

## *New Regulations Regarding Religious Activities by Foreigners: A Commentary*

by John Tong

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The famous poet, Su Dongbo, wrote a line of poetry which read something like this: "Looking horizontally at the ridge you think it is the peak, near and far, high and low are all different; because you are in the middle of the mountain, you do not know the true face of Mt. Lu." This line of poetry well reflects the Hong Kong mass media's outlook and explanation of the *Regulations on the Supervision of the Religious Activities of Foreigners in China*, recently promulgated by the Chinese government.



The February 6, 1994 edition of *Ta Kung Pao*, under the headlines "Protect Cultural Exchange Among Religious Personages" and "It is Permitted to Preach in Religious Venues, but Forbidden to Set Up Organizations" made positive comments about the regulations. However, the February 7th edition of the *South China Morning Post* under the headline "Foreigners Targeted in Religious Crackdown," gave a negative criticism. Do these regulations point to more "restriction" or to more "relaxation?" And of what degree is this restriction or relaxation? To answer these questions we must explore more deeply "continuation" and "change" as two factors in the religious policy of the Chinese Communist Party.

Traditionally all the dynasties, from the Han (200 B.C. to 200 A.D.) to the Qing (1644 to 1911), carried out a policy of regulating religion. There were only varying degrees of toleration during certain periods. This national policy of supervision became law during the Qing Dynasty. Religion belonged to one of the six boards under the central Qing government, namely the Board of Rites. During the Ming and Qing dynasties religions

were divided into three main categories. The first was the orthodox and legal religions, like Confucianism, which received government protection. The second was the unorthodox, but legal, religions, like Buddhism, Taoism and Islam, which were tolerated by the government. The third category was the heretical and illegal religions, like the White Lotus or the secret societies, which the government sought to suppress. After the Communists came to power they retained these traditional categories, but they changed the content. They treated Marxism as if it belonged to the first category. Those religious organizations tolerated by the government were considered as belonging to the second category of unorthodox but legal religions, whereas those religions not tolerated by the government were considered to be in the third category, namely of heretical and illegal religions.

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At the beginning of the Peoples Republic, when determining the policy of religious belief, Mao Zedong exhorted Party members to draw a clear line between political outlook and worldview in their contact with the masses. He said, "Communist party members can politically set up a united front with idealists and even with religious believers, but they definitely must not agree with their idealism nor their religious doctrine." (*Treatise on the New Democracy*, in the *Collected Writings of Mao Zedong*, p. 700). In other words, if a communist abandoned his Marxist worldview and believed in idealism or religious doctrine, then he committed a "rightist" error. But if because of a difference of world outlook a Party member excluded religious persons from the patriotic united front, then this was a "leftist" error. This "dualistic approach" formed the basis of later religious policy.

The situation of tolerance for religious believers, according to the Party's own self-reappraisal, can be divided into three

periods. The initial period was from 1949 to 1966, when the religious policy suffered from "leftist" influences and some serious mistakes were made. But generally speaking the religious policy was put into practice. The second period was during the Cultural Revolution, from 1966 to 1976, when the Party suffered from serious "leftist" errors and recklessly trampled upon the policy of religious freedom. The third period is from 1976 to the present, during which the Party, in summing up its positive and negative historical experiences, acknowledged the error of its ways and restored the policy of religious freedom. Worthy of our attention is Document 19, issued by Party Central in 1982, entitled *The Basic Viewpoint and Policy on the Religious Question During Our Country's Socialist Period*. The new Chinese Constitution was passed by the National Peoples Congress during the same year. Document 19 affirmed the position of religion in Chinese society, noting its five characteristics: of long duration, mass nature, belonging to the national minorities, international in character and complex. Article 36 of the Constitution distinguishes between *freedom of religious belief* and *religious activities*, pointing out that only "normal" religious activities are protected by the government. However, the Constitution does not define which religious activities are "normal" and which are "abnormal." Article 36 merely concludes with the general statement: "Religious organizations and religious affairs are not subject to foreign domination." Now these regulations, in 13 points, spell out in more detail this line of the Constitution.

