

Defending ‘Rule by Virtue’ in Xi Jinping’s ‘New Era’ China

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ABSTRACT

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China’s emergence as a leading global autocracy has been underpinned by an intellectual shift away from the limited liberalism of its ‘reform and opening’ era to the assertion of neo-totalitarian principles of governance in the ‘New Era’ proclaimed by Xi Jinping. Drawing on the official discourse of ‘combining rule by law with rule by virtue,’ this paper examines how this broader shift has affected the evolution of discourses about the role and nature of law under Communist Party control, with particular attention to *droitisation in the mirror*, or the Chinese *New Left*’s reception of Carl Schmitt. The paper also engages with the question of how liberal conceptions and practices of law have retained relevance in China and reflects on the institutional conditions of academic censorship that shape the lives of Chinese advocates of liberal-democratic conceptions of the rule of law, as well as its opponents.

