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The Catholic Church in Modern China: How Does State Regulation Influence the Church?

Magdaléna Masláková *  and Anežka Satorová

China Studies Seminar, Faculty of Arts, Masaryk University, 602 00 Brno, Czech Republic

* Correspondence: magdalena.maslakova@gmail.com

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Abstract: The Chinese government has regulated all religious activity in the public domain for many years. The state has generally considered religious groups as representing a potential challenge to the authority of the Chinese Communist Party (CCP), which sees one of its basic roles as making sure religion neither interferes with the state's exercise of power nor harms its citizens. A revised Regulation on Religious Affairs (Zongjiao shiwu tiaoli 宗教事务条例) took effect in 2018, updating the regulation of 2005. This paper aims to introduce and explore the content of the regulation, especially how it differs from its predecessor, how any changes are likely to affect religious groups in China, and whether the implications will be greater for some groups than for others. For example, the Catholic church in China has historical links to the worldwide Catholic church, so articles in the new regulation which seek to curb foreign influence on Chinese religious groups may have more of an effect on Chinese Catholics than on other groups. The research is based on textual analysis of the relevant legal documents and on field research conducted in the People's Republic of China (PRC). The fieldwork consisted of open interviews with several church members and official representatives of the church conducted in Zhejiang Province between March and May 2018, and in May and June 2019. The paper thus aims to analyze contemporary Chinese religious legislation in light of anthropological research in order to fully comprehend the lived experience of Catholics in China, and to address two main questions: How is the new regulation affecting the Catholic church? What are the possible outcomes of the new regulation for the Catholic church in China?

Keywords: China; Catholic church; Regulation on Religious Affairs; Chinese legislation; sinicization; patriotism

1. Introduction

In 2005, after 56 years of the People's Republic of China (PRC), the State Council published the [Regulation on Religious Affairs \(2018\)](#) (Zongjiao shiwu tiaoli 宗教事务条例), thus providing the first detailed legal document to address the religious question. Since then, the regulation has already undergone one revision, which was released on 7 September 2017, and came into force in February 2018. The regulation offers a key insight into how the lawmakers see religion and what aspects of religious life they consider important, all of which develops the discourse on this significant subject ([DuBois 2017](#)). *Regulation on Religious Affairs* consists of nine chapters¹ and 77 articles which cover areas such as the registration of religious groups, religious schools and venues, religious activities, online preaching, and fundraising for religious groups. In the hierarchy of legal documents, *Regulation*

¹ The chapters are: General Provisions, Religious Groups, Religious Schools, Venues for Religious Activities, Religious Professionals, Religious Activity, Religious Assets, Legal Responsibility, and Supplementary Provisions.

on Religious Affairs ranks as the highest comprehensive legal document concerning religious belief in the PRC.²

The changes introduced in the revised version of the *Regulation* affect all religious groups in China, but for some the implications could be more serious than for others. Especially, the question of a foreign influence might be crucial for some religious groups; for example, Christian groups have faced accused of foreign influence more often than other religious groups in China. With this in mind, the focus of this article is the Catholic church in China (Tianzhujiao, 天主教).

As the regulation came into force only recently, it is essential to take a closer look at its content, particularly any areas of change. It is certainly valid to question the extent to which one can examine the possible impact of the revised regulation given that it has been published so recently, but we believe there are at least some areas where analysis is already possible, such as the restrictions on funding, the use of online platforms, and the control of foreign influence. Several changes have also taken place within the Catholic church itself. In September 2018, Pope Francis signed a provisional agreement with the PRC and made an appeal to the underground church and the official church for unification. The agreement had a significant impact on the church: many underground bishops stepped down from their posts in favor of candidates officially appointed by the Chinese Catholic Patriotic Association (CCPA, Zhongguo tianzhujiao aiguo hui 中国天主教爱国会).³

The fieldwork was conducted in Zhejiang Province in 2018 and 2019. Data were collected during two fieldwork studies: the first from March to June 2018, and the second in May and June 2019. Both pieces of fieldwork combined interviews with participant observation. Several representatives of the open Catholic church in China were interviewed.⁴ In the interviews, priests and nuns, as representatives of religious specialists and church officials, described the current situation of the church, the relationship between the Catholic church and the PRC, and relationships with the foreign Catholic community. We focus on religious specialists as they are leaders in local communities and have a certain authority on religious matters. Lay Catholics are often less interested in state–church relations and may be more concerned with everyday issues. The clergy are more directly influenced by the regulation and any top-down changes as they are the people who organize the church and its activities; the laity can be considered more as passive agents than active agents. Zhejiang Province has a significant number of Catholic churches. Some scholars have called Wenzhou the ‘Chinese Jerusalem’ (N. Cao 2010) as the city has large number of Christians, particularly protestants; but a different small city in Zhejiang was chosen for this case study.

