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The right to believe, to worship and witness
The right to change one's belief or religion
The right to join together and express one's belief

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CHINA: When will five-fold state-backed religious monopoly end?

By Magda Hornemann, Forum 18

The official monopoly over all religious activity by communities of the five state-backed religious headquarter bodies is gradually being eroded, Forum 18 News Service notes. In a system established by China's communist rulers in the 1950s, only Buddhist, Catholic (independent of the Vatican), Daoist, Islamic and Protestant Christian groups under these headquarter bodies can gain legal status. Russian Orthodox and Jewish leaders have pushed for state recognition for their communities, that have restricted approval to function. Seventh-day Adventist, Church of Jesus Christ of Latter-day Saints (commonly known as the Mormons) and Baha'i communities might be next. More difficult perhaps for the Chinese authorities would be allowing independent home-grown Protestant churches or mosques to gain legal status, or Catholic churches which owe allegiance to the Pope. Even more difficult still would be allowing religious communities to function openly without any kind of legal status, as is their right under China's international human rights commitments.

In a system established by China's communist rulers in the 1950s, five state-backed religious headquarter bodies have an official monopoly over all legal religious activity in the country. Only Buddhist, Catholic (independent of the Vatican), Daoist, Islamic and Protestant Christian groups under these headquarter bodies can gain legal status. Yet while this monopoly is gradually being eroded, Forum 18 News Service notes that other religious communities wonder if, when and how the Chinese government will open up to allow any religious community that wants it to gain legal status.

A handful of Orthodox Christian churches have state approval to remain open outside this framework, while foreign adherents are allowed to worship in separate Protestant, Jewish and other religious communities to which their Chinese co-religionists are denied access.

At the same time, millions of China's citizens worship in religious communities that have no state recognition, including members of numerous Protestant "house churches" and Catholics loyal to the Vatican.

Yet to achieve recognition

Under the current restrictive system, legal registration status allows a religious community to conduct regular meetings in permanent venues that can also be publicised without fear of state crackdowns. In general, registered Buddhist, Catholic, Daoist, Islamic and Protestant Christian groups in China within the state-approved hierarchical structures all enjoy these advantages. Conversely, unregistered religious groups (including those of these five faiths but which are outside the state-approved hierarchical bodes) are unable to enjoy either some or all of these advantages.

For instance, unregistered Protestant and Catholic groups (especially those visibly loyal to the Vatican) always face the prospect of state crackdowns. Other unregistered groups, such as the Protestant Christian community of Taiwan residents in Shanghai, are unable to establish permanent venues despite the fact that the Shanghai government has allowed the community to function.

These and other challenges confront a variety of faiths which have some measure of religious practice but have yet to achieve state recognition in China. Such faiths include Judaism, Russian Orthodoxy, Seventh-Day Adventism, the Baha'i faith and the Church of Jesus Christ of Latter-day Saints (LDS Church, commonly known as the Mormons).

Persistent problem

The issue of state recognition is a persistent problem not only for religious communities but for other non-state organisations in China. The formal manifestation of state recognition is legal registration. Like all states with corporatist lineages, China requires all non-state organisations to register with the state. All unregistered religious activity is illegal and subject to punishment. At a fundamental level, state registration is an important means by which the state controls non-state organisations.

Naturally, the state offers incentives to non-state organisations to register with the state, which include public legitimacy and access to valuable resources that are controlled by the state. The main reason that state recognition, especially legal registration, is a problem is that the Chinese state and its agents have in practice made it extremely difficult for non-state entities to achieve that

status (see F18News 12 July 2012 http://www.forum18.org/archive.php?article_id=1720).

Key obstacles include setting difficult financial requirements and the unwillingness of state organisations to sponsor non-state organisations.

It may seem counterintuitive that the state, which intends legal restriction as a tool to exercise control, has created these obstacles. However, it will not be surprising once we understand that the state has limited capacity to manage non-state organisations and that state organisations are generally unwilling to sponsor non-state organisations due to the fact that state sponsors are held accountable for the actions of the non-state organisations that they sponsor.

In addition, state officials may in practice view the lack of registration as a useful means to control non-state organisations, because the state can always crack down on non-state organisations under the guise of their lack of legal registration status. In a related manner, state agents can expect that lack of registration will make unregistered groups more likely to be cautious in their activities.

