the same analytical frame. In contrast, Lake and Reynolds argue that the idea of the 'white man's country' effectively 'crossed and collapsed the imperial/republican divide, drawing on the discursive resources of both traditions to enshrine the dichotomy of white and not-white'.

Lake and Reynolds' book contributes to a growing body of scholarship that recognises the importance of the 'geographies of connection' through which colonial discourses were made and remade. While Donald Denoon's 1983 analysis of settler capitalism in the southern hemisphere emphasised the similarities in the economic development of settler states in the late nineteenth and early twentieth centuries, it has only been in the past fifteen years that historians have renewed the exploration of imperial connections in earnest. Alan Lester's *Imperial Networks: Creating Identities in Nineteenth-century South Africa and Britain* demonstrates how the construction of a network infrastructure to service global commerce facilitated the articulation of discourses throughout the British Empire. Newspapers and the telegraph, for example, 'allowed representations of indigenous peoples in one part of the world to act as precedents, guiding imageries of subsequently colonised peoples elsewhere'. Furthermore, Lester and David Lambert suggest that colonial projects and discourses always took shape through multiple connections between colonies and the metropole. Colonial governance was often a relative and comparative endeavour, dependent on 'fruitfully imagining the lessons that could be learned and transferred between differently constituted colonial places'. A 'networked conception of imperial interconnectedness' is therefore helpful when considering 'metropole and colony, or colony and colony, within the same analytical frame, and without necessarily privileging either of these places'.

Tony Ballantyne similarly conceives of the British imperial world as a 'bundle of relationships' that 'brought disparate regions, communities, and individuals into contact through systems of mobility and exchange'. His *Orientalism and Race: Aryanism*

in the British Empire re-imagines the empire's constituent nations as 'dynamic and diverse communities constantly being remade' by imperial migration, trade and international conflict. Using webs as his organising analytical metaphor to capture the 'ways in which imperial institutions and structures connected disparate points in space into a complex mesh of networks', Ballantyne draws attention to the horizontal linkages between colonies and the 'inherently relational nature of the empire'. If the imperial world is conceived of 'as a complex agglomeration of overlapping webs', he argues, it becomes possible 'to envisage that certain locations, individuals or institutions in the supposed periphery might in fact be the centre of intricate networks themselves'.

Other historians have drawn from and built upon a networked or webbed conception of empire. In *The Birth of the Modern World 1780–1914: Global Connections and Comparisons*, C. A. Bayly writes of the 'growing velocity of international connections' in the late nineteenth century that facilitated European conquest and settlement. Bayly also identifies change in the 'supposed African and Asian "peripheries"' as a significant force, one which galvanised metropolitan centres 'into action, modernization, and conflict'. Referring to the racially discriminatory legislation passed by the self-governing colonies in the late nineteenth century, Dane Kennedy notes that white settlers in South Africa, Australia and elsewhere 'made use of improvements in communication and transportation to engage increasingly in cross-colonial dialogue with one another', the main ideological drive of which was 'the untapped power of racialism'. Zöe Laidlaw and Philip Howell characterise nineteenth-century colonial states as the 'products of the interaction between various imperial sites at different times' and constituted by networks that facilitated the 'ebb and flow of ideas, practices and people, and contributed to ever-shifting power relations both between various local regimes and between domestic and non-domestic realms'. While metropolitan administrators were alert to particular colonial circumstances, they also kept the wider imperial picture in view by connecting the problems and manifestations of the state in both its colonial and metropolitan forms. Settlers also took a connected view, expecting that constitutional

concessions made to one colony would be offered to others; furthermore, their arguments, pressure and actions were often able to influence the imperial government and its decision-making.

Although there is a vast literature devoted to Gandhi, Jonathan Hyslop observes that only recently have historians come to recognise the central significance of Gandhi's years in South Africa. While earlier writers tended to treat this period as a prelude to the most important part of his career, it was in fact in southern Africa that Gandhi developed 'the entire spiritual, philosophical, and political programme that he would implement in India'.²¹ While monographs on Gandhi's South African career were produced in the 1970s and 1980s, it is only recently that this period has again attracted sustained scholarly attention. Analyses by Hyslop, Joseph Lelyveld, Ramachandra Guha, and Ashwin Desai and Goolam Vahed cast new light on Gandhi's life and career prior to his return to India in 1915, and provide three key insights upon which this study builds.

First, Hyslop argues that Gandhi's political and intellectual projects before 1915 operated across territorial boundaries, linking together India, South Africa and Britain. Gandhi was thus 'a man formed by transnational processes and who acted across borders, and made himself known internationally before he ever returned to India'. Second, Guha observes that Gandhi and his followers in South Africa, Britain and India were well aware of the power wielded by settler populist protesters. Third, Hyslop contends that Gandhi effectively exploited 'the uniquely complicated administrative position of India within the British Empire'. Gandhi's appeals to Indian public opinion regarding discrimination in southern Africa were designed to pique the interest of imperial officials, who were concerned with managing the political demands of the Indian elite. Gandhi was thus able to 'play on the tensions between the local interests of settler colonials and the broader interests of the imperial centre'.

Finally, two recent publications (which both appeared when this study was in its final stages) present fresh analyses that inform my understanding of colonial sovereignty. In his examination of the Afghan affair, Benjamin

Mountford argues that the 1888 crisis marked ‘the opening of a new phase in the imperial history of the Chinese question in Australia’. He describes how unfolding events in Australia ‘reverberated across other branches of Britain’s world system’ and argues that the ‘independent action’ taken by Australian authorities ‘inflamed the existing conflict between British colonial and foreign interests and ignited new intra-imperial ones as well’. While the Afghan affair is clearly an important milestone on the road to White Australia, it was ‘also part of a wider imperial narrative: one in which the ongoing tension between two visions of Australian settlement – connected to and set apart from British interests in East Asia – had a marked impact on British imperial affairs’. Meanwhile, in his recent analysis of the parliamentary debate on the 1901 Immigration Restriction Bill, David Atkinson points out that despite their recent federation ‘Australians still occupied a tentative political space between colony and nation, self-governing in domestic matters but beholden to British authority in imperial and foreign affairs’. Thus, the new Commonwealth ‘remained enmeshed in an international and imperial system directed by Great Britain and subject to the imperatives of British foreign and imperial policy’.

Between 1888 and 1907, the limited sovereignty exercised by colonial governments in Australia, New Zealand and southern Africa influenced settler agitation for stringent anti-Asian immigration legislation, as well as Japanese and Gandhian opposition to these laws. Settler authorities were vulnerable to the series of anti-Asian protest movements that emerged in these years because colonial parliaments did not possess the power to legislate decisively in the area of immigration restriction. However, as colonial governments were obliged to respect the United Kingdom’s jurisdiction over international affairs, these authorities were also vulnerable to Japanese and Indian protests that threatened British foreign and imperial interests. The result of these imperial tensions was a series of legislative compromises that reflected both Britain’s sovereign authority over colonial lawmaking as well as the strength and force of settler racism directed against Asians.

[Restating Orientalism: A Critique of Modern Knowledge](#) by Wael Hallaq [Columbia University Press, 9780231187626]

Since Edward Said’s foundational work, [Orientalism](#) has been singled out for critique as the quintessential example of Western intellectuals’ collaboration with oppression. Controversies over the imbrications of knowledge and power and the complicity of Orientalism in the larger project of colonialism have been waged among generations of scholars. But has Orientalism come to stand in for all of the sins of European modernity, at the cost of neglecting the complicity of the rest of the academic disciplines?

In this landmark theoretical investigation, Wael B. Hallaq reevaluates and deepens the critique of [Orientalism](#) in order to deploy it for rethinking the foundations of the modern project. Refusing to isolate or scapegoat [Orientalism](#), [Restating Orientalism](#) extends the critique to other fields, from law, philosophy, and scientific inquiry to core ideas of academic thought such as sovereignty and the self. Hallaq traces their involvement in colonialism, mass annihilation, and systematic destruction of the natural world, interrogating and historicizing the set of causes that permitted modernity to wed knowledge to power. [Restating Orientalism](#) offers a bold rethinking of the theory of the author, the concept of sovereignty, and the place of the secular Western self in the modern project, reopening the problem of power and knowledge to an ethical critique and ultimately theorizing an exit from modernity’s predicaments. A remarkably ambitious attempt to overturn the foundations of a wide range of academic disciplines while also drawing on the best they have to offer, [Restating Orientalism](#) exposes the depth of academia’s lethal complicity in modern forms of capitalism, colonialism, and hegemonic power.

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Excerpt: Anyone familiar with debates on Orientalism comes to the realization that there is a profound ambiguity in the meaning of the term that designates this field of scholarship. Essential to this confusion is the matter of classification. Is Orientalism an academic scholarly field or is it an ideological construction, to be treated no different than one would treat any bias-laden discourse? The assumption guiding both the question and the quest for classification is that scholarly discourse is not and should not be ideological, that ideology in fact stands at the other extreme end of dispassionate, objective scholarship.

This is what seems to have driven one author, in his own quest to avoid the "volatility" of the term, to "follow a simple expedient." He decided to employ the "nonpejorative" form "orientalism" to refer to the "ongoing Western tradition of intellectual inquiry into an existential engagement with the ideas, practices and values of the East, particularly in the religious field," whereas capitalized "Orientalism" would be reserved for the "ideologically-motivated 'epistemic construction' and 'corporate institution' " that Anouar Abdel-Malek, A. L. Tibawi, Edward Said, and several others have criticized.' Operating on the assumption that there is such a thing as objective and biased [Orientalism](#), this author attempts to show that because there are "orientalists" (mostly Indologists) who seriously engaged the spirituality of the Orient and often condemned colonialism, Said's case was "overstated," hence the allowance for the nonpejorative form "orientalism." The cause for "overstating" the case is said to have originally been Michel Foucault's problem, which Said replicated, in disallowing individual "agency" in the formation of power discourses. Leaving aside for the moment the issue of misunderstanding Foucault (by both this author and Said himself), nothing more, in effect, is proffered in the way of rendering this confused and confusing designation of "Orientalism" analytically or theoretically intelligible. Once we succeed in subtracting "Orientalism" from "orientalism," which is what our author wants us to do, we are supposed to attain a

balance that stands in refutation of Said's sweeping generalization, thereby exonerating "orientalists" from Said's incriminations.

Empirically, this act of subtraction may be legitimate, but the balance sheds not an iota of light on the problematic term itself. It merely makes exceptions to Said's categorical brush, but does not harness the exceptions for further understanding or precision. When all is said and done, and after the subtraction is fully completed, the term in fact gains in substantive ambiguity and diminishes further in theoretical clarity. If there are exceptions, then what are the theoretical parameters that one can employ for distinguishing the norm? And once this operation of distinguishing-cum-classifying has been accomplished, what is the ultimate theoretical significance of it? How do we understand the "Orientalism phenomenon" and the reality that surrounds it? I shall take up the theoretical issues in detail as I proceed, but for now it is the ambiguity of the term in current discourse that interests me.

This author and his otherwise remarkable book nonetheless fare better than the average discussions of the subject. A highly representative and prolific recent scholarly exchange equated the position of Bernard Lewis, on the one hand, and that of the anthropologist Talal Asad and mine, on the other. Scholars whom few would ever associate with what our author above designated as "Orientalism" or for that matter with the faintest "Orientalist" leaning have been charged with "Orientalism," meaning not only that these scholars write within a "Western" scholarly tradition, but that they commit errors that are fundamentally associated with a scholarly discursive tradition that has, since the pioneering writings of the Marxist political scientist Anouar Abdel-Malek, been normatively regarded as pejorative, negative, exoticizing, or otherwise harmful—in some seriously interpretive sense—to Islam and the Orient.

A scholar need not say or write anything pejorative or negative about the "Orient" to invite such charges. Nor does she even need to imply any negativity in the least. An argument, for instance, that the various intellectual traditions in Islam—Shari`a, Sufism, Kalam, philosophy, or adab—stood for discursive moral paradigms or represented a benchmark that insisted on robust

ethical foundations that one is hard-pressed to find in modernity may instigate virulent charges of "Orientalist" attitudes, charges as vehement as any leveled against negative stereotypes, political, racist, or otherwise. For, the argument goes, to represent Islam as having an advantage over any major aspect of modernity automatically implies idealizing or exoticizing the Orient, this having the grave consequence of deeming Islam unmodern, antimodern, a mismatch with the modern world, or a Utopia fantasy. To the critics who espouse this position, Islam can be neither good nor bad, and the only way to escape the charge of Orientalism, it would seem, is to construct a vision of Islam and Islamic history consistent with, though perhaps not a replica of, modernity, and most especially its liberalism. This much, it will be my argument, was Said's legacy, although he advanced his case with some subtlety. Thus any scholar who depicts Islam negatively or positively is an Orientalist, the former emerging as a bigot, the latter as an exoticizer. Such criteria, as rudimentary as they are, are furthermore applied to historiographical and historical research, generating questions, for instance, about whether or not Sir William Jones and his likes were "Orientalists," as Edward Said charged, given that these figures in fact valued Indian civilization and were critics of empire and the Enlightenment.¹ Such debates are many; the one regarding the Orientalist Louis Massignon is perhaps the best known.

It would seem that there is a correlation between such charges and the perceived or real ethnic and religious backgrounds of the authors associated or charged with Orientalist leanings. The more distant such backgrounds are from the object of study, the more vulnerable authors are to this charge. Correlatively, the more the authors hail from perceived or real "Oriental" cultures—whatever that may mean—the less they seem to suffer from accusations of Orientalist misconduct. It is more likely for a white Christian scholar from Houston to suffer the charge than for a Muslim scholar teaching in Cairo, or Toronto, for that matter. This is confusion at its best.

It is the argument of this book that both the simple term and the complex concept of Orientalism have been severely misunderstood, that they have in

effect been rendered, partly due to Said's writings, into rudimentary political slogans and catchwords that operate extensively in a field of ideological semantics. Labeling a scholar an "Orientalist" has become a mode of condemnation, a negative epithet, whereas the designation "historian," "engineer," "economist," or even "anthropologist" remains predominantly, but falsely, neutral. The politicization of the term and concept has eviscerated its real meaning and denotations, masking its complicity in the deeper structures of thought and action, thereby making it a largely superficial and in fact wholly useless category for serious scholarly, much less intellectual, debate. Confined as it has been to prejudice, condescension, cultural bias, colonialism, and imperial domination, the concept has remained straightjacketed in a strictly political framework that could not transcend its own field of vision, thus leaving it insulated from the very substructures of thought that gave rise to it in the first place. I shall insist that whatever charge the Orientalist may be made to bear, it is one that equally attaches to his or her cognates, be it a scientist, journalist, historian, philosopher, or economist, among academic others.

Defining the world through binaries of the Self and Other, of enemy and friend, the political unconsciously subordinates all other discursive domains to its own imperatives—including pathologies that give it its own *raison d'être*. To begin and end with politics as a conventional category, as Said has done, is to overlook the premises through which the political itself can be critiqued, premises whose trajectory starts at the genealogical foundations that give rise to it but that finally harness for critique those intellectual positions that stand outside those foundations. Which is to say that a true political critique of Orientalism must begin with the foundations that gave rise to a particular conception of nature, liberalism, secularism, secular humanism, anthropocentrism, capitalism, the modern state, and much else that modernity developed as central to its project. Said's critique remained political in the (conventional) sense that it questioned none of these categories of thought and action as fundamental and foundational to the construction of the problem that is Orientalism, and to much else that has been

left intact. In other words, it continued to plow conventional, if not rudimentary, political terrains because his critical narrative assumed and wholly left in place the same political subject, the modern subject, as the undivided matrix and locus of these categories. To place the subject at the front and center of critique is to inquire, *de novo*, into the constitution of the subject as a phenomenon whose measure is ethical formation.

That the problem originated in part in the literary approach Said adopted, and that as a result the central problems of *Orientalism* remained untouched or shallowly addressed, leave us with a simple, if not simplistic, explanation. Foucault had already understood that oppositions and resistances to late modernity make for what he called "'immediate' struggles" because they look not for the "chief enemy" but for the "immediate enemy." I think that Said's work and the various reactions to it, positive as well as "neutral," have been preoccupied with the "immediate enemy." There are, as I shall try to show, deeper reasons why Said (and the vast field of discourse his writings generated) could not undertake a profound investigation, one that would have militated against, if not sharply contradicted, his own positions as a liberal critic and scholar, and no less as a secular humanist. For it is my argument that secular humanism, like liberalism, is not only anthropocentric, structurally intertwined with violence, and incapable of sympathy with the non-secular Other,¹ but it is also anchored, *per force*, in a structure of thought wholly defined by modes of sovereign domination.² Secular humanism is not just a name for a particular type of discourse, of "analyzing" the world; it is the psycho-epistemic substantiation of a particular subject who articulates the world wholly through disenchanted modern categories that are inherently incapable of appreciating intellectually, and much less sympathizing spiritually with, non-secular-humanist phenomena. *Orientalism*'s canonicity and "popular" reception may thus be attributed to its ability to provide a highly flammable fuel to the fire of what the moral philosopher Alasdair MacIntyre called liberalism's "interminable disagreement," a discursive strategy whose structure and teleology are intended to bar the definitive (ethical) resolution of perceived problems and crises within

liberalism and the liberal subject, but that is liberalism nonetheless. The liberal subject, as this book argues, is never the locus or focus of a restructuring critique, however much this subject has been culpable and complicit in contributing to modernity's crises. The problems are always seen to lie elsewhere, threatening and endangering that subject, but are never inextricably and structurally linked to that subject's constitution.

Yet, it must be clear that the present book is not about Said's writings on culture, and much less so on literature. Nor is it exclusively or primarily intended to be a critique of Said's writings on [Orientalism](#). The criticisms of his work, fair and unfair, have been legion and I cannot claim credit for any contribution to that repertoire. His chief work on the subject, my main focus and concern, has been shown to be replete with problems, however productive these turned out to be. I point only to those problems and contradictions that permit me an entry into their meaning that can serve my purpose in trying to go beyond his, and the current, understanding of the issues that have thus far been construed and constructed. Both Said's critics and his followers remained largely within the boundaries and terms of debate that he set, at times even exacerbating his imprecisions and outright errors. And it is this current state of affairs, not just Said's work, that this book aims to interrogate. That Said's work remains relevant for my critique (as evidenced in the frequency with which I invoke it) has precisely to do with the fact that the terms of debate he set have not changed much in almost four decades, and this despite the many brilliant critiques that have been registered against his work. Put differently, his book remains the most learned and sophisticated summa exhibiting the persistent—should I say canonical?—misconceptions regarding *Orientalism*.

In the process of scapegoating *Orientalism*, Said and the very discursive field his work has created have left untouched the structural anchors of the sciences, social sciences, and humanities, as well as their political manifestations in the larger modern project. The historical anthropologist James Clifford prudently hints at this absence, unfortunately in passing: Said, he avers, adopted the self-conscious position of "oppositionality" that "writes back"

against "imperial discourse from the position of an oriental whose actuality has been distorted and denied." Yet, it is clear that "a wide range of Western humanist assumptions escape Said's oppositional analysis, as do the discursive alliances of knowledge and power produced by anticolonial and particularly nationalist movements." Clifford is ingenious in his assertion that the problem with which Orientalism deals "should not be closely identified with the specific tradition of Orientalism.... Said abandons the level of cultural criticism proposed by Foucault and relapses into traditional intellectual history. Moreover ... he does not question anthropological orthodoxies based on mythology of fieldwork encounter and a hermeneutically minded cultural history—orthodoxies he often appears to share." Nonetheless, Clifford's judicious expansion itself remains constrained.

Said's was an indispensable work, timely for the decade or two after its publication, both for the study of Islam in the West and for several other academic fields. He lifted Orientalism from its uninterrogated subterranean normativity to a focus of critique, if not doubt. Yet, Said's problematic framing of Orientalism has invited countless critiques, ranging from the serious to the apologetic. The critiques have mainly been made on the following grounds: (1) Orientalism adopts the deterministic Foucauldian theory of discursive formations that does not account for authorial individuality and individualistic contribution; (2) it does not give due credit to predecessors who had leveled weighty critical attacks on the discipline, notably Anouar Abdel-Malek and A. L. Tibawi; (3) it commits the same fallacies of essentializing and totalizing as that which it critiques; (4) it is profoundly lacking in historical and historiographical method, Said himself being a literary critic who had no historical training; (5) it relies on divergent theoretical apparatuses that stem from contradictory epistemological assumptions; (6) it fails to take into account large bodies of writing by the prolific German Orientalists, by women, and by "Orientals" themselves; (7) it does not account for distinguishing features in the various types of Orientalism, again the German component being particularly noted for its formidable output within an alleged context

of lack of empire; and (8) it harbors ideological biases against Zionism and Judaism.

I do not intend to engage these criticisms by affirming or negating their thrust; I will have an occasion to discuss the substance of some of them as my argument requires and as I proceed. What is worth noting, however, is their general nature: critiques 1, 3, and 5 take aim at methodology, but do not even come close to providing an alternative, since those who take these stances are a great majority that tends to reject the very premise Said adopts, and since they seem to have made their critiques in the first place exclusively to refute Said's premise. Critique 2 is formal and does not address the substantive issues, for the validity of the critiques proffered by Said's unacknowledged predecessors would remain intact irrespective of their authorial provenance. This, in some sense, is an ad hominem attack. Critique 4 is solid, but as in the cases of critiques 1, 3, and 5, it does not make clear how historiographical or theoretical competence can offer an alternative critical assessment of Orientalism. Critiques 6 and 7 are formal as well, intended to demonstrate absence in Said's work, but they do not articulate how this lack—if we grant it in the case of German Orientalism—can be fertile ground for constructing a vigorous critical appraisal of the discipline. Finally, critique 8 is highly polemical, itself motivated by the same bias that it levels against Orientalism.

These critiques, I think, are a comprehensive and accurate representation of the response to Said's work. Much of what they deploy is valuable as scholarly engagement, but some is plainly intended to discredit the work on political grounds. Yet, none attempts to provide an account that improves on or displaces Said's work, much less set new terms for the debate. Indeed, none of these critiques has etched itself in scholarly memory as Said's Orientalism did. As problematic as it is, the book remains canonic. But canonicity neither excludes the possibility of the work being transcended or supplanted, nor is it an eternal confirmation of the truth of its propositions. Said's work therefore provides me with the flare, though not the tools, to navigate my seas. If the metaphor is at all apt, I might say that in this work I hijack Said's ship to

reequip it for the exploration of oceans that he could see dimly from afar, if at all.

Accordingly, I shall insist that the problems underlying Orientalism are so expansive and profound that the entire discipline, along with the emerging critique and defense of it, has functioned as a discursive mask to cover up serious crises in late-modern epistemology. Surely not to be exonerated in the least, Orientalism has nonetheless been structurally and systemically scapegoated, a phenomenon that I regard as having the function of emplotment that is aimed at suppressing the real forces that precipitate the actions that it is accused of performing and the attributes that it is accused of having. To anticipate some of my conclusions, it is with the structure and system that have produced and enveloped Orientalism that, I argue, we must begin and end. Which is also to say that it is no less the modern subject and its constitution as the agent underwriting modern structures that must be at the center of our analytical scrutiny. For Orientalism, like any single field of academic discourse, is demonstrably a derivative, and derivatives by definition must have progenitors from which they derive. But if Orientalism must be our point of departure, it is the successive layers of the system and structure undergirding it that we must peel back, the first layer being that which the entire debate has revealed: that Orientalism involves a particular kind or kinds of bias, and that we have thus far failed to develop a proper critical apparatus for the diagnosis of this bias—hence the confusion and arbitrary ascriptions and distribution of the charge. Viewing our subject in this manner therefore explains why chapters 4 and 5—not to mention the thrust of chapter 3—depart from a relatively narrow focus on Orientalism in general and on Said's work in particular, expanding the narrative to virtually the entire range of modern knowledge structures.

The analyses of the four colonized regions I proffer are thus not affected by this or similar arguments in the least. My account of colonialism as sovereign knowledge generated by Orientalism with the support of European academic learning in general is situated within a larger dialectic in which the political projects of conquest and modern

knowledge stand within still larger formations whose foundations are firmly anchored in a particular view of nature. Because it is performative, this view can easily lead us to the same conclusion as Said reached, namely, that there is something all too powerful that would corral all Orientalists into a routine practice of misrepresentation. Exceptions simply cannot be made, however much one might allow for the "determining imprint" of certain authors or individual attempts to maneuver the constraints of "national ambience", whatever this means. The distinctly political commitment to a blanket condemnation of all Orientalists leads to a major theoretical difficulty, one that, carried to its logical conclusion, would have adverse effects on our conception of power, and hence on our understanding of modernity, on our ways of living in it, and more importantly on the possibilities of escaping its hegemonic grip.

Despite his rhetorical allowance for the author's "determining imprint," Said, in every important and substantive way, effectively subscribed to a theory of discursive formations that gave performativity a metaphysical power. But performativity, today taken to extremes in academic discourse, and used in confusingly different ways, is not a license to accord language an absolute power. As I argue in chapter 3, the totalization in Said's narrative is made possible only at a theoretical price. I attempt to sort through the problem of this totalization by offering a further refinement of the theory of the author while giving an account of René Guénon, a credentialed Orientalist who—as a case study—subverts Said's narrative in almost every way. On the basic level, the very ideas and writings of this Orientalist falsify Said's totalizing discourse. What matters to my argument is the quality of this Orientalist's positional work and its potential for framing the entire debate on Orientalism and modernity in more serious ways than we have thus far seen. This Orientalist's critique of Orientalism goes into the depths of the phenomenon, transcending by leaps Said's liberal and secularist, and thus excessively limited and insulated, account. It is not without an undiluted sense of irony that this critique has the all-too-ready potential to put Said's discourse in the same place where Said put Orientalist discourse. In harnessing this systemic

critique, I try in chapter 3 to theorize the role of what I will call the subversive author within central paradigms, and in the process I attempt to locate Said himself in this theoretical configuration.

It will become increasingly clear as I proceed that a theory of the author is not only relevant for constructing a discriminating typology of Orientalists, a basic yet important undertaking. The theory is also crucial, and indeed has a larger role to play, in redefining the dynamics of power and knowledge in terms of the exit strategies it provides in and out of this configuration. Without such a theory, the narrative of power/knowledge and discursive formations would remain locked in a hopelessly ahistorical framing, a fallacy that is fatal to a proper critique of modernity. Yet, it must be clear that the construction of typologies for the various fields of academic inquiry is in no way separate from, or independent of, the theoretical narrative that locates such exit strategies. Which is to say that Said's totalizing account of Orientalists, however unwarranted, is not truly relevant to the shallow debate over his failings to account for certain Orientalists who are otherwise innocent of the charge. The totalizing, as I take it here, is nothing short of a theoretical predicament of the first order, having grave implications for everything we say about the modern condition and its material and thought structures.

Said's targeting of Orientalism and his narration of it as a totality have had the effect of not only insulating it from its academic surrounds, despite repeated vague reference to the general "culture" from which Orientalism received support. It has also had the powerful effect, due to its liberal entrenchment, of inoculating the discipline, allowing it to refortify and thus regenerate itself without changing its traditional dispositions. The connections drawn between Orientalism and the surrounding culture emerge as political in nature, in the rudimentary and conventional senses, with a peppered reference to economic interests and material greed. There is no clear vision that liberal academia is overwhelmingly and structurally involved in the very same domineering and sovereign project for which Said attacked Orientalism. There is even less of a clear sense that science, the "high" humanities, secularism, and

secular critique are as much implicated as was Orientalism. And it is these ideological narratives that frame Said's critique and give it its defining character. Yet, whatever references we find in his work to the location of Orientalism in its larger academic context are distinctly cast in terms of Orientalism's singularity, its "backward" methodology in comparison with the general humanities and the social sciences.

Taking seriously Said's own counsel that all things in the world are "linked" (xxiii), chapters 3 and 4, among other parts of the book, embark on the argument that all academic units of the central domain are as involved as in, if not more implicated than, Orientalism in the very project for which this latter stood charged. Beginning with science and philosophy, and moving to departments of economics and business schools, I attempt to show that these and other academic units of the central domain undertake a division of epistemological labor in the creation of sovereign knowledge and practice. That their overall effect dwarfs that of Orientalism will emerge as a given. That this book remains in good measure about Orientalism is not just the function of my academic expertise (which it is); there is much more to commend the retention. If the way into the Orient required Orientalism as the most obvious and direct bridge, the way out of the Orient, and back to a reformed self, requires a bridge as well. Structurally reformed and ethicized, Orientalism continues to have an important function, as the final chapter will argue.

Through the prism of the company and corporation, and more generally of corporate institutions (a constant and persistent theme in this book), I argue not only that academic units partake in an underlying structure of thought that is inherently colonialist but also that they are enmeshed, like all corporate bodies, within a larger condition of collective sociopathology. Having offered a general typology of academia in terms of central and peripheral domains, I will argue that the academic units of the central domain are connected, however unconsciously, in structural and structured ways to the colonialist project of Western modernity (now proliferating to the rest of the world). I then contend that there exists an

equally structured relationship between modern colonialism and genocide, an argument that, in the final analysis, amounts to an explication of the relationship between knowledge, including its paramount academic variety, and genocide. Dwelling at some length in chapter 4 on the concept of genocide, I maintain, along with certain genocide scholars, that collective elimination takes on a variety of forms, all of which are pertinent to my narrative. Unlike those who emphasize material and economic motives for colonialism and its inherent genocidal tendencies, this book offers a continuous critique of conventional notions of instrumentalism, placing genocide and the knowledge that enables it squarely within a structure of thought wholly made up of epistemological sovereignty.

Consistent with my reformulation of the theory of the author as a discursive exit strategy, chapter 5 argues that it is possible to transform Orientalism, as a prototype of specialized academic knowledge, into a field of humane inquiry once it has shed secular humanism, anthropocentrism, colonialist potency, and a sovereign epistemology. I do not propose an institutional approach, but rather one that begins with an ethical formation of the subject, which is constitutive of the institutional. In the course of this argument, I dwell on a liberal philosophical predicament that is intended to show the impasse that liberalism encounters when it thinks about such a formation, and the impossibility of undertaking any operations on the Self within the prescriptions of such a formation. Since it is my argument throughout the book that establishment Orientalism is nothing more than that "department" of modern academia that specializes in the study of the Orient, and that other "departments" perform the same work but through their own specializations, Orientalism appears as the most obvious discipline to stand in the position of dealing with the Other. Of course, this is a deceptive appearance, one for which Said fell. Instead, I take Orientalism as an illustrative example (particularly because I have studied it for four decades), but not as a target in and of itself. However, the same or similar approach may be adopted, and to no lesser effect, toward any other academic unit in the central domain, be it anthropology, sociology, or history, not to mention

economics, business, journalism, philosophy, and science. The intention here is to open up critical space for a scrutiny of the entire range of modern academia, leaving no escape route for even the fine arts and other aesthetic endeavors, however less incriminated these are in the violent and destructive projects of modernity.

Finally, a word about the place of this book in the landscape of academia. Although my point of departure is Said's *Orientalism*, I continue to expand my circle of inquiry around it, adding historical and philosophical texture, and culminating in obviating his narrative and its conventionally political underpinnings. In other words, although my book starts with politics as a site of critique, it ends up in an entirely different domain of thought, which is precisely the point. This, therefore, is an essay on foundational moral principles and ethical structures that stand in a complex set of relationships with modernity, mostly as a matrix of denials and negations, but also as the loci of regenerative critique. In an epistemological system whose very existence has been grounded in an *ab initio* exclusion of certain views and modes of thought, it might seem that any such advocacy would be doomed from the start. Yet, as this book will argue energetically, performativity, discursive formations, knowledge, and structures of power are dynamic things that always leave—by virtue of their very dynamism—openings, cracks, fissures, and fractures antithetical to the paradigmatic structures. The modern project is replete with such fissures, precisely because it denies them, and to believe that they cannot provide for what I call regenerative critique is not only a paradoxical proposition, but one that merely perpetuates the metaphorical deadness of Foucault's dead author. To think through openings and fissures, to give exclusions and silences an active presence, to resuscitate what the central domains have rendered marginal and irrelevant—these are ultimately the only true meanings of critique. Most obviously, a critique that sanctions the death of the author is no less dead than the author herself. It had better not be made, for its deadly effects are what this book attempts to describe.

[Forms of Pluralism and Democratic Constitutionalism](#)
edited by Jean L. Cohen and Andrew Arato and

Astrid Von Busekist [Religion, Culture, and Public Life, Columbia University Press, 9780231187022]

The achievements of the democratic constitutional order have long been associated with the sovereign nation-state. Civic nationalist assumptions hold that social solidarity and social plurality are compatible, offering a path to guarantees of individual rights, social justice, and tolerance for minority voices. Yet today, challenges to the liberal-democratic sovereign nation-state are proliferating on all levels, from multinational corporations and international institutions to populist nationalisms and revanchist ethnic and religious movements. Many critics see the nation-state itself as a tool of racial and economic exclusion and repression. What other options are available for managing pluralism, fostering self-government, furthering social justice, and defending equality?

In this interdisciplinary volume, a group of prominent international scholars considers alternative political formations to the nation-state and their ability to preserve and expand the achievements of democratic constitutionalism in the twenty-first century. The book considers four different principles of organization—federation, subsidiarity, status group legal pluralism, and transnational corporate autonomy—contrasts them with the unitary and centralized nation-state, and inquires into their capacity to deal with deep societal differences. In essays that examine empire, indigenous struggles, corporate institutions, forms of federalism, and the complexities of political secularism, anthropologists, historians, legal scholars, political scientists, and sociologists remind us that the sovereign nation-state is not inevitable and that multinational and federal states need not privilege a particular group. [Forms of Pluralism and Democratic Constitutionalism](#) helps us answer the crucial question of whether any of the alternatives might be better suited to core democratic principles.

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Excerpt: [Forms of Pluralism and Democratic Constitutionalism](#) by Andrew Arato and Jean L. Cohen

Issues of political form and jurisdiction are once again on the international intellectual agenda. This is so in part due to the increase and politicization of plurality within societies, and even more to the challenges posed by political and legal globalization, the proliferation of transnational legal regimes, and the increased mobility of persons, legal and artificial, across borders. Two questions animate this volume: "What political form is best suited to preserving and expanding the achievements of democratic constitutionalism in our globalizing and pluralistic twenty-first-century world?" and "What principles should structure the allocation of jurisdiction and representation in a democratic polity?" We use the term political form to refer to the type of polity operating in the international order: that is, whether it is a sovereign state, a nation-state, an empire, an international organization, a confederation, a federation of states, or a federal state. This dimension is distinct from regime type and multicultural policy. Indeed, the very way we pose the question entails that the political regime we are presupposing/advocating is a democratic constitutionalist one. The volume's consideration of what forms of organized pluralism are compatible with it focuses less on multicultural policies or the specifics of democratic regime type and more on jurisdictional pluralism, political forms of the polity, and their effects. We thus take up the pressing question of how to deal with societal pluralism, and deep divisions over values and ways of life, from a distinct political theoretical perspective.

