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# 1. Religious policy in China

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The framework for the policies toward religion in the People's Republic of China (PRC) today was promulgated in 1982 in two documents: Article 36 of the revised Constitution of the PRC, and Document 19 from the Central Committee of the Chinese Communist Party (CCP). These documents themselves were based on materials developed for the landmark Third Plenum of the Eleventh Party Congress in December of 1978, which established the policy of Reform and Opening under the leadership of Deng Xiaoping. To this day, Chinese government regulations on religion are based on the principles enunciated in these two documents – the “1982 framework” – but successive regulations interpret and implement these principles in specific ways depending on changing social and political contexts. I will summarize the basic principles, describe their historical precedents, analyze definitional ambiguities that allow for variations in interpretation, consider the political factors that influence interpretations, and finally discuss how the most recent regulations are being implemented today.

## THE CHINESE CONSTITUTION

Although the Revised Constitution published in 1982 has undergone further revisions, the passages on religion have remained the same:

Citizens of the People's Republic of China enjoy freedom of religious belief. No state organ, public organization or individual may compel citizens to believe in, or not to believe in, any religion: nor may they discriminate against citizens who believe in, or do not believe in, any religion.

The state protects normal religious activities. No one may make use of religion to engage in activities that disrupt public order, impair the health of citizens or interfere with the educational system of the state.

Religious bodies and religious affairs are not subject to any foreign domination.<sup>1</sup>

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<sup>1</sup> *PRC Constitution*, 1982 quoted in Potter (2003).

## DOCUMENT 19: THE BASIC VIEWPOINT AND POLICY ON THE RELIGIOUS QUESTION DURING OUR COUNTRY'S SOCIALIST PERIOD<sup>2</sup>

The Communist Party rules China and determines the meaning and implementation of the Constitution. Following is a summary of the most important sections in this document.

Those who expect to rely on administrative decrees or other coercive measures to wipe out religious thinking and practices with one blow are even further from the basic viewpoint Marxism takes toward the religious question. They are entirely wrong and will do no small harm.<sup>3</sup>

Document 19 continues with a brief narrative of the historical development of religions in China and the measures taken by the CCP to handle the “religious question.” For the first 17 years after the founding of the PRC, the Party achieved great results, but during the Cultural Revolution (1966–76), the leaders of the Party made major errors:

They forcibly forbade normal religious activities by the mass of religious believers. They treated patriotic religious personages, as well as the mass of ordinary religious believers, as “targets for dictatorship,” and fabricated a host of wrongs and injustices which they pinned upon these religious personages. They even misinterpreted some customs and habits of ethnic minorities as religious superstition, which they then forcibly prohibited. In some places, they even repressed the mass of religious believers and destroyed ethnic unity. They used violent measures against religion which forced religious movements underground, with the result that they made some headway because of the disorganized state of affairs.<sup>4</sup>

Henceforth, according to Document 19, the Party's policy will be to repudiate these “leftist” errors:

We Communists are atheists and must unremittently practice atheism. Yet at the same time we must understand that it will be fruitless and extremely harmful to use simple coercion in dealing with the people's ideological and spiritual questions – and this includes religious questions ...<sup>5</sup>

At the same time, religion will not be permitted to meddle in the administrative or judicial affairs of state, nor to intervene in the schools or public

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<sup>2</sup> Translated by Janice Wickeri in MacInnis (1989: 8–26).

<sup>3</sup> MacInnis (1989: Section I, 10–11).

<sup>4</sup> MacInnis (1989: Section III, 13).

<sup>5</sup> MacInnis (1989: Section IV, 14).

education. It will be absolutely forbidden to force anyone, particularly people under eighteen years of age, to become a member of a church, to become a Buddhist monk or nun, or to go to temples and monasteries to study Buddhist scripture.<sup>6</sup>

The document then outlines a policy toward forming a “united front” with “patriotic religious believers,” particularly “religious professionals” (monks, nuns, imams, priests and ministers), including measures to provide for their livelihood and to educate them in a proper socialist outlook.<sup>7</sup> Temples and churches should be restored and rebuilt and put under the administrative control of the State Bureau of Religious Affairs.<sup>8</sup> “Patriotic religious organizations” should be reconstituted, and their basic task should be:

to assist the Party and the government to implement the policy of religious belief, to help the broad mass of religious believers and persons in religious circles to continually raise their patriotic and socialist consciousness, to represent the lawful rights and interests of religious circles, to organize normal religious activities, and to manage religious affairs well.<sup>9</sup>