Registration contenders?

Although the Chinese government allows the use of four churches to service the approximately 15,000 Orthodox Christians, there are no full-time clerics. Many Orthodox Church buildings are maintained as cultural sites and offer no religious services. When the primate of the Russian Orthodox Church Patriarch Kirill visited China in May 2013, he conducted the first religious service at an Orthodox church in Shanghai in 50 years. Just as importantly, the absence of legal status has effectively prevented the building of new Orthodox churches or allowed churches confiscated earlier to be recovered for religious use.

Chinese adherents of Judaism, who number approximately 1,000 and are descendants of Jews who arrived in China more than 1,000 years ago, are unable to worship in synagogues. In contrast, non-Chinese Jews are able to access synagogues in Beijing and Shanghai.

It is not entirely clear why the Chinese government treats Chinese Jews and non-Chinese Jews differently. One possible explanation is that the Chinese Jews are not perceived as a distinct ethnic or cultural group while the Chinese government wants to maintain the perception, which began during the Second World War when the Chinese government offered European Jews safe haven, that China is a friend to the Jewish people.

The absence of official recognition of Adventism in China means that its up to 400,000 adherents have no legal authority over Adventist properties. For example, an Adventist church in the city of Shenyang in northeastern China, which was founded before 1949, was demolished because the state-sponsored Three-Self Patriotic Movement (TSPM), which claims to represent all Protestant Christian denominations and which has had legal jurisdiction over the church, sold it to a property developer, China Aid reported in April 2013.

Although a few Adventist churches have been allowed to resume operation, the majority of Adventists must reportedly share venues with state-approved churches or unregistered churches.

For the adherents of the Baha'i faith, the absence of official recognition means that the approximately 6,000 of their faithful in China do not have publicised venues to conduct religious services. Similarly, Chinese LDS Church members in practice worship in secret and in isolation from their non-Chinese co-religionists, apparently as an agreement between the Church of Jesus Christ of Latter-day Saints in the United States and the Chinese government.

For all these religious communities, the absence of state recognition as manifested in legal registration means that they are illegal entities. Their adherents and members therefore constantly face the risk of state crackdowns at any time.

A further range of faiths – such as Hinduism, Sikhism and Jehovah's Witnesses – certainly exist among foreign nationals working in China, as well as possibly some local people, but have little visible presence so far. Any religious practice they undertake similarly entails risk.

Size matters

Thus far, the Russian Orthodox Church has officially indicated its desire for the Chinese state to recognise the autonomous Chinese Orthodox Church (the Moscow Patriarchate granted it autonomy in 1956). Metropolitan Ilarion (Alfeyev) of Volokolamsk, head of the Moscow Patriarchate's Department for External Church Relations, told the Russian news agency RIA Novosti on 14 May 2013 – during Patriarch Kirill's visit to China - that gaining state recognition is the ultimate goal of the Church's negotiation with the Chinese government.

In addition, the then Israeli Sephardi Chief Rabbi Shlomo Amar urged China to recognise Judaism as an official religion during his visit to Shanghai in June 2006.

Foreign-based headquarter bodies of Adventism, the Baha'i faith and the LDS Church have not officially indicated a desire to obtain state recognition in China. But they continue to maintain contact with Chinese authorities, including the state-permitted religious groups, ostensibly with the goal of achieving state recognition in future.

For instance, Ted Wilson, the leader of the Seventh-day Adventist Church, remarked in July 2010 that the church would continue to work with China's Three-Self Patriotic Movement (TSPM) and the China Christian Council (CCC), which have been approved by the state to manage Protestant Christian affairs in China, despite his assertion that the Adventist Church "has distinct doctrines" vis-a-vis other Protestant Christian denominations.

Given that state recognition does confer important benefits, these religious communities clearly have good reasons to pursue it. Yet how likely are they to achieve it? More specifically, what challenges do they have to overcome in order to obtain this status? To answer these questions, let us examine briefly the circumstances under which the communist state extended recognition to Buddhism, Catholicism, Daoism, Islam and Protestant Christianity.

