

## Contradictions in China's Religious Policy

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The election of the new leadership of the People's Republic of China, considered the "Fourth generation" of leaders, took place over a year ago. The annual session of the National People's Congress has also ended. The legislative decisions now approved were favored by and consolidated at the Third Plenum of the 16<sup>th</sup> Central Committee of the Chinese Communist Party (PCC) in October 2003. The Third Plenum had promised to set up a welfare system and social guarantees, to offer major opportunities to the citizens, to review the residency permits and the process of urbanization, to reform the financial sector and to promote the private sector, assuring a modern system of property rights.<sup>1</sup>



It seems quite logical at this point to make a first evaluation and gaze into the crystal ball to see what the future holds, while remembering that forecasts in China often contradict the facts, because so many unknowns can always intervene. This is especially true of the so-called "religious policy." While it is linked to the moral growth of Chinese society, it is also deeply influenced by the political interests of the ruling class, and therefore, subject to pragmatic choices. Many academics are convinced that any real progress in the religious policy will be possible only when the

government introduces measures granting citizens additional basic civil rights.<sup>2</sup>

Anthony Lam of the Holy Spirit Study Centre, Hong Kong, maintains that in the past ten years, the policies of the Chinese Communists in religious confrontations have always vacillated between attempts to eradicate religion and spurts to recognize it. With the well-known Document No. 19 of 1982, they tried to rationalize the so-called policy of religious freedom starting from the classification that Mao Zedong had made of religion as a "contradiction within the people." As Anthony Lam also remarks, in the last 20 years the vacillation has continued to swing between the two extremes, at times stressing the aspect of the popular reality and then relaxing the pressure, then reverting quickly to fight the "contradiction" considered harmful. Such a policy, said Lam, because of a variety of motivations, has in fact, entangled the religious reality and the state officials charged to control it, in a multitude of unnecessary clashes and abuses which are harmful to both sides.<sup>3</sup>

Father Gianni Criveller, at the same Research Centre, is also firmly convinced that while China has made many extraordinary changes in the last ten years in the economic, cultural and social domains, almost no progress whatsoever has been made in the religious policy.<sup>4</sup>

### **An Era of Transition**

China is living through an era of profound changes that signal in some way a transition from a rural and frugal society to a gigantic megalopolis with a fast developing culture of consumerism. The phenomenon of globalization, which favors speculation and multinational corporations, is also increasingly taking hold in China. An important step has been the entry of China into the World Trade Organization (WTO). Unfortunately, the wealth produced is not well distributed. There are few poor that can benefit from the goods produced in the fast expanding new society. Deplorable also is the decline in social values and of environmental concern, which are sacrificed to the domestic market and international commerce. Fortunately, there are also a greater awareness of civil rights and the consequent search for individual liberty.

Premier Wen Jiabao, giving the state of the nation address at the opening of the last People's Congress, had the courage to mention the negative effects of the policy pursued during the last 20 years, which gave absolute priority to on-going economic expansion and industrial growth. He has committed the government to limit the rate of development for the current year to seven per cent. (Last year the rate of growth was 9.1 percent.)

Furthermore, he promised to raise the standard of living for millions of farmers in the countryside, to invest in schools and in health care, and guaranteed a more democratic public administration. This is a tall-order program of development with a human face. It responds to the expectations of the great mass of citizens, especially those in the interior provinces of the country, who risk being cut out of the race towards a better future. There were certain amendments made to the Constitutional Charter (1982), along these lines and approved almost unanimously on March 14. One of these assured "the inviolability of private property legally obtained." Another holds the State generically to "respect and protect human rights." Other changes dealt with more marginal issues.