Especially sensitive issues raised by Document 19 are relations with religious ethnic minorities, whose customs and traditions need to be respected as long as they are:

not harmful to production or to the physical and mental health of the masses ... We must certainly be vigilant and oppose any use of religious fanaticism to divide our people and any words or actions which damage the unity among our ethnic groups.<sup>10</sup>

Furthermore:

the resolute protection of all normal religious activities suggests, at the same time, a determined crackdown on all criminal and antirevolutionary activities which hide behind the façade of religion, which includes all superstitious practices which fall outside the scope of religion and are injurious to national welfare as well as to the life and property of the people.<sup>11</sup>

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<sup>6</sup> MacInnis (1989: Section IV, 15).

<sup>7</sup> MacInnis (1989: Section V, 15–17).

<sup>8</sup> MacInnis (1989: Section VI, 17–18).

<sup>9</sup> MacInnis (1989: Section VII, 19).

<sup>10</sup> MacInnis (1989: Section IX, 22).

<sup>11</sup> MacInnis (1989: Section X, 22).

Finally, the document addresses the international relations of China's religions:

According to this policy of the Party, religious persons within our country can, and even should, engage in mutual visits and friendly contacts with religious persons abroad as well as develop academic and cultural exchanges in the religious field. But in all these various contacts, they must firmly adhere to the principle of an independent, self-governing church, and resolutely resist the designs of all reactionary religious forces from abroad who desire to once again gain control over religion in our country.<sup>12</sup>

## HISTORICAL CONTEXTS

The policies enunciated by the 1982 documents did not really represent a liberalization of the Chinese Communist Party's approach to the "religious question." They repudiated the indiscriminate attacks of activists during the Cultural Revolution on all forms of religious belief and practice, but not because these were the violation of inalienable rights as recognized by the Party. The Party reiterated its atheist principles and remained committed to creating a world where religion would not exist. But it acknowledged that it would be counterproductive to try to do this quickly, and harsh administrative actions to eliminate religion would enflame divisions within the Chinese people. The 1982 framework was a return to the policies of the 1950s and early 1960s. These policies were those developed by Lenin and Stalin during the 1920s and 1930s in the Soviet Union. In the 1950s all Communist countries had to follow those policies, even if they were not fully appropriate to local conditions.

China broke from the Union of Soviet Socialist Republics (USSR) in the 1960s, and during the era of Reform and Opening after 1978 it began to pursue economic policies at variance with Soviet state socialism, but its formal religious policy has remained orthodoxly Soviet even after the USSR collapsed and even though the policy never fitted well with Chinese circumstances.

Soviet policy had been developed by Lenin and Stalin to eliminate the challenge to the Russian revolution posed by the powerful Russian Orthodox Church. The policy included: enshrining a principle of religious freedom in the Russian Constitution; eliminating all of the institutions for education and social welfare that had been run by the church and confining religious practice to worship within approved churches;

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<sup>12</sup> MacInnis (1989: Section XI, 23).

imprisoning and even executing clerical leaders, never explicitly because of their religious belief but on grounds of being criminals and counter-revolutionaries; replacing these leaders with people deemed to be patriotic supporters of the regime; and establishing government controlled organizations for surveillance and control of religious bodies. The expectation was that the Orthodox Church, thus diminished, would wither away. This was the policy followed by the Chinese Communist Party in the 1950s and reinstated in the 1980s.

Though effective (until the collapse of Soviet communism) against the hierarchically organized Russian Orthodox Church, this policy did not fit well in the religious landscape of China. Most religious belief and practice was not carried out within hierarchical organizations, but embedded within the communal life of extended families, villages and other forms of local community. In the 1950s, although the Constitution declared that Chinese citizens had religious freedom, Communist work teams arrested leaders of hierarchical churches – particularly the Catholic Church – on the grounds that they were counter-revolutionaries and replaced them with compliant individuals who served under the auspices of the various “patriotic associations.” Although pre-revolutionary hierarchies were destroyed, many forms of belief and ritual practice persisted within grassroots communities. Such practices were attacked (not always successfully) during the Cultural Revolution, but they sprang to life again during the 1980s and in some places developed at an astonishing rate in a market economy that allowed greater physical and social mobility than had been possible in the 1950s. The policy principles reinstated during the 1980s have not been able to comprehend and cope with this fluid communal environment. But policy-makers have tried to adapt them to changing circumstances by exploiting ambiguities within the official framework.<sup>13</sup>

## AMBIGUITIES

The first ambiguous term in the 1982 framework is the word “religion.” The Chinese term itself, *zongjiao*, was coined in the late nineteenth century on the basis of a term used by the Japanese, which itself was a translation from German. The newly minted Chinese term referred to an organized institution with a systematic body of doctrine and practices overseen by more or less hierarchically organized professionals. In this view, there were five religions in China: Daoism, Buddhism, Islam,

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<sup>13</sup> Madsen (2014: 585–601).

