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Chinese Policy on Religious Regulation (The historical aspect)

The article overviews the policy on religion regulation in China in the period from 1949 to the present day. The author researched the understanding ways of the word “religion” in China, as well as the religious relations regulatory framework. The author also defined the state institutions authorized to deal with religion, provided statistical data, and briefly described problem-solving approaches of the Chinese leaders in different periods (Jiang Zemin, Hu Jintao, and Xi Jinping).

Keywords: religion, China, Confucianism, Buddhism, religious politics, religious relations.

Introduction

Before considering the question directly mentioned in the title of the article, it should be noted that there are significant uncertainties concerning the term “religion” in the Chinese language. Historically, the main world religions as Buddhism, Islam, and Christianity penetrated China in the early periods, and then they were complemented and enriched by the religious and philosophical worldviews of Chinese culture.

The Chinese term of “religion” consists of two characters: 1) zong (宗) – ancestor, genus, honor, 2) jiao (教) – teach, teaching. That means, the first character contains the traditional Chinese cult of ancestor worship and ethical teachings, while the second determines the belonging to a scientific or philosophical-ethical scholarship. In this regard, Confucianism, which is considered one of the main traditional Chinese philosophical and moral studies, remains the subject of scientific discussions so far. In classical Russian-language sinological publications, Confucianism is classified as “the oldest philosophical system” and “ethical-religious and ethical-philosophical studying” [1] and “the fourth world religion, that contributed to the creation of an influential ideological system that has long defined the face of Chinese civilization” [2].

Despite the controversy in the scientific community, the position of Chinese believers in the legal field is determined by the Constitution, article 36 of which states: “Citizens of the People's Republic of China enjoy the 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” [3].

Besides, the legislation of the People's Republic of China guarantees the protection of believers from illegal actions of state bodies. In particular, according to article 251 of the Criminal Law of the country, “Any functionary of a State organ who unlawfully deprives a citizen of his or her freedom of religious belief or infringes upon the customs and habits of an ethnic group, if the circumstances are serious, shall be sentenced to fixed-term imprisonment of not more than two years or criminal detention” [4].

Chinese law guarantees believers the right to be elected and to be elected, to receive education, and to be employed. [5] “Regulations on the Administration of the Religious Activities of Foreigners in the People's Republic of China” stated freedom of religious belief of foreigners in China and protection of their research activities in the religious sphere. The law prohibits atheistic propaganda in places of worship.

Methodology

The article chronologically examines the mechanism of state regulation of religion in China on the background of historical development and the country's cultural features. The research methodology is based on the principles of historicism and scientific objectivity.

To achieve the goals, the following general scientific methods were used: generalization, analogy, systematization, comparison, comparative-historical method, method of historical periodization, comparative-legal method.

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Discussion

Religious policy in the early years of the PRC's formation. In 1949, after the formation of the People's Republic of China, the basis of the Constitution of the new China – the Common Program of the Chinese People's Political Consultative Conference (People's PCC) was adopted. In Common Program, the Communist Party proclaimed freedom of religion as the basis of its policy towards religions. That found legislative recognition in the Policy of Religious Freedom in the People's Republic of China. In China, a special system of religious governance that combining party and state control was used. It was carried out through party directives and state regulations, which are implemented by state bodies and religious associations formed with the direct participation of the state.

In 1950, the Communist Party issued the Directive to government officials in all regions and provinces, requiring them to impose a ban on religious organizations and public formations. The authorities participated in the disbanding of religious organizations, requiring their members to register. If organizations did not register on time, they were punished after the violation was detected and severe measures were taken against those who continued to conduct religious activities.

In March 1951, the CCP Central Committee issued “Instructions for the movement for the active promotion of religious renewal”, requiring all party bodies to unite religious organizations and representatives, as well as to develop and strengthen an anti-imperialist united front with religious groups [6].