These are positive signs but others are more ambivalent such as the theory of the "Three Represents" supported by ex-President Jiang Zemin, and inserted in the preamble of the Constitution. This significant innovation aims at legitimizing the hegemony of the Communist Party, affirming that today this represents "the advanced productive forces, the advanced cultural forces, and the interest of the great majority of the Chinese people." We must not forget the statement in the same preamble of the Constitution and codified in Article 1—which has not changed—that defines the PRC as a Socialist State "under the democratic dictatorship of the people," and which establishes the pre-eminence of the Communist Party. This topic is not up for discussion. Prime Minister Wen determined to insure social stability, a condition for staying in power, made a similar statement. "In plain language," explained Huang Weiding, director of one of the major theoretical reviews of the Party, in an interview, "We wish to improve our capacity to govern, without losing political power." And this inevitably demands compromises. A number of qualified observers have noted that many decisions are going in direct opposition to the

desired political changes: “extensive repression of organized religion, more stringent control over newspapers and magazines, specific propaganda campaigns against those seeking more democracy in Hong Kong, and a recent stricter censorship of news and information on the Internet.”<sup>5</sup>

One of the more delicate challenges that Wen Jiabao’s government must confront is the realization of a truly democratic administration of power. A true reform in the democratic sense of public administration obviously implies a lessening of the power now held by Party functionaries. At present they hold this power in all areas and at all levels of social life with little or no outside control. This is where the weakness of China’s present system is evident. Furthermore, hardly any significant steps have been taken in political evolution although China has taken on so many aspects of Western society and its capitalism. Thus election to the various offices including administration is always subject to the approval of the Communist Party, that chooses and proposes the candidates. Recently, it has also been possible for a few candidates, not proposed by the Party, to participate in a local election. This happened recently with a young teacher, Xu Zhiyong, who succeeded in getting elected at the University of Post and Telecommunications in Beijing. But in an election that took place at the end of November in Hebei Province, Yao Fa, a well-known exponent of reform, had to strongly denounce the intimidations and accusations of fraud the Party leveled against him and other independent candidates. In a city in South China last May, a candidate for the administration of a school won against three others currently supported by the Party. But in September in a center in South China, an official ended up in jail for having tried to organize a direct election for a position normally controlled by Party leaders. According to Mao Yushi, in charge of an important Research Institute in Beijing, it will still take two or three generations for democracy to be realized in Chinese society, “We journey taking one step backward and two steps forward,” he says.

According to James A. Dorn,<sup>6</sup> there is little space for independent thought or for freedom of expression because the CCP sees open criticism and discussion as a threat to the supremacy and the monopoly the Party holds in the country. Dorn maintains that still today the powerful Department of Propaganda, led by a

member of the Politburo, does not hesitate to hide the truth at times, distort facts and use Orwellian newspeak, for which Deng Xiaoping's axiom, "Seek the truth from facts" has little value. How can the truth emerge from facts if these are manipulated or hidden by the powerful Party? "What China needs is liberty and transparency, a government whose powers are strictly limited, and that has as its fundamental goal the protection of life, liberty and property."

### **The Difficult Road of Controlled Liberty**

To protect the present one-party system, the leaders have recourse to a strict control of the Internet, of information considered "dangerous." It is obvious that the administration must favor the use of the instrument, which is indispensable for technical development and the modernization of China. The estimate is that within a few years, Internet users have increased from 600,000 to around 80 million, making China the third world market after the USA and Japan, with immense future potential. However, the government spends enormous resources to create ever more sophisticated filters to block the diffusion of information that it considers unsuitable. And this not only deals with obviously negative elements (like pornography, incidents of violence or terrorism), but also with many issues that go from political commentaries to the denunciation of corruption cases.

Amnesty International, on January 28, 2004, recorded that 54 social activists were jailed for having published opinions online that were not appreciated by the authorities. These were persons who see in the Internet a modern Silk Road, worth traveling to open China up to the world outside, even if they risk ending up in jail.

Last year in the spring, an unspecified number of persons were arrested during the SARS crisis. Their only fault was to have sounded the alarm at the wrong moment, that is, during the annual National People's Congress. Traditionally, in fact, no announcements that might cloud the impression of perfect peace and harmony are permitted during major national events. The same thing occurred again this year when 37 people died in an accident in the district of Miyun near Beijing at the beginning of February. Media correspondents, forbidden to investigate the incident and to interview the relatives of the victims, were forced to use only the

information furnished by Xinhua, the official news agency. The justification for such measures is that, the independence of the magistracy must be protected from the increased power of the media and public interference in legal processes.<sup>7</sup>

But at times just the opposite occurs. This happened in at least three cases recently, thanks to the intervention of public opinion on the Internet. These cases dealt with errors and injustices legally settled by a defective justice system. The incident that caused the greatest outcry has come to be known in China as the "The Case of the BMW."