Catholicism and Protestantism. Beyond these was a rich array of practices that intellectuals and officials (but not the people who actually practiced them) called “superstition.”<sup>14</sup> The religious freedom in the Constitution pertains to the five official religions, not to “feudal superstitions.” Thus, Document 19 calls for a “resolute crackdown on ... all superstitious practices which fall outside the scope of religion and are injurious to national welfare as well as to the life and property of the people.”<sup>15</sup> But under the more open economic conditions of the era of Reform and Opening there has been an efflorescence of such “superstitious practices,” most of which are not obviously a detriment to national welfare and public health. It has been challenging to policy-makers to determine what to do about these.

Furthermore, the officially recognized religions embrace unofficial practices that flourish outside of the formal hierarchies that can be recognized and controlled by the Party and the state. Daoism was never tightly organized and Daoist-inspired practitioners have developed and informally organized well outside the framework created by Daoist leaders serving under the control of the Patriotic Daoist Association.<sup>16</sup> The same is true for informal networks of Buddhists, especially lay Buddhists.<sup>17</sup> For Protestants, before 1949 there were networks of indigenous Christians inspired by charismatic preachers outside of the old missionary-dominated Protestant establishment. Such networks have undergone explosive growth in the past four decades and have far outstripped the officially recognized Protestants under supervision by the government-controlled Three-Self Protestant Association.<sup>18</sup> For Catholics, there has been a flourishing “underground church” with its own hierarchy operating outside of the officially registered hierarchy.<sup>19</sup> Are these part of the “religion” of the Constitution or not? The answer is not clear. Often they come under the authority of the Public Security Bureau, but sometimes they can be brought under the purview of the religious affairs authorities.

Finally, there have been “new religious movements” such as the Falungong, which combine elements of Daoist and Buddhist traditions together with folk religious healing practices and sometimes an apocalyptic worldview. The framework of 1982 did not envision how popular

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<sup>14</sup> Yang (2008).

<sup>15</sup> MacInnis (1989: 22).

<sup>16</sup> Palmer and Goossaert (2011).

<sup>17</sup> Ibid.

<sup>18</sup> Lian (2010).

<sup>19</sup> Madsen (1998).

they might someday become. Their rise in the 1990s prompted the government to revive the old imperial term of “heterodox teaching” (*xiejiao*), or in its official English translation, “evil cult.”<sup>20</sup>

Another ambiguous term in the 1982 framework is “normal”: “The state protects normal religious activities.” What the state may see as normal is not necessarily what religious practitioners hold to be. For example, according to the government, normal religious activities are those that are confined to the inside of churches. But many religions have a missionary impulse: they want to reach outside to attract new members. Under certain circumstances, the government has tolerated this to a limited extent, but under other circumstances it may crack down. From the point of view of religious practitioners, the boundaries of “normal” may seem to be in unpredictable, arbitrary flux.

A third ambiguous word is “fanaticism”: “oppose any use of religious fanaticism to divide our people.” Assessment of “fanaticism” depends on context. Is fasting during Ramadan among Muslims in Xinjiang fanatical? It has been allowed in the past, but more recently in Xinjiang has been prohibited in the context of government fears about the connection between Islamic religious piety and political resistance among the Islamic Uyghur population.

Finally there is ambiguity about “friendly contacts with religious persons abroad.” When does “friendship” turn into domination? Can Catholic bishops attend meetings of fellow bishops at the Vatican? Can Muslims go on the Haj? Who exactly can be allowed to engage in mutual contacts with co-religionists abroad, and under what circumstances? Answers to such questions fluctuate over time.

