

China's New Regulation on Religious Affairs: A Paradigm Shift?

Monday, March 14, from 2:00 to 3:30 PM

Rayburn House Office Building, Room 2255

Testimony

of

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Summary of main points:

1. These regulations do not seem to constitute a 'paradigm shift.' Especially when at the same time on the broader stage major cases of persecution continue.
2. Purpose is not (except perhaps as a side effect) to enhance believers' rights or security to practice their religion. It is rather to regularize, and thus enhance, state and party control. I.e., the purpose is to reduce arbitrariness in managing religious affairs (which would be positive for believers), but in pursuit of better total control.
3. Notorious problems of vagueness of terms and no definition, e.g. 'normal religious activity,' 'religious extremism,' even 'religion' itself, continue from past documents.
4. Nevertheless some interesting features, e.g. art. 38 where 'state functionaries' (but does this mean party members as well?) can be disciplined for abuse of power, or art. 33 which makes clear that believers are entitled to fair compensation for confiscated property.
5. Several mentions of aspects relating to religious groups carrying out social service activities, including use of foreign donations to do so. Seems almost a tacit admission that the state isn't doing very well in meeting these responsibilities.
6. There runs through the document a consistent thread of concern that religious groups might 'come under the sway of foreign forces.' Not entirely clear who is main target here, Muslims, Tibetans, or Catholics; or even Protestants.
7. Overall, again not a paradigm shift, just a cleanup by bureaucrats?
8. This document reminds me a lot of the behavior and assumptions of pre-Communist Chinese political regimes going back a couple of millennia: insistence on registration and licensing, deep fear of heterodoxy, paranoia about religious forces becoming politically subversive, etc. Note that some groups are in fact candidates for rebellion.

Some other related observations, some of them along lines of religious believers 'resisting' state control :

1. At some point people will start to realize that laws should protect citizens as well as being instruments of the state. A few cases starting to show this.
2. Technology and religion's resistance to or evasion of the state. Websites being constantly shut down by the state, including many religious ones, indicating a lot of them are in existence.
3. Continued pattern of, e.g., Protestant groups refusing to register with authorities, and many of them creating their own non-state sanctioned training schools and programs for leaders.
4. Will more growth of an urban, better educated, wealthier class of believers (thinking of Protestants here) result in more security for the church? Will it result in elements of a Chinese

civil society, with believers manifesting a sense of civic duty and responsibility and desire to participate in local decision-making?

5. Possible role for intellectuals here? E.g. 'culture Christians.'
6. It seems we may be in a long-term pattern of the state's declining control over society and elements of society gradually growing more assertive in claiming their 'rights'; perhaps it will be easier to do so with this new religion law. (Or that may be wishful thinking).