Under the Agrarian Reform Law of June 1950, the withdrawal of land into state ownership was authorized. It touched upon the interests of religious organizations. Thus, Article 3 provided for the requisition of lands belonging to “ancestral shrines, temples, monasteries, churches, schools, organizations”. Many Buddhist and Taoist monasteries lost their land. However, the Law regarding the land of mosques noted that “with the consent of the local Muslim population, they can be retained in whole or partly”. The lands and property of religious organizations in the Muslim regions of the PRC were not affected by the transformations to avoid social unrest among Muslim national minorities [7].

In the 1960s, during the “cultural revolution”, religious organizations and priests were persecuted and repressed.

In 1978, the Constitution of the People's Republic of China was adopted. Article 36 states that citizens enjoy freedom of religious belief. Since the reforms that began in the 1980s, the traditional religions of Buddhism and Taoism have been officially supported as integral elements of Chinese culture.

The theory of “mutual correspondence” between religion and society. During the modernization, the theoretical models of religious presence in a socialist society began to be formed. The idea of the possibility of “mutual correspondence” between religion and socialist society (*xiangshiin*) was conceived. In April 1987, Luo Zhufeng, deputy head of the Society for the Study of Chinese Religions, published a book entitled “Religion under Socialism in China”. The book substantiates the conditions and forms of manifestation of mutual correspondence between religion and socialist society [8]. But by the end of the 1980s, the state authorities concluded to limit the spread of religiosity among the population.

To regulate the religious sphere, in 1998 the State Administration for Religious Affairs – a special state body accountable to the State Council of the PRC had been established in China. The Administration exercised control over the observance of norms in the religious sphere in China.

Later in 2008, a “Decree on the functions, internal structure, and staffing of the State Administration for Religious Affairs” was adopted [9]. According to the Decree, the functions of the structure had been divided into regulatory and main ones. The organization's staff consisted of 98 employees. The Administration included eight departments, including units specializing in each major world religion, as well as units for policy and legislative affairs, and foreign affairs. The organization's activities included studying the theory of religion and the situation in the area in the country and the world, supporting contacts with foreign partners, legislative work, and monitoring the implementation of adopted laws.

Even though the communist ideology implies atheism, and the Chinese authorities regularly appeal to their citizens to abandon the search for solace in religion [10], nevertheless, there are a large number of believers in China.

According to official Chinese statistics, there are about 100 million Buddhists, 17 million Muslims, 12 million Protestants, and 4 million Catholics, about 300 thousand priests, more than 3,000 religious organizations, and more than 70 religious educational institutions in the People's Republic of China [11].

In China, all religions are united in state-licensed associations that are subject to mandatory registration. Buddhism, Taoism, Islam, Catholicism, Orthodoxy, and Protestantism have received official recognition.

It is worth noting that in the period under review, the first important moment was Jiang Zemin's 7 November 1993 speech to a national united front work conference, where he initiated the concept of "mutual correspondence between religion and socialist society" [12].

During this period, China is trying to reach the level of its neighbors in East Asia in economic terms. In religious terms, it is planning the organization of cultural expansion in Central Asia, where among Chinese consumer goods the popular religious and philosophical literature ("Feng Shui", etc.) and related paraphernalia (figurines, images of saints, calligraphy), as well as religious meditative music, meditative exercises (qigong) had been exported [13].

A decade later, the PRC is becoming one of the world leaders in economic terms, which, coupled with the growth of globalization, creates a need for China to increase social responsibility and liberalize approaches to certain categories, including religion. In December 2001, at the National Religious Work Conference, the former chairman of the PRC Jiang Zemin noted the need to use the mass and global nature of religious activity under socialism [14]. Since that time, there has been an increase in the CCP's loyalty to the harmonious coexistence of religions in a socialist society and the strengthening of the Chinese people's tolerance to traditional religions.

Nevertheless, speaking about religion in China, one should remember that the main condition for the preservation of religious freedom in the country is the complete loyalty of believers and clergy to the state. In particular, Jiang Zemin noted that believers should be patriots, be law-abiding citizens, and supporters of socialism. According to him, "A religious organization has no right to exist if it opposes the Party leadership or the socialist system, undermines the process of reunification of the country or national unity" [15].