## A PROBLEMATIC VISION

The importance of such ambiguities is heightened by the problematic assumptions that guide the whole 1982 framework. Following classical Marxist theory, Document 19 predicts that religion will eventually die out, although its demise will be protracted. But this secularization thesis does not account for the increasing popularity of religion in some places. Since the 1980s, at many different levels and in many different places China is getting more religion and a greater variety of religious forms than the drafters of the 1982 framework seem to have anticipated. For example, millions of local temples have been built, there has been an exponential growth of evangelical Protestant Christianity, new religious

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<sup>20</sup> Palmer (2007: 219–277).

movements (aka “evil cults”) such as Falungong have arisen, Buddhist revivals have occurred.

Rigid construal of the distinction between “religion” and “superstition,” “normal” and “abnormal” religion, does not seem to capture the complex growth. Policy-makers play on the ambiguities in the 1982 framework to expand and contract its categories in response to ongoing change. The responses are also based on overall political conditions. The boundary between normal and abnormal religious activities can shift according to the assessment of whether more or less accommodation or suppression is needed. The 1982 framework says that the use of coercion to suppress normal religion, as was done during the Cultural Revolution, will be counter-productive. But if something is declared to be outside the shifting boundary of normal religion, coercion can indeed be called for; and authorities within the Party and state have retained a full repertoire of coercive measures utilized during the Cultural Revolution. The arbitrary shifts in government policy may help to decrease its legitimacy in the eyes of ordinary believers, so they may feel no compunction in evading the letter of the law.

Although Marxist orthodoxy officially retains its place as the core of the CCP’s ideology, it seems less compelling to ordinary citizens and government officials alike. Thus, in the past decade, the CCP is increasingly drawing on nationalism to bolster its legitimacy. Especially under General Party Secretary Xi Jinping, this involved selective celebrations of China’s ancient culture, including Confucianism and Legalism. In practice, this seems to lead to ways of implementing the 1982 framework in ways more akin to emperors during the Ming and Qing dynasties than what Marx or Lenin might have prescribed. The basic principle, as stated by Zhuo Xinping, the former head of the Institute of World Religions at the Chinese Academy of Social Sciences, was that the “government commands and religions follow.”<sup>21</sup> The Chinese Emperor combined the roles of a king and pope, and through his Bureau of Rites he was able to distinguish orthodox from heterodox teaching. According to this precedent, the current government can determine what is true religion and what is false. As did the emperors of old, it can and should support true religion through government patronage and suppress the false through coercion. There was no court of higher appeal to determine that the Emperor was wrong in matters of religious affairs, and today there is no real check on the leader of the CCP in this regard.

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<sup>21</sup> Zhuo Xinping (2009), *The Situation of Chinese Religion and its Direction of Development*, paper presented at Conference on Religion and Social Development at Fudan University, July.



## INSTITUTIONS FOR IMPLEMENTING RELIGIOUS POLICY

Implementation of religious policy is directed by the CCP's United Front Work Department. The state agency for carrying out this direction has been the Bureau of Religious Affairs, which in the early 2000s was renamed the State Administration for Religious Affairs (SARA). Both the United Front Department and the Bureau/State Administration have central offices in Beijing, but they have branches that extend down to every province, city and county. In keeping with the Xi Jinping regime's efforts to tighten Party control over all aspects of government, in 2018 the SARA was melded into the United Front Department. This makes Party control over religious affairs stronger than ever.

The Party-state then exercises surveillance and control over the various patriotic associations. (The association for the Protestant churches is called the Three-Self Protestant Association.) These Associations give approval for the leaders of each religion, the construction of places of worship, curricula for schools for training religious professionals, publication of religious literature, as well as general guidance about the boundaries of permissibility for religious doctrines and rituals. Finally, each religion has its own body of leaders, supposedly democratically elected but actually chosen in close consultation with the relevant Party-state organizations.

But this only covers the five recognized religions and their "normal" activities. For the wide variety of popular religious practices – officially labeled as "superstitions" – there are other responsible agencies. For religions considered to be "evil cults" there is the Public Security Bureau. For groups that are deemed especially dangerous, like Falungong, there is the 610 Office (named after its date of establishment on June 10, 1999), an extra-judicial organization that can carry out arrests and detentions independently from the courts and Public Security Bureau.<sup>22</sup> For Xinjiang and Tibet, there are special detachments of heavily armed paramilitary police and in Xinjiang recently there are "re-education camps" holding up to 1 million Muslims whose practices have been deemed a threat to national security.<sup>23</sup>

Aside from coercive apparatuses, however, there are also softer co-optation apparatuses. Since the early 2000s, many popular religious

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<sup>22</sup> Tong (2009).