In her article entitled "Positioning Religion in Modernity: State and Buddhism in China," which appeared in the edited volume Making Religion, Making the State, Professor Yoshiko Ashiwa, a Buddhism specialist at Japan's Hitotsubashi University, indicated that the newly-established Chinese communist state extended recognition to Buddhism, Catholicism, Daoism, Islam and Protestant Christianity in the 1950s because they possess modern attributes, such as a system of thought geared toward the afterlife, specially trained clergy, and fixed venues for religious activities. These traits distinguish religion from superstition and popular belief.

However, Professor Fenggang Yang, an expert on China religion at Purdue University, wrote in his book Religion in China that the communist state extended recognition to the five religions because they had "massive numbers of followers".

Judaism, the Orthodox Church, the Seventh-Day Adventist Church, the Baha'i faith, and the LDS Church would all meet the requirements for modern religions as indicated by Professor Ashiwa. However, if size is really a determining factor for state recognition, then only Adventism may be able to satisfy the requirement. Indeed, a 15 May 2013 report by the People's Daily-affiliated "Global Times" indicated that the Orthodox Church's small size in China may in fact hurt its prospects at gaining state recognition.

Foreign policy considerations

However, indications are that other factors might have played a part in the communist state's decision in the 1950s and which may help to determine the future political-legal status of Judaism, Russian Orthodox Christianity, Adventism, the Baha'i faith and the LDS Church in China, let alone other faiths that may be operating within China surreptitiously due to the absence of state recognition. One such factor is the foreign policy considerations of the state.

In addition to the size of the religions in question, Professor Yang also noted in his book that their international connections were important considerations. During the Maoist era, which essentially ended with Mao Zedong's death in 1976, the Chinese state was concerned that the religions' international connections might make them useful instruments of subversion in China. It was thus important to co-opt these religions as a means to sever their international ties.

However, as China becomes a recognised international power, it is also increasingly interested in means to further its foreign policy interests. In this respect, religions and religious groups can serve as useful instruments of foreign policy. Indeed, while noting the Orthodox Church's small presence in China, the May 2013 "Global Times" article also suggested that the future of the Orthodox Church in China may depend to some extent on China's foreign policy considerations vis-a-vis Russia.

Although China's relationship with Russia had historically been uneasy, there is also no doubt that the two governments are working more closely to counter US interests in the world. Therefore, the future of the Orthodox Church in China may well be determined by the future of Chinese-Russian ties. Indeed, the "Global Times" article made this suggestion by noting that the then Metropolitan Kirill, the current leader of the Russian Orthodox Church, made his first visit to China in March 2006 as a member of Russian President Vladimir Putin's delegation. However, at least for the time being, diplomatic consideration may not be applicable to the other religious communities mentioned in this analysis.

This is not to suggest that the Chinese government is no longer concerned about the potential of religions and religious groups to become subversive elements acting on behalf of foreign interests. To a large extent, this concern remains alive, as exemplified by the continuing struggle between the Chinese government and the Vatican. Therefore, there is reason to believe that the Chinese government may extend recognition to new religions and religious groups as a means to sever those religions' and religious groups' international ties, especially if the objects of those international ties are seen as hostile to China's interests.

However, logic suggests that this will emerge as a prominent consideration only when the religions and religious groups in question have significant size and influence. This means that the Chinese state has little incentive at present to seriously consider extending recognition to them based on this factor alone.

Downsized government

Another related state consideration may reduce the likelihood that the Chinese government will extend recognition to these religions and religious groups in the near future. The Chinese government, which ushered in a new set of top leaders in autumn 2012, is undergoing a massive campaign to reduce excessive government intervention, notably in the economy, and to eliminate government waste, which has implications for the state's continuing anti-corruption initiative. In this political atmosphere, the government is uninterested in expanding its bureaucracy, which would have to happen were the state to extend recognition to new religions and religious groups.

Keeping in mind that the state's customary practice of controlling social groups, including religions, is to establish corporatist organisations, the state would probably require newly-recognised religions, such as Judaism and the Baha'i faith, to be represented by a new organisation. This addition would also be reflected in the internal organisation of the State Administration for Religious Affairs, the Chinese government agency charged with managing religious affairs, and even the United Front Department, the communist party organ with oversight responsibility in religious affairs.

Given the small sizes of the religions and religious groups mentioned here, the Chinese government thus has little reason to consider extending recognition to them in the near future.