It is our thesis that questions of political form and jurisdiction have again become highly salient thanks to the current, albeit hardly the first, crisis of the modern sovereign nation-state. Historians are right to describe the nineteenth century as the age of nationalism. Although many also depict the twentieth century as the triumph of the nation-state, with more justice it could be called the century of its failure, given the disastrous wars engaged in by and over nation-states despite the vast proliferation of the form. In our current century, there are countless examples of the failure of the

nation-state to solve the problem that brought it into being—the management of plurality and the self-determination of different political identities. Historically, it was assumed that the sovereign state was the requisite political form and that some variant of nationalism—the most important ideology of nation-states—was the best response to the question of how to attain political autonomy and to integrate and govern diversity. Civic-republican and ethno-nationalist conceptions of the nation, whatever their fundamental differences, were both based on the assumption that a people wishing to exist politically could and should have its own state, with the relevant collective identity (nationality) defined on ethnic, linguistic, racial, religious, or purely political grounds. In the dismantling of multinational and colonial empires, it was assumed by many that the liberation of the numerous minorities, and at times the majority, also depended on each "people" achieving its own sovereign state. Self-determination of peoples was the slogan: the representative, sovereign nation-state was the supposed solution to the problem of social plurality and democratic equality, domestically and internationally. For those nation-states that are, perforce, multinational, minority rights, guaranteed by treaty or by domestic constitutions, seemed to be the way to manage politically salient diversity.

This assumption—the inevitability and superiority of the nation-state form—turned out to be fundamentally misleading given the heterogeneity and multiple natures of societal forms of difference in all modern societies and the changing realities of size, power, and market forces in the aftermath of WWII. With astonishing regularity, the various secessions, partitions, and processes of decolonization tended to produce or reproduce the same minority problems within the nation-state that the latter was expected to avoid. International laws designed to protect minorities in the generalized system of sovereign states were more often than not unenforceable moral desiderata and, at times, exacerbated or politicized otherwise relatively benign social divisions within the national citizenry, inviting discrimination or worse. The same is true of the so-called multicultural jurisdictions granted to internal minorities over family law and education.

For a long time, nevertheless, the achievements of democratic constitutionalism seemed to be closely linked to the modern sovereign nation-state with its claims to internal jurisdictional supremacy, external autonomy, monopoly over the legitimate use of force and coercive law, and priority regarding its citizens' loyalty. Social solidarity among the citizenry and its allegiance to the republic was assumed, at least under civic-nationalist assumptions, to be compatible with social plurality—of opinions, ethnicities, races, and religion—provided that equal individual rights, social justice, and a voice for all were ensured by the liberal democratic sovereign national welfare state.

This apparent consensus is gone today. One important intellectual and political tendency now links the modern democratic nation-state not with freedom but with "statism," entailing hierarchy and domination, and ties national identity not to civic solidarity but to the dominance of substantive domestic majorities along ethnic, racial, or religious lines and the exclusion of racialized others; it also associates the very idea of the supremacy and comprehensive domestic jurisdiction of public civil law (internal sovereignty) not with justice but with homogenization, leveling, anti-pluralism, and repression. Similarly, on the international level, external state sovereignty is linked to imperialist strivings, war, global inequality, and injustice. Indeed, what is striking today is the proliferation of challenges to the sovereign national state on the supra-and sub-national levels in the name of autonomy, pluralism, and corporate self-governance. To many critics, not only is the nation-state a dismal failure when it comes to coping with diversity, but state sovereignty itself seems to be an anachronistic and dangerous myth antithetical to democracy, plurality, and justice. Today neither individual nor minority rights are deemed sufficient to mitigate the harms and inequalities entailed by the allocation of sovereignty to nation-states by the international legal and political system.

Moreover, the monopoly over lawmaking, the supremacy and comprehensive scope of the sovereign state's internal jurisdiction and regulatory reach is being eviscerated by the increasing autonomy of multinational business corporations

(wed to a particular form of legal pluralism and economic liberalism), the domestic and even transnational political reemergence of the corporate religious, and the expanding role of both public and private trans- and supranational governance institutions. In our view, the greatest challenges in the twenty-first century come from these sources—all of which undermine the sovereign state as fact and norm without providing functional equivalents that preserve or expand the achievements of democratic constitutionalism. However, we do not view the recent revival of nationalist-statist particularism by populists and power hungry political entrepreneurs (secular or religious) to be a normatively attractive alternative. Indeed, this, too, poses a serious threat to constitutional democracy. Although pretending to revive and protect the "real" sovereignty of peoples organized into states, the neo-populist nationalist, once in power, typically pushes for an exclusionary ethnic, racial, or religious conception of the people or nation while revealing a marked predilection for executive power and dictatorial methods at the expense of constitutionalism and basic rights. The rise of neopopulism, however, must be taken seriously: analysts should not throw out the baby—self-governing autonomous political communities federal democratic union. As Cooper shows, the federalist projects of the colonials differed from de Gaulle's neo-imperial conception of the French Union that was to (and briefly did) follow decolonization. He also traces the evolution and varieties of the federal project in French West Africa, including a fascinating discussion of Senghor's three tiered approach: an imagined African federation of member polities (open to all who wanted to join including Morocco and Algeria) that would then confederate with France.

Although Cooper and Wilder agree on the importance of the historical alternatives to the nation-state form, their papers analyze the developments from different perspectives. Cooper's focus is on West Africa and varieties of federal union proposals, analyzed from the internal perspective of a post-sovereign political form of political association and belonging in which "sovereignty" would not describe the internal relations of the member "states" toward one another or toward the federal center. Wilder's

focus is on the new international sovereignty regime of sovereign equality established with the UN Charter system and policed by the great powers in the Security Council, based on the principles of territorial integrity, national independence, and state sovereignty, and less prominently, human rights, versus the post-national alternative to external state sovereignty and international relations predicated on it and embodied in the federal vision. In light of simultaneous projects for a European Union, Wilder finds the "timely untimeliness" of federal thinking as an alternative to an international order predicated on the sovereign state relevant both in the postwar epoch and for us today.

We all know the ultimate outcome: decolonization, separation, and in some cases (Algeria) bloody war, and now strife and conflict within and among the new "nation-states" formed in Africa. So even if the federal project failed, we might well ask with Cooper whether the idea of a multinational federation in which plurality and difference go together with equality, multilayered political autonomy, self-government, and democracy instead of monistic centralized sovereignty would have been and still may be a preferable alternative. And we might question with Wilder whether the existing *nomos* of international relations based on the sovereign nation-state isn't entering a moment of crisis and whether we should think seriously again about novel forms of political consociation that might be adequate to the plural, translocal, interdependent demands of our historical present.

Joshua Simons chapter, "From the American System to Anglo-Saxon Union," reminds us that a century earlier, in the Americas, projects of federal union were also conceived as the best way to exit empire and to ensure independence, well-being, and political freedom for former colonies. But what is less well known is that federal union there too was seen as an alternative to the international system of sovereign states developed in Europe, based at the time on the premise that equal sovereignty, trade, diplomacy, and balance of power would civilize international relations. In an important reversal, the American Federalists argued that political union—that is, a constitutionalized, republican federal union of states—is the *sine qua non* for civilizing

relations between states and the precondition for preserving representative republican government on the state level. Indeed republican polities could avoid the wars, intrigue, and despotisms of European states only if states gave up claims to be absolutely sovereign, renounced the balance of power version of interstate competition, and joined together in a new polity—a constitutionalized federal union—that protected local interests and secured political autonomy while being equipped with the institutional and decisional power to foster the common good by ensuring mobility of persons and goods and political voice for individuals and member states at the center. By replacing state with popular sovereignty and by rendering the external internal, federal union was construed as the anti-type of the European system of international relations. It was the better way to grow larger compared with empires or unitary sovereign states, and together with the principle of representation federal union, it came to be construed as the *sine qua non* for the security and survival of republican forms of government in the member states. In a fascinating rereading of the Unionist project, Simon describes federation as a means of extension of the polity through the voluntary inclusion of new members that entailed from the start a supranationalist imaginary transcending political borders and cultural and linguistic differences. Its advocates did not only see federal union as the best route out of empire; initially its continuities with as well as its differences from empire were reflected upon. There, too, various conceptions of unity with the former imperial power under the King were imagined, akin to a commonwealth but without subjection to the "despotism" of the British Parliament. But this path was not taken. Indeed, Simon argues that during the first fifty years after independence, influential American statesmen envisioned a hemisphere-spanning unionist "American system" that would encompass all of the independent republics of the New World, including those that emerged in what is now called Latin America. Indeed, there is no structural limit to federation with respect to size, and as the Federalists argued, if coupled with a republican form of representative government on both member state and federal levels, and if based on the principle of popular sovereignty,

Federal Union could combine the advantages of monarchy and empire (greater size of the polity) with the advantages of freedom once deemed the preserve of small republics. No one knew the shape that the union would take in advance, and nothing prevented the inclusion of parts of what are now Canada, Mexico, and central or Latin America.

Simon also traces the demise of the hemispheric unionist project and its replacement by a different supranationalism—a version based on racist rhetoric, on the insistence on racial and linguistic homogeneity, and white Anglo-Saxon supremacy internally, and on imperialist intervention into and conquest of different (allegedly inferior) peoples and regions in Spanish America and later the Philippines. Simon reflects on the political theoretical implications of this history by asking whether there are particular circumstances that permit or encourage the construction of supranational institutions despite substantive heterogeneity among member states. Are there particular arguments or ideologies that can inspire populations to set aside their cultural differences? Conversely, what processes are likely to raise latent divisions to political salience and forestall or undo federative projects?

Perhaps the specific nature of types of imperial rule has something to do with the success or failure of post imperial-projects of reconciling deep plurality, equal citizenship, freedom, and political autonomy. History can be instructive in this regard as well. Certainly the experience of local self-government by the colonized, however restricted, matters, as we argued previously, but so does the particular mode of organizing pluralism in the colonized territory by the imperial power. Emmanuelle Saada's chapter, "Constitutions and Forms of Pluralism in the Time of Conquest," takes us back to the beginnings of the French Empire and its colonial project, highlighting the shifting nature of the forms of pluralism it established in its prize colony, Algeria, over the course of the nineteenth century. Her goal is twofold: to relativize the stark dichotomy introduced by Mamdani between "civil society" (i.e., the part of colonial society enjoying the protection of French civil law as citizens) and "indigenous society" (i.e., "natives" living under customary religious law and as mere subjects of the

imperial French state), and to blur another stark dichotomy, that between empire and federation." She reminds us that in its older colonies (Martinique, Guadeloupe, French Guiana, and Réunion), all inhabitants were made full citizens when the Second French Republic abolished slavery in 1848. She also notes that a unitary conception of citizenship prevailed alongside, to be sure, institutionalized racism that did not, however, take the form of the recognition of customary power or law. Meanwhile she observes that the colonized on the coast of India and in Senegal were given voting rights in the French Parliament without having to renounce their customary personal status law or to become subject to the French civil code. Her point is that the citizen-subject dichotomy does not capture the complexity of the forms of pluralism and recognition of difference in French colonies.

Moreover, as the Algerian case reveals, although the form of religious group-based legal pluralism that predominated after the 1880s was indeed hierarchical and based on invidious status distinctions, this was the result of the emergence of an extremely repressive mode of settler colonialism. Consequently, the legal discrimination between "citizen" and "subject" ultimately tainted all aspects of relations between colonizers and colonized. The same, however, was not true of earlier versions of legal pluralism and colonial relations in Algeria. Indeed, Saada argues that the later, destructive form of status group legal pluralism was not inevitable and should not be deemed the paradigm of legal pluralism everywhere in the past or in the future.

Saada's aim goes beyond correcting the historical record and enriching our understanding of status group legal pluralism. Her exploration of the early versions of legal pluralism and of the heated debates among the French political elite at the time over how to organize relations among groups and legal systems within an emerging French empire can, she thinks, shed light on continued tensions and fissures in France regarding its "politics of difference." That the conception of a larger polity inclusive of "different civilizations" in an associational rather than an assimilationist model was debated, if not enacted in the long term, strongly resonates with contemporary debates on

pluralism and republicanism in France today. She is well aware that the connection between religion and law apparently inherent in Islam did indeed ultimately serve to exclude Muslim Algerians and other colonial populations from civil and political rights based on their presumed inability to follow both the Shari'a and French civil law. Legal pluralism, in turn, ultimately justified the invidious distinction between citizen and subject. But in the early period it apparently was the vehicle for including local Muslim elites in government and for showing respect to plurality and local practices. The tolerance of social, religious, and legal pluralism of that period is overlooked and has lessons for contemporary assimilationist French republicans. Just what these lessons are, however, is open to contestation.

New Federal Formations and Subsidiarity

Part II turns to contemporary proposals for new federal formations, their relation to societal plurality, and debates over subsidiarity. In chapter 5, "The Constitutional Identity of Indigenous Peoples in Canada: Status Groups or Federal Actors?," Patrick Macklem brings us back to the Americas, this time focusing on the issue of the political and legal relationship of European colonists to Native American indigenous peoples. His focus is the history of these relationships as they evolved in Canada and on future possibilities. He poses the question quite clearly as to the respective normative and empirical gains and losses of coordinating the plurality of indigenous legal orders with the Canadian legal order through status group legal pluralism via the mechanism of treaties or via federation—that is, the inclusion of indigenous peoples in the Canadian Federation—through the mechanism of constitutional pluralism. To be sure, constitutional pluralism is a variant of legal pluralism insofar as it also entails a multiplicity of legal orders within the same territorial space of a polity. A federal constitution vests lawmaking authority in at least two levels of government, each relatively autonomous from the other in the production of legal norms that pertain to the construction and exercise of public power. Status group legal pluralism, religious, tribal, or ethno-linguistic, vests minorities with a measure of lawmaking authority relatively shielded from the legislative power of the broader political

community in which it is located. This can take the form of private power, which is often the case with religious status group legal pluralism, or it can overlap with federal principles as in the case of the asymmetric federalism practiced with respect to the province of Quebec in Canada. There the centrifugal special guarantees regarding language and local majority status for francophones are counterbalanced by a voice in national institutions and the overall Canadian commitment to fundamental rights, bilingualism, guaranteed seats on the Supreme Court, and other measures. Whatever one thinks of asymmetrical federalism of this sort, it is clearly a hybrid between federal principles meant to ensure the continued political existence and autonomy of a territorial unit and status group legal pluralism aimed at securing the autonomy and survival of particular substantive minorities. What is innovative about this chapter is, in part, the way in which it traces the evolution of the constitutional relationship between indigenous peoples and the Canadian federal republic as entailing the rise, demise, and now the resurgence of constitutional pluralism. But the piece is also important insofar as it applies the distinction between status group legal pluralism and constitutional pluralism/federation to the issue of indigenous legal and political autonomy. Macklem identifies the specific institutional and normative challenges each pose in the context of constitutional recognition of indigenous governing authority.

By taking us through the legal cases, Macklem shows how the nascent constitutional pluralism regulating the colonial encounter with indigenous legal and political orders in Canada changed. It came to be replaced by a singular, hierarchical conception of sovereignty incapable of comprehending multiple sovereign actors on a given territory. This informed the Crown's negotiation of treaties that ultimately served as a legal technology of indigenous dispossession and blocked any chance of mutual recognition. Not unlike Saada, Macklem argues that this shift was not inevitable. Also like her, he acknowledges that the apparent reciprocity involved in the early recognition of the autonomous sources of native law and indigenous self-government was probably due to the relative weakness and lack of organization of the burgeoning colonial state at a moment of

intense hesitation regarding the form of rule. Today, Macklem notes, an opening exists once again regarding the possibility of a reciprocal relationship between indigenous legal norms and Canadian constitutional law.

The choice, apparently, is between a backward looking status group legal pluralist approach (multicultural jurisdiction) based on the original claims of indigenous populations, which would have the drawback of separating out, freezing, and essentializing indigenous cultural and legal norms, and a future-oriented flexible federal conception that construes indigenous legal orders as federal actors in the Canadian federation. This mode of constitutional pluralism would have to entail institutions of self-rule and of shared rule, perhaps instituting another distinct segment of asymmetrical federalism within the overarching federal polity. Just how individual rights would be secured within and across this innovative federal conception would, of course, have to be clarified.

Chapter 6 turns to another innovative conception of federation devised to cope with plurality in ways that comport with democratic constitutionalism. Alfred Stepan and Jeff Miley argue for recuperating and improving on a little known version of federation—federacy—as a feasible way to help resolve violent conflict over the inclusion of a territorially discrete minority within an already existing sovereign nation-state. In "Federacy and the Kurds: Might This New Political Form Help Mitigate Hobbesian Conflicts in Turkey, Iraq, and Syria?", they develop an ideal type of "federacy" and propose this as a solution to the seemingly intractable problem of Kurdish autonomy in the context of the nation-states in which they form a linguistic and ethnic minority. Indeed, what is distinctive about federacy is that it involves the creation of a political, legal, and administrative unit within an otherwise unitary state such that the federated unit has constitutionally or quasi-constitutionally embedded exclusive power in certain areas, some legislative power, and rights (e.g., to language and culture) that cannot be changed unilaterally, and the inhabitants have full citizenship rights in the larger polity. This could be considered a version of asymmetric federalism but is distinct in that unlike the contexts in which that

version typically occurs, a federacy is a member unit not of a federal polity but in an otherwise unitary state.

Stepan and Miley trace the history of federacy as a political form and the role it has played in resolving seemingly intractable conflicts over plurality, belonging, and territory. The claim is that if the appropriate form of constitutionalized autonomy—voice in the center and minority guarantees—is put in place for the special unit, pressures toward secession from below and homogenization from above are minimized, thus enhancing the chances of peaceful democratic consolidation. Federacy, as a solution to international and domestic conflict over disputed territory and rights of a local or transnational but territorially located minority group, has historically emerged through elaborate negotiations and compromises, both international and domestic. Indeed Stepan and Miley argue that if one drops the dogma of indivisible sovereignty, federacy can help resolve a range of potential conflicts by constitutionally embedding "divided" sovereignty between a unitary nation-state and one part of its territory that is culturally, linguistically, and historically radically "other." Thus, as a political form, federacy is a version of constitutional pluralism designed to accommodate social plurality, but because it entails inclusion in a state and because its members have national citizenship, vote, and send representatives to the central parliament, it is distinct both from a confederation or treaty organization and from status group legal pluralism that typically lacks a territorial component. Stepan and Miley argue that federacy arrangements can help resolve domestic and international conflicts over the control of certain territorially situated minority groups such as the Kurds in the Middle East and the Tibetans in China. It is the only feasible way out of the current Hobbesian situation in which they now exist, one that is compatible with democratic constitutionalism.

But what Macklem and Stepan and Miley leave unclear is the question of the rights of individual members within the federated unit, be it of the indigenous in a new version of constitutional pluralism or of the group members in federacies. Federation is a way to make the external internal

that downplays separatism and seeks to avoid secession through compromises and reciprocity.

But how can conflicts be handled over local cultural norms and individual fundamental rights guaranteed under democratic constitutionalism for the polity as a whole? This problem plagues all versions of religious status group legal pluralism, as the next section makes clear, and the overlaps between that version of legal pluralism and the federal forms imagined for special national minorities are obvious. Theories of federations today can hardly ignore this issue.

Indeed, devising protections for individual rights has been front and center in the European Union (EU), the most integrated regional form of nonstate unionism in existence today, and where the role of the European Court of Justice (ECJ) as the protector of individual rights on the domestic and transnational levels is deemed crucial. The EU is also the locus classicus of the discourse of constitutional pluralism: it has been construed as a hybrid supranational constitutional treaty organization whose courts and policies may not violate (or fall behind) the level of rights protections extant in its member states. The EU has a democracy clause not dissimilar to the republican clause in the American federation for member states and has been construed, ideally at least, as a political association with its own autonomous law of constitutional quality that aims to secure peace, prosperity, and welfare and to manage pluralism in ways compatible with democracy and human rights.

But the EU as we know it is flawed in many respects and seems to have entered into a crisis indicated by the escalating debate over its democratic deficit, its failure to respond adequately to migration, its seemingly unfair austerity policies imposed on weaker members, its apparent inability to protect social rights of EU citizens against the neoliberal onslaught, and, of course, Brexit. The rise of right-wing populist movements that reject the EU, and the entry into power of populist parties in some member states (Hungary, Poland) that challenge the EU's and the ECJ's regulatory reach and strain its democratic proviso for membership, have given many analysts pause. Indeed, much ink already has been spilled over the nature of the

European Union—it is not a federal state nor federation of states based on a clear constitutional commitment to federation, but it is a union of states of "constitutional quality" that is more integrated than a set of alliances or an international organization. Nevertheless, the word confederation is as uninformative as is the term supranational polity. Indeed, as chapter 7 by Robert Howse indicates, much blame for the current crisis has been placed on the inadequate architecture of this mule animal that is the EU. That is why many on the left and the right argue for an overhaul of the flawed architecture, whether it be a democratic constitutional reconstruction along the lines of a federal union/state or in the form of a retreat from Europe back to the nation-state and a set of alliances but little more—a position long advocated by Euroskeptics on the left (and now by right-wing nationalists). Howse's piece is clearly situated on the left, but he insists that it is time to move beyond the abstract conceptual debate and to realize that, however imperfect, the EU's architecture does not preclude progressive reforms even if in the long run a more radical transformation may be required. It is his thesis, in short, that the EU's law and overall architecture provide ample room for the development of an effective social Europe. What is needed is the political will to enter into the ideological and political struggle over the direction, rather than the architecture, of the EU. Put a different way, it is time to confront head on the political disagreements around genuine sociological differences across vast territories, comprising many peoples, different levels of economic development, and connected to general conflicts over neoliberalism, neonationalism, and globalization that are at the heart of the EU's problems today. Thus, in "Europe—What's Left? Toward a Progressive Pluralist Program for EU Reform," Howse argues that the goal is to construct a progressive political agenda for the EU—one that is based on political imagination, cooperation, and concerted action by progressive left parties, movements, and governments. A concrete progressive politics is needed to safeguard and expand the social democratic achievements of member states and to ensure that the EU continues in ways that protect plurality and autonomy and

foster the solidaristic integration needed for social justice on all levels. Howse shows that within the flawed architecture of the EU are possibilities for a progressive version of "social Europe" that does not require fundamental legal change or deep fundamental constitutional reconstitution. No need to wait for that. In particular, Howse stresses the framework outside of the monetary union dubbed "Social Europe," which includes the Charter of Fundamental Rights; the directives on minimum standards for workers rights, collective bargaining, and social protection; and the Social Chapter annexed to the Treaty of Maastricht as well as some ILO conventions incorporated into EU or member state law. Howse's thesis, in short, is that Social Europe, as it already exists, provides a diffuse normative framework that could, given the appropriate political will, be transformed into a European pillar of social rights and, together with democratizing initiatives involving various modes of codetermination among the *demos* of Europe, turn a technocratic neoliberal Europe into a social and democratic one. Thinking along these lines has already begun on the part of European intellectuals (Balibar, Nicolaidis) and political actors (Varoufakis, Macron) and could end the paralysis of political initiatives due in part to the fruitless wait for a fundamental overhaul of the basic architecture. Whether this will happen, of course, remains to be seen.

With Nadia Urbinati's contribution we turn to the discourse, ideology, and practice of subsidiarity, one of the foundational organizing principles of the EU. Subsidiarity entails that social and political issues should be dealt with at the most immediate level consistent with their most adequate resolution. It seems focused on efficiency insofar as only those tasks and decisions that cannot, or for some reason should not, be handled at the local level should be ascribed to the central authority to decide and administer. It is thus touted as a way to accommodate plurality and liberty (local autonomy) and is a viable alternative to "monistic" sovereignty and statism. Indeed, subsidiarity is a way to govern a large, multilayered formation without the latter having to take the form of a federation or an empire.

Urbinati's piece shows the ambivalence of the subsidiarity principle with respect to liberal republican and democratic principles. Although it has an affinity with a conception of freedom as noninterference, it can easily come into tension with liberal principles of justice to persons and individual equality, democratic principles of a voice for everyone, and the republican principle of freedom as nondomination. This is so because the principle of subsidiarity applies liberty not to individuals but to groups, and it does not come with any requirement of equal voice or democratic procedures for local or other levels of decision making.

Urbinati notes that the concept has historical religious roots in the Catholic Church and then in reformed Christianity (with its related idea of sphere sovereignty), and it was generated in the context of the battles over the formation of territorial states in the post-medieval age. Hence its conflict-laden relation to the two main constructions of modernity: the modern state and the individual. Hence, also, the tension of the subsidiarity principle with, and explicit opposition to, the principles of state or popular sovereignty. The discourse of subsidiarity was and is still used by some to challenge the priority of public, secular, governmental power over religious and other corporate organizations. Equating the state, regardless of its political regime (republican or a constitutional democracy) or form (centralized or federal), with absolutist and monist sovereignty, advocates of subsidiarity, like some advocates of federation, challenge the very principle of unitary sovereignty in the name of the autonomy of a plurality of corporate associations. Unlike republican and democratic federalists, they do not seek to bring politics to the people or to enhance democratic participation and individual liberties. Rather, they want to bypass politics altogether in favor of administrative rationality.

Urbinati argues that this legacy is evident in the EU. The principle of subsidiarity appears in its constitutive treaties and is presented by advocates as an alternative to both the sovereign state and to a constitutionalized political federation. Its core principles—proximity (of agents to needs, interests, problems, and issues), self-responsibility (and

responsibility toward one's primary community), and efficiency of scale—are used to substitute administrative and judicial power for politics in Urbinati's view. Accordingly, in the absence of a real political federation to which member states constitutionally commit, subsidiarity has exacerbated instead of mitigated the democratic deficit in the EU, fostering technocratic regulation and the depoliticization of citizenship. Whether the principle could be freed from the trajectory of its historical genesis and be rendered benign and useful in a reformed federalized EU remains an open question.

Status Group Legal Pluralism

Part III turns to reflection on deeply divided societies and asks what form of institutional recognition, especially of religious difference, is compatible with constitutional democracy and justice toward minorities. The chapters in this section discuss countries with a colonial legacy of religious status group pluralism that have, upon liberation, reinstituted revised versions of it for religious minorities and, in some cases, majorities. Whether this fully mitigates the dichotomy between citizen and subject, however, remains to be seen because the rights of individual members of the respective religious groups are subject to the dictates of religious law and authorities even when these conflict with their individual human rights and equality provisions under the constitution of their respective polities. We now turn to this conundrum as it exists in postcolonial contemporary contexts.

The chapter by Christophe Jaffrelot discusses one of the most diverse constitutional democracies in the world—India—and the distinctive form of political secularism and recognition of religious pluralism it institutionalized in the aftermath of decolonization, upon independence. India is a federal republic that created an innovative form of political secularism that permits intrusive regulation of those religious practices of various groups, including the majority Hindus, that conflict with constitutional principles of individual equality and social justice, while recognizing religious groups and channeling state funds to their schools and various religious projects. The model of political secularism R. Bhargava calls "principled distance" differs from the liberal model of strict separation allegedly characteristic of the

U.S. version of political secularism and from the French republican approach, which banishes religion from the public sphere entirely. Indian political secularism entails constitutional guarantees for freedom of conscience, speech, and worship; an antidiscrimination principle; and religious groups' rights to establish religious and charitable institutions, manage their own affairs, and create schools. The model permits differential treatment of religious groups as long as privileges and disabilities are not distributed to them unfairly. According to Jaffrelot, the distinctive "principled distance" model of Indian secularism includes the institutionalization of religious status group jurisdictional pluralism regarding personal law. The Indian legal system treats the particularistic religious personal family law of the various religious communities as enforceable private law, and their religious authorities and courts as legally authoritative. India never established a uniform civil code of personal law even though the Constitution's "directive principles" call for the state to do so.

Jaffrelot's essay traces the trajectory of the current crisis of Indian secularism, documenting the demise of principled distance and impartiality toward religious minorities and majorities in the relevant court decisions from the mid 1980s onward. The equation of Hinduism with Hinduvta, Hindu nationalist ideology, began to penetrate those decisions and to undermine Indian secularism by entrenching an ethno-religious, exclusionary version of national identity and of the Indian "cultural" way of life at the expense of religious minorities' equal citizenship and equal standing in the polity. He considers two competing explanatory approaches to the crisis of Indian secularism: one culturalist, the other political, and clearly favors the latter. His analysis focuses on the role of Hindu nationalist political entrepreneurs who politicize and ethnicize religion and invoke democratic principles to insist on the prerogatives of the majority to make policy conforming to their interests without concessions to minorities. The rise of political religion cum populist nationalism and its challenges to political secularism are, to be sure, hardly unique to India. Indeed, Jaffrelot ends his piece wondering whether the transformation of India's multicultural democracy is not transitioning to an "ethnic democracy" along Israeli lines.

However, it is unclear what relation these challenges to political secularism in India and elsewhere have to the institutionalization of religious status group legal pluralism. Does religious status group legal pluralism exacerbate or mitigate religious divisions? Does it invite politicization of religious communal attachments? Is it really intrinsic to the ideals of principled distance if the religious law it empowers discriminates gravely against women and if the religious authorities are by no means democratic in their procedures or outlook? Is there not a conflict between religious status group legal pluralism that hives off personal law from a general civil code and from liberal constitutional democracy?

Both Michael Karayanni and Yüksel Sezgin think there certainly is. They have each analyzed the negative effects on human rights of individual members of these jurisdictions in other works, showing how they undermine equal citizenship and other principals of constitutional democracy. Both stress the special vulnerability of weaker members of the religious communities—women and children—when subject to the jurisdiction of patriarchal religious law and authorities.

In chapter 10, "Tainted Liberalism: Israel's Millets," Karayanni shows how jurisdictional religious pluralism in Israel conflicts with liberalism even as it uses multiculturalism as a cover. Karayanni's study of religious millets in Israel challenges the claim that the jurisdictional authority granted to the Palestinian-Arab religious communities is a form of minority accommodation that is tolerant, pluralistic, liberal, and multicultural in nature. Israel is a nation-state, and it privileges the religious majority regarding national identity and in other respects while claiming nonetheless to be a secular democracy and to accord liberal principles of religious freedom, freedom of conscience, and group rights of self-government over personal family law to religious minorities by giving decisions of their religious courts legal effect. It grants all citizens the right to vote and thus does not officially link religious jurisdictional pluralism to subject status. This permits Israel to claim to be a liberal multicultural democracy that accommodates instead of assimilating group difference through its

particular form of jurisdictional pluralism while guaranteeing equal citizenship.

Karayanni pushes back against this claim in two ways: by going back to the genesis of these millets at the founding of the Israeli state and by making a conceptual argument regarding the incompatibility of religious millets—status group jurisdictional pluralism—with the individualist and egalitarian premises of political liberalism. As is well known, the millet system was inherited from the Ottoman Empire and, later, British imperial rule. By researching newly available archival materials, Karayanni shows that the recognition accorded to the Palestinian-Arab religious communities and the construction of other minority millets by the newly independent Israeli state was primarily driven by institutional interests of control and nation-building desiderata rather than by a concern for the well-being of the minorities. A divide and rule strategy more typical of empires than of democratic nation-states meshed with a nation-building project focused on Jewishness and ensuring a Jewish majority: hence, the importance of endogamy and strategies of blocking intermarriage all around. But genesis isn't validity, and it could be that whatever the original reasons for its jurisdictional pluralism for religious status groups over personal law might comport with liberal principles. Karayanni refutes this idea, arguing that liberalism is predicated on the equal standing, moral worth, and basic human rights of every individual and that religious status group jurisdictional pluralism conflicts with this core principle insofar as it ascribes rights to the group and to its religious authorities without conditioning these rights on liberal principles of equality for group members. Jurisdictional pluralism without provision for individual rights and voice for group members, especially in patriarchal religious communities, conflicts with rather than instantiates liberal principles, the possibility of forum shopping and the multicultural label notwithstanding. Accordingly, it essentializes difference, freezes unequal rights and privileges within the group, and turns the minorities it reifies into unequal members of the political association.

Sezgin apparently agrees. His concern in "Jurisdictional Competition and Internal Reform in Muslim Family Law in Israel and Greece" is how to

generate progressive reform in countries that already have religious status group legal pluralism and mitigate the rights violations and inequities it clearly fosters. His essay puts to the test a proposal for fostering internal reform in contexts in which religious status group jurisdictional pluralism has been entrenched. Sezgin's piece engages in a comparative analysis of the outcomes of reform attempts along these lines in Israel and Greece in relation to Muslim communities' family law in each country. His concern is "the paradox of multicultural vulnerability" that ensues when group-based jurisdictional rights accorded to religious communities as collectives clash with individual rights and liberties accorded to their members under constitutional and international law." Here, too, the focus is on women's rights.

Sezgin discusses Shachar's "joint governance" model, in which neither civil nor religious courts have monopolistic control over personal law. Each would have specific subject-matter jurisdiction over distinct but complementary matters and concurrent jurisdiction as well. For instance, if marriage and divorce are placed under the purview of religious courts, related family matters such as custody and alimony would be placed under the jurisdiction of civil courts. Concurrent jurisdiction would enable individuals to transfer disputes between courts if one jurisdiction does not, in their view, adequately address their concerns. The idea is that forum shopping among courts with concurrent jurisdictions promotes jurisdictional competition and could exert pressure toward internal liberal reform if religious courts are faced with the prospect of massive exit regarding adjudication of family law matters. Ex ante review by superior courts, mandatory secular training for religious judges, mandatory legal counsel for those appearing before religious courts, permission for third parties to appear, and a prior review of religious court decisions could foster the internalization by religious authorities of civil secular norms of equality.

Focusing on Muslim family law in Greece and Israel, Sezgin notes that both jurisdictions incorporated some reforms along these lines and employed some ex ante oversight techniques. Although there has been no major "transformative" change in Muslim law or patriarchal structures in

either religious community, there has nonetheless been some progress in Israel but not in Greece. The analysis tries to account for this variation. Although jurisdictional competition, oversight, and other regulatory civil controls are certainly preferable to none, his ultimate conclusion is that the meager results regarding gender equality in Muslim personal law in each country reveal that they are insufficient.

the same rights as natural persons, even invoking international human rights law to protect their autonomy and interests against state regulation. Here, too, liberalism is invoked as justification against the "overextension" of regulatory public power. We thus face a new version of corporatism and a new form of legal pluralism tied to neoliberal economic ideology and at times allied with resurgent religious corporatist claims. They are strange bedfellows in the legal pluralist universe, but the emergence of religious "neoliberalism" coupled with claims of pluralist corporatism has been quite successful in challenging the regulatory policies even of powerful states such as the United States. This form of managing pluralism is thus well worth looking into.

As Katharina Pistor notes in "Corporate Legal Particularism," business corporations are creatures of law, and contemporary state law confers on them full legal personality, enabling them to contract, sue, and own assets. But corporations have morphed, like the sorcerer's apprentice, into masters of the emergent particular transnational legal order that serves their interests. Sovereign states have facilitated and accommodated the rise of such corporate power by recognizing entities created by foreign law and allowing them to penetrate their borders and by delegating lawmaking and enforcement powers to business corporations, enabling them to set standards not only for their contractual counterparts but even for states. Via these means, in an effort to gain competitive advantage, states have, in effect, transferred a key part of their public sovereign prerogatives of rule and regulation to private powers—corporate business entities. Transnational legal pluralism plays a key role in this.

