Preface and Acknowledgments

I wrote this book first and foremost as a scholar trained in Chinese studies and literary studies. But I also wrote it as an immigrant academic with family roots in the People's Republic of China who has lived in the United States for over three decades as a naturalized citizen. I grew up in a rural market town in Sichuan, spending the first eighteen years of my life living in houses and apartments without any electrical outlets as there weren't any electrical appliances that needed plugging in. The cultural or, if you will, electric shock I experienced when I immigrated to the suburban United States in 1990 was sparked above all by encountering things, or "manufactures," a word I would later pick up in history books on Sino-British relations. Up to that point in my life, the word "button" usually denoted a small piece of plastic or bone affixed to clothing, but now a button was something one pushed to make the world do one's biddings. I was overwhelmed by the cornucopia of "manufactures" in homes and stores, and to this day I still haven't completely made my peace with push-button consumerism.

The second source of cultural shock came from a very different domain. One day while browsing the books-on-tape section in the Ithaca Public Library, I noticed a small box of cassettes titled *May It Please the Court*, a collection of recorded landmark oral arguments made before the US Supreme Court. I checked it out and listened to it several times. It was a revelation to me that there were such cases as *XYZ v. the United States*, featuring an individual or a civil entity taking the federal government to court and sometimes winning the suit. It ignited my enduring fascination with the American culture of law and litigation. I came to appreciate the impersonal majesty of law from these recordings, and I was awed by the kind of reasoned eloquence so unlike what I had thitherto been used to in China. Perforce I became a comparatist of life in my native land versus life in my adoptive country. This frame of mind has never left me.

Parallel to my graduate training in Chinese literature, I kept up an extracurriculum in American crime fiction, reading practically everything that came into my purview, starting with *An American Tragedy*, *Native Son*, *All the King's Men*, *The Book of Daniel*, and *Libra*. A stint as teaching assistant for an American history course at Cornell helped me situate these engrossing tales and appreciate their larger import. As I grow more observant and knowledgeable about American culture, politics, and society, I become more sensitized to convergences, echoes, and similarities as much as contrasts with China. Parsing these convergences and divergences has become an obsession of mine. Each time I'm struck by a shock of recognition or am poked by a vague sense of déjà vu, I ask myself really? why? how? to what extent? with what implications? I don't always have the space or intellectual wherewithal to pursue these questions, but my scholarship has in one way or another been driven by my desire to understand the different choices people make and the underlying values and dispositions and cultural logics that inform them. Globalization has brought China and the United States much closer now than thirty years ago, and when it comes to consumer capitalism, China seems to have pulled ahead, for good or for ill. But there are also times when the two peoples appear to be living in parallel universes for all the flow of goods, ideas, bodies, and microbes between them. A firmly entrenched exceptionalism on both sides has made it difficult to draw meaningful comparisons and learn from lived experiences.

One can list many recent issues and problems that worry US observers: callout culture and cancel culture, posttruth and fake news, antiintellectualism and populism, overpolicing and carceral governance, and so forth. All have parallels in Chinese history and politics. This book is my attempt to draw out some of the parallels in the process of charting the patterns and expressions of a nonliberal political-legal culture. It is about how some Chinese think about justice, but a Chinese culture of justice cannot come into focus unless it's set against another, far more hegemonic culture of justice, one that frames the universal discourse of human rights and saturates our global mass culture. It is thus my hope that I have also illuminated something about the American political-legal culture visible only to those whose long process of acculturation is accompanied by an equally long process of relearning their native cultures.

I wrote several chapters during the global coronavirus pandemic. The public health catastrophe, along with the other convulsive events of 2020 (the killing of George Floyd and other Black Americans by police, the historic presidential election, the devastating wildfires), left its imprint on my thinking in both decisive and subtle ways. I'm grateful to those who were willing to listen to me talk about things that were so removed from what

was front and center on everyone's mind. Among my interlocutors, I owe a special debt to Stephen Angle, Daniel Bell, Tom Chen, Alexander Cook, Nan Da, Prasenjit Duara, Todd Foley, Anders Hansen, Héctor Hoyos, Heather Inwood, Barak Kushner, Joshua Landy, Li Ying, Elizabeth Perry, Haun Saussy, Simon Stern, Marco Wan, Peter Zarrow, and Lisa Zunshine. In particular, Alexander Cook and Simon Stern kindly corrected some of my misapprehensions in the domains of transitional justice and Anglo-American law, respectively. I would also like to acknowledge the students who took my graduate seminar Chinese Justice: Law, Morality, Literature in 2016 and patiently read Su Li's *Law and Literature* in Chinese with me. Lastly, I want to pay tribute to the individuals who don't know me but whose voices have lived in my ears for the past few years (or longer) and who have taught me so much about so many subjects: they are the podcast hosts of *Hi-Phi Nation*, *The Last Archive*, *Very Bad Wizards*, *Thinking Allowed*, *New York Times Book Review*, and *New Books in Philosophy*, among many others.

During the lockdown and rumbling post-lockdown, Paul Festa gallantly accepted the office of "social chair" and plotted many a *jiemu*, including several unforgettable getaways. The tiny pod he wove for the two of us was full of warmth and light in a time of fear and gloom. To him I owe everything, not least my sanity.

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Thirty years ago I walked into a history class taught by Prasenjit Duara at the University of Chicago. It was the hardest course I ever took in graduate school, but it put me on an intellectual path from which I have not stepped away. I dedicate this book to Prasenjit: scholar, teacher, and dear friend.