On October 16, 2003, in Harbin, in northeast China, Su Xiuwen, the owner and the driver of a BMW, went into reverse and killed a woman and injured 12 other people. At the trial, she was condemned to two years, but was allowed to return home, conditioned on three years of good behavior. The people were indignant, and the chat room continued to comment on the "Case of the BMW." In less than one month, more than 250 thousand written messages, most of them critical circulated on the Internet. It soon became clear that none of the many eyewitnesses of the accident had made depositions at the trial, since the woman's husband had paid them "hush money." Finally, the *People's Daily* had to intervene announcing that the court in Harbin would soon reopen Mrs. Su's trial.<sup>8</sup>

### **The Burden of Corruption**

Commenting on China's justice system, Amnesty International on March 23, 2004 denounced the ease with which China applies the death penalty "under the law." After a deputy at the National People's Congress had mentioned 10 thousand executions a year, Amnesty sought a moratorium on capital punishment. "In spite of the positive legal developments in criminal procedures, in actual practice the Chinese system in terms of criminal justice fails to insure equity, impartiality or justice. We cannot accept that again this year, thousands of people have been judged by a defective criminal justice system."

In the difficult task of assuring justice for all its citizens, the struggle against widespread corruption is basic. It is the conviction of Western jurists that the PRC must definitely enter into a legal network, one not only in the field of economics, but one that

is all-inclusive. "But in the matter of justice [within the country] ...one meets up with many ancestral fetters that are not easily or quickly done away with, for example, the political and economic dependence of magistrates on the central or local levels, and the inadequate technical juridical training of many judges."<sup>9</sup>

The secretary general of the Party and president of the Republic, Hu Jintao, seems determined to fight corruption, and especially among the members of the CPC. On January 13, 2003, the Central Commission for Discipline Inspection published a six-point plan for investigating and pursuing corruption cases, starting at the top. Wu Guanzheng, director of the government's anti-corruption squad, said, "There will be no mercy." It seems they mean it. In the last year, at least 13 provincial heads of the Party or ministers or their deputies were punished for corruption. According to Hong Kong's pro-Beijing Chinese newspaper, *Wen Wei Po* (January 29, 2004), during the first half of 2003, a total of 6,528 members of the Party disappeared, while 8,371 left the country and 1,252 committed suicide. The majority was from Guangdong, one of the richest provinces in the country, while others were from Henan and Fujian. China recently signed the United Nations Convention against Transnational Organized Crime, and hopes to have four fugitives extradited, and to recoup their bank deposits. A member of the Central Committee, and who fell into disgrace, is convinced that these efforts will be useless unless the issue of political reform is addressed, "The root of corruption in China lies in the one Party system that prevents the development of true democracy," he said.<sup>10</sup>

It is obvious that any improvement in the present religious policy is possible only within the wider framework of a new praxis regarding fundamental civil rights now universally recognized in the free world.

Last autumn, on the occasion of an official visit of a delegation of the European Union to China, Romano Prodi made this comment in responding to a journalist, "The long term strategy is clear. China is a country that has confronted change, but without wanting to make any big theoretical turn about or to confront basic doctrinal issues.... This lack of doctrine has become a policy line."<sup>11</sup> When the delegates asked the Chinese leaders some precise questions regarding the lack of respect for religious rights and

opinions in China, the answer was that China is a complex country. According to Prodi the path undertaken is one of small steps. Up to now, the European Union has organized 15 seminars on a variety of subjects for Chinese functionaries, designed to help them develop a new mentality. These also included people in the legal professions. Meanwhile, Beijing is preparing to join the International Convention on Civil and Political Rights.<sup>12</sup>

### **Religious Activities within the Purview of the Police**

Contradictions in the administration of religious activities are evident in the frequent repressive measures undertaken against these activities that really present no danger whatsoever to a peaceful society. Anthony Lam, in his research, records that the religious community has to deal mostly with the Religious Affairs Bureau (that recently changed its name to the State Administration of Religious Affairs), the Public Security and the National Security. These three entities are directly dependent on the State Council, that is, on the government.