Pistor introduces an important distinction between legal particularism and legal pluralism to explain what is at issue. Legal particularism is a legal order that is controlled by and primarily serves particular interests. Legal pluralism, at least normatively defensible versions of it, ideally connects actors and bridges differences because it operates in a background context of shared norms on domestic or global levels. In her words, both involve "multi-juralism," but they stand for radically different ways of ordering the relation of legal orders to one another. Globally, legal particularism owes its rise to legal pluralism insofar as it entails the ability to pick and choose among multiple legal orders that allow business corporations to play different lawmakers against one another and thereby gain influence over lawmaking. It also enables global corporate actors to elude oversight by a shared common overarching legal order because it undermines the regulatory reach of existing public political forms while distorting new ones on regional or global levels. Pistor notes that a normatively defensible legal pluralist order requires some common principles, but it also involves mutual accommodation and tolerance for differences. In a federal political formation, for example, the federal unit can develop a jurisdictional constitutional anchor to mitigate the free choice of law by corporations among member states and preclude opting out of general legal oversight. But carve-outs from general law to favor particular interests segregated from regulatory oversight by a shared common legal order do not serve the common interest. We have seen this in the case of religious status group legal pluralism.

Focusing on the world of transnational trade and investment law where the source of corporate power is international treaty law, Pistor analyzes the rise of transnational corporate economic power and how it turns global legal pluralism into legal particularism and triggers a competitive race to the bottom regarding regulatory control by states, undermining their sovereignty. If corporations can freely choose the law that suits their interests, states lose the ability to govern them in ways that comport with the public interest. By invoking pluralist and liberal rhetoric of the contract, business corporations have become adept at fostering their own particular interests at the

expense of those of the people in the states in which they operate. Pistor argues that the current legal pluralism and free choice of law empowers some but at the expense of collective self-governance in the public interest by states, absent a functional equivalent to a federal legal order on regional and global levels. The principle of free incorporation set the stage for a struggle over domination between states and corporations. Corporations cannot win without the help of states, but all they need is one willing state in order to play their game of legal particularism.

Tsilly Dagan's analysis in "The Marketing of Tax Sovereignty" makes a similar and related point. Focusing on the all-important sovereign power to tax to fund programs and set redistributive policies that serve the public, Dagan demonstrates that multinational enterprises use their competitive advantage under the rules of global legal pluralism to undermine this power. They shop around for sovereign goods and make use of state competition for investment to pay as little tax as possible. Because residents (and particularly incorporated residents), their businesses, capital, resources, and profits are highly mobile across national borders under current rules, they put sovereign states under competitive pressure to attract them. Hence, in terms of taxation, sovereigns no longer hold the monopolistic power to govern. Instead, they themselves become similar to market actors competing for resources (IP, capital, jobs, and innovation), tax revenues, and residents.

From the traditional perspective of civil power and civil law, a democratic sovereign polity is entrusted—through a political process—with legislative tax powers, aiming ideally to maximize welfare (efficiency) and justly (re) distribute while reinforcing the underlying normative values shared by its constituents. Such a sovereign has the power and—assuming it treats its constituents justly—legitimacy to so govern. But the competition unleashed by unbridled transnational corporate business enterprises seems to permeate into the very nature of tax sovereignty, altering the traditional role played by the sovereign. It affects the kinds and quantities of public goods and privileges offered by the state to its constituents; it affects the underlying meanings and values of the

sovereign-subject interaction; and it transforms modes of political participation and schemes of distribution. As Dagan shows, this entails a serious distortion: the reduction of political for economic power, favoring business and eviscerating the core public purposes of constitutional democracies. Although touted as yet another efficient and productive example of legal pluralism, Pistor's concept of legal particularism applies quite well to this use of the rules by business enterprises to escape taxation and political oversight by the democratic sovereign.

The appropriate solution to this conundrum is unclear. Absent cooperation, states cannot preserve their tax rates (and their levels of redistribution) without sacrificing the collective welfare of their constituents. But cooperation carries the risk—particularly for developing countries—of being subject to the cartelistic powers of a dominant group of countries that might undermine not only states' independence in shaping their tax policies but also global justice.

The final chapter of this volume illustrates this conundrum perfectly. In "The Politics of Horizontal Inequality: Indigenous Opposition to Wind Energy Development in Mexico," Courtney Jung explores the tensions and the opportunities generated by the various forms of legal pluralism in Mexico regarding indigenous peoples' voice and rights in domestic conflicts over development. Her focus is the clash over "energy development" via the erection of wind turbines in the Isthmus of Tehuantepec, home to more than a thousand indigenous communities. Mexico is a federal republic in which, as Jung notes, the states exercise significant powers, enabling them to allow municipalities to be governed by *usos y costumbres*—a range of indigenous customs and practices, including jurisdiction over family law, inheritance, land allocation, and criminal punishment. Accordingly, the state of Oaxaca, in response to indigenous demands for more autonomy, allows municipalities to choose whether to be governed by party politics or traditional practices, and now almost all municipalities in the isthmus are governed by *usos y costumbres*. This is an example of a federal power exercised by a state invoking the principle of subsidiarity to

change its municipal governing structures and institute status group political and legal pluralism for a local indigenous population in order to accommodate diversity.

Mexico is also embedded in a supranational network of organizations, treaties, agreements, and courts that further multiply the legal fora, spaces, and frameworks that govern politics. Moreover, Mexico depends on foreign direct investment to fulfill many of its development goals. In making the switch to clean renewable energies, Mexico has relied on investment from multinational corporations and consortiums of corporations that exercise considerable political and economic power but are also partly governed by various trade agreements and loan conditions.

Jung's piece shows how the complexity of forms of legal pluralism have shaped the political process and indigenous protests by providing a variety of frames for articulating grievances, at times facilitating, at times blocking, democratic self-government. Indeed, the complexity of the situation and the ambivalence of the effects of the various plural legal fora is a theme of the chapter. As Jung notes, some of the legal and political spaces and frames accommodate difference and autonomy, some are easy to access, and some enhance and protect the principles of equality, voice, individual, and collective rights, but others violate rights and shut down democratic voice and representation. For example, she cites research showing that *usos y costumbres* systems of status group pluralism discriminate against women in terms of office holding and other rights. She also notes that it tends to obscure differences of opinion and interests within the indigenous communities, reifying and essentializing them, just what Macklem indicated is a flaw of this form of institutionalizing pluralism. Instead of diminishing conflict, it has exacerbated it among the various indigenous communities and groups, leading to violence between inhabitants of central villages where municipal authority is concentrated and those in rural areas. Moreover, rights to individual freedom, due process, and a fair trial tend to be systematically violated by communities governed by *usos y costumbres* systems, although they also foster greater trust of

officials than communities governed by political parties and the civil law.

Jung shows how some of this plurality of legal forms leaves the outcomes open by multiplying avenues and ways of framing protest and contestation. Jung seems to conclude that enabling migration among political and legal venues secures the contingency that undergirds constitutional democracy. But the complexity and fragmentation of levels of governance also could be a way to disempower certain populations and undermine basic individual rights. Moreover, it creates coordination problems among the various legal instances, and it is unclear whose autonomy is enhanced by the fragmentation of the civil law or who is ultimately responsible and accountable to whom. How do the various legal orders relate, and how should they be coordinated ideally to comport with democratic constitutionalism? Who ensures that the particular form of status group legal pluralism practiced in Mexico comports with the principles of democratic constitutionalism and basic rights, and who has the competence to determine these questions? It could be that this complexity raises more problems than it resolves, giving the illusion of consent and autonomy regarding development and other issues at the price of individual rights. All of this merits further study there and regarding forms of pluralism elsewhere, and it is the aim of this volume to trigger just that. <>

[Reading the Signs: Philology, History, Prognostication: Festschrift for Michael Lackner](#)
edited by Iwo Amelung and Joachim Kurtz [Iudicium verlag, 9783862056156]

Over more than 40 years, the sinologist Michael Lackner has studied a broad range of issues in China's past and present. On the occasion of his 65th birthday, this volume brings together essays from friends, collaborators, colleagues, and students dedicated to the three fields of research in which he has made his most lasting contributions: philology, the histories of science and thought, and the study of prognostication. Michael Lackner's work in all these areas is connected by an intense engagement with "signs"—texts and images but also objects, dreams, portents and omens—and the semiotic, epistemic and political contexts in which they become meaningful. The 25 contributions

presented here highlight the fertility of such a transdisciplinary approach. Reading signs in material, textual, and visual sources dating from 2000 BCE to the present, scholars from four continents address themes as diverse as early Chinese ritual and cosmology; imperial and modern Chinese poetry, prose and drama; Chinese alchemy, astronomy and mathematics; the theory and practice of divination and prognosis; as well as exegetical traditions, political rhetoric, and problems of translation. Many articles examine entanglements between China and the West and offer comparative perspectives on developments in Europe and the Islamic world.

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Excerpt: It is the order of the Changes where the Superior Man finds his rest and peace. It is the verbalizations of the lines where he finds his

happiness and which he rolls around in his mind.

Therefore, when resting, the Superior Man observes the Images of the Changes and rolls the words around in his mind. When moving, he observes the alternations and rolls around in his mind the prognostications. Thus help is extended to him from Heaven; there will be good fortune, and advantage in every moment.

At first blush, it must seem rather embarrassing for sinologists worth their salt to compare Michael Lackner, whose 65th birthday in May 2018 offered us a welcome excuse to compile this volume in his honor, in their dedication to the weary and worn-out figure of the Confucian gentleman. Probably not many years have passed in the second half of the proverbial 5.000 years of Chinese culture, in which no student, friend or colleague has borrowed the epithet of the "superior man" to pay homage to a more or less sincerely revered senior. It is certainly not our intention to add more names to the list of nimble supplicants versed in lavishing vapid praise on their, or any, teacher or friend—even if serving as editors of a Festschrift may in itself invite such charges. Aware of all these pitfalls, we still decided to take the risk and swallow our pride because we could not find, or even imagine, a more fitting description of what we take to be one of the most admirable qualities exemplified in the life and work of Michael Lackner than the one quoted above, given here in a version that we adapted, and then slightly expanded, from one of his own translations. The short text reveals the ability to read signs, and the joy that comes from doing so, as one of the cardinal virtues distinguishing perhaps not "the superior man" per se, but one of its many avatars, namely that of a dedicated student and devoted reader. To us, Michael Lackner is the embodiment of such an ideal reader, not only of the Book of Changes, their images, appended verbalizations and commentaries, but of the full range of semiotic materials to be found by inquisitive minds in China's and Europe's past and present: most importantly of texts, objects, and images, of course, but also of artistic and bodily shapes and expressions, of tempers and moods, times and climates, movement and stasis. In his written work as much as in his teaching and the discussions of thorny academic and political issues

in which he has enveloped all contributors to this volume and many others, Michael Lackner excels in deciphering and elucidating explicit and implicit meanings and in inspiring others to dig more deeply and always consider alternative ways of understanding. Like the sage depicted in Figure 1, Michael Lackner can grasp images, plots, and situations at a glance ("looks once and decides") but he also knows that scholarship and the true knowledge that we may gain from it requires to "turn" complex signs and difficult moments "back and forth in one's mind without ever letting up." In motion, in which he was more than enough, it seems to us, in his academic life, Michael Lackner "observed," managed and anticipated more and less welcome "alternations" skillfully and more than once with a generous helping of "good fortune." In moments of rest, he pondered "images" of what has been and was to come, or—and here we need to step out of the frame of our quotation and its diagrammatic representation for a moment—dreamt up imaginative ways of subverting or circumventing any "regulations" prone to obstruct his own or his students' and collaborators' freedom to pursue academic and intellectual interests. For all these reasons, it seems to us like an auspicious sign that the ancient Sages acknowledged already that to such an ideal, and "superior," reader "help is extended from Heaven; there will be good fortune, and advantage in every moment." In the hope that the Sages' judgement may continue to be proven right and on behalf of all contributors and the many other friends and colleagues who joined the Tabula Gratulatoria, we dedicate this collection to Michael Lackner for his reading pleasure.

This volume brings together twenty-five essays by colleagues, collaborators, friends, teachers, and students of Michael Lackner from four continents. The articles explore a wide array of themes related to the three areas of research in which Michael Lackner has made his most lasting scholarly contributions to date: philology, the histories of science and thought, and the study of prognostication and divination. Like Michael Lackner in his work, the authors engage in intense "readings of signs"—interpretations of profane, religious, and literary texts and images but also of objects, portents, dreams, and omens—and reconstruct the semiotic, epistemic, social and

political contexts in which their sources acquired meaning and significance. Reading signs in material, textual, and visual sources dating from 2000 BCE to the present, the studies presented here address themes as diverse as early Chinese ritual and cosmology; imperial and modern Chinese poetry, prose, and drama; Chinese alchemy, astronomy, and mathematics; the theory and practice of divination and prognosis; as well as political rhetoric and problems of translation. Many examine entanglements between China and the West, and some offer comparative perspectives on events and developments in Europe or the Islamicate World. Taken together, they highlight the fertility of a transdisciplinary approach close to the one that has inspired and distinguished so much of Michael Lackner's work as a scholar and teacher.

[A Dialogue between Haizi's Poetry and the Gospel of Luke: Chinese Homecoming and the Relationship with Jesus Christ](#) by Xiaoli Yang [Theology and Mission in World Christianity, Brill, 9789004361294]

In [A Dialogue between Haizi's Poetry and the Gospel of Luke](#) Xiaoli Yang offers a conversation between the Chinese soul-searching found in Haizi's (1964-1989) poetry and the gospel of Jesus Christ through Luke's testimony. It creates a unique contextual poetic lens that appreciates a generation of the Chinese homecoming journey through Haizi's poetry, and explores its relationship with Jesus Christ. As the dialogical journey, it names four stages of homecoming--roots, vision, journey and arrival. By taking an interdisciplinary approach--literary study, inter-cultural dialogue and comparative theology, Xiaoli Yang convincingly demonstrates that the common language between the poet Haizi and the Lukan Jesus provides a crucial and rich source of data for an ongoing table conversation between culture and faith.

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Excerpt: Contemporary China has been going
 through a renewed time of revolution since Deng
 Xiaoping (邓小平, 1904–1997) introduced the
 ‘Open Door Policy’ (Duiwai Kaifang, 对外开放) in
 1978.¹ Economic reform is opening China to the
 global market and private competition, resulting in
 China becoming one of the fastest growing

economies in the world. The last decade, especially, has witnessed aggressive steps by China to open up the country to greater engagement and exchange with the world. Reflection since the Cultural Revolution, to the extent that it is dominated by intellectual utterances, centres on the question of re-positioning the intellectual in the newly articulated social reality. Western thought and ideology are flooding into the mindset of Chinese people. This wave of introducing western thought to the academia is regarded by some Chinese scholars as 'the Second Chinese Enlightenment' since the May Fourth Movement, 1919. An academic movement that dialogues between Christianity, western thought and Chinese traditions is sought. One of the most prominent figures—a prototype of the so-called 'cultural Christian' (wenhua jidutu, 文化基督徒), Liu Xiaofeng (刘小枫, 1956-), writes with eloquent and affective language in his well-known *Deliverance and Dallying* (拯救 | 逍遥). The book has inspired many Chinese intellectuals to move their attention to the Christian

God in their search for the Ultimate within their cultural disposition, as well as salvation for the torn-apart post-Mao China. For new sources to feed the spiritual vacuum (jingshen kongxu, 精神空,) of Chinese people in the post-Mao era, people are looking to philosophy, psychology, literature and religion for new ways of orienting themselves in a world of ideological incoherence and unrelenting competition. We cannot overstate the significance of the impact of opening up to alien cultural influences and the impact upon the Chinese cultural psyche and the felt need for a stable 'holding environment'. While these ideas and values signify freedom and liberty, the loss of collective coherent consciousness also spells alienation and disorientation to the Sino mind. When China entered the era of the 'Open Door Policy' at the end of the 1970s, this collective consciousness began to come under threat.

Contemporary Chinese poetry was born out of such culture collisions where the ancient meets the modern, the traditional meets the contemporary and the East meets the West.^s These culture collisions and mergers are causing an identity crisis and a fragmentation of values that poets are

discerning and expressing. Philip Wickeri rightly claims that Chinese intellectuals have developed a 'literature of the wounded' rather than a 'theology of the wounded' in the post-Mao era.⁷ Many contemporary Chinese poets are exploring themes relating to cultural and existential identity through their writings, and poetry is being used by contemporary Chinese to express their most significant life issues. In order to rebuild their spiritual framework and cultural disposition, poets such as Beidao (北岛, 1949-), Gucheng (顾城, 1956-1993), and Shuting (舒婷, 1952-) express the wounded social psyche through their writings after the Culture Revolution. While some poets try to absorb western thoughts and imitate many western writings, others such as Jiang He (1949-) and Yang Lian (杨, 1955-) attempt to search the roots (xungen, 寻根) of Chinese culture to counter such fever towards the western culture. Poetry movements began in the expression of 'Misty Poetry' (menglong shi, '朦胧诗') in the 1970s, and gradually developed into a variety of poetry forms, and culminated in the movement of the so-called 'New Poetry Wave' (xinshi chao, '新诗潮') which includes 'Post Misty Poetry' (hou menglong shi, '后朦胧诗'), 'Post Modern Poetry' (hou xiandai shi, '后现代诗') and other new forms of writings from the mid-1980s. In a very short period, thousands of poetry communities and denominations arose and spread over the country. Contemporary Chinese poetry reached its peak and the movement carried through till the early 1990s. This decade of poetry prosperity, the so-called 'poetry fever' (shige re, 诗歌热), is likened to the period of the Tang dynasty (618-907) when great poetry was produced and flourished. The youthful dreams, hope, pain, love and struggles were imprinted in the memories of an entire generation during these poetry movements.

Through poetry and poetic expression, both the features of their worldview and the implicit spirituality of the poets may be discerned. Thus, it can be seen that poetry is a crucial and rich source of data for anyone seeking to understand the shared phenomenon of cultural dislocation and reorientation in this contemporary period. As will be explained below, a soul-search (xunhun, 寻魂)

is an inner search that encompasses wisdom, the will and emotions. In order to assist in the ongoing sensitive engagement of the Christian gospel with Chinese culture, I will argue that a dialogue between the Chinese soul-search and the gospel can be created through the vehicle of poetry.

Research Questions

I have selected the work of a well-known Chinese poet, Haizi (海子, 1964-1989). Although he committed suicide in 1989 at the age of twenty-five, his influence on the Chinese people has permeated well beyond his time and his age. Over the past two decades, many representative works of Haizi continue to be the most popular poems among contemporary Chinese, are included in high school textbooks and read by educated Chinese alike. Both his popularity and uniqueness open a window for us to enter into the heartland of a Chinese soul-search.

I still recall my astonishment when reading Haizi's first published epic poetry book *The Land* (1990) amongst many others in the wake of the 1989 Tiananmen Square Incident. A poet friend came to my university dormitory and shared Haizi's dramatic suicide. One of the books besides his crushed body was a Chinese Bible. The Bible had not been widely read amongst the intellectuals of the time. Like a doom bell that prophetically tolled the upcoming tragedy of the 'June-Fourth' Incident of 1989, Haizi's death marks the ending of a romantic movement of contemporary Chinese poetry and the beginning of a new era of market economy in the 1990s. Haizi's suicide, as a part of the social and cultural phenomenon in the history of Chinese intellectuals, reflects a strong critique and reaction towards the social and cultural structure and national character in the post-Mao era. As a signpost between the two eras—the two literary movements ('Misty Poetry Movement' and 'New Poetry Wave'), agriculture and urbanisation, and the East and the West, his writing brings focus on the collision and tension between different cultures and traditions. His unique style of poetry, in the form of 'spiritualisation writing' (shenxing xiezuo, 神性写作), opens the evolution of an intellectual phenomenon in the heartland of a Chinese soul-search to fulfil the collective quest for homecoming in the rapid social and cultural change.

In this book, I will search for points of resonance between Haizi's poetry and the gospel of Jesus Christ through Luke's testimony by discerning parallel cries expressed in both and ascertaining to what extent these are essentially expressions of related phenomena. I will demonstrate that the resonance between the two can be identified, leading to an ongoing table conversation between culture and faith. In order to do this, I will ask:

- What are the indications of the soul-searching and spiritual hunger of a generation of Chinese expressed in Haizi's poetry?
- What are the features, shapes and themes in relation to the soul-search and spiritual journey that are evident within Haizi's poetry?
- What are the points of resonance between the spiritual journey of a generation of Chinese through Haizi's poetry and the yearnings expressed in the Lukan Jesus?
- How does the gospel complement a generation of Chinese soul-searching expressed in Haizi's poetry?

Outline

Part 1 explores the Roots of home—the origin of the cosmos and humanity. It will test if the homelessness of Haizi and his generation expressed in his poetry correlates with the place of homelessness that the Lukan Jesus willingly takes as his home. If this is true, Jesus will become the presence of God in the place of displacement and isolation by becoming homeless himself.

Part 2 considers the Vision of home—the picture of a future home. The next test is to see if Haizi's vision of home—Chinese Huijia, where humanity gathers and shares at table meals resonates with the hospitality of God embodied in the Lukan Jesus. If this is true, Jesus will offer a radical inclusive model through his table fellowship.

Part 3 investigates the Journey home—the path towards home. The third test is to see if the brokenness of Haizi and his contemporaries, in their struggles to reconcile the vast difference between the East and the West correlates with Jesus' suffering in his struggle to bring a tangible present reality of the Kingdom of God to this world. If this

is true, Jesus will take a journey of suffering in the way of the Cross and invite his disciples in the way of brokenness to demonstrate the Kingdom of God.

Part 4 examines the Arrival home—the homecoming. The last test is to see if Haizi's poetic act of self-surrender in the posture of the cross resonates with Jesus' suffering and death on the Cross for the whole of humanity. If this is true, Jesus will embrace the brokenness of both the East and the West through his persistent and self-giving love that is stronger than death.

The conclusion summarises the homecoming journey. Using the correlation between Haizi and Jesus as the basis of conversation, it offers further insights for an interrelationship between Chinese culture and the gospel. It ends with an open invitation of the cosmic Jesus, who has risen from the dead, to Haizi and his generation to join him on the way home.

This book therefore attempts to argue that the common language of the poet Haizi and Lukan Jesus provides a crucial and rich source of data for an ongoing table conversation between culture and faith. It aims to show that homecoming is a journey, and the way home is through dialogue.

Haizi: The Poet Who Never 'Dies'

On 26th March 1989, his 25th birthday, Haizi committed suicide by laying himself on the railway tracks at Shanhaiguan (山海关). Four books were laid beside his body, the Chinese versions of these books: 'The Old and New Testament' (约全书), 'Walden' (瓦尔登湖), 'Kontiki' (孤筏重洋), and 'Conrad's Fiction' (康拉德小说选). Alongside was his last writing in a note: 'My death has nothing to do with anyone'. Tragically, this brilliant poet, who with the instrument of his voice 'crawled over the earth' and sang for 'rice and vegetables', ended his short life with such brutality. Through his astonishing creativity and acute intuition, he created a world of poetry that has had a substantial impact on Chinese people over the last two decades.

This chapter defines the scope of the book by limiting it to the dialogue between the soul-search of Haizi and his generation through Haizi's poetry, and Jesus Christ predominantly in the Gospel of

Luke. Following a literary review of the past two decades of research on Haizi, it introduces the interdisciplinary methodology that embraces literary study, intercultural dialogue and comparative theology through a contextual poetic lens. By using Haizi's poetry as a window into contemporary Chinese soul-searching, I argue that this book offers a dialogical path between Haizi and his companions of the 1980s' China and the gospel of Jesus of the first century Palestine in Luke. In doing so, we can appreciate the Chinese soul-search journey on one hand, and Jesus' way of approaching life in the Gospel of Luke on the other. The two worlds are not only enlarged by the current research, but also open a possible dynamic interrelationship between the Chinese soul-search and the gospel.

Definitions and Limitations: Haizi in Contemporary China

Haizi, originally named Zha Haisheng (查海生), is a legendary poet in the history of contemporary Chinese poetry. He was born in Zhawan village, in the town of Gaohe, Huaining County, just outside the city of Anqing, in Anhui province. He was brought up in a rural setting. At the young age of fifteen, he was admitted to one of China's top universities, Beijing University, to study law, and subsequently became a lecturer at the Chinese Politics and Law University. He recorded his experience on the way to Beijing in a poem 'Night Train in Winter' (冬天的夜行 yì jū). Leaving behind his hometown and wheat fields, he wrote 'the nights were like days'. He began to write poetry during this period and produced nearly three million words of poetry, novels, dramas and dissertations within seven years in lonely, simple and poor living conditions.

Since his tragic death, however, Haizi has generated a wide range of opinions among literary critics. It is undeniable that Haizi has well overtaken many other famous contemporary poets such as Gu Cheng (顾城), Shuting (舒婷) and Yu Guangzhong (余光中). His poetry books have been published and sell out year after year. Poets and critics gather on university campuses to read his poems and tell his stories in meetings. His poems are both included in school curricula and read by

educated Chinese alike. Even his former residence in his hometown has been repaired and classified among key cultural relics.¹ Among the literate classes, he has been the subject of exhaustive scholarly analysis and research. In 2009, to commemorate Haizi's death, the most popular Chinese central government TV station gave a lengthy reading of his poem 'Facing the Sea, (Watching) the Flowers Bloom in the Warmth of Spring' (面朝大海, 春暖花开) combined with music and dance, during the New Year's Eve Show to the entire country. His friend Luo Yihe (骆一禾) claims that Haizi is an international poet with worldwide views, a gift from the Chinese to the world literature community.² Just over a month after Haizi's death, Luo Yihe paralleled Haizi's poetic success with the image of looking down on everything from a mountain peak. He quoted Chen Dongdong's words, 'He [Haizi] will make an impact not only on the present and the future, but also the past'.³ These prophetic words proved to be right with the following two decades of extensive research on Haizi. He also won several significant literary prizes, including a poetry prize of the prestigious 'People's Literature' (Renmin Wenxue, 民文学) in 2001, twelve years after his death. Haizi is acclaimed to have 'poetic genius and encyclopaedic knowledge' with 'keen instinct and original style' in The Encyclopaedia of Contemporary Chinese Culture.⁴ Xichuan (西) thought Haizi was 'one of the pioneers of our era' in 1990,⁵ but then realised that Haizi's work is 'timeless' (kuashidai, 跨时) during the editing of Haizi's collection in 1992. Xie Mian (谢冕) called Haizi the 'symbol of a poetic era'. Forever a twenty-five-year-old poet, Haizi has become a legendary figure in contemporary literary history.

His poetry is unique because it displays a fascination with transcendental and metaphysical issues, within which his pantheistic view of the cosmos emerges. Haizi heavily employs the apocalyptic language and images from the Bible for his poetry creation and pursuit of truth, even though this does not mean that he has understood the Christian belief system. Chen Qijia (陈奇佳) and Song Hui (宋晖) claim that Haizi simply borrows Christian symbols to build his 'cultural

poetics' (文化诗学). Ultimately he is worshipping the goddess of poetry. Liu Guangyao (刘 "耀") however states that instead of preaching the gospel in a traditional way, Haizi 'previewed a poetry era of Christian individual faith'. Si Li even goes as far as claiming that Haizi's poetic search shows he is a Christian mystic. Haizi is recognised as the second milestone of Christian literature following Bingxin (冰心, 1900-1999). Luo Yihe calls Haizi 'a pure child' (chini, 赤子), quoting the biblical verses where Jesus praises the Father for revealing himself to 'infants' (Mt 11:25) and where Jesus welcomes 'little children' into the Kingdom of God (Lk 18:16). I will explore what the long-lasting 'Haizi fever' says about the psyche of contemporary Chinese, what effect this young poet has had on contemporary Chinese and how his poetry expresses the yearning and soul-search of contemporary Chinese people. As Qi Hongwei (齐宏伟) asserts, Haizi's poetry has 'thoroughly peeled off the pretending souls of contemporary Chinese literature and entered into the real 'soul writing' (linghunshi xiezuò, 灵魂式写作)'. Haizi's poetry is not simply a symbol of the post-Mao generation; his existential quest for transcendence is germane to the contemporary Chinese mindset. Therefore, Haizi's poems provide a rich source of insight into the yearnings of this generation of Chinese people.

Haizi's search is a journey of returning to the ontological home—the fundamental or essential reality of his being and becoming. His homecoming journey is on a 'poetic epistemological path' (shige renshi lujing, 诗歌认识-ipá 径) within a particular social-cultural context. It is the path on which he gains knowledge, not so much through revelation that is an outside force nor reason that is human rationalism, but predominantly intuition that resides ontologically within humanity.¹³ For him, poetry through intuition is a vehicle of knowledge on a journey towards home. It starts with his Chinese roots, his vision of home, then his journey to the West in order to find a new home, and ends with his final return to Chinese soil in his ultimate act of suicide—'poetry in action'. This book is therefore divided into four main parts: roots, vision, journey

and arrival, as symbolic landmarks of Haizi and his generation's soul-search journey.

Essay: Misreading the Signs, or: Theorizing Divination—Chinese and Greek by Lisa A. Raphals

It is a commonplace to the many colleagues and students of Professor Michael Lackner that many problems framed in traditional Western humanities discourse as universal are not truly so. All too often, the formulation of such "universal" classifications, taxonomies, and so forth, arises from Western sources. Often these sources are some version—accurate or not—of the "Greeks" of antiquity. Whether ancient or modern, all too often, these Western categories and classifications are "universalized" into a discourse that claims to be value-neutral, but is not. "Mis-reading the signs" in the theorization of mantic discourse is an example of how comparative perspectives can help, and how Chinese mantic discourse fundamentally changes the articulation of the problem.

I begin with so-called "standard" classifications of mantic practices (divination), especially the categories of "inspired" and "technical" divination, which inform the entire history of the subject. The next section contextualizes this history by examining the place of the study of divination in the twentieth-century history of the discipline of (Western) Classics. The third section turns to the history of theories of divination, both in antiquity and in twentieth-century Chinese history.

kinds of divination: by nature (*natura*) and by technical expertise (*ars*, Cic. Div. 1.6.12). For Cicero as for Plato, natural divination came from the gods and was the highest form of the mantic art. It came "without reason or consciousness" (*sine ratione et scientia*, Cic. Div. 1.2.4) and was inspired by frenzy or dreams. It occurred either when the soul was free of the body (in dreams or to those approaching death) or when the soul's natural power of prediction became overdeveloped, manifesting as frenzy or inspiration (as in the case of Cassandra). He explicitly excluded from natural divination both the use of reason and prediction by "natural law," for example, the predictions of physicians, pilots, or farmers.

Thus, for both Plato and Cicero, the power of prediction was a universal human potential, but was only realized fully in limited circumstances: in the grip of divine possession or when the soul was loosened from the hold of the body. They were only subject to study or mastery in the inferior form of technical divination by signs.

We can now see something of how divination and prognostication have been theorized by contemporary scholars, and how Plato and Cicero's view of divination has informed (and possibly distorted) the entire history of the subject.

Greek Divination, Classics and the Social Sciences

The distinction between inspired and technical divination also figures in the modern history of classical scholarship on divination.¹ The modern study of Greek divination takes place in a history of interactions between the discipline of Classics and anthropology, archaeology, and the history of religions. It also partakes of debates on the use of comparative methods, including the vexed question of how "other" the Greeks were, and who, if anyone, should be compared to them.

The Classification of Divination

To consider the comparative study of mantic practices in antiquity, I begin with Plato's *Phaedrus* (244ab and d).

The greatest of good things come to us through madness, when sent as a gift of the gods. For when mad, the *prophētis* at Delphi [the *Pythia*] and the priestesses at Dodona have conferred many great benefits on Greece in both private and in public matters, but, when sane, little or none. (PL *Phdr.* 244a).

The passage continues:

The ancients all bear witness that, just as much as the mantic art is superior and more honored than augury in name and deed, by so much is divine madness superior to human sanity (PL *Phdr.* 244d). Many classifications of divination still in use begin with this remark by Plato. Socrates argues that madness (*mania*) is beneficial, so long as it comes from the gods and his example is the madness of the *Pythias*, which he considered the true mantic art

(manlike). He contrasts the beneficial madness of the Pythia with *tekhnē*, studying signs of future events by the flight of birds and other methods (Phdr. 244a—e).

Although Socrates is exploring the virtues of divine madness, the distinction here is part of Plato's broader epistemological agenda: to contrast the self-conscious reflection of the philosopher with the inferior, unreflective activity of the seer and bard. Socrates plays on this distinction in his account of the oracle given to Chaerophon (that no man is wiser than Socrates) in the *Apology*, and argues that inspired seers and bards work not by wisdom (*sophia*) but by nature (*phusis*). They are ignorant of what they create; they can describe sword and shield, but cannot wield them. Plato needs to deny manteis and bards' self-conscious reflection about their art in order to reserve this ability for philosophers. For Plato, inspired divination is unlearned (*adidaktos*) and without skill (*atekhnos*), whereas technical divination is both learned (*entekhnos*) and skilled (*teknikos*).

Plato's distinction between inspired madness and technical art reappears in the oldest Western comparative study of divination: Cicero's *De Divination*. According to Cicero, there is a "consensus of antiquity," that there are two.

Evolutionist Frameworks

From the mid-nineteenth century to the beginning of World War I, classicists turned to anthropology to reconstruct the origins of Greek and Roman society. Central to the evolutionist models they used was the view that societies evolved in stages from the "primitive" to the "rational." Key in that evolution was the passage of ancient Greece "from myth to reason": a triumphal progress that included philosophy, historiography, medicine, technology, and several sciences.

Here, Plato and Cicero's classification took on a life of its own. It informs the structure of Auguste Bouché-Leclercq's monumental history of divination in Greco-Roman antiquity as a distinction between "intuitive" (inspired) and "inductive" (technical) divination. His influence in turn propagated this dichotomy among later scholars. In an evolutionist framework, "intuitive divination" became "primitive divination" and "inductive divination" became

"rational" proto-science. Under the influence of Friedrich Schlegel, Erwin Rohde, and Friedrich Nietzsche, representations of an antinomy between Greek reason and "barbarian" Asian mystery cults became a philosophical dogma. Some German scholars even used this dichotomy to create boundaries between Greeks (or at worst, Indo-Europeans) and other Mediterraneans: Egyptians, Babylonians, and "Semites" of all kinds.

The distinction between inspiration and technical expertise continues to reappear in general discussions of the history of divination. An unfortunate effect of this typology is to reify categories derived from a particularly Greek mode of divination: oracular consultation, especially of Apollo at Delphi.

The Sociological Turn

The engagement between Classics and the social sciences affected the study of divination in three areas.

The Study of Ritual

The first is the study of ritual. Drawing on Karl Marx's arguments that social institutions determined intellectual structures, fundamentalist and Marxist historians argued that ritual behavior was a reflection of underlying social structure, starting with Fustel de Coulanges' *La Cité Antique* (1864).⁸ Emile Durkheim's *Elementary Forms of Religious Life* (1912),⁹ argued that rituals created social order and were in this sense far more important than individual belief.

During the inter-war years, Classics as a discipline became increasingly specialized, treating politics, economics, law, religion, literature, and philosophy as separate fields. In this framework, religion and ritual were artificially separated from politics and the rest of society." This atmosphere did not encourage interactions with the social sciences. A major exception, the Durkheimian French Classicist Louis Gernet (1892-1962), was relegated to a position in Algeria, and was able to return to Paris in 1948.