A continuation of Jiang Zemin's concept of "a harmonious society and religion" is the idea of a "harmonious socialist society" initiated in September 2004 by the General Secretary of the CCP Central Committee Hu Jintao. As part of its implementation, a Decree of the Chinese authorities "On building a party" is published, which, among other things, focuses on the spread of Chinese culture in the world, including religious values. [16]

In this context, it should be noted that the foundations of Confucianism, including the postulates of respect for elders, maintaining modesty in everyday life, and striving for constant self-improvement, become the main element in the dissemination of moral and ethical values in China. Thus, since the early 1990s, an active organization of international scientific and practical events began, including with the participation of Chinese emigrants, to promote Confucian values. The logical result of this activity is the creation in different countries of Chinese cultural and educational centers in the form of "Confucius Institutes", through which the Chinese authorities are actively promoting the spread of "cultural brands" [17].

As part of strengthening work in the field of religion and, in particular, preventing the activities of destructive movements in 1995, the Chinese authorities adopted a "Notice of the Ministry of Public Security on the banning of the Shouter Sect and Other Cultic Organizations and Their". According to this directive, the activities of 14 unregistered religious organizations were recognized as "cults" and ultimately banned [18].

Unconditional loyalty to the State and the Communist Party is required from registered religious organizations. The Security Service is studying "cults" that are a threat to security; informants work in the ranks of religious sects. [19]

It should be noted that the main normative document regulating activities in the sphere of religion in China is the "Regulations on Religious Affairs", which came into force in March 2005 and is still in effect.

Analysis of Hu Jintao's activities in regulating the sphere of religion shows that the main vector was aimed at creating a broad regulatory framework. For example, the content of the 2005 Regulations took about seven years to develop, and the publication of the document made an important contribution to the formation of the religious sphere in China. At the same time, researchers note that the documents adopted under Hu Jintao were predominantly a generalization of previously adopted norms and provisions. They set the direction for regulating religious activity but did not cover numerous specific issues, which gave rise to many precedents with conflicts of legal norms and contributed to the risk of double interpretation of laws.

New directions in the sphere of religious policy. Since the beginning of Xi Jinping's rule, researchers have noted the intensification of China's domestic and foreign policy initiatives. At the same time, in domestic policy, among other things, there is a particular tightening of religious policy and strengthening of control in the area.

Innovation in the work in the field of religion in the current leadership of the People's Republic of China is considered to be the strengthening of the role of the Internet as a channel for spreading radical threats of a separatist, extremist and terrorist nature, which led to increased control over the Chinese segment of the

Internet. Thus, in 2016, new Regulations on Religious Affairs in China were published, according to which attention is focused on the issues of countering foreign influence, the need to monitor information flows on the Internet, and the fight against threats of separatism, extremism, and terrorism [20].

To counteract the spread of foreign influence through religion, there is an intensification of work to strengthen the role of traditional Chinese culture, within which the concept of the “Chinese dream” is embodied. In 2014, Xi Jinping initiated a project on “The attractiveness of culture and values for creating a National image” [21].

The principles of “three great scholarships” (Buddhism, Taoism, and Confucianism) have become a priority in China and the world as part of traditional Chinese culture. According to some researchers, the Chinese authorities focus on these scholarships as a counterbalance to the influence of Islam (extremism in XUAR) and Christianity (Catholics are accused of having ties with Taiwan) [22]. This is since Islam, Tibetan Buddhism, and Christianity are associated with the threat of foreign influence by the Chinese authorities, in contrast to the “three great scholarships”, these are considered to be the traditional culture of China.

The strengthening of state control in the religion was reflected in the decision to place government representatives in places of worship. Also, the state regulates the behavior of believers associated with the wearing of religious staff, the presence of facial hair, or the performance of religious rites.

New technologies are applied to exercise control over the religious sphere. In particular, surveillance devices (video cameras, drones) are used, individual applications on mobile devices are blocked, and users are prosecuted for illegal storage and distribution of religious materials.