A law on national security was published on February 20, 1993, and on June 4, 1994, the Regulations for its implementation were, as an editorial in a Chinese newspaper remarked, stricter than the law itself. Furthermore, in paragraph 8 of Article 21, the regulation pinpoints religion—no other social group (sports, culture, finance, academic...) is cited as a possible context for criminal activity that puts the National Security at risk. Moreover, there is neither official description of the jurisdiction, nor of the mode of operation of the National Security Office established in 1983. Furthermore, since the very beginning, the Public Security Bureau, reorganized at the 1994 National People's Congress, has had a specialized branch to control religious affairs.

According to Anthony Lam, in spite of the intensified economic reforms, the 16 Points that specify the tasks of this Office, give the impression of "a city under siege." The government is always on the alert for possible enemies lying in ambush. The third task on the list seeks to anticipate the move of the enemy that could threaten the social order, and to take appropriate countermeasures.

The last of the 16 points commissions the Public Security Bureau to undertake duties assigned by the Party's Central Committee and the State Council. In this way, it makes the often-



proclaimed separation of government functions from those of the Party meaningless by making the Public Security Office an all-powerful structure that for all practical purposes escapes all control.

In the present system it is inevitable that the Religious Affairs Bureau would lean on the corresponding section of the Public Security Bureau and work in strict rapport with it. A semi-official manual giving the various organs and agencies of the Central Chinese Government describes the principle tasks of the Religious Affairs Bureau in 10 points. Strangely enough, it omits numbers 8 and 9.

According to Lam, these are perhaps tactical omissions that refer to implementing "counter infiltration" measures within religious circles and promoting atheism, subjects often included in other documents.

It is legitimate to ask: what sense does it make for the Chinese People's Political Consultative Conference (CPPCC) (March 12, 2003) to decide to insert an amendment to Article 14 of the Charter, affirming "freedom of belief?" That same Conference was invited to "support the government in treating matters of religion according to law, and to insist on the principles of independence, self-governance, and to adapt religion and society in a constructive way to one another." On the basis of the present praxis, the recommendation regarding the adaptation of religion to socialist society always works to the detriment of the integral beliefs of the religious groups.

A recent volume published in Beijing by Wang Zuo-an,<sup>13</sup> an authoritative functionary of the State Administration for Religious Affairs, provides an extensive treatment of his government's religious policy.

Wang clearly affirms that in regard to the Catholic Church, in the present day climate of Chinese society, the government's traditional policy, of an "independent, autonomous and self-administered" church risks to falter. Wang denounces vague "inimical forces that use religion to intensify their infiltration among us." (p. 148) This is the reason, he feels that the government has reacted with a series of theoretical ordinances like the "democratic administration of the Church." Wang Zuo-an explains what is meant by this expression, stating that a government structure such as the Conference of Bishops must, on all the most

important matters regarding the Church, agree with the decisions of the Patriotic Association, and that both must recognize the National People's Representatives Congress of the Catholic Church in China as the supreme authority (pp. 287-288). We can assume that, in this way, the nature of the Church is likely to be distorted. Mr. Wang maintains that it is the task of his office "to discern the theological basis, in order to attribute a theological legitimacy to the democratic administration of the Church." (pp. 155-156) These statements can hardly be reassuring for believers.

Another perplexing aspect is the fact that these so-called functionaries assigned to religion are good Marxists, who must also feel responsible for spreading atheism. Chen Junsheng, a member of the Central Committee of the CCP, recently reminded the government offices of their duty to cooperate in the diffusion of dialectical and historical materialism, including atheism among the masses and especially among the youth. This indicates that the religious work assigned through the public structure also carries the duty to "propagate atheism." Moreover, Jiang Zemin, at a conference in November 1993 had already stressed the importance of strengthening atheistic propaganda with the staff assigned to the RAB.<sup>14</sup> This point is periodically underscored. Last November, the *People's Daily* prominently featured a study done by a Marxist scholar that repeated the classical, official position that religion is an "illusory reflex" of society, adding that the Party is adamantly opposed to all deist beliefs and is anchored in atheism.<sup>15</sup>

On October 17, 2003, the State Administration for Radio, Films and TV issued a ten-point directive requesting producers to denounce "deviant beliefs," and to promote programs that advance atheism, stress scientific values, and which are specifically aimed at young people.<sup>16</sup> Atheism is, therefore, above all, aimed at young people. It is well to remember that in China, for over half a century, an old order forbade teaching any religion to minors under the age of 18. This is, of course, to "protect them" from what the regime considers "religious superstitions!" But this contradiction is even more jarring when the police or local authorities apply this norm also to children of Catholic families, since Catholicism is one of the five officially approved religions.