The New Archaeology

A third key framework was new archaeological approaches. Starting in the 1970s, Anthony Snodgrass and other Classical archaeologists began to adopt functionalist theories to the study

of the Bronze Age and prehistoric Greece. Snodgrass and his students viewed changes in eighth-century sanctuaries, hero cults, and burials as reflections of the rise of the polis.¹ Catherine Morgan introduced a sociological view of the Delphic oracle, arguing that Delphi probably arose as a Panhellenic site because the existing mechanisms of consulator states were inadequate to address new problems created by eighth-century social change. Delphi had the advantage of a location beyond the boundaries or control of any one consulator state.

Finally, anthropological methods also informed a growing literature on indigenous Greek notions of ethnicity or cultural identity, and the role of myth in creating regional and eventually Panhellenic identities, including the rise of a Panhellenic oracle at Delphi.

An important point for the present discussion is that it is very problematic to speak of early Greek practices in terms of cultural unity, which came gradually and relatively late. Nonetheless, we can speak of regional practices as evidenced by archaeological sites and the combined evidence of archaeological and textual traditions.

In summary, the "sociological turn" in the study of Greek religion and ritual substantially informed the study of divination at Panhellenic sites, of which the most important was the shrine of Apollo at Delphi.

Gernet was trained at the École Normale Supérieure, but spent much of his career teaching Greek at the University of Algiers. At the age of 66, he returned to Paris to the École Pratique des Hautes Études to teach the anthropology of ancient Greece, and from 1949 to 1961, served as editor of the journal *L'Année sociologique*. In 1964, his student Jean-Pierre Vernant (1914-2007) founded the Centre Louis-Gernet as a center for the comparative study of ancient societies. As the founder of the so-called "Paris school" (Bali pai), he was one of the key figures that moved Western Classicism toward both anthropology and comparison.

Anthropology and Comparison

The second key element was a renewed interest in anthropology and comparison. Anthropology reentered Classics in the work of Moses Finley

(1912-1986) and Louis Gernet. Finley shifted attention toward the "logic of institutions" such as marriage, slavery, and citizenship. Gernet had been relegated to a post in Algeria, but he returned to Paris in 1947. One of his few students, Jean-Pierre Vernant, combined Durkheimian sociology with Lévi-Straussian structuralism. Vernant began a comparativist seminar whose membership included Classicists, anthropologists, and, scholars of Assyria, Egypt, India, China, and Africa. It became a focal point for comparative history, but slowly, and to the regret of Vernant himself, the focus of the center shifted towards the classical world.

Critiques of the Sociological Turn

Sociological analysis was also applied to the question of how responses were used by consulator states. The argument was advanced that the most important functions of oracles were political and rhetorical. Oracles could sanction decisions already taken by community leaders, provide legitimacy and authority, confer consensus, mollify the powerful, and deflect potential blame from individual opinion. In this view, consultation was not an open-ended inquiry. The most common form of question was a simple statement to be affirmed or denied, or a request for a preference between two alternatives. Open-ended questions or predictions of the future were rare; despite the oracle's literary reputation for ambiguity, most responses were straightforward. Even ambiguous responses could have the practical effect of forcing consulator states to reconsider issues that admitted no straightforward answer. In practical terms, no state would leave itself open to unsolicited or problematic directives that might ignore the original problem.

The sociological account of oracles has been challenged on several fronts. Hugh Bowden argues that consultations of the oracle were genuine attempts to ascertain the will of the gods, rather than mere sanctions for human political decisions. Bowden also disagrees with a modern tendency to downplay the effects of oracles on Greek communities. He argues that Greek states consulted oracles on matters of major import that they could not resolve by debate, and made every effort to get, and follow, unambiguous advice.

Divination and Comparison

Comparativism was central to Vernant's intellectual agenda, and the study of divination remained comparative under his influence. The result was the landmark volume, *Divination et Rationalité*. Vernant stressed the need to study both social and intellectual institutions, in a context that was thoroughly comparative. Although the ancient Mediterranean received more "space" than other areas, and the New World was not included, contributions addressed divination in Greece, Rome, Assyria, and China.

Vernant's key insight that divination must be studied through the dual aspects of intellectual and social operations arose through comparative study, and specifically through the study of African divination. Based on the evidence of African oracles, it was argued that divination was used to support authority. Community authorities typically formulated desirable solutions before consulting an oracle, which in turn sanctioned their decisions, with social or divine sanctions to preclude improper subjects or modes of inquiry. These comparisons have focused on spirit mediums and "ordeal" oracles, almost all oral. Comparison between the Delphic oracle and the Azande poison oracle was used to show similar attitudes toward divination and common topics of consultation such as illness, warfare, matters of state, and questions of family welfare.

This use of comparative evidence has been challenged on several fronts. Lisa Maurizio argues that in his initial comparative studies, C. R. Whittaker only turned to African evidence after addressing problems in the history of Delphi that had no counterpart in comparative sources. As a result, his African evidence shed no new insight on Delphi and did not affect any of his preexisting views. Rather it "simply supplies exotic parallels to conclusions he has already reached."

It has also been pointed out that comparisons between Greek and African oracles fail to address equivalent uses of oracles across cultures. State consultations at Delphi are not equivalent to oracles used by individuals, such as the Azande poison oracle. Sociological studies of divination based on Panhellenic oracles blur the distinction between public and private queries, and tend to overlook

the roles of divination in the lives of ordinary individuals and the concerns that motivated them to consult divinatory expertise.

These critiques suggest an important role for Chinese material. Because of the enormity of the Chinese textual record, it becomes possible to marshal equivalent evidence that can be meaningfully juxtaposed against oracular practices for comparative purposes.

Chinese Perspectives: Theories of Divination in China

I now turn to a "comparable" of a different order. Early Chinese divination offers a rich array of sources, a long history, a vast range of methods, types of question, relation to political power, and intellectual complexity. That richness, however, has historically tended to be pursued in relative isolation, for several reasons.

Mantic Practices in the Hanshu Yiwenzhi

An initial problem is that mantic practices were marginalized during the Eastern Han through the categories of knowledge articulated in the *Han shu* *Yiwen* (Bibliographic Treatise). A major source for mantic materials from the received textual tradition was the lists of their titles in the bibliographic chapter of the *Han shu*.

The *Yiwen zhi* lists the titles of texts in the Imperial library under six categories in an explicitly descending hierarchy: (1) Six Arts, which, in this case, refers to the Six Classics (*Liu jing*); (2) Masters ("*Zhu zi*"), the texts equated with Warring States philosophy; (3) Poetry ("*Shi fu*"); (4) Military Works ("*Bing shu*"), (5) Numbers and Techniques ("*Shu shu*") and (6) Recipes and Methods ("*Fang ji*"). It created an influential paradigm by which subsequent compendia classified texts. Many titles listed in the Treatise are no longer extant, but the Treatise provides a guide to the categories of knowledge used by Han thinkers.

But mantic texts in the Bibliographic Treatise were not treated equally. The *Yijing* was promoted to the status of a universal classic. Most other mantic texts were marginalized as limited, technical expertise. The *Yiwen zhi*'s account of mantic practices also reflects the biases of the compilers of its technical sections. The entire "*Shu shu*" category was compiled by an astronomical official; and it

privileges astro-calendrics and officially sponsored mantic methods. Other methods drop out as categories of knowledge. For example, dream divination is not a category of knowledge in the "Shu shu," despite statements in the Zhou li and elsewhere attesting to its importance.

Twentieth-Century Chinese Perspectives

Chinese twentieth-century perspectives on divination are very different from those of the Classicists surveyed above, and they reflect several historio-graphic approaches. One is the ongoing influence of the Gushibian

("Doubting ancient historiography") school that largely defined historiography in twentieth-century China. It stands in contrast to a second older paradigm of dynastic and cultural unity grounded in an idealized image of the founding cultural heroes of ancient China. A third is a very different, but also politically motivated view of ancient China as a rational or "secular humanist" state, which inherently excludes divination as irrational or primitive.

Gushibian Historiography

Chinese archaeology remains a living tradition of national history for many reasons. Historiography and the creation of official (standard) history has always been linked to state power. And archaeology as a discipline is closely linked to history. In the latter half of the twentieth century, the focus of Chinese historiography shifted from questions of authenticity or antiquity raised by the Gushibian scholars to new reconstructions of antiquity. But historical scholarship became more conservative after the Second World War, and "doubting the ancients" went out of fashion. Within the PRC, archaeology (like astronomy in ancient China!) has both benefited and suffered from state sponsorship, including the requirement that it validate Marxist ideology. In addition, archaeology was expected to enhance the legitimacy and prestige of the state by fostering patriotism and national prestige, at home and abroad. Much of this attitude could be summed up by Mao Zedong's slogan of "using the past to serve the present" (gu weijinyonj).

Nationalism and Cultural Unity

The interesting point for our purposes that accounts of mantic activity are important and central elements in Chinese narratives of cultural unity. Fu Xi's invention of the trigrams of the Yi jing was an important element of the founding of civilization. Central to such narratives is an idealized view of the Zhou dynasty and its differences from the Shang and Xia, by both the Zhou conquerors and modern Chinese scholars. These accounts attacked the "fatalist" beliefs of the Shang rulers in accounts that emphasized the intellectual and moral weakness of the Zhou's conquered predecessors. A number of twentieth century Chinese scholars, several associated with the "New Confucianism" of the mid twentieth century, also attributed fatalism to a primitive

or superstitious element in Shang or Xia culture. Nonetheless, archaeological evidence indicates the continuity of bone and shell divination from the Shang to the Zhou.

A nationalist framework continues to emphasize the antiquity, unity, and continuity of Chinese civilization. There is a political dimension to the mononuclear model of Chinese culture and its interpretation of transmitted texts. Mao Zedong promoted theories of indigenous evolution and cultural diffusion in which culture and writing diffused outward from the Central Plains. Under Mao, a state-sponsored, nationalist archaeology consistently privileged the role of the Central Plains and Han ethnicities. Since Mao, archaeology has begun to move away from monocultural and mononuclear theories. A new "regionalist paradigm" of interaction reflects greater decentralization since the reforms of Deng Xiaoping. This trend incorporates a much larger part of the country into the "foundation" of Chinese civilization and creates a different narrative of unity than its centralist predecessors. In summary, the ongoing political role of archaeology especially introduces difficulties that, at the present time, have no equivalent in Classical scholarship.

I conclude by asking what comparison of Chinese and Greek materials can contribute to the comparative study of mantic practices. In some areas, Chinese and Greek historiographies and theories of divination are similar. But more

interestingly, in others, one effectively parochializes the other.

The historiography of divination in China and Greece seem to have nothing in common. Why should we compare them and what can we learn from them? What can Classicists learn from a comparison with Chinese divination? And what can we learn from the study of Greek divination? In a changing and complex history, recent engagement between Classics, sociology, and anthropology, and in particular the influence of the Paris school and recent archaeology, have revolutionized Western Classics in ways that the foregoing discussion has only touched upon. The result is a wealth of theoretical perspectives. For the study of divination, the work of Vernant is particularly important, and his emphasis on the need to explore both mental attitudes and social institutions has informed most work on the subject since.

By contrast, systematic interpretive studies of Chinese divination are fewer than for Greco-Roman antiquity. There are several possible reasons for this. On the one hand, long-standing traditions of Yijing hermeneutics do not take an interest in expertise traditions. Much of the important archaeological evidence is fairly recent, and many studies of Chinese mantic texts excavated from tombs are paleographical or otherwise highly specialized.

The wealth of different methods, and the healthy debate about methods that has characterized recent Classical scholarship on Greek and Roman divination has much to offer. As yet, it has not been widely used by historians of early China, Western or Chinese. For example, Chinese scholarship occasionally cites Jean-Pierre Vernant (Wei Ernan x et fol), but primarily for his work on slavery. I can find no Chinese citation of his work on divination.

Vernant's work on divination has been applied to Chinese sources in a major way in an eponymous volume titled *Divination et Rationalité en Chine Ancienne* in the French journal *Extrême-Orient—Extrême-Occident*, which explicitly pursues the agenda of the original volume. It investigates how the elements of divination constituted and were constituted by the historical processes of Chinese scientific thought in Shang, Zhou, Warring States,

and Han periods. These essays show that in China, as in Greece, divination extended to a wide range of activities and its importance was not limited to predicting future or hidden events. In both China and Greece, it had profound effects on the development of medicine, law, philosophy, politics, and science. The volume concludes with a brief comparison of the roles of Chinese and Greek divination in the development of self-conscious reflection and methods of scientific inquiry.

However, creating interest in Chinese divination among Western Classicists has been until quite recently an uphill struggle. As Marcel Detienne puts it:

by employing a comparative approach, you are directly threatening the cultural heritage of which the ancients are the surest value. When the heritage is in danger, just look how the old nations begin to tremble and foam at the mouth.

Detienne defends a "constructive" comparativism between historians and anthropologists, with a specific view to establishing "comparables" (French, "comparables"), without regard to the limits of time and space.

Hellenists' comparisons to understand oracular divination have been limited to African oracles. But are these the best comparanda? With few exceptions, this comparative turn has not extended to China, and this is a lost opportunity. The diversity and rich textual and material history of early Chinese divination offers a nuanced comparative context for many issues, including functionalist arguments and the Greek distinction between inspired and technical divination. For example, the distinction between inspired divination and spirit possession is meaningless in cultural contexts where diviners combine "inspired" and "technical" methods. By contrast, comparison can show what elements are constant across divination methods and cultures.

The Chinese evidence also contributes to ongoing debates on sociological accounts of Greek divination. Sociological explanations partially preclude two other possible functions of divination: predicting the future and ascertaining the will of the gods. The goals of accurate prediction and social consensus are partially at odds. The goal of

prediction is to reveal future events or explain past or present ones. By contrast, social consensus is not concerned with whether any given prediction proves accurate or not.

In summary, Greek classifications have been constitutive of understandings of what divination is and how it should be classified, but scholars of Chinese and Greek divination have much to learn from each other. It is particularly striking that, in both cases, there is a history of dissonance between received textual traditions and archaeology. How to combine the use of archaeological and textual sources is clearly an important methodological issue for both. Equally striking are the very different methods used and questions asked. <>

[The Two Taríacuris and the Early Colonial and Prehispanic Past of Michoacán](#) by David L. Haskell [University Press of Colorado & Utah State University Press, 9781607327486]

[The Two Taríacuris and the Early Colonial and Prehispanic Past of Michoacán](#) investigates how the elites of the Tarascan kingdom of Central Mexico sought to influence interactions with Spanish colonialism by reworking the past to suit their present circumstances. Author David L. Haskell examines the rhetorical power of the Relación de Michoacán – a chronicle written from 1539 to 1541 by Franciscan friar Jerónimo de Alcalá based on substantial indigenous testimony and widely considered to be an extremely important document to the study of early colonial relations and the prehispanic past.

Haskell is adjunct full professor at the University of Maryland University College and adjunct professor at Ohio University and Franklin University.

Haskell focuses on one such testimonial, the narrative of the kingdom's Chief Priest relaying the history of the royal family. This analysis reveals that both the structure of that narrative and its content convey meaning about the nature of rulership and how conceptualizations of rulership shaped indigenous responses to colonialism in the region.

Informed by theoretical approaches to narrative, historicity, structure, and agency developed by cultural and historical anthropologists, Haskell

demonstrates that the author of the Relación de Michoacán shaped, and was shaped by, a culturally distinct conceptualization and experience of the time in which the past and the present are mutually informing.

[The Two Taríacuris and the Early Colonial and Prehispanic Past of Michoacán](#) asks, How reliable are past accounts of events when these accounts are removed from the events they describe? How do the personal agendas of past chroniclers and their informants shape our present understanding of their cultural history? How do we interpret chronicles such as the Relación de Michoacán on multiple levels? It also demonstrates that answers to these questions are possible when attention is paid to the context of narrative production and the narratives themselves are read closely.

[The Two Taríacuris and the Early Colonial and Prehispanic Past of Michoacán](#) is a closely argued, carefully researched, theoretically astute, and persuasive analysis of a complicated sixteenth-century Central Mexican text and the historicity – the specific cultural consciousness, construction, and communication of past happening and its relationship to present experience – that informs and motivates it. – Eduardo Douglas, University of North Carolina at Chapel Hill

[The Two Taríacuris and the Early Colonial and Prehispanic Past of Michoacán](#) makes a significant contribution to the scholarship on indigenous experience and its cultural manifestations in Early Colonial period Central Mexico and the anthropological literature on historicity and narrative. It will be of interest to Mesoamerican specialists of all disciplines, cultural and historical anthropologists, and theorists and critics of narrative. <>

[The Wenzhi: Creativity and Intertextuality in Early Chinese Philosophy](#) by Paul van Els [Modern Chinese Philosophy, Studies in the History of Chinese Texts, Brill, 9789004264793]

"The Wenzhi is a Chinese philosophical text that enjoyed considerable prestige in the centuries following its creation, over two-thousand years

ago. When questions regarding its authenticity arose, the text was branded a forgery and consigned to near oblivion. The discovery of an age-old Wenzhi manuscript, inked on strips of bamboo, refueled interest in the text. In this combined study of the bamboo manuscript and the received text, Van Els argues that they belong to two distinct text traditions as he studies the date, authorship, and philosophy of each tradition, as well as the reception history of the received text. This study sheds light on text production and reception in Chinese history, with its changing views on authorship, originality, authenticity, and forgery, both past and present"

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Excerpt: These are exciting times for the study of early Chinese texts. The excitement is largely due to the wealth of manuscripts that have surfaced in recent decades. Inked on bamboo, silk, wood, and other materials, these manuscripts have been carefully excavated by archaeologists, stealthily unearthed by tomb robbers, or skillfully crafted by modern forgers. Some of the ancient manuscripts have stood the test of time remarkably well, but others have been severely damaged by centuries of subterranean existence. Moreover, while some manuscripts have a counterpart in the received tradition, others have surfaced as the sole surviving copy of a text that perished long ago. Spared the editorial modifications and incidental "slips of the brush" that befell most transmitted texts, the newly-discovered manuscripts – many of which are now published as "national treasures" in lush volumes

replete with high-quality full-color photographs – show precisely what people wrote many centuries ago. As such, the manuscripts have a profound impact on our understanding of early Chinese text culture. They provide alternative readings to words in received texts, information about the various handwriting styles and scripts in early China, and insight into the relationship between the spoken and the written in the distant past. The manuscripts invite us to contemplate, among other things, the function of texts in early China, the relation between text and material culture, the importance of ancient editors in the standardization of texts, and the ethical issues and academic value involved in using looted manuscripts in research.

The newly-discovered manuscripts bring us new knowledge and, in combination with a more careful historical-critical approach to transmitted texts, they also make us realize how little we actually know, as they challenge standard practices and assumptions in our field. As Endymion Wilkinson notes:

The main assumption of textual criticism as it has been practiced in China is that there was at one point in time an original text established by a master. All later texts can be traced back to the master. However, the excavation of hitherto unknown early texts of several classical works has called this stemma codicum model into question. The Laozi for example, was committed to memory and then written down at different times in different parts of the country. Which is the most authentic among the newly discovered earlier versions of the Laozi? If a passage in them is the same as the transmitted version, are we to conclude that it is correct? When a passage diverges from the transmitted versions, do they automatically indicate a more authentic reading? There is no easy answer to these questions, because a transmitted version may have been based on an earlier recension. Clearly, the stemma codicum model with its neat tree diagram of textual transmission does not work for the Confucian and other Classics because in most cases they were memorized and written down often centuries after the master was dead.

The present work focuses on one early Chinese text that was written several centuries after the supposed lifetime of the master after whom it is named: Wenzi 文子 (Master Wen). The book studies an ancient Wenzi manuscript and its path to the present – a tragic path that involves robbery, fire, and an earthquake. It analyzes the manuscript's relation to the received text, and how both relate to other texts. It explores the possibilities of conducting research when a manuscript is highly fragmentary, not to mention markedly different from the received text. It clarifies the dramatic changes that an ancient Chinese text underwent in the course of its transmission, and demonstrates how the reception of that text has changed over time, even in recent times. In so doing, this study seeks to establish the boundaries of what we thought we knew about the Wenzi, what we now know about the text, and what still remains to be known.

A Brief Introduction to the Wenzi

The Wenzi is a Chinese politico-philosophical text that was created over two thousand years ago and was traditionally ascribed to a disciple of Laozi 老子, the mythical figure who is revered as the founding father of Daoism. Indeed, most sections of the text start with “Laozi said...” and purport to be the written records of his teachings. Seen as an important work from the formative years of the Daoist school of thought, the Wenzi was read by members of the highest echelons of Chinese society. It was listed in imperial library catalogues, included in anthologies of literature, mentioned in the writings of philosophers and priests, quoted in memorials to the throne, and invoked in imperial edicts. It was valued by commentators, praised by literary critics, and admired by emperors and empresses alike.

However, not everyone held the Wenzi in high esteem. From the Tang dynasty (618-907) onwards, questions regarding its authenticity arose. Some scholars noted words in the text that are known to have entered the Chinese language long after the time of Laozi and his disciple Wenzi. Other scholars noted passages in the Wenzi that have parallels in other texts, and claimed that these passages were copied from those other texts. As a result, the Wenzi became a controversial

work. Relegated to the periphery of politico-philosophical discourse, it was eventually only appreciated by a handful of scholars who continued to believe in its authenticity.

With the archaeological discovery of a two-thousand-year-old Wenzi manuscript, inked on strips of bamboo, the fate of the text changed again. In 1973 archaeologists excavated a bamboo manuscript from a tomb that had been closed in the middle of the first century BCE. This discovery revived interest in the text and raised its status, as scholars started arguing that the Wenzi was not a derivative text based on earlier writings, but rather the authentic ancient source of those writings.

This spectacular archaeological discovery attracted little academic attention outside the Chinese-speaking world.² By contrast, the announcement of the discovery in 1981, and the publication of the bamboo manuscript's transcription in 1995, led to a deluge of Wenzi studies in Chinese. These ranged from comprehensive monographs to specialized articles on the text's views on law, warfare, music, self-cultivation, and so on.³ Nevertheless, despite these studies, important questions have yet to be answered satisfactorily, or have yet to be posed. When was the Wenzi created? By whom? For what purpose? How was it received? What motivated different receptions of the Wenzi? The present work seeks to provide a comprehensive answer to these and other questions. As such, it is informed by, and contributes to, the burgeoning field of early Chinese text studies. The perspectives opened in the following pages apply not only to the Wenzi but, in one way or another, to the study of any early manuscript text. Therefore, this study further extends our thinking about early Chinese textuality as a whole.

A Basic Understanding of the Wenzi

As a controversial text, the Wenzi has sparked heated debate between its supporters who defend it as an authentic ancient source of wisdom and its opponents who denounce it as an inferior derivative work. Both sides argue with equal passion, but their arguments are not equally persuasive. The following four working hypotheses, which combine to form my basic understanding of the Wenzi, clarify where I stand in the debate.

The Wenzi does not date from the supposed lifetime of Wenzi.

The Wenzi purports to be a disciple's account of lectures by Laozi, who is traditionally thought to have lived in the sixth century BCE. However, the text is demonstrably not that old. The earliest direct evidence for the existence of a text called Wenzi is the bamboo manuscript that was placed in a tomb in the first century BCE, and indirect evidence allows us to tentatively date the creation of this text to the second century BCE. There is no credible evidence for an earlier date, which suggests that the Wenzi in all likelihood was created several centuries after the supposed lifetimes of Laozi and his disciple Wenzi.

The Wenzi underwent major revision.

Recent decades have witnessed the discovery of many ancient Chinese manuscripts, some of which have a transmitted counterpart. The comparison of an ancient manuscript to its transmitted counterpart inevitably yields differences, such as textual variants. In this regard, Martin Kern speaks of "texts with a history," which suggests that a text "may exist in numerous written or oral forms at the same time," and that "as a text, it transcends each of its particular written instantiations." The Wenzi is indeed a text with a history – a very turbulent history that led not only to minor textual variations, but to a radical revision of the text. A comparison of the unearthed Wenzi manuscript to the transmitted text reveals that the two differ widely in size, number of chapters, chapter titles, main protagonists, discursive structure, grammatical features, and so on. The extent, depth, and systematic nature of the differences suggest a radical revision of the Wenzi. This means that although the text that was placed in the tomb and the text that was transmitted above the ground are clearly related, and both are titled Wenzi, someone appears to have radically revised the text in the course of its transmission, effectively creating a new text under the same title. As we are dealing with two distinct persons, who created a Wenzi at different times, for different purposes, and different audiences, I would argue that we are, in fact, dealing with two distinct texts, or rather, two distinct text traditions. One of these leads up to the major revision, while the other

follows it, and I refer to the former as the proto-Wenzi, and to the latter as received Wenzi. This distinction is important because the discussion becomes confused without it. For example, having determined the date of the Wenzi that was inked on the entombed bamboo strips, scholars tend to apply that date more generally to "the" Wenzi, meaning the received text. However, fundamental differences between the bamboo manuscript and the received text imply that conclusions about the one are not necessarily valid for the other. It may be wiser not to conflate the two, but rather to distinguish between two texts, or text traditions. I therefore use "proto-Wenzi" to refer to the various Wenzi manifestations that may have existed up until the major revision of the text, an event that led to the "received Wenzi" tradition.

The received Wenzi draws extensively on the Huainanzi.

Intertextual borrowings are a common occurrence in the history of Chinese texts. In a world in which the concept of an author was weak and copyright did not exist, the practice of adapting words, phrases, or even entire passages was not considered objectionable. Indeed, the practice was so common that one would be hard-pressed to find a text that is entirely "original," or devoid of intertextual references. However, the Wenzi clearly stands out in this regard, due to the sheer scale with which it borrows from one text. This text is the Huainanzi (The Master of Huainan), a voluminous treatise written under the auspices of Liu An (179-122 BCE), the King of Huainan, who ostensibly presented this work to his nephew, Emperor Wu of the Han Dynasty 漢武帝 (r. 141-87 BCE), in the year 139 BCE. Passages that are shared between the Huainanzi and the received Wenzi amount to a staggering 30,000 graphs. Given that the entire received Wenzi consists of roughly 40,000 graphs, this means that three quarters of the received Wenzi has a counterpart in the Huainanzi. Such numbers are uncommon, even in a world in which intertextual borrowing was common. It is highly exceptional for seventy-five percent of one text to correspond to only one other text, especially when the percentage represents tens of thousands of graphs. Intertextual relations usually tend to be complex and are ill-served by simplistic discussion

in a linear “Who borrowed from whom?” framework. However, the astonishing number of parallel passages between the Huainanzi and the received Wenzi, and the systematic differences between them, do appear to point to unidirectional borrowing from one text into the other. This issue has been a topic of heated debate since the Qing dynasty (1644-1911), when scholars passionately defended one text as the source and denounced the other as a derivative work. As I demonstrate in this book, there can be no doubt that the Huainanzi served as the source for the received Wenzi, rather than the other way around.

The Wenzi is a valuable subject to study.

The Wenzi in its received form is a patchwork text that draws on various sources. It is rooted in an earlier text tradition that I refer to as proto-Wenzi; and it incorporates numerous passages from the Huainanzi, as well as borrowing a few passages from other texts. This is reason enough for some people to discard the Wenzi as an inauthentic work of little worth, as the text clearly does not date from the time when the master whose name appears on the cover was supposed to have lived. In my view, however, the complex textual history of the Wenzi, its remarkable relations to other texts, and the passionate critique it generated make the text an ideal subject with which to academically study the history of a Chinese text, together with the reception of that text.

This book studies the Wenzi in eight chapters. The first four chapters are concerned with the proto-Wenzi. Chapter 1 discusses the spectacular archaeological discovery of an ancient tomb and addresses the questions of when the tomb was built, for whom it was built, and the objects stored inside it. Chapter 2 focuses on the Wenzi manuscript that was found in the tomb and considers its physical features, the characteristics of the handwriting on the bamboo strips, and how the text on the bamboo strips was transcribed by modern editors. Chapter 3 analyzes the origins of the proto-Wenzi and asks when it was most likely to have been created, who it was created by, and why we know so little about the person, or persons, who created it. Chapter 4 explores the philosophy of the proto-Wenzi and considers the philosophical views that

the text conveys. The following four chapters are concerned with the received Wenzi. Chapter 5 discusses the process of revision that generated the received text and addresses the dramatic changes that the Wenzi underwent. Chapter 6 considers the date and editor of the received text and investigates when it was revised and what we know about the person, or persons, responsible for the major revision. Chapter 7 explores the philosophy of the received Wenzi and discusses the views that it conveys. Finally, Chapter 8 analyzes Wenzi reception, with reference to questions that exceed ancient Chinese politico-philosophical discourse. It asks how readers have interpreted the text over time and what has motivated its different – even diametrically opposed – receptions. Moreover, it discusses what this reveals about different notions of authorship, authenticity, creativity, and intertextuality in Chinese history. <>

[The Peking Gazette: A Reader in Nineteenth-Century Chinese History](#) by Lane J. Harris [Brill, 9789004360990]

In [The Peking Gazette: A Reader in Nineteenth-Century Chinese History](#), Lane J. Harris offers an innovative text covering the extraordinary ruptures and remarkable continuities in the history of China's long nineteenth century (1793-1912) by providing scholarly introductions to thematic chapters of translated primary sources from the government gazette of the Qing Empire.

The Peking Gazette is a unique collection of primary sources designed to help readers explore and understand the policies and attitudes of the Manchu emperors, the ideas and perspectives of Han officials, and the mentality and worldviews of several hundred million Han, Mongol, Manchu, Muslim, and Tibetan subjects of the Great Qing Empire as they discussed and debated the most important political, social, and cultural events of the long nineteenth century.

This volume is related to the primary source database compiled by the author entitled [Translations of the Peking Gazette Online](#) and produced by Brill (2017). See [Dr. Lane Harris discuss the Translations of the Peking Gazette Online Database on Brill's YouTube channel](#).

[Translations of the Peking Gazette Online](#) is a comprehensive database of approximately 8,500 pages of English-language renderings of official edicts and memorials from the Qing dynasty that cover China's long nineteenth century from the Macartney Mission in 1793 to the abdication of the last emperor in 1912. As the mouthpiece of the government, the Peking Gazette is the authoritative source for information about the Manchu state and its Han subjects as they collectively grappled with imperial decline, re-engaged with the wider world, and began mapping the path to China's contemporary rise. The Peking Gazette was a unique publication that allows contemporary readers to explore the contours, boundaries, and geographies of modern Chinese history. Contained within its pages are the voices of Manchu emperors, Han officials, gentry leaders, and peasant spokesmen as they discussed and debated the most important political, social, and cultural movements, trends, and events of their day. As such, the Gazette helps us understand the policies and attitudes of the emperors, the ideas and perspectives of the officials, and the mentality and worldviews of several hundred million Han, Mongol, Manchu, Muslim, and Tibetan subjects of the Great Qing Empire. The dozens of British scholars, missionaries, and consular officials who created this treasure trove of translated Qing documents did so for variety of different reasons. Robert Morrison (1782-1834), the first Protestant missionary to China, honed his classical Chinese by translating the Gazette in preparation for his rendering of the Bible; Sir John Francis Davis (1795-1890), the future governor of Hong Kong, translated the Gazette for the East India Company in Canton during the height of the opium trade; the missionaries Walter Henry Medhurst and William C. Milne, by contrast, sought to understand the Christian-inspired Taiping Civil War (1851-64) by studying and translating the Gazette; the majority of the translators, however, served on the staff of the British consulate in Beijing and followed the lead of Sir Thomas Francis Wade (1818-1895), who decoded the Gazette as a form of intelligence gathering for the British government and published them for the global reading public.

Culled from a variety of publications, including the Indo-Chinese Gleaner, the Canton Register, the

Chinese Repository, and the North China Herald, this full-text searchable database is the largest, most comprehensive collection of Peking Gazettes, in Chinese or English, in the world. It contains vital information on a wide range of topics, including the Opium War and other military conflicts between China and the West, the Taiping Rebellion and other peasant insurrections, the Self-Strengthening Movement and other Qing reform efforts, and thousands upon thousands of official documents that contain information about the mundane details of everyday life in nineteenth-century China and thrilling accounts of unprecedented events in late imperial times. There is no better source for readers who want to understand the interplay of complex political themes, social movements, and cultural ideas in late imperial China.

This database has been compiled by Dr. Lane J. Harris, Furman University. Dr. Harris would like to thank the Royal Asiatic Society of Great Britain and Ireland for permission to reproduce the translations by John Francis Davis; the British Library for permission to include portions of their copy of *The Cycle: A Political and Literary Review*; and the Center for Research Libraries for their assistance in acquiring microfilm versions of the North China Herald, the Canton Register, and the China Mail.

As a special feature of this database, it is accompanied by a primary sourcebook, available through separate purchase, entitled [The Peking Gazette: A Reader in Nineteenth-Century Chinese History](#) by Dr. Lane J. Harris. The reader contains scholarly introductions to thematic chapters organized around the most important events and themes in modern Chinese history for use in undergraduate and graduate classes.

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This book was born of frustration, frustration at my inability to find a classroom reader—or almost any single work—focused on nineteenth-century China that could convey its extraordinary ruptures and remarkable continuities to my students. Most readers on modern Chinese history focus either on the twentieth century or the entire Qing period (1644–1912) and contain illustrative documents from a variety of sources that elucidate particular themes. My students and I often struggled to

fashion satisfactory interpretations that could connect those documents to each other and the broader contours of Chinese history. About that same time, and to much greater success, I started using selections from an exceptionally large corpus of existing Englishlanguage translations of original Chinese documents that all came from the same source—the government of the Qing dynasty—covering the last age of imperial rule under the Manchus. The purpose of this reader, then, is to present to students and colleagues a work on nineteenth-century Chinese history that allows them to penetrate into the beliefs, values, and practices of the Qing state and its multiethnic subjects through the study of a single collection of documents.

This reader contains material ranging from the Macartney mission in 1793 to the abdication of the last Qing emperor in February 1912, a period we might describe as China’s long nineteenth century. The purpose of foregrounding the long nineteenth century is twofold. First, it allows students to engage with an extensive number of Qing sources precisely at the moment when domestic troubles like population growth, economic stagnation, and military overextension intersected in new ways with international challenges like the rise of the British empire, the spread of capitalism, and the appearance of Western international law to produce a palpable sense of crisis among Qing officials. Students can then follow this tumultuous period of crisis to its logical conclusion at the end of the imperial order in 1912. Second, the concept of the long nineteenth century allows us to look beneath those dramatic moments of change to explore the extraordinary continuities in the daily workings of the empire, in the mental outlook of its officials, and in the voices of its subjects. Within each chapter, and often within each source, students will thus find themes of change and continuity as Qing officials and subjects grappled with imperial decline, but also set China on the path to its contemporary rise.