<sup>23</sup> Associated Press, Inside the Camps where China Tries to Brainwash Muslims until They Love the Party and Hate Their Own Culture, May 17, 2018; Rian Thum, What Really Happens in China's "Re-education Camps," *New York Times*, May 15, 2018.

practices have been given the United Nations Educational, Scientific and Cultural Organization (UNESCO) designation of “intangible cultural heritage,” and famous temples have been designated “cultural heritage” sites. Such designations fit the CCP’s nationalistic appeals to the glories of Chinese civilization. Managed by tourism bureaus or folklore departments, they may be defined as secular museums or tourist sites even as ordinary citizens see them as part of sacred practice.<sup>24</sup> The continuance of such sacred practice is often dependent on local officials keeping “one eye open and one eye shut.”

Finally religions’ global connections – such as the Chinese Catholic Church’s relations with the Vatican – are handled not only by the United Front Department and relevant patriotic associations, but also by the Ministry of Foreign Affairs. The conflicting bureaucratic agendas of multiple agencies can make the implementation of religious policy very uneven and it can sometimes give space for religious actors to pursue agendas that might not fit within the 1982 framework.<sup>25</sup>

Different Chinese leadership regimes have put more or less effort into trying to unify the different parts of the 1982 framework in light of changing social circumstances. The regime of Hu Jintao, from 2002 to 2012, gave a relatively large amount of space to various forms of religious practice. The regime of Xi Jinping, from 2012 to the present, has been tightening systematic control over all aspects of Chinese life, including religion. I turn now to the latest regulations on religious affairs, promulgated on February 1, 2018, to show how they build upon but tighten the 1982 framework to achieve increased national unity under a dominant Communist Party.

## XI JINPING AND THE SINICIZATION OF CHINESE RELIGIONS

Since taking power as General Secretary of the Chinese Communist Party in 2012, Xi Jinping sought systematically to increase centralized Party control over all aspects of Chinese life, including religion. An important slogan for this effort has been “Sinicization” (the official Chinese English translation of *zhongguohua*). The imperative of “Sinicization” was announced by Xi in May of 2015, although the build-up to it had begun earlier. The idea is that all parts of Chinese culture should match the needs of China’s development and its traditional culture, and proactively

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<sup>24</sup> Palmer and Goossaert (2011: 342–344).

<sup>25</sup> See Ashiwa and Wank (2009: 6–13).

fit into the Chinese characteristics of a socialist society. Not just religion, but all carriers of culture should be Sinicized including academia and the professions.

Longstanding forms of popular Chinese culture should be Sinicized if they do not conform to what the Party defines as orthodox traditional culture. Economic and political theories coming from the West should be Sinicized if they do not conform to the Party's particular version of socialism.

The imperative of Sinicization was formally inserted into the regulation of religion in the Communist Party National Conference on Religious Work in April 2016, at which Xi Jinping gave the keynote speech. Such work conferences bringing together Party and government officials, scholars of religion and government-approved religious leaders, are usually the prelude to revised regulations on religious affairs. The key themes in Xi's speech were: first, the need to carry on a "Sinicization" of all religions; and second, the need to carry out management of religions according to the rule of law, and to make the management more effective.<sup>26</sup> Later, in his three-and-a-half-hour speech at the 19th Party Congress in October 2017, Xi Jinping stressed the need to "uphold the principle that religions in China must be Chinese in orientation, and provide active guidance to religions so that they can adapt themselves to socialist society."<sup>27</sup> Soon afterwards, the State Administration for Religious Affairs published a summary of Xi's remarks on religion. This amounts to a call to homogenize Chinese culture to make all parts conform to a Party-led nationalism, and to use the full force of the state to control any dissenting voices. As some ordinary Chinese are saying, *zhongguohua* (Sinicization) really means *tinghua* (obedience).

The imperative of Sinicization is to be backed up by management according to the rule of law, another important theme of Xi's, with "law" referring not to a system of inalienable rights but to well-organized regulatory measures that can ensure political stability. The new regulations on religion, put into effect on February 1, 2018, are an example of this. Most of the general provisions reproduce the language of the 1982 framework, but they add a new note of government activism toward religion. Besides protecting normal religious activities, the State "actively guides religion to fit in with socialist society."<sup>28</sup>

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<sup>26</sup> Li Yuan, At the Congress, Xi Reaffirms: Sinicization of Religions under the Communist Party, AsiaNews.it, October 19, 2017.