The state may also refuse to extend recognition to these religions and religious groups because the absence of legal status provides the state with greater flexibility in dealing with them, as indicated earlier. The state can crack down on them easily, simply by noting their illicit status, as it has done many times with other civil society organisations. In turn, these religions and religious groups will be more cautious to avoid drawing the state's ire. In other words, the refusal to grant state recognition can be a useful instrument of state control.

Unwelcome competition?

One other factor may reduce the likelihood of state recognition for Adventists and to a lesser extent the LDS Church: the interest of the established "patriotic" religious groups. Although the Adventist Church has asserted its doctrinal distinctions from other Protestant Christian denominations, it has been forced to work with the Three-Self Patriotic Movement (TSPM) and the Chinese Christian Council (CCC), which claim to represent all Protestant denominations in China.

Would the TSPM/CCC agree to the establishment of an Adventist group independent of it? What would an independent Adventist group mean for other denominations that may be seeking independent status? The potentially negative impact that a recognised Adventist Church might have on the material interests and legitimacy of the TSPM/CCC in the Protestant Christian community in China must not be overlooked. The situation for the LDS Church may be even more complex, due to doctrinal and historical considerations.

Lastly, with respect to Judaism, the issue, if broached, is likely to be more complex than that of state recognition for other religious groups. According to Professor Xu Xin of Nanjing University, China's leading scholar on the history of Jews and Judaism in China in an article on the jewsofchina.org website, some effort occurred in the 1950s to secure ethnic minority status for the Jews originally based in Kaifeng, a town on the Yellow River in east-central China. This status would have come with official recognition of their religious belief.

However, the state determined that the Kaifeng Jews did not possess a distinct language and other unique cultural characteristics. Nor were they concentrated in a particular region. Given this history, it would appear that the issue of ethnicity would have to be addressed if the subject of state recognition of Judaism is broached.

Of course, the state has another potentially over-arching concern that was alluded to earlier: granting recognition to previously unrecognised religious communities may cause other religious and spiritual groups to request state recognition. Although the state is no longer interested in eliminating religion from China, logic suggests that it would have no interest in granting political-legal legitimacy to additional religious communities for the reasons mentioned in this analysis.

In sum, there are important considerations working against the likelihood of state recognition for these religions and religious groups in the near future.

State interest and state linkage

Yet although these considerations are significant challenges, they are not necessarily insurmountable. At a more fundamental level, the issue is whether and how the granting of state recognition to these religious communities may impact the core interests of the state. Existing state policies and practices have had negative effects on China's social stability, which has been constantly identified by the state as one of its core interests (see F18News 7 February 2013 http://www.forum18.org/archive.php?article_id=1800).

Although Judaism, Russian Orthodox Christianity, Adventism, the Baha'i faith, and the LDS Church are not major social forces in

China today in terms of size or influence, consistently ignoring their legitimate needs will certainly not endear them to the state. And the last thing the state needs is more dissatisfied, marginalised groups.

However, as suggested in this analysis in the last section, granting state recognition to these religions and groups is likely to require significant changes to state policies, practices and structures.

More difficult perhaps for the Chinese authorities would be allowing independent home-grown Protestant churches or mosques to gain legal status, or Catholic churches which owe allegiance to the Pope. Even more difficult still would be allowing religious communities to function openly without any kind of legal status, as is their right under China's international human rights commitments.

Leading Chinese experts, government officials, and even senior political leaders have over the years recognised the deficiencies with existing state policies and practices (see F18News 7 February 2013 http://www.forum18.org/archive.php?article_id=1800). However, the difficulty in gaining sufficient intra-party consensus on major policy and institutional reforms makes it more likely that the state will try to avoid any decisions on the issue of state recognition, no matter how harmful the long-term effects may be.

In the meantime, for the religions and religious groups in question, an important consideration is whether establishing official links with the state is truly beneficial for them. While state recognition would allow them to engage in regular religious activities in permanent settings, they would also lose their mobility and dynamism by being trapped within the state's bureaucratic machinery through their representation by state-permitted religious organisations and operations in predetermined physical settings.

Even more importantly, they may not have the ability to resist the bureaucratisation and politicisation of their operations once they achieve legal status. These and other considerations are certainly not insignificant causes for concern for any religious communities interested in securing their existence and promoting growth. (END)

For analyses of other aspects of freedom of religion and belief in China, see http://www.forum18.org/Analyses.php?region=3.

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