The chapters in this book cover some of the most important political, social, and cultural movements, trends, and events in nineteenth-century China: the contentious encounter between the Qing empire coming out of a long age of prosperity and an

aggressive imperialist West; China's survival amidst a series of peasant rebellions ranging from White Lotus sectarians in the late eighteenth century to anti-foreign spiritual Boxers in the early twentieth; systemic crises in the functioning of the government and the long-term breakdown of the imperial order culminating in the 1911 Revolution; as well as some of the lesser-known themes of late imperial history like state rain-making practices in times of famine, honoring the various gods who inhabited the mental world of nineteenth-century Chinese, and the commemoration of women who committed suicide to protect their chastity. As readers progress through the chapters, they will hear the authentic voices of Manchu emperors who "strike the earth with Our feet, lift Our voices to Heaven, rend Our hearts, and shed tears of blood," Han provincial officials who discourse on the lofty Confucian ideals that animated the empire for two millennia, local elites and gentry leaders who struggled with the unprecedented changes occurring all around them, and peasant commoners who celebrated their clansmen, but who also confessed to the most heinous crimes. They will read about government efforts to relieve the poor, widespread practices of official corruption, coups against two emperors, descriptions of the "red-haired Barbarians," shocking stories of women cutting their flesh to feed their ailing parents, and imperial degrees conferred on eighty-year old men still taking the lowest level of the civil service examinations. These voices and perspectives were heard almost daily throughout the empire in a periodical that is little known today, a publication known to English speakers in the nineteenth century as the Peking Gazette.

The Peking Gazette

The Peking Gazette (jīngbào 京報), that "patriarch of periodicals," is often considered the oldest newspaper in world history. Rightly speaking, the Peking Gazette was not a newspaper at all in the sense of publishing editorial opinion, generating unique content, and providing social and cultural commentary on the events of the day, but it did contain "news value" in as much as any traditional government gazette published contemporary documents pertaining to the day-to-day working of the state. In seventeenth-century Europe, editors with close connections to their governments began

publishing periodicals "by Authority," like the famous London Gazette (1665–), as a record of the public business of government. When European missionaries and merchants first started arriving along the borders of the Qing empire in large numbers, they searched for sources of news that would help them understand what was happening in the world's largest empire. Soon enough, they encountered the jīngbào with its records of official movements, imperial edicts, and memorials from officials and came to understand it as something like the gazettes published in their own countries. As they slowly mastered the linguistic expertise necessary to read the formal, documentary proclamations of the Qing emperors and his officials, they came to see what they started calling the Peking Gazette as something else. Much more than the dry official records of the British or French governments, the Peking Gazette contained the emotional discourses of the emperor as he gave vent to "his hopes and fears, his joys and sorrows."¹ He mourned with his subjects, celebrated their accomplishments, and honored their longevity. As John Barrow, who served as personal secretary to Lord Macartney on the latter's mission to China in 1793, wrote, the Gazette is "a vehicle for conveying into every corner of the empire the virtues and the fatherly kindness of the reigning sovereign."

The Peking Gazette, also translated as the "Metropolitan Reporter" or "Court Announcements," was more than just a mouthpiece of the emperor, it was also the most important public source of information about the workings of the late Qing state. It provided room for discussion of imperial policy, censorial criticism of high-ranking officials, insights into the beliefs and practices of common people in times of crises, titillated the public with court cases about wayward women and their paramours, and revealed the motivations of sectarian rebels against the government. Through the gazette "one is able to feel the pulse of the whole empire," wrote Jēhu Lewis Shuck, the first Baptist missionary to China.

In the nineteenth century, the Peking Gazette was the only source of information that circulated throughout the empire and, for foreigners, the "single most important source on Chinese affairs."

Since then, however, the Peking Gazette has been largely forgotten by historians and students of Chinese history as access to government archives has changed how we study the late Qing state over the course of the long nineteenth century. Reading the Gazette again, more than a century later, shows us that the early missionaries, foreign officials, and sinologists were not wrong in spending so much time reading and translating the Gazette. It continues to provide a unique vantage point from which to understand the policies, behaviors, and attitudes of the central government, the ideas and cultural perspectives of the officials who populated the administrative machinery of the Qing state, and the mentality and ways of thinking among several hundred million subjects of the empire. As Sir Rutherford B. Alcock, one of the first British consuls in the newly-opened treaty ports, wrote, the Gazette contains “a great deal of matter calculated to convey information of the highest value to any student.” What kind of information did the Gazette convey?

The Peking Gazette was not an official publication of any specific office in the Grand Council or Grand Secretariat, the two highest administrative bodies in the land, but a periodical, like its European counterparts, “issued by authority.” The missionary Robert Morrison, one of the first translators of the Gazette, had it right when he described the gazette as containing “orders issued by Imperial Authority.”⁶ Morrison’s publisher put it slightly differently, “no thought, no word, except such as his majesty has made public, goes forth in that publication.”⁷ The different types of information and orders released by the emperors to the public gave both form and content to the Gazette.

The Gazette consisted of three sections. Each issue began with a section entitled “Copies from the Palace Gate” (gongmenchao 宮門抄) that contained very brief descriptions of imperial audiences, guards on duty in the imperial city, and the physical movements of the emperor. A typical example: “Tomorrow morning the Emperor will pass through the Huayuan and Shenwu gates on his way to the Dagao temple to worship. His Majesty will return by the same road. Everything must be in readiness by six a.m.” The second section entitled

“Imperial Decrees” (shangyu 上諭) contained both imperial decrees and rescripts. An imperial decree was an announcement from the throne in the emperor’s voice to the officials and people of the empire. The bulk of this section consisted of announcements concerning the appointment, transfer, demotion, dismissal, or retirement of imperial bureaucrats. It was something like a service list in which officials were literally “gazetted.” On occasion, this section also contained lengthy discourses by the emperors as they waxed philosophic in the vermilion ink reserved for themselves, discourses that provide the best insight into the public minds of the emperors. An imperial rescript, by contrast, was most often a short reply by an emperor to a memorial from an official. In most cases, after publishing the entire memorial, the emperor’s reply would be something simple, such as: “granted by imperial rescript,” “Let the relevant Board take notice,” or “It is known.” The third part of the Gazette, known as the “Memorials” (zoubao/zouzhe 奏報/奏摺) section, contained official reports or requests by Qing bureaucratic officials to the emperors begging for “the Sacred glance” or “Imperial gaze” thereupon. This was usually the longest section of the Gazette as prolix Qing provincial or metropolitan officials addressed their sovereign in language often described by foreigners as “humbug.” The three sections were not, as far as we can tell, an innovation of the Qing period, but served as a fairly standard format going back to the earliest forms of government gazettes in Chinese history.

The History of the Gazette

There is considerable controversy about the origins of the government gazette in Chinese history. Much of the controversy is the result of scholars approaching the history of the gazette as the beginning of Chinese “journalism” or the “news” industry. Matters are further complicated by the fact that the term Peking Gazette (jingbao) is simply a generic English name for a variety of periodicals issued by various publishers under different names throughout Chinese history that disseminated official papers from the government. Although we are not particularly concerned with the merits of those arguments here, it will be helpful to the student to have some understanding of the

changing purposes of the gazette throughout Chinese history as well as Qing printing and distribution practices.

Ge Gongzhen (1890–1935), one of the first Chinese newspaper historians, believed that the gazette originated in a moment of imperial crisis and political fragmentation. Ge argued that a version of the gazette dated back to the early Han (206 BCE–220 CE) dynasty. In this view, the early Han emperors reacted to the harsh centralization policies of the short-lived Qin dynasty (221–206 BCE) by reintroducing a feudal-like structure of semi-independent commandaries and kingdoms into the state. To maintain communications between these semi-independent territories and the court, each commandary and kingdom established a liaison office in the capital staffed by a *di* 邸 official, whose primary task was to forward imperial edicts and official information in manuscript form back to his respective lord. These manuscript copies came to be known as *dibao* 邸報 or Reports from the Di Office.

The first actual use of the term *dibao* is found only in literary sources from the Tang dynasty (618–907).⁹ After the An Lushan Rebellion (755–763) devastated much of the Tang empire, the court reintroduced autonomous provincial leaders and regional military commanders. These semi-autonomous elites established Capital Liaison Offices (*jinzouyuan* 進奏院) to, among other things, maintain communications with the court through the Gazette of the Capital Liaison Office (*jinzouyuan zhuangbao* 進奏院狀報). Rather than serve to integrate the empire, as these arguments suggest, the earliest gazettes were tools used by autonomous political leaders, semi-independent lords, or military commanders to stay informed about happenings at the court. At the end of the Tang, however, the purpose of the gazette underwent a fundamental shift.

The Tang-Song transition saw the creation of what historians call the early modern agrarian state, a state designed to centralize the empire through a leaner administrative structure. The success of this new-style state was in no small measure due to its command and control over the circulation of official information through a new-style gazette. The

centralization campaigns of the Taizu (r. 960–976) and Taizong (r. 976–997) emperors of the Song brought most of the territories of the former Han dynasty under their control. In the new Song capital at Kaifeng, the Chancellery opened a Memorials Office under the control of a supervising secretary, who served as the center of the Song communications system between the court and local governments by overseeing the production and dissemination of what was probably a hand-written manuscript form of the gazette, variously called the *zhuangbao* or *chaobao* (朝報). Unlike the previous Capital Liaison Offices serving the interests of independent military commanders, the new Memorials Office and its gazette served to integrate the empire and give the central government greater control over the circulation of information about imperial edicts, official memorials, and government personnel movements. In this sense, the Song transformation of the meaning of the gazette marked “a major transition in imperial political culture” by standardizing the ways the court interacted with the reading public.

The short-lived Mongol Yuan (1279–1368) dynasty and its obscure gazettelike service list called the *chumu* 除目 ended with Zhu Yuanzhang’s establishment of the Ming dynasty in 1368. In the Ming, the gazette originated in the offices of a group of officials known as the provincial couriers (*titangguan* 提塘官), one for each province, who served as smaller versions of the Song-era memorials office. As soon as the Office of Transmission (*tongzhengsi* 通政司) in the capital received memorials from the provinces, they were routed through the various bureaucratic offices to the emperor. After being read by the emperor, the grand secretaries re-routed the documents to the Offices of Scrutiny for the Six Boards (*liuke* 六科). The supervising secretaries of the Offices of Scrutiny, after checking the documents for errors, posted those for dissemination on placards in their hall. The provincial couriers then visited the hall, copied down the documents related to their provinces as well as material of general interest, and delivered the copies to their own “reporting offices” (*baofang* 報房). The reporting offices, it is believed, carved the woodblocks, printed a few copies of the gazette, and sent them to their

respective provincial capitals, where the gazettes were reprinted in much larger numbers for general distribution to local officials.¹² It was essentially the duty, then, of the fifteen provincial administration commissions to keep themselves informed of court happenings by posting their provincial couriers in the capital. This new diffuse system for generating the gazette meant that it was not a single, comprehensive, and integrated periodical issued by a single government office, but that there were many different types of gazettes in the Ming.

As in many other areas of government, the Qing dynasty followed much of Ming administrative practice, but altered arrangements to suit their own purposes. Official responsibility for printing the gazette is described in the Statutes of the Great Qing. In the Statutes, the now sixteen provincial couriers stationed in the capital were entrusted with attending the Offices of Scrutiny of the Six Boards to make copies of all imperial decrees and reports of memorials to the Throne that had been “released for dissemination” (fachao 發抄) or “turned over” (jiao 交) for publication, which they gave to their reporting offices for printing. By the nineteenth century, however, the functions of the reporting offices had changed dramatically. Most of them had been taken over by private commercial publishers on Liulichang, Beijing’s publishing street, who signed contracts with the provincial couriers to issue the gazette. This Qing innovation, the production of gazettes by private publishers, transformed the appearance of the gazette and commercialized its distribution.

Private Publishing and the Qing Gazette

Private commercial publishing establishments changed how gazettes in the Qing were distributed, printed, sold, and even named. The private publishers covered their contracts, operating costs, and made profits by printing different versions of gazettes and manipulated the market for information by selling them in different forms and at different times.

By the nineteenth century, at least ten commercial publishers in Beijing were producing three different physical forms of the gazette, though the content in each version also continued to vary. The official

form (guanben 官本) was printed with movable wooden type, a probable innovation of the Qing, and measured approximately seven inches tall by four inches wide. It was usually issued every other day and distributed in the provinces by the slowest means possible thus making it the cheapest form of the gazette. The longform (changben 長本), usually measuring nine inches by four inches, was often poorly printed using a wax process that could quickly be prepared, printed, and re-used. The long-form was usually, though not invariably, distributed slightly earlier than the official form, but the print quality was notoriously poor. The most sought after form of the gazette was the elegantly hand-written manuscript copy (xieben 寫本), produced by copyists working for the commercial publishers, that often appeared on the streets of Beijing the same day the imperial edicts or memorials were posted in the Hall of the Office of Scrutiny. Copies were quickly made and sent out to the provinces, where they fetched a premium price because they appeared much earlier than the official or longform of the gazette.

What did the Peking Gazette look like? The official form of the Peking Gazette was generally printed on thin, yellow or brownish bamboo paper noted for its absorbency. The cost savings achieved by the printing establishments through the use of cheap, light-weight paper, however, was not appreciated by foreigners who described the Qing-period gazettes as “very coarsely printed on miserable-looking paper of the flimsiest material.” Although there was much variation in the length of the gazettes, they were usually about twenty to twenty-five pages in length. The cover was typically of bright yellow, slightly thicker paper, and bound together with a few stitches of thread or twisted paper. Often, though not always, the characters for “jingbao” were stamped on the cover along with the name of the commercial printing establishment. In some cases, the cover had also been stamped with a depiction of an official dressed in traditional clothing who held in his hands a scroll from which he was discoursing.

Late Qing officials received the Gazette as one of the privileges of their office while private subjects or foreigners could purchase among several different reprints either through a yearly or

monthly subscription, directly from a street hawker, or even rent them for the day. Many tea shops and other popular places where people congregated had copies of the Gazette for customers to peruse while they relaxed. In the 1850s, an annual subscription apparently cost some 3,000 coppers and was “read by every shopkeeper and householder who can afford the subscription.” For those of smaller means, who could only afford the monthly subscription to the long-form gazette, it cost about twenty-five coppers in the mid-1870s. Foreigners who wanted the latest news at the quickest speed could purchase a subscription to the manuscript edition for an annual cost of 9,000 coppers or approximately 200 US dollars in 2017 currency.

The Gazette-Reading Public

Although it is impossible to estimate how many people read the Gazette out of a population of approximately four hundred million who lived in the late Qing empire, contemporary accounts suggest it was read constantly by officials, literate local elites, and foreigners who had mastered documentary Chinese, all of whom got their news from this “tongue of orthodoxy.”¹⁹ Reading the Gazette, John Francis Davis argued, was encouraged by the Qing government because the documents it published exhibited “obvious proofs of an anxiety to influence and conciliate public opinion upon all public questions.” For officials, reading the Gazette gave them their only comprehensive picture of what was happening across the empire, but it also allowed them to participate in and follow ongoing debates about imperial policy. Many officials would have also read the Gazette for personal reasons, to keep up with their network of colleagues and friends as they circulated throughout the country on public business. “Hungry provincial expectants,” those qualified but not yet appointed to an official post, read with “avidity” the sections of the Gazette on official promotions and demotions hoping they would be the next lucky soul to secure an official position. According to Samuel Wells Williams, editor of the Chinese Repository, the leading Western periodical on the China coast in the early nineteenth century, the gazette was also “very generally read and talked about by the gentry and educated people in cities, and tends to keep

them more acquainted with the character and proceedings of their rulers, than the Romans were of their sovereigns and senate.”

English Translations of the Peking Gazette

The readers who most concern us were the Protestant missionaries, British government officials, and early China scholars who read and translated the Peking Gazette for the broader global public. Robert Morrison (1782–1834), the first Protestant missionary to China, arrived in Macao in 1807 and immediately began looking for contemporary sources to study the Chinese language in preparation for his translation of the Bible. Not long after arriving, Morrison stumbled across the Gazette and almost immediately set to work learning to read it with the assistance of his Chinese tutors. Eight years later, Morrison began publishing translations of the Peking Gazette in periodicals in Canton and Malacca. As Morrison’s publisher wrote of his translations, “His design in communicating [his translations], is from a hope of its tending to illustrate the character of modern China, to bring Europeans and Chinese into closer connection with each other, and to assist the good and wise in forming a proper judgement of ‘the ways of God with men.’” From 1815 until his death nearly two decades later, Morrison routinely published his translations in various periodicals like the Indo-Chinese Gleaner, the Canton Register, and the Chinese Repository while also starting to train the next generation of translators such as John Francis Davis, who would later become the Governor of Hong Kong.

After Morrison’s death in 1834, a few other missionaries tried their hand at translating the Gazette to varying degrees of success, but the Qing government had also become concerned that “the transmission of the Capital News [jingbao] to the rebellious barbarians surely is the deed of traitorous natives.” Qing concerns about foreigners reading the Gazette seems to have made them wary about what to release for publication. As James Hevia has written of a slightly later period, “The ability to authoritatively decode Qing internal documents....and the use of translated documents as offensive weapons worked to destabilize the administrative reporting structure of the Qing

Empire.” Before long, the Qing government started suppressing the publication in the Gazette of most information concerning foreign countries, which explains why so little appeared on the Opium War (1839–1842) and almost nothing on the Second Opium War (1856–1860). During such conflicts, the British public in China came to believe, the publication of sensitive documents in the Gazette “is probably more jealously watched than ever.”

The topic that came to dominate the pages of the Gazette in the mid-nineteenth century was the Taiping Rebellion (1850–1864). Just before the outbreak of the rebellion, a Shanghai-based auctioneer named Henry Shearman founded a weekly newspaper called the North China Herald in August 1850. Following the tradition of the Chinese Repository, which would cease publication the following year, Shearman began publishing “Select Extracts from the Pekin Reporter” in the very first issue of the Herald. When the Taiping Rebellion started a few months later, Shearman and the Herald were in a perfect position to translate and speculate on this ongoing Christian-inspired rebellion. Among the notable translators of the Gazette in this period were the budding sinologist and future British Minister to China Sir Thomas Francis Wade, the missionary Walter Henry Medhurst, and the missionary-turned-diplomat William C. Milne, whose father had published Morrison’s translations of the Gazette while editing the Indo-Chinese Gleaner. When Shearman’s death coincided with the end of the offensive phase of the Taiping Rebellion in 1856, however, translations of the Gazette in the North China Herald petered off between 1856 and 1865 and stopped entirely from 1865 to 1870.

In 1870, the Macanese C. E. do Rozario, who had been one of Shearman’s original compositors at the Herald, established a short-lived magazine called *The Cycle* in Shanghai to compete with his former employer. Although do Rozario’s magazine would only last a year, his reintroduction of translations from the Gazette inspired Richard S. Gundry, the editor of the Herald from 1867–1878, to begin publishing a weekly translation of “an abstract” from the Peking Gazette in 1871. This is how Gundry described his purpose: “The knowledge gained from these papers is always interesting,

and often valuable. The more we know of a nation’s habits, customs, and drift of thought, the better we can understand it...And certainly few better introductions in these respects, to the national mind, can exist, than the utterances, on nearly every prominent topic, of its leading statesmen.” Until the Peking Gazette stopped publication with the abdication of the Xuantong Emperor in February 1912, newspapers all along the China coast, in the world’s great capitals, and even in small towns across America reprinted North China Herald translations of the Peking Gazette to do what we hope to do, to help readers better understand the interplay of complex political themes, social movements, and cultural ideas over the course of the long nineteenth century in China.

About this Book

This reader will be useful for instructors who teach modern Chinese history, Chinese civilization courses, or broader East Asian surveys. The reader is designed so that instructors can use the entire text, select out several pertinent chapters that fit the structure of their course, or assign the various chapters to their students as the basis of research papers using translated primary sources. For instructors and students who would like to delve even more deeply into the Gazette—to explore additional sources on the included topics, craft their own thematic chapters, or research other subjects—I have worked with Brill to produce a database of approximately 8,500 pages of English-language translations of the Gazette, which is available for purchase through your library under the title *Translations of the Peking Gazette Online*.

Each chapter opens with a brief introductory essay describing the immediate background of the event or topic, discusses possible avenues of interpretation, and sometimes outlines the major historiographical debates surrounding the subject of the chapter. The purpose of these introductions is not to analyze the documents in question, the job of the student historian, but to help initiate classroom discussions and promote engagement with the texts. Discussions may also be started by addressing the additional questions provided at the end of each chapter. A short list of briefly annotated suggested English-language readings, some primary and some secondary, is also appended to each chapter to

guide students who decide to use a specific chapter as the starting point for a research or term paper.

As students read the documents they will not only gain an unusual familiarity with day-to-day and unique concerns of the Qing empire, but also encounter perspectives and arguments that run counter to the prevailing interpretations of nineteenth and early twentieth century Chinese history. This is intended. I must caution students against reading these documents too literally. It is often necessary to read between the lines, to unpack the packaged content, to fully understand the material published in the Gazette. By continuously reading these selections, and constantly questioning their contents, students will hone their analytical abilities and come to appreciate the artful ways information was presented in the Gazette. The student will never go wrong by starting with the question of why a particular edict or memorial was released for publication. What I also hope students will discover in the pages of the Gazette are the gaps and silences in the documents that send them off in the search for other evidence to help them make full sense of the importance of the information provided. The purpose of reading the Gazette, as Rutherford Alcock so aptly put it, is to “awaken interest” in students rather than satisfy their curiosity. <>

[The Asian Yearbook of Human Rights and Humanitarian Law, VOLUME 2 \(2018\)](#) edited by Javaid Rehman, Ayesha Shahid [The Asian Yearbook of Human Rights and Humanitarian Law, [Brill Nijhoff, 9789004346871]

[The Asian Yearbook of Human Rights and Humanitarian Law](#) aims to publish peer-reviewed scholarly articles and reviews as well as significant developments in human rights and humanitarian law. It examines international human rights and humanitarian law with a global reach, though its particular focus is on the Asian region.

[The Asian Yearbook of Human Rights and Humanitarian Law](#) is also available online.

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[Tao Te Ching: The Essential Translation of the Ancient Chinese Book of the Tao](#) by Lao Tzu, translated with an Introduction and Commentary by John Minford [Viking, 9780670024988]

The original mindfulness book, in a landmark new translation by the award-winning translator of [the I Ching](#) and [The Art of War](#)

The most translated book in the world after the Bible, the [Tao Te Ching](#), or "Book of the Tao," is a guide to cultivating a life of peace, serenity, and compassion. Through aphorisms and parable, it leads readers toward the Tao, or the "Way": harmony with the life force of the universe. Traditionally attributed to Lao-tzu, a Chinese philosopher thought to have been a contemporary of Confucius, it is the essential text of Taoism, one of the three major religions of ancient China. As one of the world's great works of wisdom literature, it still has much to teach us today, offering a practical model based on modesty and self-restraint for living a balanced existence and for opening your mind, freeing your thoughts, and attaining greater self-awareness. With its emphasis on calm, simplicity, purity, and non-action, it provides a time-tested refuge from the busyness of modern life.

This new translation seeks to understand the [Tao Te Ching](#) as a guide to everyday living and encourages a slow, meditative reading experience. [The Tao Te Ching's](#) eighty-one brief chapters are accompanied by illuminating commentary, interpretation, poems, and testimonials by the likes of Margaret Mead, Ursula K. Le Guin, and Dr. Wayne W. Dyer. Specially commissioned

calligraphy for more than two hundred Chinese characters illustrate the book's essential themes.

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Tao Te Ching

A Taoist Florilegium: Gleanings of the Tao

This little book is the founding text of China's ancient and enduring religious philosophy, known in the West as Taoism. Taoism, with its history of two and a half millennia, is usually depicted in stark contrast with China's other main traditional philosophy, the secular ideology known in the West as Confucianism, whose founding text is another equally short early work, [The Analects of Confucius](#) (Lunyu). Broadly speaking, we may say that Confucianism as it evolved in subsequent centuries emphasized the need for order, respectful harmony within family and society, coded ritual, precise terminology, clearly delineated duty, and structured hierarchy in daily life. Taoism, on the other hand, emphasized inner freedom, meditation, and the Self-Cultivation of the individual, surrender to the spontaneous rhythms of nature, primordial intuition, and exploration of the mysteries of the human condition and the wonders of the cosmos, listening to the silent music of the Tao.

[The Tao and the Power \(Daodejing\)](#) is attributed to a shadowy figure known as Lao-tzu (the Old Master), while the book known as The Analects contains the enigmatic and often delightfully eccentric sayings, as recorded by his circle of disciples, of a well-documented historical personality, the peripatetic teacher Confucius (Kongzi, 551-479 BC). Confucius lived toward the very end of what is known as the Spring and Autumn period (771-ca. 475 BC), during which the Zhou dynastic royal house, forced to move its capital eastwards in 771 by the incursions of the Quanrong or "Dog" barbarians, began to suffer the erosion of its central authority while several lesser states contended for power. The more stable earlier half of the dynasty (the Western Zhou, ca. 1046-771 BC) had previously seen the gradual emergence of a written culture and the appearance of such formative pre-philosophical compendia as the oracular Book of Change (the I Ching), with its sixty-four Hexagrams and its wide-ranging and thought-provoking prognostications,

and the Book of Songs, with its enchanting repertoire of early folksong and dynastic hymns. These collections were eventually to be enshrined as Classics in the official Confucian canon, often undergoing tortuous ideological distortions in the process. Meanwhile in the southern state of Chu, shamanistic poets had begun to sing with a very different and less restrained voice, one that venerated magic, nature, and the supernatural, in which the individual yearned for erotic and mystical union with the divine. This was the earliest outpouring of Chinese expressive lyricism. Taoism had much in common with this softer and more exotic southern world, and many have claimed that it had its origins there, whereas Confucian thought grew out of the harsher climes of the central plain and the north, especially the rocky eastern area of the states of Qi and Lu (homeland of Confucius), which now form the Province of Shandong.

Two Masters: Lao-Tzu and Confucius

Legend has it that the two Masters met more than once, Lao-tzu being some-what senior to Confucius. In a probably apocryphal chapter of the later The Book of Taoist Master Zhuang, their encounters are described with a mischievously mocking Taoist sense of humor.

Confucius had reached the age of fifty-one and still had not "heard the Tao." Finally he went south to Pei and called on Lao-tzu.

"Ah, here you are!" said Lao-tzu. "I've heard of you as a worthy man from the north. Have you attained the Tao?"

"Not yet," replied Confucius.

"How have you sought it?"

"I sought it through rules and regulations. Five years went by and I could not attain it."

"How else did you seek it?" asked Lao-tzu.

"I sought it in the Yin and the Yang. Twelve years went by and still I could not attain it."

"Of course not!" replied Lao-tzu. "The Tao cannot be sought in this manner ... The perfection of olden times wandered freely in the wilds, they found nourishment in the fields of Simplicity, they took their stand in the garden of No-Giving. They abode in Non-Action, and found easy nourishment.

Their wanderings brought them to the True Tao. This was their Wealth ..."
Confucius called on Lao-tzu again and this time asked him about the Virtues of Benevolence and Righteousness.

Lao-tzu replied:

"When chaff from the winnowing fan blinds the eyes, then Heaven, Earth, and the Four Directions all appear to be out of place.

The sting of a mosquito or of a horsefly can keep a man awake all night. Similarly, these so-called Virtues of yours do nothing but muddle the mind and cause confusion. Let the world cleave instead to Simplicity and the Uncarved Block. Let it move freely with the wind, and abide in Inner Power. Don't go around huffing and puffing, beating a big drum as if to chase an errant child! The snow goose needs no daily bath to stay white. The crow needs no daily ink to stay black ..."

When Confucius returned from this visit to Lao-tzu, he was silent for three days. His disciples questioned him, saying:

"When you met Lao-tzu, what advice did you give him?"

"Finally," replied Confucius, "I have set eyes on a Dragon! A Dragon that coils to show off the extent of its body, that sprawls to display the patterns on its scales. A Dragon that rides on the Breath of the Clouds, and feeds on the purest Yin and Yang. My mouth simply fell open in amazement. How could I possibly offer such a Dragon advice?"

Sima Qian (ca. 145-86 BC), the Grand Historian, recorded a similar encounter, in his biographical sketch of Lao-tzu.

Lao-tzu was from Quren Village in the southern state of Chu. His name was Li Dan, and he was the Zhou Official Archivist. Confucius went to Zhou to ask him about the Rites. Lao-tzu said to him:

"You speak of men who have long decayed together with their bones. Nothing but their words has survived. When a Gentleman is in tune with the times, he rides a carriage; when he is out of tune, he makes his way disheveled as he is. I have heard that just as the best merchant keeps his stores hidden so that he

appears to possess nothing, so the True Gentleman conceals his abundant Inner Power beneath an appearance of foolishness. Rid yourself of Pride and Desire, put aside your fancy manner and your lustful ways. They will bring you nothing but harm. That is all I have to say." After he had taken his leave of Lao-tzu, Confucius said to his disciples: "Birds fly; fishes swim; animals run. These things I know. Whatsoever runs can be trapped; whatsoever swims can be caught in a net; whatsoever flies can be brought down with an arrow. But a Dragon riding the clouds into the Heavens—that is quite beyond my comprehension! Today I have seen Lao-tzu. He is like a Dragon!"

Lao-tzu cultivated the Tao and the Inner Power. He advocated the hermit's life, a life lived in obscurity. He lived in Zhou for a long time, but when he saw that the Zhou dynasty was in a state of decline, he departed. When he reached the Pass, the Keeper of the Pass Yin Xi said to him: "You sir are about to retire into seclusion, I beseech you to write a book for me!" So Lao-tzu wrote a book in two parts, treating of the Tao and the Power, in a little over five thousand words. And then he went on his way ... No one was able to tell who he really was, no one knew where he went to in the end ... He was a recluse?

The two accounts differ in many ways, but they have in common the vision of Lao-tzu as that transcendent, most auspicious and most powerful creature, a Dragon. He is portrayed as someone with a truly remarkable charisma, someone whose mana made a deep and lasting impression, a Great Man, a genuine Immortal riding the clouds. Truly, in the words of the I Ching:

The Dragon
Flies in Heaven.
Draco Volans in coelo.
It profits
To see a Great Man.

The Great Man is the Dragon. The Yang which has been slowly accumulating is suddenly transformed, it attains perfect freedom. The soaring flight is free, effortless, and unhampered. The Sage simply takes off, following the Tao as naturally and instinctively as if it were an Edict of Heaven.

The Hundred Schools

In both of these little books, *The Analects* of Confucius and Lao-tzu's *The Tao and the Power*, the Chinese literary language reached a new level of coherence and expressive power; it acquired the potential to articulate more complex and subtle ideas. They were most probably both compiled at the beginning of the period of still further intensified turmoil and civil war known as the Warring States (ca. 475-221 BC), which witnessed the final disintegration of the Zhou dynasty and the ultimate unification of China under the harsh totalitarian rule of the northwestern state of Qin. These chaotic centuries saw the rise of many contending schools of thought across China, the so-called Hundred Schools, all of whom were "Disputers of the Tao," claiming to possess a recipe, a Way, or Tao, for both the individual and the ruler, for living and statecraft. One such school, known as the Legalists or the School of Law (fajia), advocated a drastic totalitarian solution to government, and this was the way of thinking followed by the Ruler of Qin, infamous builder of the Great Wall and (according to some) burner of the books.¹⁰ A short work from this same period, *The Art of War*, is attributed to another shadowy figure, a strategist known as Master Sun (Sunzi, more familiar in its old spelling, Sun-tzu). It is a startlingly Machiavellian treatise in praise of cunning and subterfuge, which cleverly exploits some of the softer and more attractive kungfu-like maxims of early Taoism.

Military dispositions take form like water: water shuns the high and hastens to the low. War shuns the strong and attacks the weak. Water shapes its current from the lie of the land. The warrior shapes his victory from the dynamic of the enemy."

Taoism and Confucianism in History

The thinking of Confucius was further developed by two later Confucian figures, Mencius (Mengzi, or Meng-tzu, ca. 372-289 BC) and Master Xun (Xunzi, or Hsün-tzu, ca. 310-235 BC), whose books contain more sustained philosophical argumentation than is to be found in *The Analects*. In a similar way, the Taoist master-racôiteur Master Zhuang (Zhuangzi, or Chuang-tzu, fourth century BC) and his followers brilliantly elaborated the leading ideas of *The Tao and the Power*. Other Taoist compendia followed

(such as *The Book of the Huainan Master*, and the later *Book of Master Lie*). Under the Han dynasty (206 BC-AD 220), Confucianism eclipsed Taoism to become established as the dominant state ideology of China, remaining so for over two thousand years, with the occasional hiatus. Chinese public life was thenceforth rooted in the precepts of Confucianism, and every educated individual had to pass a series of grueling examinations on the Confucian canon. But Taoism continued to flourish nonetheless, with monasteries and hermitages on every mountain, and proliferating lineages of Masters and Schools teaching a variety of meditational practices, guiding the seeker toward the Tao. It was in effect the all-pervading undercurrent of Chinese culture, later fusing

A Taoist Florilegium: Gleanings of the Tao

Taoist Self-Cultivation: To help readers new to the Taoist way of thinking, and to illustrate certain of the book's key Images and Themes, I have selected a few flowers and woven them together, from both the original text and the Commentaries.

TAO: The word Tao was translated by the Jesuit Father Régis as *Vis Operativa et Operandi, Via, Ratio, Lex*. The Tao is "the unnameable in union with which we are spontaneously on course." The Great Tao is complete. With Good Faith and Kindness, one sees the Myriad Things as one great entity; one sees Self and Other as one great Family. It is like the Wind blowing ... Everything dances before it. Ignorance of the Great Tao is a darkened, deserted house, it is conceit, it is self-satisfaction, vain embellishment of the façade. This gaudy shrine contains no Buddha. It is ultimately Ineffable and thus cannot be "understood" cognitively. Even though the Tao cannot be known intellectually, because it is fundamental to all Being, it can be experienced and embodied.

INNER POWER: This is the Inner Strength or *mana* that flows from the experience of the True Tao. The Greater Knowledge which resembles Folly, the Greater Cleverness which resembles Clumsiness, provide a path to a Higher Heart-and-Mind, to the Inner Power of the Tao. To Cultivate this Power, one must go beyond Attachment and Action, to the Heart-and-Mind of the Tao, which cannot be seen, which cannot be heard, which has no Form, which

leaves no Trace. This is the Mystic Power of the Infant. The Power is the Tao, the Tao is the Power. To discard Learning is to Cultivate Inner Power, to be Nourished by the Mother is to follow the Tao. The Power never ceases to be Calm even in Motion, it never ceases to be One with the Tao. Inner Power Radiates and Heals. This Inner Power is the fruit of Self-Cultivation, it is the manifestation of the Tao. It is the personal capacity to carry out the most Harmonious course of Action, or Non-Action. Cultivate Heart-and-Mind, let it be unmoved by sorrow and joy, Know that certain things are inevitable. This is the height Of Spiritual Strength. Inner Strength is the only True Source of Teaching. It makes Connections. It is an uninterrupted current, one and the same Water, passing from one place to another. It reaches everywhere. The True Gentleman practices the Tao, building Inner Power, Inner Strength, taking every step in a measured way. It is like Water flowing easily from one place to another. His every word is well considered. He is at peace, like a Lake on which no wave stirs. When he acts, he never loses touch with his Inner Nature.