<sup>27</sup> Xinhua News Agency, Xi Jinping Speech to 19th National Party Congress, November 3, 2017.

<sup>28</sup> Religious Affairs Regulations, 2017, Article 4 Translation by China Law Translate.

Moreover, according to Xinhua, the official Chinese news agency, the new regulations are supposed to bring about “two safeguards, two clarifications, and two norms.” The “two safeguards” are of religious freedom and national security. The section about safeguards to religious freedom basically repeat those in the 1982 framework. What is new is the language about national security: “suppressing extremism, resisting infiltration, and fighting crime ... Religion must not be used by any individual or organization to engage in activities that endanger national security.”<sup>29</sup> But national security is defined in a very broad way. There is a concern, first of all, to “preserve the unity of the country, ethnic unity,”<sup>30</sup> reflecting worries about religious support for “separatism” among Buddhist Tibetans and Muslim Uyghurs. Under the heading of “legal responsibility” the regulations cite: “Advocating, supporting, or funding religious extremism, or using religion to harm national security or public safety, undermine ethnic unity, or conduct separatism or terrorist activities.”<sup>31</sup> But there is also concern stemming from the role of religion in “colour revolutions” in Eastern Europe and the Middle East, and “infiltration” of ideas about Western-style democracy through religion, especially some forms of Christianity. These are addressed especially by the provisions for registering religious venues and funding religious activities.

The “two clarifications” are of legal liability for religious venues and property rights, and methods for curbing tendencies of religious commercialization. The government approves only a limited number of venues for worship. Millions of “house church” Christians and “underground” Catholics worship in homes, rented spaces or in buildings built without government approval, often made possible by lax enforcement by government officials. The regulations impose heavy fines on this. Organizers of “unapproved religious activities” can be fined up to 300 000 RMB and providers of venues for such activities, 20 000 to 200 000 RMB. The new rules aim to crack down on this and they specify that officials at all levels are compelled to implement them.<sup>32</sup>

The “two norms” are about fiscal management and regulation of religious information services. There are detailed proscriptions against receiving any funding from abroad, and rules for regulation of the Internet. The development of the Internet as a medium for communicating religious information requires explicit new regulations:

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<sup>29</sup> Ibid.

<sup>30</sup> Ibid.

<sup>31</sup> Article 63.

<sup>32</sup> Article 64.

Where any publications or internet religious information services involving religious content contain content prohibited ... the relevant departments are to impose administrative punishments upon the relevant responsible units and persons in accordance with law; and where a crime is constituted, criminal responsibility is pursued in accordance with law. Where internet religious information services are engaged in without authorization or where services are provided exceeding the scope of an approved and recorded project, the relevant departments handle it in accordance with relevant laws and regulations.<sup>33</sup>

## IMPLEMENTATIONS

Effects of the new regulations were felt almost immediately, although some places acted more quickly than others. In March 2018, the head of the Islamic Association of China declared that “Chinese Islam must adhere to official Sinicization policy by conforming to cultural norms.” Concurrently, domes and religious motifs were being removed from mosques, Arabic script was removed not only from mosques but also from restaurants serving halal food. Minors under the age of 18 were banned from entering mosques to study. There was a ban on using loudspeakers for the call to prayer.

Clerics had to register residential addresses as well as other personal information. A few months before, a Hui Chinese was sentenced to two years in prison for organizing a discussion group on Muslim worship on the popular messaging app WeChat. All forms of unauthorized travel abroad for religious education or pilgrimage (such as the Haj) were forbidden. And hundreds of thousands of Uyghur Muslims in Xinjiang were being sent to “re-education camps.”<sup>34</sup>

Christians were worried that the new regulations would smother all forms of “house churches” or “underground churches.” Unregistered church buildings were increasingly being demolished. Even on officially approved buildings, crosses and other prominent religious symbols were being removed. Minors under 18 were barred from attending church services, and young people were supposed to receive no religious education in Protestant or Catholic churches (where the restriction on minors was especially problematic because of Catholicism’s practice of infant baptism). Government officials sometimes guarded the doors of churches to bar entry of minors and sometimes entered the churches to

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<sup>33</sup> Article 68.