2. Discussions on the Regulation of Religion: An Overview

The Chinese government is currently promoting the idea of fazhi 法治—the rule of law—and not solely in the realm of religion. One of the simplest definitions of ‘rule of law’ has been provided by Randall Peerenboom (2002, p. 2):

At its most basic, rule of law refers to a system in which law is able to impose meaningful restraints on the state and individual members of the ruling elite, as captured in the rhetorically powerful if overly simplistic notions of government of laws, the supremacy of the laws, and equality of all before the law.

² The legislative framework can be divided into two main components according to who is enacting them: some legal documents are enacted by the National People’s Congress, some by the State Council. This differentiation is important as legal documents overseen by the latter cannot contradict documents overseen by the former. For more detail on which statutes fall into which category, see (Zhuo 2009).

³ Since 1957, there have been two distinct Catholic groups within the PRC: the (official) CCPA under the control of the Communist Party, and the underground church (dixia 地下) loyal to the Vatican.

⁴ During the first fieldtrip, 15 people were interviewed, 5 priests, and 10 nuns; during the second fieldtrip, 10 people were interviewed, 4 priests, and 6 nuns. Some were the very same as interviewed during the previous fieldwork.

From this concise definition, we can distinguish one of the main elements of the rule of law: no one is above the law, in any sense, whatever their standing in the political spectrum, their wealth, influence or other possible variables. The truth applies equally to the state and to the party. The Chinese government claims fazhi 法治 to be one of the pillars of contemporary Chinese society.⁵ Article 5 of the Constitution of the PRC (a translation is available on the government's website) states that the PRC is a socialist country under the rule of law. Having the term enshrined in the Constitution does not necessarily mean the whole state is under the dominion of the rule of law: many would argue that the way 法治 implemented in China means it can be interpreted as the rule *by* law (Sheehy 2006). Rule by law refers to the situation where the state holds the 'reins' and uses the law as a tool for achieving its own goals (Peerenboom 2002). One characteristic of the rule by law is the creation of general and abstract rules which help to carry out the state's agenda and make no provision for the exercise of restraint on state power (Castellucci 2007).

Whether the PRC operates a system of rule *by* law or *of* law continues to be a subject of debate among scholars and sinologists. For instance, during the debate held on Chinese Law Net in June 2001, it was suggested that the Chinese legal system is compliant with the rule of law—not perfectly, but because the legal system has committed itself to obstruct the power of the state if necessary, it is still compliant. Peerenboom pursues the 'middle ground' and suggests the PRC is moving *towards* the rule of law (Peerenboom 2002). Palmer (2009) insists that if the rule of law is to be complied with, the policy on religion requires greater transparency and clearer administrative procedures. All the legislative changes were part of a broader socioeconomic and political program of reform whereby, from 2004 onwards, regulations became more directive of religious organizations, while some of the more ambiguous statements were removed from the statute books (Tong 2010).

Although many scholars continue to insist that rule *by* law remains prevalent in the PRC and are more critical to the new regulations (G.G. Chen 2017; Homer 2010), others are more optimistic. Lambert (2001), a former British diplomat to China, highlighted that the current ideology of the CCP, based on the thinking of Marx, Lenin, and Mao Zedong, is key to the CCP's position on religion and that atheistic materialism based on socialism should therefore be seen as the basic standpoint of the CCP in any of its dealings with religious groups in China. Potter (2003), on the other hand, believes that it was China's historical experience that created the desire to exert control over religion. Various religions and religious groups have challenged the regime throughout its history, and for this reason, regulating religion in China is more an issue of legitimacy and authority than of ideology.

As there was no legal document that managed religious life in China before 2005, Kuo Cheng-tian suggests that since that year we have seen an important change: a new political process of "[...] keeping a delicate balance between political correctness and liberal religious policies serve to explain the slow but significant improvement in religious freedom in China over the past decade" (Kuo 2011, p. 1061). The author examines the dynamic between religious bodies and government representatives and suggests that the Chinese government is trying to adapt to the needs of domestic and international groups, including religious groups. Kuo sets out an optimistic but rather unrealistic vision of openness, freedom of religion and harmony in Chinese society. Potter (2003) supported the idea that China should be pushed to follow certain international standards on human rights, including the various 'freedoms', as it is now a part of a globalized world and a leading world economy.

The sinologist Wenzel-Teuber (2016) has published a detailed list of the changes in the new regulation on religion. As her article was published in 2016, it reflects the first draft of the regulation, which was published online so that specialists and members of the public could provide feedback.