The Tao, who Nurture Life, there is no Terrain of Death. Inner Power, Mystic Power, in its Non-Being, in its Non-Action, is invisible, is unknowable, it Nourishes them, brings them to Fulfillment, to Completion. They Return to Nature, to the So-of-Itself. Heaven models itself on the Tao, the Clear, the Calm and Silent. The Tao models itself on Nature, the So-of-Itself. The Tao is Nature. It has no other model.

TRANSFORMATION OF HUMAN HEART-AND-MIND: White Light shines in an Empty Room, the Inner Marvel of Illumination i Born of Outer Radiance. All is in the Heart-and-Mind. It is a solitary grail in the Vast Void, Round and Bright, Calm and Naked. The wiles of the Hu man Heart-and-Mind are thorns and brambles, futile expense of Spirit, a poor harvest. The Taoist Returns Home, to Nature, to the So-of-Itself, am thereby keeps Heart-and-Mind safe from Harm. This is the Transformation of the Tao. Brambles are Transformed into healing herbs, the poor harvest into an Abundance.

BREATH-ENERGY: This is Vitality, Life Breath or Vital Breath. Joseph Needham calls it pneuma, or matter-energy. It is a fundamental concept in the whole range of Chinese traditional thinking. It is the basic substance out of which the entire universe is composed. Human beings have some measure of control over the rate at which their original endowment of Breath-Energy (qi) stagnates or is depleted. Balance of Breath-Energy in the mental and emotional spheres can be Achieved by Self-Cultivation. Various techniques designed to retain (and ideally augment) Breath-Energy include both moral and physical arts: moderation in daily habits, adjustment of posture, meditation as "inward training" or Self-Cultivation, habituation to goodness, and a calm acceptance of fate. Breath-Energy is a force that expands and animates the world in a turning motion, in the revolutions by which it spreads and distributes itself into every corner of Space and Time.

HEART-AND-MIND: Magister Liu stresses the importance of the stage of Observation in Self-Cultivation, whereby the Taoist first perceives the working of the Tao in the outer physical world, then proceeds to Inner Contemplation of its Marvels. In freedom from Desire, we look within and Contemplate the Inner Marvel, not with eyes but inwardly by the Light of Spirit. Looking outward, with the eyes of Desire, we Observe the Outer Radiance. Desire itself is born within the Heart-and-Mind, in the first Inklings, in the embryonic Springs of Thought. I am the Tao. The Tao is Me, One with the Ancestor and the Lord, One with the Outer Radiance, with the Inner Marvel, with the Tao, the Jade in the bosom beneath Sackcloth.

This translation (rather than either "heart" or "mind") reflects the blending of belief and desire (thought and feeling, ideas and emotions) in the Chinese word xin. This English word is singular (The Heart-and-Mind is ...) and has nothing whatsoever to do with winning over "Hearts and Minds." The Hu-man Heart-and-Mind must be restrained by the Heart-and-Mind of the Tao. Expel Cleverness, Treasure the Light within. A man's True Yin and Yang become Dispersed when he clings to the Human Heart-and-Mind, and aban-dons the Heart-and-Mind of the Tao. Every step down this path leads further toward Danger. Embrace the Heart-

and-Mind of the Tao, let go of the Human Heart-and-Mind, take hold of the Jewel of Life in the Tiger's Lair, the Bright Pearl in the Dragon's Pool (enlightenment in the mundane world).

This is not idly "doing nothing," the lazy attitude of a fainéant, but the re-laxed, effortless attitude of the Taoist, who seems to "do" nothing, but actually does a great deal, because he is naturally in Harmony with the Tao. Things just Happen. The folk Return to Calm, to Simplicity and Purity. They find Peace in Non-Action, in the Rhythms of Nature. With True Knowledge, Action is Eschewed, and all is Accomplished through Non-Action, through the Pure Breath-Energy of the Tao. The Taoist Accomplishes through Non-Action, through the So-of-Itself, the Way of Nature. The Taoist is Busy about No-Business, tastes No-Taste with the dispassionate appreciation of the connoisseur, with Clarity and Calm. The Master is Calm, his is the magical passivity that is also called Non-Action. The Tao is Non-Action. With it the Myriad Things are Transformed and effortlessly become Whole, according to the So-of-Itself. This is the True Benefit of Non-Action, the Soft and Gentle Tao. This Wordless Teaching is learned from Self-Cultivation in Non-Action.

NOT-CONTENDING: Not-Contending is Non-Action. Through Not-Contending, Water Benefits the Myriad Things. Therein lies its Excellence. Every Excellence (in dwelling, in Heart-and-Mind, in friendship, in words) resembles that of Water, which does not Contend. This is the Excellence of the Inner Power of the Tao, which resembles that of Water.

NO-KNOWLEDGE: The Taoist has this Powerful and True Knowledge of the Tao. Highest Knowledge is to Attain Meaning and to forget Words, is to Know No-Knowledge, to seem to Know Nothing.

With the Return to the Primal, to the Root, to where Non-Being and Being are once again One, the World's Hurly-Burly grows quiet. Being and Substance bring Benefit; Non-Being and Emptiness make things Useful. This is the opposite of Being; it is the formless, undifferentiated Void or Chaos out of which Being comes. It is in going "back" to that

Non-Being, in the Return to that Root, that the Taoist seeks his Life-Destiny.

WATER: This is the Prime Symbol of the Tao. Water is close to the Tao. It resembles the Woman who lies Beneath the Man. Dammed, it comes to a Halt; released, it Flows. It follows and obeys. This is its Nature. None can find fault with Water.

Whosoever sees by the Light of the Primal Mother Understands this Truth, Knows that Water is the Exemplar of the Tao. The Heart-and-Mind finds Excellence in Calm and in Freedom from Desire, in Depth, just as Water finds Calm in a still, unruffled pond. Just as Water brings moisture to every place, so too the Taoist sees all as equals, close friends and distant persons alike, brings Peace to the elderly, Cherishes the young. Water wends its way gently round every obstacle, avoids height, sinks to depths, bends with curves, fills and pours, fits into Square and Circle, into Small and Great, into springs and rivers, smooths the Surface of things, accepts all manner of filth, contains gold, extinguishes fire, brings Life to plants and trees, softens and moistens the soil, brings Benefit to the Myriad Things, never Contending, always lower, always beneath All-under-Heaven, Supremely Soft and Gentle.

The Son Returns to the Mother, Cleaves to her. The Son knows the Man, but Cleaves to the Woman. The Son is Nourished by the Mother, builds strength from softest shoots, from tiniest details. Woman Prevails through lying Beneath, through Calm, Prevails through Softness, over the Hard, over Man. When Man unites with Woman, Hard submits to Soft, Hard is contained within Soft. The Primal Mother's voice can be heard in every word. The Tao-ist, like Woman, is Quiet and Still, is Soft and Tender.

FLOOD, OCEAN: The Tao is fathomless and unknowable, like Water deep in an Abyss. Be Humble and Lowly, like a Deep Ravine, and the Power will be Constant. All-under-Heaven Comes Home to the One, like Water pouring into a Deep Ravine. Know Man, Cleave to Woman. Be a Ravine for All-under-Heaven, with Constant Power that never fades. Be Humble and Lowly, like a Deep Ravine, and the Power will be Constant.

DUST, IN THE WORLD: The Flood of the Tao is like water blown by the wind, like waves rippling to left and right, coming forth and disappearing in unfathomable ways. I drift and glide, like the boundless floods of River and Ocean, seeking repose in the Realm of Spirit. My Heart-and-Mind Drifts in the Tao, my only Home. Others busily Contend, wasting Spirit. Others sparkle and are bright, I am dull and listless, like the boundless Ocean.

VALLEY SPIRIT: Consider two mountain peaks facing each other, and the Valley between. A voice calls out, an echo replies, a Sound from Nothingness, a Something without Form, neither a Nothing nor a Something, a concentration of Pure Breath-Energy. This is the Valley Spirit.

Dust is a common metaphor for the noise and fuss of the World, of everyday life. Taoism in its true sense calls for identification with, not an escape from, the World ("merging with the Dust"), all the while keeping the Light of the Tao Dark, not letting it shine. Be One with the Dust of the World, blend with it, do not stay aloof. This is the Mystic Union of Heaven-and-Nature, to be One with the Tao. The Taoist often conceals his Treasure, and lives hidden in the crowd. But once met, he kindles Light in others. Dwell in the world, do not deny it, Merge with the Dust, Resonate with outer things, be still and not entangled, in the Dust but not of the Dust, in the World but not of the World. The True Gentleman, who practices the Tao, gathers his Vital Spirit, vast as the Heavens. He learns to live in the World without injuring Spirit. He dwells in the Dust but is able to rise above the Dust.

BELLOWS: Like Air from a Bellows, Infinite Breath-Energy issues from the Emptiness of the Tao. The Bellows works through the Tao of Non-Action between Heaven Valley, Murky as Mud. The Taoists were like Mud that settles and becomes clear. They Attained Calm but were lively in Gentle Motion.

SIMPLE UNDYED SILK, KNOTTED CORDS: Like the Uncarved Block, Simple Silk is a symbol of the "attributeless" nature of the Tao, a Return "from the dead letter of moral precepts" to a Taoist state of Simplicity without Culture or Artifice. It resembles the Simplicity of the Three Most August Ones of

Ancient Days, who communicated with Knotted Cords and dispensed with writing altogether.

BINDING STRAND: With the Binding Strand of the Tao, among its Countless Transformations, Being Returns to Non-Being in the Free Flow of Nature, Returns to the One with No Substance which dwells in its midst, to the Ancient Beginning that Binds.

HEAVEN'S NET: Heaven's Net is the Tao. Heaven-and-Nature is silent, it does not Meddle. Its Net is Non-Action.

LINEAGE OF THE LIGHT: There is a Higher Knowledge deep within the sense of being lost, a Knowledge that is No-Knowledge. Its Transmission is the Lineage of Light, which stems directly from Nature, from the So-of-Itself. This is a Great Mystery. The Lineage of Light is transmitted from Teacher to Disciple. If the Disciple does not esteem his Teacher, if the Teacher does not care to Teach, then the Transmission is broken and the way is lost, however hugely knowledgeable and clever and wise one may think oneself to be. To Understand this is to Understand a Great Mystery of the Tao.

SMALL FISH, NOT-MEDDLING: So the True Taoist says: I change nothing, and the folk are Transformed and Perfected. I do not Meddle, and they prosper Of-themselves. It is One, not Two, it is Dark, it does not shine. The Large is Hard and Forceful, the Small is Soft and Gentle. To Rule a Large Nation in the manner of cooking a small fish is to use the Soft and Gentle to pacify the Hard and Forceful. Do not handle a small fish too much, in case it disintegrates. If the Rulers of a Nation Meddle, the folk will be distressed.

LIFE-DESTINY: This is the Self-Perfection that Heaven has given a person, to accomplish which is the consummation of all Taoist practice. It can also be translated as Life-Store, the Font of Vitality, the store of Vital Forces of a human being that are wasted in such things as Sex, Violent Emotion, and Desire, all of which cause the vital fluids (sexual fluids, sweat, saliva, moist breath) to drain away. When this Life-Store is exhausted, the result is Death.

MYRIAD THINGS: Literally, the World "Beneath Heaven," all things and peoples, the entire world known to the Chinese.

Literally Heaven, but in a broader sense Nature, the course which things follow or should follow—the recurrence of the Seasons, the cycles of the Heavenly Bodies, the Tao of Heaven-and-Nature. Everything which man cannot alter—his Nature, his Destiny—is due to the Decree of Heaven.

LIFE AND DEATH: Taoists understand the Cycle of Life and Death in the light of the So-of-Itself, of the Tao of Heaven-and-Nature. When the Heart-and-Mind of the Tao holds sway, then Life and Death are seen for what they are: the Cycle of Nature, the So-of-itself.

USEFULNESS OF THE USELESS, UTILITY OF FUTILITY: The Taoist's Heart-and-Mind is a Bright Mirror. It reflects but does not absorb. It is Still Water. It is Tranquil, Calm without a ripple. To Attain Clarity and Calm, to Purify the Human Heart-and-Mind, is to be truly Alive, it is to Witness the Quickening of the Heart-and-Mind of the Tao, the Return of the Real. The Taoist's Heart-and-Mind is the Tao, the Tao is the Taoist's Heart-and-Mind, Still as Water, Bright and Clear as Radiant Sky and Lustrous Moon, Outer Radiance containing Inner Marvel.

DARK LIGHT, INNER LIGHT: True Taoists care nothing for Fame. They hide their Light. They are incognito. To Know Self, to wear sackcloth but to have jade in one's bosom, is to have True Knowledge within. To follow the True Light of the Tao is to search in the Dark.

RESONANCE, CONNECTION: When things or people Resonate, they also Connect. They are in tune with the Cosmos, with Change, they are in Harmony with the Tao.

SILENT MUSIC OF THE TAO: The Taoist knows the Use of the Useless, the Utility of Futility, brings Spirit close to Life-Destiny, finds the Way Home, Truly Whole. This is to Embrace the One, to be Woman not Man, to Resonate with All-under-Heaven, to have an Inner Power that is Whole.

The inaudible Song with neither Words nor Music—that is the Tao. Its Completion is slow. This is the Great Music of the Tao, too Faint to be heard. The Tao itself is Silence. To Attain the Tao is to dwell in Non-Action, to live in No-Business, to enter the Realm of Silence, which is the finest Music of all.

SOFT AND GENTLE: When men are born, they are Soft and Gentle, alive with Numinous Breath-Energy, Embracing Spirit within. The Taoist is Soft and Gentle as Water, is Beneath not Above, absorbs filth, accepts Misfortune and Calamity. Unexpected hardship, which Others find overwhelming, is overcome by the Taoist through the Soft and Gentle. This is the paradox, the Truth, that Soft and Gentle Prevail over Hard and Strong. The Practice of the Tao is Soft and Gentle, it leads to Endurance and Long Life.

RETURN, TURNING: The Tao moves like this, in Cycles. It Turns, it moves round, backwards, in reverse motion. It Returns to the Primal State of Simplicity, to the Root. It revolves, according to the constant Transformations of Change. The Taoist Turns away from the world, Returns to Self, to basic Nature. This is to Return Home, to the Uncarved Block, to the Inchoate Fog, to the Infant. This is to put aside the Human Heart-and-Mind, to Attain the Heart-and-Mind of the Tao.

RETREAT, RETIREMENT, SECLUSION: Through Retreat, by withdrawing into Inner Contemplation, the True Gentle-man engages in Self-Cultivation and Achieves Inner Power. Small Men cannot come near him or cause him Harm. The Tao seeks no recompense. The Taoist, having Achieved, Retires to Seclusion and never dwells on Achievement. To withdraw into Retirement in the wake of Accomplishment and Success, to Let Go, averts Calamity. The Taoist follows the Cycle of the Tao, of Heaven-and-Nature, according to which the sun declines from its zenith, the moon waxes only to wane, flowers bloom only to fade, the greatest joy turns to sorrow. <>

[What Has Jerusalem to Do with Beijing?: Biblical Interpretation from a Chinese Perspective, Second Edition \(Twentieth-Anniversary Edition\)](#) by K. K. Yeo [Contrapuntal Readings of the Bible in World Christianity, Pickwick Publications, 9781532643293]

The rise of China as a superpower and of Chinese Christians as vital members of the global church mean that world Christianity would be a dynamic transformation and bountiful blessing to the world by engaging with Chinese biblical interpretations among global theologies. This book, a twentieth-

anniversary revised and expanded edition, includes studies that range from exploration of the philosophical structure of Eastern culture to present-day sociopolitical realities in Malaysia and China--all in support of cross-cultural methods of reading the Bible culturally and reading the cultures biblically.

"K.K. Yeo addresses culture with the same analytical acuity as he addresses the Bible, and the dialogue between these brings rich new insight to Christian theology. Yeo's cross-cultural hermeneutic issued a provocative methodological challenge to 'mainstream' theologians, while this twentieth anniversary re-issue celebrates Yeo's scholarship as well as the great growth of Chinese theology in the intervening decades--growth brought about in no small part by Yeo's contribution." --Chloe Starr, Yale Divinity School

"What Has Jerusalem to Do with Beijing is the best book I have read in recent years on cross-cultural hermeneutics of the Bible and Chinese Classics in view of their mutual enrichment . . . I strongly recommend it as a must read for scholars and graduate students . . . as well as for Chinese people themselves, especially those interested in understanding more deeply their inner desire for meaningfulness in reference to Chinese Classics and the Bible." --Vincent Shen, University of Toronto "

"The author brings together for mutual dialogue and engagement, under the guiding principles of inclusivity and respect, Jerusalem (the Bible) and Beijing (Chinese culture). This he does by way of a sharp and fruitful combination of traditional themes from Chinese culture, Christian theology, and the biblical texts . . . The result is an excellent exercise in cross-cultural interpretation and a volume I would highly recommend to anyone interested in this unfolding global discussion." --Fernando F. Segovia, Vanderbilt University "

"K. K. Yeo is one of the very few Chinese biblical scholars who dares to take on the task of integrating and interpreting the Bible from a Chinese cultural perspective. His efforts constitute a valuable resource for the field of global biblical interpretation." --Philip Chia, Chinese University, Hong Kong "

"K. K. Yeo addresses the fundamental question of the relationship between Scripture (Jerusalem) and cultures--the Chinese and Western cultures that he splendidly embodies as a bicultural biblical scholar . . . Yeo illustrates how much we Western interpreters have to learn from Chinese interpreters; as one of them Yeo helps us recognize the community-centered perspectives of biblical texts that we had ignored by burying them under our individual-centered concerns. This book is full of urgently needed insights into Scripture and our ways of reading it." --Daniel Patte, Vanderbilt University

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Excerpt: A Chinese Introduction (with an Addendum for Twentieth-Anniversary Edition)

This volume is a collection of ten essays on the Bible. It reflects the range of biblical reading I have enjoyed doing over the first third of my thirty-year career as student and teacher of the Bible. Having lived in a multi-faith, multi-textual, and multicultural context in Malaysia for twenty-four years, I cannot help but think of the given convention of reading: a Chinese Christian reading of the biblical text from a Chinese perspective.

I am a second-generation Chinese in Malaysia, raised in a Confucianist family with modern sensibilities of the scientific method, historical proof, and service to community. As an atheist in my early years, I respected the major traditions of Chinese philosophy and religion, the culture of which I was a part. At the age of eighteen, I came to appreciate and to worship the Messiah, who was born a Jew but died for all, including the Chinese. The statement, "I came to appreciate and to worship" involves a long journey, marked by years of struggle about the relationship between the Christian faith and Chinese culture. I believed as a young Christian that the Christ event is itself a trans-spatial and trans-temporal event which, for this reason, places upon followers of Christ the mandate of a cross-cultural hermeneutic. But the big question is how to do such cross-cultural interpretation, if a reading is Christian. In my theological education, I came to respect the apostle to the gentiles, Paul, who remained a Jew but who zealously pro-claimed the gospel of the Messiah to those without the law, the promise, and circumcision. Paul's epistles, collected in the New Testament,

became my favorite reading, and the effort reflected in this monograph is my way of imitating Paul's cross-cultural hermeneutics. The first two chapters provide a biblical basis for clarifying the methodology of a cross-cultural reading. Chapter 1 is an attempt to consider various aspects of a cross-cultural reading that is biblical, theological, rhetorical, and contextual. Chapter 2 is more biblical, as it reflects on Gal 3:1–20, a passage that supplies the needed resources for a cross-cultural hermeneutic to address not only a coexistence issue in Malaysia but also my construction of a cross-cultural interpretation based on a christocentric model.

The remaining chapters have to do with the ways I read the biblical text, always with one eye on the Chinese culture or Asian context. In my cross-cultural reading of the biblical text, I have divided the essays into two categories: one group of essays falls into the area of dialoguing with perennial themes in Chinese cultures. These essays seek to express biblical truth in the language of my own people. It is not possible to communicate intelligibly in culture-free theological axioms, nor can the Christian faith be meaningful in a cultural vacuum. Theological hermeneutics is the art and science of appropriating the eternal will of God (historically revealed in the Word of God in its Hebraic and Greco-Roman milieu) to the particular historical situation of people. Since the task of the theological enterprise essentially is to interpret or construct truth in a way that is intelligible to people, the crucial need to speak the truth in the language of the people has been recognized ever since creation. As such, every theological revelation and construction is contextual and indigenous. For theology not only addresses the needs of a particular people in a particular situation, it also is conveyed in and through the language of the people. Scripture itself gives us the best example.

Chapters 3 through 6 seek to use the language of yin-yang philosophy and the Confucian understanding of *tion ming* (mandate of heaven) as well as *li* (law/propriety) and *ren* (love) to convey the biblical notions of God, humanity, rest, will of God, and so forth. To express biblical truth contextually is to read intertextually; however, to minimize the possibility of eisegesis (reading into

the text), I always begin with the biblical text rather than with the Confucian and yin-yang philosophical texts. Readers interested in the theoretical basis of intertextuality may wish to trace the development of structuralism, post-structuralism, and intertextual reading.

These four chapters employ intertextual theories of reading such as structuralism. Structuralism and intertextual readings depend on semiotics, as well as on culturally contingent factors of reading. A system of semiotic codes is operative when both social conventions and transcendental symbols are interactive. But these codes are not autonomously universal; rather they are networks framed and conditioned by sociocultural factors. As such, reading in a multi-faith, multi-textual, and multicultural context cannot be a reading at the level of the textual code alone, but must include acknowledgment of and sensitivity to the readership as well as to textual contexts. The audience and textual contexts provide the network for and the possibility of reading. This view is an extension of Julia Kristevás notion of “intertextuality” and Bultmann’s concept of “pre-understanding.” Jonathan Culler speaks of the intelligibility of a text “in terms of a prior body of discourse . . .” He also notes the function of intertextuality as an allusion “to the paradoxical nature of discursive systems. . . . Everything in la langue, as Saussure says, must have first been in parole. But parole is made possible by la langue, and if one attempts to identify any utterance or text as a moment of origin one finds that they depend on prior codes.” Applying the insight of Culler, one may contend that Romans and the Analects, Hebrews and Daodejing, exist intertextually in their parole, but their langue is made plain only through the reader’s hermeneutics. While not following postmodernists Michael Riffaterre’s and Kristevás irreducible polyvalence and radical indeterminacy of intertextual boundaries, the four essays do place artificial limits on the significations of li (law), ren (love in the Spirit), tian ming (will of God), and taiji (rest; literally “great ultimate”) in my reading of the Analects and the biblical passages.

To do a cross-cultural reading of biblical texts also is to let the biblical text respond to the particular

context of the reader. Chapters 7 through 10 are examples of contextual readings of the biblical text for the current Chinese situation. In chapter 7, through the use of rhetorical criticism, Paul’s preaching is heard as speaking not only to Athenian philosophers but also to Chinese Daoists. In chapter 8, the message of hope found in the book of Revelation is heard as speaking to Chinese Christians who lived through the Cultural Revolution. In chapter 9, Isa 5:1–7 and 27:2–6 offer a political and social message of restoration to those who felt repressed and betrayed in the June Fourth Event of national disgrace at Tiananmen Square. The chapter shows that these two pericopae (Isa 5:1–7 and 27:2–6) form one unified song of judgment and restoration; it also argues that only in the vision and message of the whole, as conveyed in the song, can we find the coherent pattern of divine purpose in human history. Chapter 10 is an analysis of 1 Cor 8 and 10 in view of Malaysian women. It suggests that the Pauline vision of mutuality between men and women is a vision that can be useful to women advocacy groups working toward wider transformation inclusive of male-female concerns.

These experiments with cross-cultural hermeneutics hope to achieve the transformation of both biblical reading and the Chinese culture. To use the biblical text as a normative response to the Chinese and Malaysian contexts may neither be fair nor valid for a relativist if one assumes that the Bible is just one of many sacred texts. I do not think that relativism and universalism are the answers to cross-cultural hermeneutics. On the one hand, the uniqueness of one’s culture needs to be affirmed, while on the other hand, one culture needs the critique of another. If openness, even accepting criticism from others, is essential to cross-cultural hermeneutics, then the Chinese culture must be opened to the biblical text, though I acknowledge also that my reading of the Bible is influenced by my own culturally contextualized reading. A monocultural reading of the gospel can easily be idolatrous. We are always at the point of inventing systems of cultural symbols and creating communities of meaning so that what we present through the culture is never absolute. So, a cross-cultural reading is more objective than a

monocultural reading of the biblical text can ever be.

Addendum: What Has Changed? Why a New Edition?

It has been twenty years since the first edition of this volume was published. Reviews of the work overall have been positive, and some schools have graciously invited me to present my work with students and/or faculty who have a keen interest in cross-cultural biblical interpretation. Yet, the world has changed, and my thinking on this work has developed. What has changed that calls for a new edition of this work?

First, the last twenty years of research and teaching have given me more time to reflect on the method of cross-cultural biblical interpretation. I will tell the story autobiographically at the end of chapter 1 and conclusion chapter regarding the method I employed in this volume. Suffice to say here that my previous rhetorical-hermeneutical method, upon reflection, is significantly influenced by the understanding of intersubjectivity. As I do cross-cultural interpretation, the notion of intersubjectivity reinforces my intertextual reading.

Second, not only has biblical studies over the last twenty years produced new scholarship that I need to consider and engage with but also cultures are in constant change; thus, much of the Chinese and Malaysian contexts have shifted. An update is necessary.

Third, the last fifteen years of my annual frequent visits to Jerusalem and Beijing (Israel/Palestine and China) have enriched the way I reflect upon and practice cross-cultural biblical interpretation. Some of my views have changed, and some need to be fine-tuned or nuanced to make my points clearer. Being involved in various China projects (administering a degree program in Christian Studies, research/publishing, and teaching) and the Majority World Theology conferences with the Institute of Biblical Research and Evangelical Theological Society remain the top two events that have impacted my life, as well as the way I continue to read the Bible cross-culturally. <>

[Atlas of Religion in China: Social and Geographical Contexts](#) by Fenggang Yang with assistance from J. E. E. Pettit [Brill, 9789004358850]

The speed and the scale with which traditional religions in China have been revived and new spiritual movements have emerged in recent decades make it difficult for scholars to stay up-to-date on the religious transformations within Chinese society.

This unique atlas presents a bird's-eye view of the religious landscape in China today. In more than 150 full-color maps and six different case studies, it maps the officially registered venues of China's major religions - Buddhism, Christianity (Protestant and Catholic), Daoism, and Islam - at the national, provincial, and county levels. The atlas also outlines the contours of Confucianism, folk religion, and the Mao cult. Further, it describes the main organizations, beliefs, and rituals of China's main religions, as well as the social and demographic characteristics of their respective believers. Putting multiple religions side by side in their contexts, this atlas deploys the latest qualitative, quantitative and spatial data acquired from censuses, surveys, and fieldwork to offer a definitive overview of religion in contemporary China.

An essential resource for all scholars and students of religion and society in China.

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Excerpt: This atlas provides a bird's-eye view of the religious landscape in China. It maps the officially registered venues of five major religions—Buddhism, Christianity (Protestant and Catholic), Daoism, and Islam—at the national, provincial, and county levels, and draws the contours of Confucianism, folk religion, and the Mao cult. It describes the main organizations, beliefs, and rituals of various religions, and the social and demographic characteristics of their respective believers. Putting various religions side by side in their social, political, and cultural contexts, this volume offers a comprehensive overview of religion in contemporary China.

Although religion can be studied in different academic disciplines, three broad approaches may be distinguished. The first approach is through theological or philosophical studies, which provide rational justification or criticism of certain beliefs and practices. The second approach is grounded in the humanities and interprets scriptures, commentaries, and other sacred texts. The third approach applies social scientific methods to empirical data, including historical records, fieldwork observations, and quantitative data from surveys and censuses. This volume follows this third approach. It is multidisciplinary, combining sociological and geographical studies of religious organizations and individuals. The analysis marries some economic concepts with Geographical Information System (GIS) research to analyze and visualize religious sites in China.

Definition and Classification of Religion

This atlas treats religion as a complex social institution comprising both beliefs and practices. Religion includes four elements: “(1) a belief in the supernatural; (2) a set of beliefs regarding life and the world; (3) a set of ritual practices; and (4) a distinct social organization or moral community.”¹

Some religions demonstrate a systematic development of beliefs, rituals, and organizations. In other religions, one or more of the four elements may not have developed in a systematic manner; this is often the case with so-called folk religions.

In the People's Republic of China, only five religions are officially recognized and legally allowed to operate. Among the five, only Daoism is native to China. Buddhism, Catholicism, Protestantism, and Islam are world religions that have existed in China for hundreds or thousands of years and have large numbers of believers. It must be noted that China treats Catholicism and Protestantism as two distinct religions. Orthodox Christianity existed in pre-Communist China and has revived in recent years in some locations, such as Heilongjiang, but has not been recognized as a legally permitted religion at the state level.

In addition to practitioners of the five legally allowed religions, many people hold beliefs in certain supernatural beings or forces, engage in rituals and practices in reference to the supernatural, and form social relations with spiritual leaders and fellow believers. According to the definition of religion introduced above, their beliefs, practices, and social institutions are clearly religious. Therefore, we include them in our description and analysis in this volume. In his classic study of Religion in Chinese Society, C. K. Yang 杨庆堃 distinguishes two structural forms of religion, institutional religion and diffused religion. An institutional religion is separate from secular social institutions, while a diffused religion is merged with or embedded in secular institutions. Countering the claim frequently made around the turn of the twentieth century that the Chinese lack religion, C. K. Yang convincingly argues that diffused religion was pervasive in pre-Communist China. Under Communist rule, religious elements have been expunged from the state, the family, communities, and guilds, but folk religious beliefs and practices aligned with weak social organizations have shown resilience under religious suppression. The Mao personality cult, once a political religion or pseudo-religion, has now become part of folk religion in China. In this atlas, we provide descriptive contours of some major folk religious beliefs and practices.

Finally, there is a third category of religious sects that maintain a high-tension relationship with society, culture, or the political order. These sects have been labeled as “evil cults” (xiejiao 邪教) by the Chinese authorities and are excluded from classifications of religion in official Chinese documents. Again, according to our academic definition of religion, these groups are either traditional religious sects or new religious movements and are thus included in our description and analysis.

Religious Markets

In recent decades, some sociologists and economists have applied economic concepts to analyze the dynamics of religious change in the United States, Europe, and other societies.^s The adoption of certain economic terms in a social scientific theory of religious change does not imply a vulgarization or commercialization of religion. Rather, these terms serve as analytical tools for describing some social aspects of religion. The idea of religious markets provides a useful way to conceive of the relationships that treat religion as a social institution. The institution of religion can be analyzed in terms of supply and demand, and the causes and consequences of religious change may often be explained in terms of a dynamic supply-demand equilibrium. Broadly speaking, the supply side includes religious organizations, venues, materials, services, and clergy, while the demand side includes religious adherents, who may also participate in the production of religious rituals, goods, and services.

Building on this theoretical development, I have adopted a political economy approach for analyzing the changing dynamics of religion in China under Communist rule and developed the triple market theory, the shortage economy theory, and the oligopoly theory. Whereas previous economic theories focused on supply-side explanations, my political economy approach emphasizes the importance of regulation, which may shape the supply side or the demand side, but often with unintended consequences. Under the restrictive and repressive regulations, the religious economy does not form a single market, but splits into three parallel and intertwined markets, which I have labeled the red, black, and gray markets.

Red is the color of the Communist Party and thus the red market represents the religions sanctioned by the party-state and includes the five legal (officially permitted) religious organizations, believers, and religious activities. The black market, on the other hand, comprises all illegal (officially banned) religious organizations, believers, and religious activities. The gray market of religion lies somewhere in between: it comprises all religious and spiritual organizations, practitioners, and activities with ambiguous legal status. Overall, religious supply is very low in China compared with most of the other countries, and the main reason for this shortage is the Communist party-state's imposition of restrictions on religions. The increase in supply in recent decades lags behind the rapidly increasing demand for more religious venues, activities, and services.

Each of the three markets has its distinct characteristics and dynamics in relation to the state and society. In the first part of the atlas, we describe and analyze the three markets of religion at the national level. The second part of the atlas includes descriptions and analyses of the red-market religions province by province.

The Religious Landscape: The Importance of Space and Place

Religious venues are a major component of religious supply. Indeed, religious buildings may be considered the most tangible and visible component of religion. They often signify the prevalence or significance of religion in a given society in a given historical period. During the Cultural Revolution (1966–1976), all religious venues were closed down. Although there is still a shortage of religious venues in China, in recent decades the numbers of temples, churches, and mosques have increased. Nowadays it is hard to ignore the towering mosques of Western China or the large-scale cathedrals in southeastern China. Of course, there are other important components of the religious supply, including religious organizations, clergy, staff, artifacts, and so on. We will describe religious organizations and seminaries or religious academies whenever information is available. However, we have mapped the religious landscape largely on the basis of data that records religious sites associated with the five red-market religions.

The spatial dimension is essential for religion. However, it has been very much neglected by social scientists, with only a few exceptions. In the last several decades, the social scientific study of religion has been dominated by the individualistic approach, relying heavily on surveys of individual religiosity, which is commonly measured in terms of the three B's: religious belonging (identity or preference), beliefs (e.g., in God, the Bible), and behaviors (e.g., church attendance, prayer). Emile Durkheim, one of the founders of the social scientific study of religion, stressed the social nature of religion. Religion is a social institution with collective rituals and a moral community. However, in modern scholarship, only a minority of scholars have focused on congregations and communities or pursued the historical study of institutional differentiation.

Following Durkheim's distinction between the sacred and the profane, Mircea Eliade draws attention to sacred space, which is a social and cultural phenomenon constructed by rituals, symbols, and relationships. Through consecrating rituals, structured space becomes a sacred center around which people orient themselves. Thomas Tweed argues that religion is a fundamentally locative process of finding a place and moving across space. Roger Stump clarifies the inherent spatiality of religious systems. Religious groups do not simply exist in space, but seek spatial realization of their beliefs. Hence, the spatial dimension of religious practice deserves close examination. In cultural geography, Henri Lefebvre argues that space is a primary dimension of competition and conflict involving production, appropriation, and redefinition. Yi-Fu Tuan articulates the relationship between space and place, pointing out that space is an unorganized realm of motion, whereas place is the functional node in space; places become centers of values that people distinguish from the surrounding space by assigning meanings to them and forming emotional attachments to them. Jonathan Z. Smith further shows that sacred places often develop not in symbolic centers but on social and geographic peripheries, where they function politically to interrogate, disrupt, and escape the hegemonic power of the center. These theoretical advances have been extremely helpful in

examining the displacement and re- emplacement of religion in modern and modernizing China.

Around the turn of the twentieth century, in their struggle to modernize China according to Enlightenment ideals, Chinese elites claimed that the Chinese had never been religious. Meanwhile, they worked with the state to appropriate Buddhist, Daoist, or folk-religious temples as sites for new schools incorporating a Westernized modern curriculum. This movement, often called the *Miaochan xingxue*, or “converting temple properties to establish schools,” called for the destruction of traditional temples and the introduction of new schools of modern education. These same attitudes became radicalized in mainland China under Communist rule, especially during the Cultural Revolution (1966–1976), when all temples, mosques, and churches were closed and all religious activities were banned. Many religious buildings were torn down, and the rest were converted for secular use as factories, public schools, government offices, or gathering halls of the Communist Party. Interestingly, religious eradication failed. Religion survived, and began to revive in the late 1970s. The surviving beliefs have sought embodiment in practice and in the emplacement of sacred space.