<sup>34</sup> Chinese Officials Remove Islamic Domes and Motifs, UCAN News, March 27, 2018.

remove any minors inside. Not only all clergy but also all members of religious congregations were supposed to be officially registered.<sup>35</sup>

By the spring of 2018, under the auspices of their official patriotic associations, Catholic and Protestant leaders were drawing up five-year plans for Sinicization. This involved adopting church architecture, painting and sacred music more in keeping with Chinese culture and traditions, at least as defined by the Chinese government. Even theology was supposed to be Sinicized. There are:

plans to dig deeper into the contents of the Bible to find content compatible with the core values of socialism; to organize a working team to write a secular and understandable version of the Bible; to use socialist values as the main preaching principles for the next stage of theological development; and to organize teaching and exchange programs about socialism in theological seminaries and schools.

The Protestant catechism will be revised.<sup>36</sup>

Meanwhile, Tibetans are worried that the new regulations will stifle most expressions of Tibetan identity. At issue seems to be a shift in the ideological landscape established by the CCP. Although the basic regulatory framework established by the documents of 1982 remain in place, with the addition of some measures tightening surveillance and control over religion, the ideological vision underlying the regulations has shifted. This leads to new emphases and a newly focused rigor in implementing the regulations. The justification for the original framework was a version of Marxism, a supposedly universal theory of history that relegates religion to an exploitative past and predicts its ultimate demise, although with a proviso that cultural lag may prolong the timing of the demise, in the meantime requiring some cautious state accommodation of religion.

The new ideology is based on nationalism. The Han Chinese are heirs to a great civilization, superior to any in the world, although threatened by outside hostile forces. The leaders of China must spread this civilization to all who live within the boundaries of the People's Republic of China, including ethnic minorities such as Tibetans and Muslims. (Islam is seen as an ethnicity as well as a religion.) And someday perhaps they will spread it to "all under heaven." But the Communist Party, which is now a ruling party rather than a revolutionary party, must ensure that all

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<sup>35</sup> Parts of China's Henan Enforce Registration for All Faiths, UCAN, April 13, 2018. Catholics in China's Henan Warned not to Cross "Red Line," UCAN, April 18, 2018. Sinicization of China Church: The Plan in Full, UCAN, July 31, 2018.

<sup>36</sup> Chinese-State Protestants plan "Socialist' Christianity," UCAN, April 16, 2018.

in China have an orthodox view of Chinese civilization and their place in it. Thus the state must take an active role in making sure that all religions are Sinicized.

## RELIGIOUS REGULATION IN TAIWAN AND HONG KONG

From 1947 to 1987, Taiwan was under martial law imposed by the ruling Nationalist Party of China (the Kuomintang, KMT). Although the Constitution of the Republic of China guaranteed religious freedom, the KMT restricted the freedom through measures similar to those employed by the CCP on the Mainland. There were official, government-controlled associations for the major religions, and the KMT ensured that the leaders of these associations would be compliant with its agenda. The agenda included limiting the growth and development of Buddhism and Daoism and especially the growth of island-wide religious associations not controlled by the state. Buddhists and Daoists were not allowed to establish institutions of higher education that could deepen the intellectual sophistication of their beliefs, nor were they able to establish major media outlets. A partial exception was made for Catholics and Protestants, who were able to establish universities and schools as well as hospitals and extensive social service agencies. The exceptions were partly due to the government's need for support from the United States, where many of its strongest advocates were former Christian missionaries. Meanwhile, local folk religions flourished in villages and towns, although efforts were made to keep them from coalescing into any island-wide movements. "Redemptive societies" such as the Yiguandao, based on an eclectic mix of Buddhism and Daoism, with an extensive transnational network of followers, were outlawed.

With the end of martial law in 1987 most restrictions on religion were lifted and Taiwan now has a liberal religious rights regime. The result has been a flourishing of large humanistic Buddhist groups, which draw upon large constituencies from the urban middle classes, and with the help of newly created universities and other educational institutions, creatively adapt the faith to modern conditions. Meanwhile, local communal religions, such as the cult of Mazu, continue to thrive. But with the exception of the Taiwan Presbyterian church, which has had a long history of support for Taiwan nationalism, most Christian denominations

are in decline, partly because of a nationalistic response to their relatively privileged position during the KMT dictatorship.<sup>37</sup>

In Taiwan, all sorts of religious groups – even including what the PRC government would call “evil cults” such as the Falungong – are free to operate with minimal government regulation. Religions have to register with the government to get the benefit of tax breaks, but they are free to operate even if they do not register. There are some calls to increase regulation to guide against financial irregularity and fraud.<sup>38</sup>

In Hong Kong, under British colonialism, the Church of England had the status of an established church, and the government also gave special privileges to other Protestant denominations and to Catholics, encouraging them to provide education and social services with government provided money. Meanwhile, the government was widely tolerant of all forms of Chinese religion.