Dialogue has also been established between the State, religious organizations, and scholars of theology to study religious practices for their compatibility with the ideology of the Communist Party. As a result, guidelines are published for clergy and parishioners that the role of the state is above religious authorities [23].

In recent years, the practice of religious “re-education” has been spread. It was used mainly in Western China against supporters of radical Islamic movements and aimed at their rejection of the extremist principles.

The latest version of the “Regulations on Religious Affairs” was published in September 2017 and was developed taking into account the changes in China and the world, as well as the emergence of new threats. It points out such threats of our time as the use of the religious factor by foreign countries to interfere in the internal affairs of China, the spread of ideas of radical religious extremism, the need to monitor religious content on the Internet, and the commercialization of religion. The document consists of 9 chapters (general provisions, religious associations, theological educational institutions, objects of religious activity, clergy, religious activities, a property of religious buildings, regulatory responsibility, and additions) and 77 articles. Compared with the previous versions, the current Regulation has new chapters devoted to theological educational institutions and religious activities [24].

Conclusion

In the early years of the country's formation, the Chinese authorities tried to develop the theory of “mutual correspondence” and the harmonious presence of religion in the life of China, considering it the only correct religious policy implemented in accordance with the legislation of the state. The situation in China is characterized by the ineradicable religious needs of Chinese citizens. The Government was looking for ways to preserve political and social stability and therefore considered to pay more attention to strengthening the influence of traditional religious movements, which cause the least concern from the point of view of spreading oppositional ideas.

The analysis of China's policy in regulating religious relations allows to identify of three main stages of its development related to the evolution of the political course of the Chinese leadership:

- The 90s were marked by the weakening of the Communist Party's rigid propaganda of the role of atheism and the continuation of the dialogue on the mutual correspondence of religion and socialist society;
- The 2000s are characterized by the rise of the Chinese economy and the international prestige of the PRC, which led to the initiation of a policy of promoting Chinese cultural brands and the creation of Confucius Institutes as elements of “soft power”;
- The period of the current head of China's government is distinguished by measures to strengthen control in the sphere of religious relations, related to the actualization of the fight against manifestations of acts of extremism and terrorism, including in the Internet space in China and other countries.

Thus, taking into account the historical context, current political and socio-economic processes, the constant development of the legislative and institutional framework for regulating religious relations are the main factors shaping the state policy of the People's Republic of China in the religious sphere.

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Ли Янг

Дін саласын реттеудегі Қытай саясаты (тарихи аспект)

Мақалада 1949 жылдан бастап осы кезеңге дейінгі қытай билігінің ҚХР-дағы діни қарым-қатынастарды реттеу бойынша саясаты қарастырылды. Қытайдағы «дін» ұғымының түсініктемелері мен діни қатынастарды реттеудің құқықтық базасы зерттелді. Сонымен қатар, дін мәселесіне қатысты өкілетті мемлекеттік институттар қызметі сипатталып, статистикалық мәліметтер келтірілген, түрлі кезеңдегі Қытай басшыларының (Цзян Цзэмин, Ху Цзиньтао и Си Цзиньпин) аталған мәселені шешу тәсілдері берілген.

Кілт сөздер: дін, Қытай, конфуциандық, конфуцийшілдік, буддизм, діни саясат, діни қатынастар.

Ли Янг

Политика Китая по регулированию религиозной сферы (исторический аспект)

В статье рассмотрена политика китайских властей по регулированию религиозных отношений в КНР с 1949 года по настоящее время. Раскрыты основные подходы к термину «религия» в Китае, проанализированы законодательные и институциональные основы регулирования религиозных отношений, приведены статистические данные и дана краткая характеристика особенностей политики руководителей Китая разных периодов (Цзян Цзэминя, Ху Цзиньтао и Си Цзиньпина) в решении рассматриваемой проблемы.

Ключевые слова: религия, Китай, конфуцианство, буддизм, религиозная политика, религиозные отношения.

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