Mr. Leo Goodstadt, director of the Hong Kong government's Central Policy Unit, speaking of the changes in Chinese religious policy during the Deng Xiaoping era, has written:

For very practical reasons, the former total ban on religious beliefs has been relaxed. The Communist Party has pointed out that toleration of religion is justified by the continued existence within the nation of significant groups of believers; by the influence of religious philosophies on Chinese culture; and by the importance of religion in world affairs. Religion has not been granted exactly the same concessions as economic liberalism...Why is religion not treated in the same way?...Religion is very different. It involves not technology or material objects whose use can be controlled by the Chinese Communist Party, but ideology and philosophy that cannot be incorporated into a Marxist-Leninist system of ideas (*Tripod*, No. 3, p.43).

Therefore in essence the present Chinese religious policy is a "continuation" of the historical and cultural tradition and of the foundation established by Mao Zedong. It is only in practice and in management that "adjustments" will appear in the form of a certain amount of restriction or relaxation as the concrete situation warrants it. For example, after the "June 4th" incident of 1989 and after the political changes in Eastern Europe and the Soviet Union, the Chinese Communists considered it necessary to strengthen the Party and the Army's control in order to maintain the Party's political authority, and to avoid a repeat of the disastrous road taken by Eastern Europe and Russia. In line with the political atmosphere, the religious policy at that time became more restrictive. But in the Spring of 1992, Deng Xiaoping's words on his tour of the South created an atmosphere of "expanding openness and deepening reform" and led to a more rapid development of the economy. At this time, in the atmosphere of an emphasis on economic development, the religious policy experienced some relaxation. However, after over a year of a more open religious policy, the Party discovered that some people used the opportunity to go beyond the government's bottom line for religious activity, and therefore, it formulated and issued these new regulations.

On the side of "relaxation," the new regulations point out that the Chinese government respects the religious freedom of foreigners who are within China's borders, and it protects the friendly relations and cultural exchanges that take place between foreigners and Chinese religious personages. Within China's borders foreigners can participate in religious activities in Chinese temples, mosques and churches. With the invitation of religious organizations at or above the provincial, autonomous region or municipal level, foreigners can explain the Scriptures and preach in Chinese places of religious activity. When entering China, foreigners can bring for their own use printed religious material, audio and video tapes, and other religious equipment. Generally speaking, these permissions are somewhat broader than before.

On the "restrictive" side, however, the new regulations say that for foreigners to bring into China printed religious material, audio and video tapes and other equipment, which go beyond their personal use, they must follow the concerned regulations of Chinese customs. It is forbidden to bring into China printed

religious material and audio and video tapes which are harmful to China's social and public interest. In carrying out religious activities in China foreigners must obey China's laws and regulations. Foreigners are not permitted to establish religious organizations, business offices, places of religious activity, or religious academies within China's borders. They may not seek converts among Chinese citizens, nor may they appoint religious professionals or carry out any other missionary activity. Therefore, the new regulations contain both restrictive and open stipulations. Or it can be said that "in the midst of relaxation there is restriction, and in the midst of restriction there is relaxation."

In reality, before the new regulations were promulgated, many places in China had already implemented similar measures. The new regulations now give these measures the force of law. No doubt the explicit promulgation of the law in this manner is to avoid foreigners' questions and international criticism.

On the whole it can be said that, compared with the past, there has been improvement in the situation of religious freedom in China. However there are still several religious believers who are in jail or whose activities are restricted. But religious faith is not subject to any restriction and the number of religious believers continues to grow. As China makes further economic progress, I am firmly convinced that the Chinese leadership will not only permit the people to enjoy more human rights and freedom, but also play an even more important role in international affairs. The experience of South Korea and Taiwan inspires us. Once material prosperity reached a certain level in these two countries, a substantial middle class appeared. These people cherish truth, respect the rights of the individual, support freedom and openness, and believe that the government should be responsible to its citizens. China, a country steeped in Confucian traditions, will also follow this path of progress. In the not too distant future I believe that China will come abreast of the common wisdom and morality of all humanity, and blend in with the great family of democratic and free nations.

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