Since the return to Chinese sovereignty of Hong Kong in 1997, the Christian churches have lost their special political status, but all religions enjoy religious freedom under the Hong Kong Basic Law. There are no restrictions on religious practice. The government has accommodated Buddhists and Confucians by making official holidays of the birthdays of the Buddha and Confucius, along with Christmas. The six officially recognized major religions – Buddhism, Confucianism, Islam, Daoism, Catholicism and Protestantism – participate in the Hong Kong Colloquium for Religious Leaders and select delegates for the electoral commission that chooses the Hong Kong Chief Executive. There have been concerns that the Hong Kong government interfered with permits for the Falungong to organize events, and there are suspicions that this was due to pressure from the Mainland government, whose attempts to override protections enshrined in Hong Kong’s Basic Law seem to have been increasing.<sup>39</sup>

It remains to be seen whether Hong Kong and Taiwan will someday be forced to accept the state control over religious practices on the China Mainland, or whether the Mainland will someday adopt the religious liberties enjoyed by Taiwan and Hong Kong.

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<sup>37</sup> Madsen (2007: 132–139).

<sup>38</sup> US State Department, Bureau of Democracy, Human Rights, and Labor: International Religious Freedom Report, 2007.

<sup>39</sup> US State Department, Bureau of Democracy, Human Rights, and Labor: International Religious Freedom Report, 2016.



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## GLOSSARY

- tinghua* obedience  
*xiejiao* heterodox teaching or evil cult  
*zhongguohua* Sinicization  
*zongjiao* religion

II. Religions in China. III. Legal and Policy Framework. IV. Banned Religious or Spiritual Groups. The Chinese government officially states that all religions in China are treated equally and that the state does not exercise administrative power to promote or ban any religion.<sup>1</sup> Nevertheless, Chinese authorities appear to be exercising broad discretion over the religious practices of Chinese. <sup>1</sup> The PRC State Council Information Office, China's Policies and Practices on Protecting Freedom of Religious Belief (Religion White Paper) (Apr. 2018), <http://www.scio.gov.cn/zfbps/32832/Document/1626734/1626734.htm>, archived at <https://perma.cc/2VGM-YZ2E>. The Law Library of Congress. The religious policies of the PRC reflect a longstanding ambivalence between governing bodies and religious groups throughout Chinese history. Simply put, religion poses a counter-authority to that of the state, and as a result the state must seek means of controlling or neutralizing the potential threat of religious authority. The Chinese government also attempted to modernize Tibet, which had lagged behind the rest of China in terms of economic and social development. Part of this new approach included increased state patronage of religion, usually in the form of restoring temples; the government also hoped these efforts would attract tourists. In 2019, religious freedom conditions in China continued to deteriorate. The Chinese government has created a high-tech surveillance state, utilizing facial recognition and artificial intelligence to monitor religious minorities. On April 1, 2019, a new regulation requiring religious venues to have legal representatives and professional accountants went into effect. Uyghurs in Turpan are treated leniently and favorably by China with regards to religious policies, while Kashgar is subjected to controls by the government.<sup>[60][61]</sup> In Turpan and Hami, religion is viewed more positively by China than religion in Kashgar and Khotan in southern Xinjiang.<sup>[62]</sup> Both Uyghur and Han Communist officials in Turpan turn a blind eye to the. China's religious policies? What is the rationale for the state's policies toward individual religions? promote democracy and orderly political transition. 15. Unfortunately, there is no civil society in China that satisfies the two features. First, advocates of the civil society approach in China usually have to reinterpret the concept of the civil society. Gordon White, a leading scholar on the approach, has to. China's religious policy in Tibet is inherently tied to the ethno-religious status of Tibetan Buddhists. To quell dissent, the CCP restricts religious activity in Tibet and Tibetan communities outside of the autonomous region. The state monitors daily operations of major monasteries, with facial-recognition cameras posted outside, and it reserves the right to disapprove an individual's application to take up religious orders; restrictions also extend to lay Tibetan Buddhists, including people who work for the government and teachers. The government designated another child as the official Panchen Lama, though many Tibetans do not accept him as such. Christian State-Sanctioned and House Churches. Since the 1980s, China has seen a significant growth in Christianity, and today...