Using this outdated regulation, the teaching of catechism to Catholic children is often forbidden, and left to the discretion of the

local authorities. Summer courses organized by various parishes, therefore, remain at risk, and subject to restrictions or hush money.

### **The Present Policy's Oppressive Restrictions**

Fortunately, atheistic propaganda today does not constitute a big problem for Christians, who are "inoculated" against it. Much more dangerous, as Bishop Jin Luxian of Shanghai, remarked some years ago, is the materialism and consumerism that now pervades Chinese society. But the contradictions are obvious. And it is understandable that many Christian believers consider such practices unacceptable, and risk practicing their faith by disregarding the Patriotic Associations of which they earnestly disapprove. The government will not tolerate this, because it sees in this a threat to peaceful coexistence. There is reason to believe that the RAB and the Patriotic Associations, are involved in maintaining and sharpening the division within the Church, and in the consequent growth of the "underground community," preoccupied as they are with showing their efficiency in controlling and curbing all "illicit" activity, thereby safeguarding social stability.

There are still today many worrisome negative signs in the policy pursued by the government, especially in its confrontations with the Catholic Church, as recorded in Hong Kong's Catholic weekly recently.<sup>17</sup> In these last two years, we have seen stricter government control over the seminaries, that have been closed for long periods and subjected to minute inspection, changes made in the teaching staff and the integration of politics into the programs. The unregistered ecclesial communities suffer ongoing persecution. Those who participate in their religious celebrations are accused of attending "unauthorized meetings" or worse of "criminal activity," and the penalties are heavy. The publication and distribution of religious materials are strictly controlled and limited. Furthermore, last year there were three new documents dealing with ecclesial discipline and the Patriotic Associations. In practice these documents aimed to separate the Chinese Church from the universal Catholic communion.<sup>18</sup> There have also been recurrent cases of gross interference in the ordination of new bishops, with pressure put on the candidates to accept the structure of the Official Bishops'

Conference as the competent authority for their nomination without reference to the Holy See.<sup>19</sup>

Up until now, the present leaders have accepted the line of control promoted by ex-President Jiang Zemin. This oppressive line often intermingles with economic interests, and is linked to the development of the richest areas. Last March 16, a few days after the parliament had decided to insert the "protection of human rights" into the constitution, the court in Hangzhou, the capital of Zhejiang, was having a closed-door trial of three Protestant Christians. They were accused of having "divulged information considered 'state secrets' to organizations outside of China." This is a crime liable to the gravest punishment. In reality, the three had used the Internet to diffuse documents on the persecution of the Protestants in Hangzhou. In the previous months, some 10 churches in Hangzhou had been razed to the ground. This had provoked strong tensions and resistance.<sup>20</sup> The international press had become interested in the affair. On October 20, 2003 the Associated Press had mentioned that Liu Genggang, 42, an activist in the non-official church, had been arrested in Hangzhou on October 13. According to the report, Liu was looking into the matter of the destruction of about 10 churches, which had been declared "places of illegal cults," and had gone to look for some leaders of the destroyed churches after their release. According to the *London Daily Times* (Nov. 10, 2003) the authorities in Zhejiang Province have closed more than 400 Buddhist temples and Christian churches. Specifically, according to the *Information Center for Human Rights and Democracy*, 392 temples and 10 churches in the district of Deqing, have been closed. Of these, 24 temples were destroyed, and 92 others were converted into places of recreation.

The self-interest of those bound to this way of working make the RAB structure very resistant to any possible change. This is easily confirmed. According to Protestant sources, the United Front Work Department that elaborates the Party's religious policy in the Central Committee had indicated its willingness to set up a more liberal line. In reality, to overcome the opposition of the so-called "clandestine" communities towards the Patriotic Associations (that many accuse of having betrayed Christianity), the United Front Department, offered such communities the possibility of registering directly with the Religious Affairs Bureau.