The Chinese Communist Party and state has established a complex institution to regulate religion. The major control apparatus for religious affairs is the United Front Department (Tongzhanbu, hereafter UFD) of the Chinese Communist Party (CCP). The UFD is in charge of making religious policies and rallying religious leaders around the CCP. The daily administration of religious affairs is the task of the Religious Affairs Bureau (xas); at the national level the bureau was renamed the State Administration of Religious Affairs (Guojia zongjiao shiwuju, hereafter SARA). Its duties include processing requests for approval of the opening of temples, churches, and mosques; of special religious gatherings and activities; and of the appointment of leaders of religious associations. The SARA has sub-branches at the province, prefecture, and county levels, responsible for addressing religious affairs at each level.¹⁸ Meanwhile, the Ministry of Public Security (Gong'anbu) deals with illegal

religious activities and monitors some religious groups and active leaders, while the Ministry of State Security (Guo'an) monitors religious activities involved with foreigners. In 1999, a special “610 Office” (610 bangongshi) was created to monitor and suppress the so-called evil cults. The 610 Office has branches at various administrative levels. Instead of wiping out religions, however, these regulations have resulted in a complex religious field composed of legal and illegal activities and groups, as well as those of uncertain status.

Over the last several decades, the number of religious believers in China has continuously increased. Moreover, religious believers have strenuously contended with the party-state to reclaim religious sites, restore and construct buildings on traditional religious sites, and sometimes occupy state-owned or collectively owned spaces and construct new religious buildings. In short, the contention for space and place has been central in the religious revivals during the last several decades in China. In this atlas, we are able to offer an overall view of sacred places for the first time.

To put the religious sites in their social, political, and cultural contexts, we provide social and demographic profiles of adherents of each of the five religions recognized by the state in the first part of the atlas. We also sketch some of the characteristics of adherents of graymarket and black-market religions. In the second part, we present the demographic characteristics of the general population in each province, along with pertinent religious events. While the semi-legal and illegal groups are frequently mentioned in the second part, we have not mapped these groups because of the lack of geographical information.

Religious Organizations in the Economic Census of China

While administrative documents may record some rough estimates of the number of religious venues, little data has hitherto been available on the distribution of religious communities. Fortunately, through Dr. George Hong's introduction, Dr. Shuming Bao from the China Data Center at the University of Michigan approached me in 2009 with a dataset extracted from a 2004 Chinese

Economic Census. The file includes 72,887 religious sites from all of China's 31 provinces and province-level regions and municipalities. From the outset, we knew this list certainly did not represent all religious sites in China. First, the economic census only listed a church, temple, or mosque if it was officially registered with the government. But there are many religious communities in China that cannot register or choose not to register with the government authorities. We have been in parts of China where unregistered groups certainly outnumber officially sanctioned ones. Second, given the economic focus of the census, it overlooked a great number of places whose annual income was too small to record. In some northwestern cities of China, such as Lanzhou, the census focused primarily on mosques that doubled as economic enterprises. When we visited the city in 2016, we discovered nearly three dozen churches not mentioned in the census, even though some of them already existed when the economic census was conducted in 2004.

From the outset, we knew that the 2004 Economic Census would not give us a comprehensive overview of all religious sites in China. On the other hand, this data set did enable us to study the spatial distribution of religions in ways not previously possible. Previously, scholars were limited to conducting case studies and regional studies focusing on a single religion, and it was not possible to gain an accurate sense of large-scale developments in religion in contemporary China. This data set, however, gave us the name, location, leaders' names, relative size, and reported annual income of religious organizations throughout China. Furthermore, even though not all religious sites were included, all provinces were represented.

Initially, our team had little experience in the technologies needed to clean and verify the data. Beginning in 2010, I assembled a small team of graduate students to begin cleaning the data. We encountered many challenges along the way. First, there was a considerable amount of inconsistency in the way that geographic data, such as the names of cities, towns, and villages, was recorded in the census. In addition, there was much conflicting information in the data that needed further examination. The most common problem was that the name of a religious establishment indicated that

it was located in one village while its address pointed to a different location. According to the name of site #19238, for example, it was a church in Zhangzhuang Village 张庄村 in Zengfumiao

Town 增府庙乡 of Changge City 长市, but it was associated with an address in Niutang Village 牛堂村 of Changge City 长市. Nearly one-fifth of the sites included in this dataset needed to be examined on a case-by-case basis.

Finally, the administrative geography of China has been revised and changed since 2004. At the time of the census, many sites belonged to one administrative division but are now located in another one. Sometimes an address was misspelled, or it turned out that there were two villages with the same name in the same region. All of these inconsistencies made cleaning the census data tedious and time-consuming. After seven years of effort, we have developed the dataset for informative description and analysis, and the results are incorporated in this atlas.

An Overview of This Atlas

By early 2017, we had finally cleaned the data as much as possible. Where the census listed a specific address, we were able to pinpoint the corresponding site. Where the census listed only a village or township name, we were able to find coordinates for the administrative center of that location. We estimate that at least 90 percent of the religious sites in the dataset are associated with points located within 5 km of the real site. We have recorded the coordinates for these points, as well as the names and addresses of the associated religious sites. These will be made publicly available in a data archive. We are confident that this list of sites and coordinates can serve as a benchmark for scholars who will continue to expand, refine, and correct the information gleaned from the dataset in the future.

There are other sources that include religious sites along with their coordinates, such as Google Maps, Google Earth, Baidu Map, and Gaode Map. At present, however, none of these online resources provides information on a greater number of religious sites than the 2004 economic census, nor do they provide more systematic information on the

religious sites included in that census. Yet even in the 2004 Economic Census, underreporting appears to be a problem in many counties and provinces. The underreporting of religious sites in the 2004 census is most conspicuous in Beijing, Tianjin, and Hainan Province. Focusing on these three provinces, we experimented with various ways of collecting additional information on religious sites, including thorough searching of websites and books, contacting local residents, and on-site visits. The maps of Beijing, Tianjin, and Hainan Province reflect the more recent information we collected. However, due to the cost of these methods, we were not able to employ them in other areas before producing this atlas.

The distribution of religious sites associated with the five red-market religions in each province is visualized on a point map using five different colors. However, many religious sites associated with one or more religions may occupy identical or adjacent locations, making it difficult to recognize them on the map. We have tried to show the location of as many sites as possible by arranging the points in layers: on each map, the points depicting sites associated with the religion best represented on that map (i.e., the religion associated with the greatest number of sites in that province) form the bottom layer, and each successive layer contains the points associated with the next best represented religion on the map. Unfortunately, it is not possible to represent each and every site on the point map. To complement the point map, we have provided a bar graph and a frequency table with information on the number of sites associated with the five religions at the prefecture level. A pie chart shows the proportions of the five religions in each province. Some provincial maps also include one or more inset maps showing locations where there is a high density of sites associated with multiple religions.

In an effort to contextualize the distribution of religious sites in the 2004 economic census, we provide information on the sociodemographic characteristics of China's provinces and their counties and prefectures. Many of our observations draw on data collected in China's 2000 and 2010 Population Census. The two censuses provide key demographic characteristics at the county and

province levels, including level of education, urbanization, immigration, age structure, sex ratio, and family structure. In addition, by utilizing information from two time points, we are able to depict demographic changes at the county level.

In order to better understand the social location of religious followers in China, we mainly consulted three kinds of survey data: the 2007 Chinese Spiritual Life Survey (CSLS), the 2010 China General Social Survey (CGSS), and the 2010 Chinese census. The CSLS, which yielded one of the best datasets available for studying religion in China, was conducted by Horizonkey Information and Consulting Co., Ltd. Focusing on the spiritual life of Chinese residents, this dataset includes information on people's religious life and spiritual pursuits. This survey used multistage probability sampling and included 7,021 respondents randomly selected from 56 locales in mainland China, including 3 metropolitan cities, 6 province-level capital cities, 11 prefecture-level cities, 16 county-level cities, and 20 administrative villages. In our analysis, we mainly relied on the CSLS 2007, unless otherwise noted.

The CGSS is one of the most prominent surveys of the Chinese population in mainland China. The project, launched jointly by Renmin University of China and the Hong Kong University of Science and Technology, conducts multistage stratified national probability surveys. As a survey that was designed to survey general social values in China, the 2010 CGSS, conducted independently by Renmin University, included a Religion Module to investigate the religious life of Chinese people. We used the CGSS 2010 to complement the CSLS 2007. With a response rate of 73.2 percent, the 2010 CGSS surveyed 12,000 individuals randomly selected from 125 cities, townships, and villages, covering a wide range of administrative units across mainland China.

Relying on the 2007 CSLS, the 2010 CGSS, and the 2010 Chinese Population Census, we compared the sociodemographic characteristics of the religious population with that of the general population. Aiming to better understand the religious contours in China, we specifically compared the distribution of age, gender, educational attainment, and area of residence

(urban or rural) of religious followers with the rest of the respondents in the survey sample. Because of the political significance of the Chinese Communist Party (CCP) and the Chinese Communist Youth League (CCYL), we also compared the proportion of the members of each organization in the religious population with the rest of the respondents in the surveys or in the general population. Even though the CCP and CCYL officially prohibit their members from believing in or practicing religion, in reality the majority of them do hold spiritual or religious beliefs and practices. To roughly estimate the proportion of CCP and CCYL members in the general population, we used data from the Central People's Government of the People's Republic of China website and from Xinhua.net. As of 2009, which is close in time to the surveys of CCLS survey in 2007 and the 2010 CGSS, the number of CCP members was almost 78 million and the number of CCYL members was about 75.5 million. According to the 2010 Population Census, about 17 percent of the total population of 1,339,724,852 were under age 14.22 Therefore, among the adult population aged 15 or above, 7 percent were CCP members and nearly 7 percent were CCYL members. Thus, 7 percent is the baseline reference for religious beliefs and practices of the CCP or CCYL members in the population.

Due to political restrictions and practical obstacles, it has been extremely difficult to collect or acquire data on religious organizations and individuals in China. By piecing together available census and survey data, supplemented with news sources and scholarly studies, we are able to present this description and visualization of the geographical location of religious sites and the social location of religious followers.

Introduction of Triple Markets

The triple market theory helps make sense of the complex religious situation in contemporary China. It differentiates three types of religious organizations, individuals, and activities. The Communist party-state treats these three types of religions very differently, pursuing strategies ranging from co-option to eradication. In response to the varied control measures of the party-state, different types of religions have manifested different responsive patterns. Moreover, because

both the control measures and religious groups have changed over time, some religious groups have shifted from one market to another. To observers, the red-market religions are readily visible, the gray-market religions are less visible because of their ambiguous legal status, and the black-market religions are least visible because of their underground nature. In order to present a fuller picture of the religious landscape in China today, in addition to the visible religious sites that have been officially approved, we must also take into account the less visible religions in the gray and black markets. The triple market theory helps to make invisible religions visible.

The red market in China comprises all legal (officially permitted) religious organizations, believers, and religious activities. After the CCP took power on the mainland in 1949, the newly founded People's Republic of China (PRC) sanctioned five religions—Buddhism, Daoism, Islam, Protestantism, and Catholicism—and established the so-called patriotic associations to control them. During the Cultural Revolution (1966–1976), all religious organizations were banned, religious venues were closed down, and religious activities were prohibited. Since 1979 the party-state has adopted a relatively more pragmatic religious policy permitting these associations to re-establish a limited number of temples, mosques, and churches. Although the officially approved religious groups under the patriotic associations have enjoyed an enlarged social space of freedom in the last several decades, the red market is not a free market. The party-state not only bars other religions from entering into this market, it also imposes many restrictions on the approved religious groups, such as limiting the construction and renovation of religious buildings, limiting the frequency and size of religious activities, controlling the selection of clergy, demanding political loyalty in addition to religious piety, and so on.

The black market comprises all illegal (officially banned) religious organizations, believers, and religious activities that are conducted underground or in secrecy. Before 2000, the black market included all Protestant house churches, the underground Catholic Church, and new or traditional sects seen by the party-state as

“counterrevolutionary organizations” or “evil cults.” A major segment of the black market was comprised of underground Catholics. When the PRC was founded, the anti-communist pope Pius XII prohibited any collaboration between Chinese Catholics and the Communist government and its organizations. The Chinese party-state responded by jailing many Catholic leaders. Since 1979, an underground Catholic Bishops Conference has operated parallel to the national association. Similarly, many indigenous Protestant churches initially refused to join the national church system. They resorted to gatherings at private homes, which is why they are often called “house churches” (jiating jiaohui 家庭会). Since around 2000, the party-state has reduced its crackdowns on most of the house churches and underground Catholics, thus moving large parts of the black market into the gray market. However, some Catholic bishops and priests and some Protestant leaders have been treated as black-market offenders and have been jailed or pursued by police. Currently, the black market comprises about two dozen “evil cults” banned by the government. Some of them are heretical Christian groups, such as the Church of the Almighty God (Quannengshen jiaohui 全能神 C 会), also known as Eastern Lightning

(Dongfangshandian 东方闪电), and the Three Ranks of Servants (Sanban puren 三班仆人). Others are new religions rooted in Chinese tradition or recently imported from other parts of the world, such as the True Buddha Sect (Zhen fo zong 真佛宗) and the Unification Church.

The gray market comprises all religious and spiritual organizations, practitioners, and activities with ambiguous legal status. These groups, individuals, and activities lie in a gray area of religious regulation and may be perceived as both legal and illegal, or neither legal nor illegal. The gray market is the key element of the triple-market model. It can be analyzed via two general categories: explicitly religious and implicitly religious phenomena. Explicitly religious phenomena include illegal activities conducted by legal religious organizations and individuals. For example, religious clergy of the official patriotic associations may venture out to proselytize at

unapproved underground churches. Meanwhile, many groups in the gray market are sponsored by government officials, for either political or economic reasons. For example, many officials in local governments are eager to contribute to building Buddhist and Daoist temples because they wish to attract overseas Chinese investment and strengthen cultural ties with overseas Chinese. The Bureau of Tourism may renovate or construct some temples for the purpose of tourism while stationing staff dressed as priests in them to attend to tourists’ religious expressions. Many villages and towns have revived popular practices, including building temples dedicated to ancestors, historic heroes, and immortals who have become tutelary gods.

Government restriction of religion influences the dynamics of the tripartite markets. The black market is a logical consequence of heavy regulation. When government tries to restrict and eliminate certain religious groups, a black market will emerge in spite of high costs to individuals. And there are always people who are willing to pay a higher price for their religion, even to the point of sacrificing one’s life. A recent example is the Beijing Shouwang Church, where several house church leaders refused to join the official Protestant association and have been placed under house arrest since 2011. Further, when the red market of religion is restricted and the black market is suppressed, a gray market will emerge. When people cannot find satisfaction in the red market but are unwilling to risk black-market penalties, the gray market fills the gap. Moreover, the more restrictive and suppressive the regulations, the larger the gray market becomes.

Over time, religious groups may shift from one market to another. Many Qigong groups, operating under the name of “science of health,” belonged to the gray market for most of the 1980s and 1990s. In 1999, however, Falun Gong 法轮功, a large Qigong group spreading throughout the country, launched a sit-in surrounding the headquarters of the CCP. This event irritated the party-state, which ruthlessly suppressed Falun Gong and also disbanded all other Qigong sects, thus driving Qigong practices into the black market. Moreover, through policy adjustments and pressure, the Three-Self Patriotic Movement, the official

Protestant association, has reached out and successfully convinced some house churches to be incorporated into the legal group. These churches moved from the gray market to the red market. They obtained legal status and more resources, but at the price of submitting to party-state scrutiny and control. Other market shifts are possible as well. A red-market group can shift to the black or gray market if its leaders decide to pursue more autonomy. For example, between 2013 and 2016, Zhejiang authorities carried out a campaign to remove crosses on church rooftops. Many defiant church leaders were punished, and some pastors were jailed. In response, many ministers within the official association dropped out and began to work with house churches or went underground.

The religious landscape in China is complex, extending over a vast land with diverse geographical terrain, local and ethnic cultures, and political and economic contexts. It is also subject to sudden changes, as China is in the process of rapid modernization. The descriptions of the three markets in the sections that follow can only provide a broad overview of major religious groups at the national level. The five red-market religions are presented in chronological order, according to the year in which the corresponding national association was established: Buddhism (1953), Islam (1953), Protestantism (1954), Daoism (1957), and Catholicism (1957). The gray-market religions vary widely and have fluid boundaries, and thus we could only describe a set of distinctive examples, including Confucianism, folk religion, house churches, underground Catholic churches, and the Mao cult. There is a lack of scholarly studies on the black-market religions, with the exception of Falun Gong. We have provided a profile of each of these religious groups based on the available published evidence. <>

[Essentials of Terrorism: Concepts and Controversies, 5th Edition](#) by Gus Martin [Sage, 9781544342931]

Captivating, concise, and current, [Essentials of Terrorism: Concepts and Controversies](#) introduces readers to the modern landscape of domestic and international terrorism. [The Fifth Edition](#) of Gus Martin's renowned text covers key foundational topics and provides a framework for defining

terrorism and exploring its history and causes while also discussing terrorist environments, tactics, targets, and counterterrorism.

This new edition includes information regarding intelligence, counterterrorism laws, and deprivation theory, as well as new and updated sections discussing mass violence in the United States, narco-terrorism, anti-state dissident terrorism, ISIS, and a new theoretical model for ending terrorist campaigns. The text also examines recent attacks and presents new data, case studies, and photos to show readers the state of terrorism across the globe today.

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The fifth edition of *Essentials of Terrorism: Concepts and Controversies* has been revised in several respects to enhance the educational quality of the study of terrorism. In the same spirit as the previous editions of *Essentials of Terrorism: Concepts and Controversies*, the fifth edition is designed as a foundational textbook to enhance the educational quality of the study of terrorism. It is a concise

textbook for students and professionals who wish to explore the phenomenon of modern terrorist violence and who wish to use additional resources adapted for their specific instructional needs. Readers will acquire a solid foundation for understanding the nature of terrorism in a manner best suited for their classroom or professional program.

This book is also designed to be a resource for university students and professionals who require fundamental expertise in understanding terrorist violence. The content of the fifth edition of *Essentials of Terrorism: Concepts and Controversies* is directed to academic and professional courses whose subject areas have been selected for their specific educational program, including the study of terrorism, homeland security, international security, criminal justice administration, political conflict, armed conflict, and social environments. It can be incorporated into a variety of classes and seminars covering security studies, the administration of justice, the sociology of terrorism, conflict resolution, political theory, and other instruction in the social sciences. The intended level of instruction is undergraduate and master's students, as well as professionals with a need to understand terrorism.

No prerequisites are specifically recommended, but grounding in one of the following disciplines would be helpful: political science, government, administration of justice, sociology, history, or philosophy.

As will become readily apparent to instructors and students, the fifth edition of *Essentials of Terrorism: Concepts and Controversies* is an ideal anchor textbook for investigating the many aspects of terrorism, political violence, and homeland security. That it is easily adapted to these subjects means that instructors will be able to design a variety of instructional packages around it. In this way, the fifth edition is a versatile resource.

Course Overview and Pedagogy

The fifth edition of *Essentials of Terrorism: Concepts and Controversies* introduces readers to terrorism in the contemporary era, focusing on the post—World War II period as its primary emphasis. It is a review of nations, movements, and individuals who have engaged in what many people would

define as terrorist violence. It is also a review of the many kinds of terrorism that have existed in the post—World War II era. A serious exploration is made of the underlying causes of terrorism—for example, extremist ideologies, religious intolerance, and traumatic episodes in the lives of nations and people.

The pedagogical approach of the fifth edition is designed to stimulate critical thinking in readers. Students, professionals, and instructors will find that each chapter follows a sequence of instruction that builds on previous chapters and thus incrementally enhances the reader's knowledge of each topic. Chapters incorporate the following features:

- **Chapter Learning Objectives.** Using Bloom's taxonomy, chapter objectives are summarized at the beginning of each discussion.
- **Chapter Introduction.** Each chapter begins with an overview of the subject under investigation. The introduction provides perspective for the incorporation of each chapter's topic into the broader themes of the textbook.
- **Chapter Perspectives.** Chapters incorporate focused presentations of perspectives that explore people, events, organizations, and movements that are relevant to the subject matter of each chapter.
- **Chapter Summary.** A concluding discussion recapitulates the main themes of each chapter and introduces the subject matter of the following chapter.
- **Discussion Boxes.** These boxes present provocative information and pose challenging questions to stimulate critical thinking and further debate.
- **Key Terms and Concepts.** Important terms and ideas introduced in each chapter are listed for review and discussion. These are further explored and defined in the book's Glossary.
- **Terrorism on the Web.** Readers may log on to the Web-based study site at <https://edge.sagepub.com/martiness5e> for additional Web sources and study resources.

- **Web Exercises.** Web exercises at the end of chapters have been designed for students,
- professionals, and instructors to explore and discuss information found on the Internet.
- **Recommended Readings.** Suggested readings listed at the end of each chapter provide either further information on or avenues of research into each topic.

CHAPTER GUIDE

This volume is organized into three thematic units, each consisting of several chapters. Appendix and a Glossary are included after the substantive chapters.

Part I: Understanding Terrorism: A Conceptual Review

The first section of the book is a comprehensive discussion of definitions of terrorism and the root causes of violent political extremism. Readers develop comprehensive, contextual, and critical skills for defining terrorism and for understanding the many causes of terrorist behavior. The discussion includes the informational war waged between adversaries and the role of the mass media. Readers investigate how the applications of the concepts of propaganda by deed and armed propaganda have been historically common to extremist violence.

Chapter 1. Defining Terrorism

This chapter investigates the reasons underlying why certain groups, movements, and individuals are labeled as terrorists or freedom fighters. It compares and contrasts radical and reactionary ideological tendencies as well as defines and investigates the characteristics of extremism. Terrorism is discussed at length by sampling official definitions, reviewing the American context, and summarizing several types of terrorism. Readers are introduced to several perspectives of terrorism that pose problems for definitional issues.

Chapter 2. Historical Perspectives and Ideological Origins

This chapter explores the historical and ideological origins of modern terrorism. Historical perspectives and the era of the New Terrorism are discussed in

the context of conceptual themes used throughout the book. Ideological foundations for modern terrorist violence are also discussed at some length. The causes of left-wing and right-wing terrorism are identified, as are the qualities of ideological violence. Because both ideological poles were inextricably entwined during the 20th century and adherents continue to be active in the 21st century, it is important for readers to grasp the importance of the ideologies of class struggle, national liberation, order, and race. This chapter also discusses regional examples of ideological terrorism.

Chapter 3. Causes of Terrorist Violence

Readers become familiar with central factors in the personal and group histories of individuals and groups who become associated with terrorism. The motives of extremists and several explanations of terrorism are explored, including acts of political will, sociological explanations, and psychological explanations. An important discussion probes the degree to which a fresh generation of new terrorists is being forged in reaction to how the West and its allies have conducted the post—September 11, 2001, war on terrorism.

Chapter 4. Terrorist Violence and the Role of the Media

This chapter investigates and evaluates the centrality of the media and mass communications in the modern era of political violence. It first discusses the nature of mass communications and reporting in the context of terrorist environments. It also investigates the war of manipulation for favorable media coverage. In particular, readers assess the manipulation of information technologies and the media by modern terrorists. A discussion is also presented on the efficacy of regulating the media.

Part II: Terrorist Environments

Part II educates readers about the many manifestations of terrorism by helping them develop skills to critically assess and understand historical and modern examples of political violence. In particular, state- and dissident-initiated terrorism are discussed, compared, and contrasted. An examination is conducted of the availability of high-yield weaponry in the arsenals of dissident

terrorists. Readers are also guided through how to distinguish between religious and international terrorism. Domestic terrorism in the United States is also explored.

Chapter 5. Terrorism by the State

This chapter investigates state-initiated repression and terror. A detailed discussion explores terrorism as foreign policy and terrorism as domestic policy. Important examples of state terrorism include the Khmer Rouge in Cambodia and the link between Janjaweed fighters and the government in Sudan.

Chapter 6. Terrorism by Dissidents

This chapter critically evaluates terrorism emanating from dissident movements. Several typologies and the morality of the New Terrorism are investigated. Finally, a detailed discussion explores antistate dissident terrorism and communal terrorism. Important examples include the modern use of child soldiers by extremists and Chechen terrorism against Russia.

Chapter 7. Religious Terrorism

This chapter evaluates the historical and modern origins and quality of religious terrorism. The goal is to engender critical discussion on the subject and to develop a contextual perspective for it. Because religious terrorism has become so prominent, it is important for readers to investigate different manifestations and to understand the contexts of regional case studies.

Chapter 8. International Terrorism

This chapter discusses recent and historical examples of international terrorism, defines what is meant by international terrorism, and explores the reasons for terrorist spillovers. Both the phenomenon of international terrorist networks and the concept of stateless revolutionaries are discussed. In this regard, readers evaluate newly emerging threats from groups and networks that have adapted the Al Qaeda example as a model.

Chapter 9. Domestic Terrorism in the United States

This chapter presents an overview of terrorism in post—World War II America. It probes the background to political violence and presents a detailed discussion of leftist and rightist terrorism in the United States. The chapter also evaluates

prospects for violence emanating from modern extremists on the left and right and from religious extremism.

Part III: The Terrorist Battleground

Part III discusses the nuts and bolts of the terrorist trade, including counterterrorism and related responses to terrorist environments. Readers investigate how the applications of the concept of homeland security are applied in the United States and other countries. The future of terrorism is also explored.

Chapter 10. Counterterrorism and the War on Terrorism

This chapter explores counterterrorist options and security measures. Several categories of responses are assessed: the use of force, repressive operations other than war, conciliatory operations other than war, and legalistic responses. Contemporary controversies, such as the status and treatment of captured suspects, are explored.

Chapter 11. Homeland Security

This chapter provides readers with a fundamental introduction to homeland security in the United States. It prepares a contextual overview of the purpose of homeland security, defines the concept, and explains the mission of the homeland security bureaucracy.

Chapter 12. Future Trends and Projections

Readers are challenged to critically assess trends and other factors that can be used to project the near future of terrorism. In particular, this chapter presents theoretical models for evaluating terrorist environments and applying these models to project and evaluate emerging trends. Fresh discussions and data are offered for assessing the near future of ideological terrorism, religious terrorism, international terrorism, gender-selective political violence, and criminal dissident terrorism. A theoretical model is offered for assessing the decline and ending of terrorist campaigns.

New to the 5th Edition

Updated information and other revisions are found throughout this volume. Detailed overviews of terrorist objectives, tactics, targets, and weapons are included in Chapters 1 and 6. Updated theoretical and historical information has been

incorporated in Chapters 2, 6, and 7. Updated information and data are included in each chapter in Part II. The discussion of homeland security in Chapter 11 has been updated, as has the discussion of future trends in Chapter 12. <>

[Carla Hall's Soul Food: Everyday and Celebration](#) by Carla Hall with Genevieve Ko [Harper Wave, 9780062669834]

Beloved TV chef (ABC's Emmy Award-winning *The Chew* and fan favorite on Bravo's *Top Chef*), Carla Hall takes us back to her own Nashville roots to offer a fresh, lip-smackin' look at America's favorite comfort cuisine.

In [Carla Hall's Soul Food](#), the beloved chef and television celebrity takes us back to her own Nashville roots to offer a fresh, lip-smackin' look at America's favorite comfort cuisine and traces soul food's history from Africa and the Caribbean to the American South. Carla shows us that soul food is more than barbecue and mac and cheese. Traditionally a plant-based cuisine, everyday soul food is full of veggie goodness that's just as delicious as cornbread and fried chicken.

From Black-Eyed Pea Salad with Hot Sauce Vinaigrette to Tomato Pie with Garlic Bread Crust, the recipes in [Carla Hall's Soul Food](#) deliver her distinctive Southern flavors using farm-fresh ingredients. The results are light, healthy, seasonal dishes with big, satisfying tastes—the mouthwatering soul food everyone will want a taste of.

Recipes include:

- Cracked Shrimp with Comeback Sauce
- Ghanaian Peanut Beef Stew with Onions and Celery
- Caribbean Smothered Chicken with Coconut, Lime, and Chiles
- Roasted Cauliflower with Raisins and Lemon-Pepper Millet
- Field Peas with Country Ham
- Chunky Tomato Soup with Roasted Okra Rounds
- Sweet Potato Pudding with Clementines
- Poured Caramel Cake

With [Carla Hall's Soul Food](#), you can indulge in rich celebration foods, such as deviled eggs, buttermilk biscuits, Carla's famous take on Nashville hot fried chicken, and a decadent coconut cream layer cake.

Featuring 145 original recipes, 120 color photographs, and a whole lotta love, [Carla Hall's Soul Food](#) is a wonderful blend of the modern and the traditional—honoring soul food's heritage and personalizing it with Carla's signature fresh style. The result is an irresistible and open-hearted collection of recipes and stories that share love and joy, identity, and memory.

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Excerpt: I've been eating soul food all my life and cooking it my whole career. I don't just know soul food. Soul food is in my soul. This book is a collection of my favorite recipes. It combines easy weeknight meals centered on seasonal vegetables with rich celebration dishes for special occasions. Even though the recipes have roots in history and heritage, they're my present-day twists on the classics and my original creations.

By definition, soul food refers to the dishes of the Cotton Belt of Georgia, Mississippi, and Alabama that traveled out to the rest of the country during the Great Migration. (The term itself came around the middle of the twentieth century.) You know what travels well? Fried chicken. Mac and cheese. Delicious, but not what anyone's meant to eat every day. I'm here to redefine soul food, to reclaim it.

Soul food is the true food of African-Americans.

The roots of our cooking are in West Africa. And from there, the American South, from the slave ports along the eastern coast to the southern border. We relied on seasonal vegetables, beans, and grains, with meat on rare occasions. Let's be clear: those were horrible times of suffering under the most unspeakable evil. I don't want to romanticize any of it. Not even the food.

Remember, we didn't get to choose what we ate. But we made the most delicious dishes from what little we had. And what we cooked for the slave owners effectively became what we know as "American" food today.

After emancipation, African-Americans relied on the land and water for their daily meals. Collards in winter, peas through spring, tomatoes come summer. Chickens were for laying eggs, not frying. Fish and shrimp were abundant for coast and river folks. We lost that connection during the Great Migration and in the decades since as industrialized convenience food has made us unhealthy and sick. Our celebration foods—smoked whole hogs, candied yams, caramel cake—became what we ate all the time. We forgot about all the amazing daily meals we created from greens and beans and grains.

[*Carla Hall's Soul Food*](#) shines a light on those everyday foods my people were eating for generations in the South. That, my friends, is as much soul food as our celebration meals.

You may be wondering, "What's the difference between Southern food and soul food?" Easy answer: black cooks. And I'm one of them. A lot of the dishes, seasonings, and techniques are the same, but there's an extra oomph in soul food. It's like the difference between a hymn and a spiritual. Both sound beautiful and express the same message, but the spiritual's got a groove. Southern food's delicious any which way, but when it's made in the Black-American tradition with influences from Africa and the Caribbean, it delivers the kind of warmth and joy that makes you want to get up and dance.

I got that soul food in my bones. I was born into it in the South, with roots that go back generations. I

grew up dunkin' cornbread into pot likker at the table, snapping green beans for church suppers, slicing chess pie at every baby shower and graduation party. At my very core, I'm always going back home to Tennessee when it comes to what I cook and eat. I've got a Nashville-born-and-bred palate, which marries heat and spice with tart and tangy and a sweetness that's not too sugary. Coming from that heritage, I got a hold on the food with the sou/ that bears its name.

For this book, I tried to imagine what my ancestors would be cooking from the farm if they were alive today. By looking to our roots, I'm showing you how delicious and healthy true soul food is. African-Americans were cooking farm-to-table centuries before it was a label to slap on hip restaurants. Foraging, pickling, preserving—that's how we survived. Our farms were all "organic." You think you discovered kale? Child, we've been eatin' those greens for hundreds of years. I'm going back to all that.

The bulk of this book is vegetable-centric weeknight recipes so comforting they taste like big of hugs. Just like the celebration foods. Even though I don't think you should eat feast foods every day, I still love 'em. You'll find my spins on the celebration foods that've been passed down by black cooks for generations for Sunday suppers, holidays, Juneteenth, family reunions, and parties.

Everything in this book will be fresher and lighter than most recipes out there. That's how I've always cooked. I'm never consciously thinking about how to cut calories or fat or anything like that. What I am always doing is trying to make the main ingredients shine as much as possible—and that results in lighter dishes.

Granny, my greatest inspiration in the kitchen, raised me on good-for-you soul food. Granny was a dietician at a hospital and prepared meals at home for her husband, who needed heart-healthy dishes. She never skimmed on flavor or made anything too lean, but cut back where she could. I'm pickin' up the torch and adding my own twists to Granny's dishes. The recipes in this book capture all the soulfulness of soul food but don't make you feel like you're gonna die afterward.

Or during the cooking process. I keep it all easy. Mama didn't teach me how to cook—because she didn't know how to cook well herself. Neither of my grandmothers taught me either, even though they both whipped up the best food I've had to this day. So if you're not experienced in the kitchen, I know where you're coming from 'cause I've been there. I want present and future generations to preserve true soul food, and I know the recipes need to be easy for that to happen. I've made the dishes in here super-simple after years of streamlining meals for busy home cooks as a host of The Chew. For all the everyday dishes, I keep the cooking times short and cut out extra pans and fuss wherever I can.

This book is about so much more than food. It collects and re-creates soul food memories. My personal ones, of course, but also communal ones among African-Americans. By drawing on memories in the kitchen, I re-create not only the taste of the dishes, but also the deep joy and comfort in sharing them. Now that's cooking with love. Anyone making this book's recipes will feel like they're at the family table and taste the deep roots of the food. This isn't just a collection of anonymous recipes, it's an intimate taste of true soul food.

Soul food needs to continue growing and evolving as a cuisine, and I hope this book is a part of it. Even though my Southern palate remains at the root of my cooking, my experiences with international cuisines and my farm-to-table instincts result in dishes that simultaneously have big, satisfying flavors but also feel bright and light.

Yes, this book celebrates soul food. And that means it celebrates American food. Because that's what soul food is—a cuisine created on this land. This book champions delicious dishes everyone will love and will show you how to embrace it as your own.

<>

[FORKS AND KNIVES FLAVOR! Delicious, Whole-Food, Plant-Based Recipes to Cook Every Day](#) by Darshana Thacker withCarolynn Carrero, preface by Brian Wendel [Harper Wave, 9780062652768]

The first four-color *Forks Over Knives* cookbook: head chef Darshana Thacker offers 150 delicious, all-new, easy-to-prepare whole-food, plant-based recipes for internationally inspired meals.

The 2011 documentary *Forks Over Knives* ignited a revolution, empowering people to live healthier and happier lives. The film revealed the indisputable link between the average American diet—heavy in meat, dairy, and refined foods—and heart disease, stroke, cancer, and diabetes. It also showed how, by focusing on a whole-food, plant-based diet, these chronic illnesses could not only be prevented, but sometimes even reversed. Through its meal plans, website, and *New York Times* bestselling cookbooks, *Forks Over Knives* has proven that a diet based on fruits, vegetables, tubers, whole grains, and legumes isn't just good for you, it tastes good too.