But the Patriotic Associations and the same RAB that have created a vast network of power for themselves, and fear to lose control, are decidedly opposed to any form of openness.

Without any clear decision on the government level, similar differences and tensions among the entities interested in religious policy will continue to create embarrassing situations. Many observers attribute this lack of clarity to the negative turn that occurred at the beginning of the year 2000 in a showdown with the Vatican. In the preceding summer, international political considerations had suggested to President Jiang Zemin, who was making an official visit to various European countries, that he express his willingness to dialogue with the Holy See. Unexpectedly, all efforts toward openness were sabotaged by the provocative "autonomous" ordination of five new bishops, and deliberately carried out by the Catholic Patriotic Association in the Nantang Cathedral in Beijing, January 6, 2000.

The international media periodically like to raise the problem of diplomatic relations between Rome and Beijing. Given the facts recorded above, it is clear that the importance of the diplomatic issue must be seen in the right perspective. The whole of the religious policy enforced by the Chinese government must be discussed once again. If the new Chinese leadership does not accept to review the very concept of the religious issue according to the standards commonly accepted in the free world, there is little hope that any constructive dialogue can be opened between Rome and Beijing. A miracle may be necessary, but the Catholic community scattered throughout the world prays exactly for this, hoping that the Chinese leaders of the "Fourth Generation" will rethink the matter and take a courageous stand.

## Endnotes

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<sup>1</sup> Marina Miranda, "Riforme e sviluppo sostenibile secondo il nuovo gruppo dirigente del PCC", in *Mondo Cinese*, 117, Oct. to Dec. 2003.

<sup>2</sup> Cf. My reflection "Verso il XVI congresso: è ipotizzabile un superamento della 'politica di libertà religiosa' in Cina?" in *Mondo Cinese*, 112, July-Sept. 2002.

<sup>3</sup> Anthony S.K. Lam, *Decades of Vacillation, Chinese Communist Religious Policy and its Implementation*, Hong Kong, 2003, p. 80.

<sup>4</sup> G. Criveller: "China and the Catholic Church. The Country is Changing; but Is the Regime?" *Tripod*, 129, Summer 2003, p. 26.

<sup>5</sup> Philip Pan, "Chinese Leaders Speak of Reform, but how Quickly?" in *The Washington Post*, March 14, 2004.

<sup>6</sup> *The Washington Post*, Aug.7, 2003. - J.A. Dorn, co-editor of *China's Future: Constructive Partner or Emerging Threat?* Cato Institute, 2000.

<sup>7</sup> *South China Morning Post*, Feb. 14, 2004.

<sup>8</sup> *Il Sole 24 Ore*, Jan.25 2004.

<sup>9</sup> Gabriele Crespi Reghizzi, "Cina 2003: l'osservatorio del giurista," in *Mondo Cinese*, 117, Oct.-Dec. 2003.

<sup>10</sup> *Radio Free Asia*, Jan. 15, 2004.

<sup>11</sup> *La Repubblica*, Nov. 1, 2003.

<sup>12</sup> *Mondo Cinese*, 117, Oct.-Dec. 2003, p. 66.

<sup>13</sup> Wang Zuo-an, *Zhongguo de ZongjiaoWenti he Zongjiao Zhengce* (China's Religious Problems and *Religious Policies*), Beijing, Zongjiao Wenhua Chubanshe, Nov. 2003.

<sup>14</sup> Anthony S.K. Lam, *Decades of Vacillation*, pp. 19 ff.

<sup>15</sup> Xu Mei in *Compass* Feb. 2004; Cf. *Internet Compass direct.org*.

<sup>16</sup> *Ucan*, Oct. 29, 2003.

<sup>17</sup> *Sunday Examiner*, Feb. 15, 2004.

<sup>18</sup> Regarding these issues, cf. *Asia News*, nos. 1, 5, 6, 8, and 9 of 2003.

<sup>19</sup> G. Criveller, "Nuovi vescovi in Cina, nomine tormentate," *Mondo e Missione*, March 2004, p.16.

<sup>20</sup> *Asia News*, March 17, 2004.