Now, *Forks Over Knives* shows you how to take your whole-food kitchen to the next level, adding international flair to every meal. [Forks Over Knives: Flavor!](#) showcases dozens of recipes—all exclusive to this book—accompanied by over eighty gorgeous photographs that capture the flavors of cuisines from around the world, including:

- Black Bean Chilaquiles with Fire-Roasted Tomatillo Salsa
- Moo Shu Vegetable Wraps with Hoisin Sauce
- Polenta Pizza with Summer Garden Vegetables
- Persian Yellow Split Pea and Eggplant Stew
- Thai Red Curry Noodles with Stir-Fry Vegetables
- German Marble Cake with Raspberries

Sure to please health-conscious eaters and the most discriminating palates, these oil-free, plant-based riffs on culinary favorites teach readers new techniques and introduce them to heady spice blends and a wide range of ethnic traditions from around the globe. Convenient, affordable, and wildly creative, [Forks Over Knives: Flavor!](#) is a must-have for the health-conscious cook.

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Excerpt: I am the culinary projects manager of *Forks Over Knives*; I develop recipes for the brand's website, magazine, and retail food products. This book is my collection of recipes for favorite dishes from around the world, which I have prepared with whole-food, plant-based ingredients.

Living a life centered around food and cooking is something very dear to my heart. I grew up in Mumbai, India, with my father, one sister, one brother, and a mother who cooked for us three times a day. On a daily basis, my siblings and I spent time with Mom in the kitchen while she cooked and told us stories she invented for us. Every summer we spent a month as a family at my mom's childhood home, where her three uncles all lived with their wives and children. It was a large, sprawling house with a kitchen that was larger than most living rooms. There was no table and little counter space in the kitchen, so all of the work was done while sitting on the floor. From morning to night, my mom, the aunts, and the girl cousins in the house would sit together, chopping vegetables and rolling out chapati (Indian bread) on cutting boards, chatting and giggling while the women cooked on little coal burners that sat on the floor in the middle of the kitchen. Throughout the day, the men of the family and sometimes friends and neighbors, too, would come to the kitchen and sit down for meals that we had freshly prepared.

Looking back on my childhood, those hours spent in the kitchen were golden times. My life now is a world away, but those moments still inform my approach to cooking and food. Today my days are centered around the stove, much as my mom's were years ago. I cook almost every day, often all day. I frequently entertain friends and family over dinner, and I even occasionally find myself preparing the same dishes from those days in India. The recipes and the style of cooking maybe different, but the experience of eating and sharing food with loved ones is very much the same.

From Vegetarian to a Whole-Food, Plant-Based Diet

I grew up in a Hindu, vegetarian family, so I have been intimately familiar with meals built around grains, beans, and vegetables from an early age. While being around the cooking of my mother and aunts taught me so much about vegetarian cooking, it wasn't until I was in my twenties that I started cooking myself.

During those twenty-something years, American TV arrived in Mumbai—and I soon became fascinated with the Food Network. I learned about various international foods and the multitude of ways in which meals can be prepared. After watching many, many hours of food shows, I decided I wanted to learn how to cook. So I adopted the cooking concepts I saw on television and applied them to vegetarian Indian cuisine. Using what I was learning on TV and the time spent in my family kitchen growing up, I began creating my own original recipes. My cooking career, you might say, had begun.

In 2001, I moved to the United States, and in 2003, I met Brian Wendel, the founder of Forks Over Knives, who told me he was a vegan. I had never heard the term, but Brian explained that this diet was one in which no animal products, including dairy and eggs, were consumed, and in which no animal was harmed or exploited in any way. I immediately thought, "Aha!" I knew, ethically, that that was the diet I had instinctively wanted to abide by all my life, and I immediately decided to give up all animal-derived foods.

In 2011, Brian made the Forks Over Knives film and asked me to cook for some early screenings of

the film. At the time, I had my own small side business as a vegan caterer, and I taught classes in Indian vegan cooking. Through both watching the film and cooking the oil-free meals, I was introduced to the whole-food, plant-based lifestyle.

A whole-food, plant-based lifestyle is based on fruits, vegetables, whole grains, and legumes and excludes or minimizes meat, dairy products, and eggs, as well as highly refined foods such as bleached flour, refined sugar, and oil. The main energy sources in a plant-based diet are starches, in particular potatoes, sweet potatoes, whole grains, and legumes. Research has shown that by avoiding animal products and highly processed foods, we decrease our risk of developing common ailments, including heart disease, stroke, cancer, diabetes, and Alzheimer's disease.

Since my teen years, I had experimented with different ways of eating in order to feel better physically, mentally, and emotionally. After learning about the health benefits of a WFPB diet, I decided to give this way of eating a try. I immediately felt great. I had more energy, more mental clarity and creativity, and I felt a general sense of happiness that I hadn't felt since my youth. I never looked back and have been living a whole-food, plant-based lifestyle ever since.

Becoming a Chef

After being introduced to the facts through the Forks Over Knives film, I continued to read about the lifestyle and its benefits. I was especially moved by the testimonials of those who, after seeing the Forks Over Knives film or reading the facts about the benefits of a whole-food, plant-based diet, had turned their lives around and in many cases even reversed chronic diseases. The more I delved into this lifestyle, the more I knew I wanted to help others who wanted to live this way.

At the time, I was teaching WFPB cooking and contributing recipes for the Forks Over Knives website and cookbooks. But I was an entirely self-taught cook. I knew that in order to be a significant contributor to the whole-food, plant-based community, I needed to be the best cook I could be. I enrolled in the Natural Gourmet Institute in New York City to get a classic culinary education and become a chef. At the institute, we learned

traditional French techniques, as well as the fundamentals of Italian, Mexican, Indian, and Asian cuisine. The school is vegan-friendly, so the people there taught us how to make veganized versions of traditional dishes within those ethnicities. When I returned to Los Angeles, Brian invited me to join the Forks Over Knives team in a full-time capacity, developing recipes and working on other culinary projects. I had truly found my calling.

A Cookbook Is Born

Every country has so much to share in terms of its traditional cuisine, much of which is already vegetarian or vegan and much that can easily be adapted to a vegan diet. For many years, I explored those foods in restaurants, on my travels, and in my research. But often such culinary treats are rich and leave you feeling sluggish afterward—not to mention their long-term adverse effects.

Being a foodie, I want to enjoy the best foods from all over the world. My solution is to cook it myself. For example, I take delicious treats such as samosas and empanadas, favorites that are typically fried, and transform them into yummy delights that don't have the heaviness and greasiness of the originals. Likewise, staples such as enchiladas and ice cream that are typically made with dairy products, I reinvent using healthy, plant-based ingredients. The resulting foods not only taste great but leave me and those I am serving feeling energetic and vibrant after enjoying them.

With this book, I am sharing the favorites among those creations with you. I know from meeting some of you and reading comments on our website and social media channels that you, too, want great-tasting food that nourishes your bodies and leaves you feeling good. You want to eat delicious ethnic dishes, and you want to enjoy a vital, healthy life. Well, I am here to tell you that you can do both. Whether you're craving crepes or flatbread, nachos or cookies, they're all here. Enjoy them in happiness and good health.

What You'll Find in This Book and How to Use It

The recipes in this book are, for the most part, my renditions of specific traditional foods—summer rolls, tacos, curries, pizza—from around the world.

My hope is that after you make one recipe from a particular country or region, you will be able to apply whatever methods I used to create that dish, as well as its

specific components, to create your own inventions. For instance, the recipe for Huaraches: Mexican Masa "Flatbreads" with Beans and Lime-Spiked Salad, consists of various components: masa "cakes" shaped like huara-ches (sandals), refried beans, salsa, and Tofu "Sour Cream". These components can be reassembled to make other Mexican treats, such as tostadas, tacos, or a Mexican breakfast bowl with salsa and "sour cream" on top. The same concept applies to the various ethnic cuisines in the book. For instance, you can use the Thai Green Curry Paste that I use to make Thai Green Curry with Lima Beans to re-create the classic Thai green curry with eggplant, green beans, and Thai basil. Or use the crust used for the Australian Pot Pie to make a sweet or savory pie of your own creation.

One thing you will discover when you begin to enjoy whole-food, plantbased recipes is that you'll likely want to start cooking more. The food tastes great and leaves you feeling so good, you'll want to incorporate more and more of it into your life. Brian and I eat the majority of our meals at home; we almost always bring homemade food to the office, and we also entertain often at home. In order to make cooking as easy as possible, I have developed some habits and routines for preparing homemade meals on the go.

So read on as I give you a tour of my kitchen, showing you what I keep on hand and how I prepare myself so that cooking is as simple and enjoyable as possible, and share with you my favorite recipes from every corner of the globe.

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[Food and Literature](#) edited by Gitanjali Shahani [Cambridge University Press, 9781108426329]

[Food and Literature](#) examines food as subject, form, landscape, polemic, and aesthetic statement in literature. With essays analyzing food and race, queer food, intoxicated poets, avant-garde food writing, vegetarianism, the recipe, the supermarket, food comics, and vampiric eating, this collection brings together fascinating work from leading scholars in the field. It is the first volume to offer an

overview of literary food studies and reflect on its origins, developments, and applications. Taking up maxims such as 'we are what we eat', it traces the origins of literary food studies and examines key questions in cultural texts from different global literary traditions. It charts the trajectories of the field in relation to work in critical race studies, postcolonial studies, and children's literature, positing an omnivorous method for the field at large.

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Excerpt: The structure for [Food and literature](#) follows the organizational framework of the Cambridge Critical Concepts series as a whole. It includes sections on the origins, developments, and applications of food studies in literary studies. Below is a brief description of each section and the ways in which it executes the objectives of the volume and the series as a whole.

Origins

It is hard to pinpoint originary moments even in a field as recent as literary food studies. The search for Ur-texts has variously led scholars to the earliest book-length studies on food in literature, such as James Brown's *Fictional Meals and Their Function in the French Novel*, or to canonical work on the eating body, such as Mikhail Bakhtin's *Rabelais and His World*. Several scholars cite Roland Barthes' ideas on the semiotics of food as a starting point for thinking about food and language. Others turn to publication history, by looking at the founding of *Gastronomica: The Journal of Food and Culture* as a key moment for the study of food in the humanities. Still others look to founding figures like Warren Belasco in tracing the trajectories of the field. This volume takes a well-known food maxim as its originary moment, turning to Brillat-Savarin's "tell me what you eat: I will tell you what you are" as its starting point. The eighteenth-century gastronome's quotation is by now, of course, something of a cliché. Watered down versions of it figure in advertisements, popular diets, and elementary school notice boards, all of which warn, "you are what you eat." But it is the testing of this cliché that I find valuable as a starting point. Literary food studies has articulated some of its most important questions in the process of reevaluating it.

"Do we eat what we are, or are we what we eat? Do we eat or are we eaten? ... in eating do we

confirm our identities, or are our identities reforged, and refracted by what and how we eat?" asks Probyn in a reworking of Brillat-Savarin's aphorism that is grounded in questions of food and identity politics. Gilbert rewrites the aphorism to ask a set of questions about the gastronomic fantasies that are at the heart of our culinary imagination: "Tell me what you read and write about what you eat, and I shall tell you more about what you are. Tell me how you envision food in stories and poems, memoirs and biographies, films and pictures and fantasies, and we shall begin to understand how you think about your life." Here is a method, indeed the *raison d'être* of literary food studies that emerges in the process of engaging with the quotation. Tompkins asks a new set of questions via the aphorism. It is not simply the "what" of what one eats that matters:

It is the "where" of where we eat and where food comes from; the "when" of historically specific economic conditions and political pressures; the "how" of how food is made; and the "who" of who makes and who gets to eat. Finally, and most important, it is the many "whys" of eating — the differing imperatives of hunger necessity, pleasure, nostalgia and protest — that most determine its meaning.

It is in these theoretical reformulations of Brillat-Savarin's aphorism that we might find a manifesto of sorts for the field. And it is these questions and reformulations that guide Part 1, on "Origins." The chapters in Part 1 take up the how, the why, the when, and the where of literary food studies. Collectively, they address central questions that have constituted the field, as we know it today. Rather than following a chronological format that moves from an examination of food in one literary time period to the next, this part of the book follows the key theoretical questions that animate the field of literary food studies. It eschews such linearity since the field of food studies itself has grown in ways that aren't necessarily linear or chronological. While it does take a historical overview of the field, it does so by probing the how, the what, and the when of food and eating in a range of literary traditions and time periods.

David B. Goldstein's chapter opens Part 1 with an exploration of commensality — the "how" of

eating. In "Commensality," Goldstein contends that literary and historical studies have tended to focus primarily on what social scientists call the culinary, or the "what of eating" — the food on our plates, how it got there, and what it does to us. But of equal importance is the commensal, or the "how of eating" — how acts of sharing food help construct self—other relationships, group interactions, and indeed whole societies. His chapter considers the role of commensality in literature through several lenses, using illustrations from the works of the Greeks to the contemporary period. He argues that "Literature has always been exquisitely attuned to commensality, even if Western philosophy notably has not. This is because literature has always been concerned with social relationships and with larger webs of connection." While literary criticism, "blinded by the biases of philosophy," has only recently begun to explore the importance of the commensal, it is, Goldstein insists, "among the best equipped hermeneutics to uncover and articulate these conceptions." He thereby articulates an important method for literary food studies.

From a consideration of the "how" in Goldstein's work, we move to an examination of the "where" in Andrew Warnes' analysis of literary foodscapes. In "The Drive-Thru Supermarket: Shopping Carts and the Foodscapes of American Literature," Warnes analyzes the work of writers like Ginsberg, Jarrell, and others, who call attention not only to the gleaming and vibrant commodities to be chosen from the supermarket shelf, but also to the clattering functionality of the borrowed cart, which then holds these choices before presenting them to the checkout. They attribute to such carts a different mode of walking, quite unlike the leisurely strolling of earlier or *fin de siècle* modes of shopping. A new and anxious need to return home instead underpins their movement in the supermarket. This new compulsion becomes associated in their work with their failure to occupy the foodscape, and the world, they move through. While scholarship in the social sciences has for a while focused on the supermarket, Daniel Miller's "Making Love in Supermarkets" and Frank Cochoy and Catherine Grandclément-Chaffy's "Publicizing Goldilock's Choice at the Supermarket" being important cases in point, Warnes' chapter offers an important literary method for the study of foodspaces that

might include restaurants, kitchens, or cafeterias in other literary texts. Immigrant writing, in particular, has dwelt on the tensions that arise as diasporic communities are compelled to negotiate spaces such as supermarkets and school cafeterias in their adopted land. Writing by Lahiri and Eddie Huang, both of whom address the loneliness of the immigrant in hostile foodscapes, is ripe for analysis in these terms.

'The next chapter approaches the "when," "where," and "what" of food in its consideration of early dietary injunctions that we now call

"vegetarianism." "In any global history of vegetarianism, most roads lead to the Indian subcontinent at some point or another," Parama Roy begins her chapter, taking us first as far back as 326 BCE when Alexander first visited the Indian subcontinent. In "Gothic Vegetarianism," Roy examines the travel accounts from the late sixteenth and seventeenth centuries of European travelers to the coastal cities of western India. To many of these European observers the "Gentiles" they saw were distinguished by a religiously mandated compassion toward nonhuman life that functioned as a rebuke to the ways of their putatively more bloodthirsty European compatriots. Such seemingly extreme or perverse forms of vegetarianism or nonviolence coexisted, as many noted, with unusual and perverse forms of cruelty, especially against widows and carnivores, and gave subcontinental vegetarianism a strikingly gothic character. Roy's chapter enables us to think of originary moments when the foodways of the subcontinent permeated Western consciousness and shaped debates about food choices for centuries to come. She thus contributes to a growing body of work in literary food writing on vegetarianism that authors and activists like Tristram Stuart have taken as the subject of their work. Her chapter opens up interesting possibilities for future work at the intersection of food studies, animal studies, and work on the nonhuman.

Denise Gigante's chapter, in formulating a theory of taste, takes us to the creation of the gastronome as a figure in literary discourse. In "Good Taste, Good Food, and the Gastronome," Gigante reflects on the history of taste as a culinary preference and an aesthetic category. She chronicles how taste

philosophers struggled with the metaphor (*goût*, *gusto*, taste) given by the modern languages to aesthetic experience. What could the intellectual activity of objective, disinterested judgment have to do with the salivary organs of the mouth — seat of instinctive, unthinking sensation? The purpose of aesthetic contemplation had always been to transcend bodily reality, and this gustatory metaphor of taste did not exist in classical aesthetics. Taste, symbolically connected as it was to the guts, ranked low on the philosophical hierarchy of the senses.

It was only in the age of gastronomy, "when food was prepared and judged as an aesthetic object, [that] the gastronome emerged as a guide and a tastemaker, holding food to the same exacting standards of taste as the fine arts." Gigante turns to the writings of Parisian cookbook author, William Kitchiner, who in turn looked to Milton's conception of the aesthetics of pleasure to articulate his theories of gastronomy. She argues that Milton was a "gastronome avant la lettre who demonstrated the *bon vivant's* attitude toward good-living in the more comprehensive, philosophical sense of goodness, which does not divide aesthetics from ethics." Her focus on Kitchiner, Milton, and Milton's *Comus*, the ancient Greek god of cookery, provides us with a fascinating study of early constructions of "foodie" figures — masters in the arts of cookery-chicanery.

From Gigante's inquiry into the originary "who" figures of literary food studies, we move to J. Michelle Coghlan's examination of the "how to" genres in the field, specifically the recipe. In "The Art of the Recipe: American Food Writing Avant la Lettre," Coghlan begins with a consideration of form:

Is a recipe a list of ingredients and a formula of the steps to be taken in producing a given dish? If it comes to us in the form of a lyric could we call it a poem? If it is given to us, instead, in the form of an essay or in the midst of a memoir or dropped in as the supplement — or interruption — to a novel's narrative, can we think of the book it comes to us in as a kind of cookbook even if it would likely be more readily categorized, at least initially, as something else?"

Coghlan's introductory questions lead her to an analysis of "Artful recipes — or, recipes artfully merged into books we wouldn't immediately describe as cookbooks." While M. F. K. Fisher's oeuvre and experimental cookbook-cum-memoirs like *The Alice B. Toklas Cookbook* are well-known modern literary forms of the artful recipe, Coghlan argues that far less attention has been paid to the nineteenth-century American food writing that anticipates and enriches our understanding of the aesthetic pleasures at the heart of Fisher's essays and the modern recipistolar canon of which they are part. Her chapter takes up the matter of American food writing "avant la lettre" by turning to the exuberant — and now largely forgotten — food essays of expat American writer Elizabeth Robins Pennell.

Robert Appelbaum's chapter brings Part 1 to a close by offering us a philosophical consideration of what food is. He opens "Existential Disgust and the Food of the Philosopher" with a taxonomy of food. "Food, so far as it appears as an object in literary discourse, can be categorized as any of a number of things — 'things' in the sense of objects of experience, cognition, and inquiry." Appelbaum offers six of these "things" for us to consider: (1) food as material object; (2) food as an occasion of gustatory and olfactory sensation; (3) food as a historical phenomenon; (4) relatedly, food as a sociocultural phenomenon, at once material and symbolic; (5) food as the object of a practice; and (6) what might be thought of as the metaphysical identity of food, which can take two antithetical forms. On the one hand, (6a) food can be identified as pure nutrition, an element in the dynamic order of being, the being of living (and dying) things; on the other, (6b) food can be identified as an existent with irreducible qualities over and above its nutritional character; it can be identified as a characteristic or index of an order of being itself. It is the sixth, double-sensed meaning that Appelbaum takes up with a particular focus on Sartre's *Nausea*.

Collectively, these chapters are concerned with different points of origins in our study of food, whether in their consideration of commensality, foodscapes, dietary choices, taste, food genres, or food as object of philosophical inquiry in literature.

While I have outlined the central question in each, they overlap in their shared concerns with the "why we eat," "what we eat," "how we eat," "where we eat," and "how we write about what we eat" questions that animate literary texts from a range of global literary traditions and time periods.

Developments

Part 2 takes Rabelais' ode to Master Belly as its guiding principle: "Master Belly is the true master of all the arts ... The whole world is busy serving him, everyone working. And in return he brings all sorts of good things to the world, inventing all the arts, every engine known, all trades and crafts, all machines and subtleties." The act of eating, even as it is basic and necessary, is an act that affords boundless artistic and intellectual possibilities. If all arts and crafts and trades are the inventions of Master Belly, we might develop a critical practice in relation to our acts of feeding him. Bakhtin, in his analysis of Rabelais, describes the act of eating as one that facilitates the body's interaction with the world: "The encounter of man with the world, which takes place inside the open, biting, rending, chewing mouth, is one of the most ancient, and most important objects of human thought and imagery. Here man tastes the world, introduces it into his body, makes it part of himself." Such an image of man, eating and experiencing the world around him with his biting, chewing, rending mouth, provides us a useful analogy for the methods in this section. We might think of the developments in the field of food studies as the development of a way of experiencing and analyzing the world through food and its ingestion. The chapters in this part of the volume develop a critical approach grounded in an alimentary framework. They look at the development of food studies in relation to work that has particularly gained from an alimentary approach, whether in postcolonial studies, critical race studies, or gender and sexuality studies. These chapters can be seen as collectively tracing and examining the imperatives of Master Belly in different intellectual and artistic texts and contexts, where such imperatives are frequently complex, troubled, or historically noteworthy.

Catherine Keyser's chapter opens Part 2 by drawing on an alimentary approach in her reading of race in twentieth-century US literature. In

"Visceral Encounters: Critical Race Studies and Modern Food Literature," Keyser argues that in the literature of this period, food-related plots and recurring oral images express anxieties and ambivalences surrounding Jim Crow and its fetishization of light skin and supposedly pure white bodies. Beginning with structural anthropologists of the 1960s, moving through black studies of the 1980s, and into hemispheric American studies of the 1990s and 2000s, her chapter explores the critical approaches that scholars have used to interrogate this dynamic. Her analysis builds on bell hooks' argument that eating can be an appropriative act, in which the ethnic other is absorbed by white consumers as an exotic spice, and yet at the same time, eating is an intimate encounter that demonstrates the permeability of the body.

In the next chapter, Valérie Loichot revisits her own seminal work in food studies and postcolonial studies in *The Tropics Bite Back*. "The Ethics of Eating Together: The Case of French Postcolonial Literature" pairs well with Chapter 1, particularly analyzing commensality from a postcolonial perspective. Loichot looks at the ethics of eating together in the literature of a variety of writers born in France's colonies or post-colonies, including Aimé Césaire, Suzanne Césaire, Maryse Condé, Jacques Derrida, Michel Houellebecq, and Simone Schwarz-Bart. Her chapter ponders the fate of commensality when human communities are disrupted by slavery, colonialism, hyper-nationalism, or contemporary identity crises in Fortress Europe. Condé, Derrida, Schwarz-Bart, and Suzanne Césaire develop an ethics and practice of eating well together as an antidote to colonial or nationalist politics of discrimination. By contrast, François in Houellebecq's novel *Soumission*, who hopelessly eats alone, signals the fragility of a France desperately clinging to an illusory purity.

Like Loichot in the previous chapter, Elspeth Probyn's chapter develops arguments that appeared in her earlier monograph, *Carnal Appetites*. In "Eating Athwart, and Queering Food Writing," Probyn seeks to queer the genre of food writing, to render it "athwart." According to Probyn, M. E. K. Fisher lets us see how food writing reveals and produces the full force of what Gilles Deleuze

and Felix Guattari call "the obligatory, necessary, or permitted interminglings of bodies." These bodies — texts, descriptions of food, feeding, and eating, render messy any distinction between and among them. This calls forth a style of writing that seeks not the comfort of an identity in food but rather revels in what food can unleash. Drawing on Eve Sedgwick's understanding of queer as athwart, she argues that food writing has the potential to make present the materiality of eating, writing, and food and exemplify the always attendant "cruel optimism" (to use Lauren Berlant's words) of those pairings.

In "Utilizing Food Studies with Children's Literature and its Scholarship," Kara K. Keeling and Scott T. Pollard open by reflecting on their own trajectories as writers and editors of work in children's literature and food studies, as well as that of other early practitioners in the field. They go on to map these intersections in the work of Laura Ingalls Wilder. Wilder's *Little House* books demonstrate the overlooked but fundamental role that food can play in the ideological controversies current in American western frontier studies. They demonstrate how, ideologically, Wilder agrees with Frederick Jackson Turner's traditional view of western expansion as a predominantly white, male arena; nonetheless her novels inherently complicate and challenge his monolithic view of settlement through her focus on women's experiences on the frontier.

While the first four chapters in Part ii trace the development of food studies in particular theoretical fields and literary disciplines, the last two chapters in this section examine its development in artistic movements and epistemic paradigms like modernism and postmodernism. Both chapters suggest important ways in which the figure of the celebrity chef shapes the artistic landscape of food studies. In "Avant-Garde Food Writing, Modernist Cuisine," Allison Carruth examines the current culinary movement labeled "molecular gastronomy," contesting the vision of it as an extension of modernism. This twenty-first-century culinary trend exemplifies a wider pattern in innovation-driven industries of laying claim to literary and artistic traditions of aesthetic and sociocultural experimentation. In developing this

argument, Carruth employs the term "culinary lab" to describe restaurant incubators such as Catalan chef Ferran Adria's now shuttered elBulli and to apprehend interconnections between the rhetoric of modernist cuisine and tropes of prototyping, entrepreneurship, and invention in engineering writ large. Comparing modernist cuisine to alimentary texts penned by avant-garde artists and writers, her essay historicizes not only the chefs, restaurants, and cuisines but also the engineers, biochemists, designers, and venture capitalists who are collectively imagining and monetizing culinary innovation in the contemporary period.

Rohit Chopra turns to "Comic Books and the Culinary Logic of Late Capitalism" in the concluding chapter of this section. His work examines the relationship between food, violence, and capitalism in three comic book series on food, *Get Jiro!* and *Get Jiro! Blood and Sushi*, *Starve*, and *Chew*. Chopra argues that, in these series, food as the symbol of nature, unsullied human existence, and truth becomes a way to countenance the corrupting violence of capitalism. Food also serves as a symbol of an authentic human bond, one that is prior to and beyond capital. It stands as the basis of a critique of the violence of the contractual reason that is essential to capitalism. The world of food in these works embodies the contradictory logic of late capitalism, in which food culture and the chefs are both hyper-commodified and hyper-mediated yet are the source of critique and opposition to the very culture that produces them. Situating the food comic subgenre of comic books in the context of the recent global surge of interest in food culture and at the juncture of several traditions of representation, Chopra considers the political implications of the critique that it offers about present-day market-mediated representations of food.

Concluding Part 2 with Chopra's chapter, we also witness exciting new possibilities for the analysis of new food genres, a development that itself results from our late capitalist preoccupation with food. In their respective chapters, the contributors to this part of the volume offer a trajectory of literary food studies as it has evolved, in relation to fields by which it has been shaped, and that it continues to shape, in turn.

Applications

The final part of this volume follows Roland Barthes' imperative: "Information about food must be gathered wherever it can be found: by direct ... and by indirect observation in the mental life of a given society." The chapters in Part III apply Barthes' method of direct and indirect observation to a range of texts and contexts. They look at the semiotic power of food in literature and culture. What do foodstuffs and foodways in the text signify? How do writers develop what Barthes called "a system of communication, a body of images, a protocol of usages" with regard to food? We might think of these chapters as revisiting foundational ideas in food studies and applying them to literary texts in new and interesting ways. In a sense, Part III is a culmination of the two parts that have charted the origins and development of the field of literary food studies and its intersections with related fields. It is a collection of what we might call culinary close readings. It demonstrates how books are to be tasted and chewed and digested, drawing on methods that have been posited throughout the volume.

Sandra Gilbert, whose corpus of writing has shaped literary food studies in profound ways, opens Part III with "Inebriation: The Poetics of Drink." As with *The Culinary Imagination*, here Gilbert uses her "eating words" to analyze the poetry of drink. Carl Jung, who explains that "alcohol" in Latin is *spiritus*, and one uses the same word for the highest religious experience as well as for the most depraving poison," provides Gilbert with a starting point for an exploration of poetic inspiration and intoxication. "The confusion of spirit as alcohol with spirit as soul or breath helps explain why a poetics of drink seems to have shaped or shadowed the poetry — and fiction — of so many writers," Gilbert argues. Her analysis includes "alcoholic writers" from a long list of Nobel prize winners (Sinclair Lewis, Eugene O'Neill, Ernest Hemingway, William Faulkner) and beyond the Nobel winners, Hart Crane, F. Scott Fitzgerald, Louise Bogan, Dylan Thomas, Delmore Schwartz, Philip Larkin, Robert Lowell, John Berryman, Edna St. Vincent Millay, Raymond Carver, Elizabeth Bishop, John Cheever, and Dorothy Parker, among others.

Jennifer Park's chapter continues to explore drink, but we move to the macabre here, from spirits to blood. In "Vampires, Alterity, and Strange Eating," Park examines blood drinking as a form of strange eating, to argue that vampiric feeding, or the impulse to drink blood, manifests

from the intersection of medicine, myth, and ideas of human difference to produce a diet that pushes on the boundaries of what constitutes humanity in the literary imagination. Although the Victorianist vampire tends to serve as our reference point for vampiric feeding, Park's chapter provides another angle in our understanding of blood drinking in the context of food and literature. Her chapter highlights the more obscure — and thus more urgent — alternative or marginalized histories and afterlives of vampiric feeding, before and beyond the Victorian vampire: blood lust as infant nourishment, medicinal ingestion, or eating disorder with racial ramifications, from ancient epileptic blood drinking and early modern menstrual blood to the cross-pollination of blood drinking, disordered eating, and community building in the twenty-first century.

From the debauched world of intoxicated poets and blood-thirsty vampires, we move to a kind of innocent, domestic bliss in Frances E. Dolan's chapter, "Toast and the Familiar in Children's Literature." Buttered toast, which appears frequently in Anglophone children's literature, is the subject of Dolan's essay. In its very familiarity, buttered toast might seem to be the perfect comestible to sum up the Golden Age of Children's Literature: it calls to mind the Victorian nursery, or at least a vision of that nursery that has been created precisely through such representations, yet it is recognizable to many a young reader today, creating another filament of connection between reader and characters and drawing the reader into the imagined world. Dolan makes the familiarity of toast a question rather than an assumption, focusing on toast in *The Wind in the Willows* (1908), *Mary Poppins* (1934), the Harry Potter series (1997-2007), and *A Series of Unfortunate Events* (1999-2006). To what extent does toast connect readers across time and place and to what extent is it becoming an exotic comestible, a food in need of a gloss, Dolan asks.

Tomoko Aoyama's chapter takes us beyond the Anglophone traditions of food writing to examine "Food, Humor, and Gender in Ishigaki Rin's Poetry." Aoyama shows how food-related motifs permeate the works of the Japanese poet Ishigaki Rin (1920-2004). Ishigaki's working life coincided with Japan's military aggression, defeat, and postwar democracy, economic recovery, and expansionism, all deeply connected to the question of food production and consumption. She was involved in the bank workers' union movement, and published socially engaged poetry on topics ranging from atomic bombs and wars, to poverty and industrial accidents. Food and family in her works are often confrontational rather than comforting, associated with exhaustion, solitude, death, and the "abject." Aoyama identifies the links between Ishigaki's "written food" and other prominent examples of food in modern Japanese literature.

The last two chapters examine the poetics and politics of hunger, with Miriam O'Kane Mara looking to the Irish context and Deepika Bahri turning to postcolonial Zimbabwe. Both serve as important reminders that hunger, whether as a form of political protest or as a result of privation and shortage, falls as crucially within the domain of food studies as the work on food consumption. Bahri brings up Doris Lessing's overwhelming question in her last novel: "What will our descendants blame us for as we now blame the slave traders? Surely that is easy enough. They will say that one half of the world stuffed itself with food while the other half was hungry." How characters negotiate this hunger, how they find self-expression through it, and how they find the language to articulate it is the subject of these chapters.

In "Food, Hunger, and Irish Identity: Self-Starvation in Colum McCann's 'Hunger Strike,'" Mara investigates how Colum McCann's representation of self-starvation in "Hunger Strike" expands representations of anorexia nervosa, emphasizing the political nature of all self-starvation. The novella presents a child protagonist, who uses food behaviors to negotiate changing relationships with his body, his family, and his nation as he haltingly moves toward maturity. Mara argues that the historical traces of famine join the religious residue

of the Catholic Eucharist and the sectarian political significance of food refusal, deepening the ways that food interpolates Irish culture. By highlighting the connections between language and food in identity building, the analysis reflects the complexity of McCann's characters' communication through food-related signifiers.

In the final chapter, Bahri explores the hunger narrative as a species of postcolonial literary and political enjambment, an intertextual phenomenon typified by different writers taking up a temporally discontinuous but thematically connected screed on postcolonial hungers. For Bahri, the tradition of the postcolonial hunger narrative points to the failure of history to meet humanity's most fundamental need. She begins "Postcolonial Hungers" with an analysis of Tsitsi Dangarembga's debut novel, *Nervous Conditions* and its sequel, *The Book of Not*. She then moves to a third novel, published more than a quarter century after *Nervous Conditions*, NoViolet Bulawayo's *We Need New Names*. Bahri contends that the escape artists of Dangarembga's and Bulawayo's novels and their anorexic female hunger artists ask for a reckoning with the politics of food, food distribution, and women's voluntary self-denial as signs of "the malign order

... of a disturbed universe." She argues that "the postcolonial hunger narrative ultimately showcases the alignment of power and foodways by asking us to consider not only who eats, how much, and in what order, but also whether the pleasures of food and eating are distributed equally, especially for women, immigrants, and other alimentary sub-citizens in the gastropolitical order."

In the Afterword, Darra Goldstein, founding editor of *Gastronomica: The Journal of Food and Culture*, series editor of *California Studies in Food and Culture*, and author of five award-winning cookbooks, reflects on her personal and professional trajectories in literary food studies. Goldstein, who was celebrating her retirement as this volume was going to press, reflects on the intellectual climate in the 1970s when she decided to write her dissertation on food in Russian literature. It is such "primal scenes" (my words, not hers) that made the field possible, laid the

groundwork for future scholars, and inspired volumes such as this one.

Finally, as anyone familiar with food preparation is well aware, any given set of ingredients will end up differently in the hands of different cooks. The results will variously please and offend different palates. *Food and Literature* reflects the culinary imagination and tastes of those who've come together to create it. We worked with the ingredients we had. But these approaches, methods, and points of entry do not by any means exhaust the field. And thus, like Saleem Sinai, Rushdie's pickle connoisseur with whom I began this chapter, I will leave you with several chapters and one empty jar, for "the process of revision must be constant and endless." As for their reception, in Saleem's words:

They may be too strong for some palates, their smell may be overpowering, tears may rise to eyes; I hope nevertheless that it will be possible to say of them that they possess the authentic taste of truth ... that they are, despite everything acts of love.
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