⁵ Since the 18th CCP National Congress, the term 'rule of law' (fazhi 法治) has been associated with other terms said to represent the core values of socialism in China: prosperity (fuqiang 富强), democracy (minzhu 民主), civility (wenming 文明), harmony (hexie 和谐), freedom (ziyou 自由), equality (pingdeng 平等), justice (gongzheng 公正), patriotism (aiguo 爱国), dedication (jingye 敬业), integrity (chengxin 诚信) and friendship (youshan 友善). The terms are used in official state propaganda and are promoted in schools and displayed in numerous public places.

The article is brief and mostly descriptive. Batke (2017)⁶ also provides a necessary comparison between the previous and current drafts of the regulations. Her analysis is primarily based on a comparison between the frequency of selected vocabulary used in the two versions.⁷ Yang (2017), a professor of sociology and founding director of the Centre on Religion and Chinese Society at Purdue University, provided further insight into the possible outcomes of the new regulations and described three different strategies towards the Chinese government employed by Christians in China: co-operation, accommodation, and resistance. Yang expressed his concern that the new legislation would bring greater suppression of Christianity in China as many religious activities (such as home Bible studies, religious conferences and publishing religious content on the internet) now needed to be controlled and approved by the State Administration of Religious Affairs (SARA, guojia zongjiao shiwu ju 国家宗教事务局), which is now incorporated into the Department of United Front Work (N. Cao 2018, p. 2).⁸ This could be especially problematic for underground Christian groups, who were now officially outlawed by the regulation. Professor Yang also suggested that certain of the revised regulations could be considered a violation of the freedom of religion, a conclusion which is clearly contradicts the government's proclamations concerning the rule of law.

Chinese scholars to have expressed their views on the regulation include Cao Shunli 曹顺利 in his article 《宗教事务条例》解读 Zongjiao shiwu tiaoci jiedu (S. Cao 2005), which explored the processes involved in establishing the new law and suggested that the government created the new regulation to protect Chinese society and all citizens of the PRC. The main aims, according to Cao, are to safeguard national unity and to establish a transparent legal system that can be made known to all religious citizens and so uphold the rule of law. He insisted that the new law was not created hurriedly but over a long period, as befitted such a significant new law. Hu Shaojie 胡绍皆 (Hu 2006) was particularly interested in the impact of the new regulation on religious groups. Hu highlighted the need for religious bodies to educate their members about the regulation—without knowledge of the requirements of the regulation, religious people cannot protect themselves—and sees the new regulation as further promoting harmony in Chinese society. Feng Baojun 冯宝军 (Feng 2016) suggested that the regulation, and its revision, were necessary for preservation of social order and to create a harmonious society. Feng compared the PRC and its regulation on religion with various other countries and their laws and regulations and believes China is following the global trend in publishing more transparent regulations and in doing so is following the rule of law. Many official representatives of the CCPA describe the influence of the regulation on Chinese Catholics in the same way. Their writings, published with the approval of the patriotic association, create a conciliatory image of the Catholic church in China and highlight the similarities between Catholic dogma and socialism.⁹ Some of these proclamations are remarkably similar to official state propaganda as 'state-recognized religious leaders [are] expected to speak within the framework of broader Party policy' (Goossaert and Palmer 2011, p. 321).¹⁰ We should not forget, therefore, that some Chinese scholars may just be blindly promoting official propaganda without critically analyzing the real situation for religious groups.

⁶ Formerly a research analyst for the State Department's Bureau of Intelligence, Jessica Batke is an expert on political and social affairs in China. She is currently senior editor of *ChinaFile*.

⁷ For example, Batke noticed that 'national security' (guojia anquan 国家安全) is cited three times in the new regulations versus one time in the old [version], which led her to conclude that national security is an urgent issue in modern-day PRC.

⁸ The incorporation of SARA into the United Front Work is an important change as the office is now directly under the leadership of the CCP.

⁹ According to an article written by the priest Li Zhiyi on how core socialist values are mirrored in basic Catholic teaching.

¹⁰ For example, Chloé Froissart, associate professor of political science at the University of Rennes 2, explained in a recent article: 'the Chinese social sciences are more applied in the sense that they are primarily intended to help the state solve social problems' (Froissart 2018, p. 4). For this reason, researchers at Chinese institutions may be under closer scrutiny than Western scholars as it is more important that their research is useful to the government and provides the most accurate data available about a certain issue; equally, they are unlikely to issue any severe criticism of the CCP.

The studies mentioned above indicate different approaches and mixed findings. This study will therefor avoid the question as to whether the new regulation is promoting the rule of law or is being used as a means of rule by law, forcing the Party's will on religious citizens: readers must judge for themselves. We believe that the situation is more complicated and would therefore like simply to offer readers an opportunity to make their own assessment of the subject of church–state relations in light of the new regulation on religions and of our presentation of the field data alongside the analysis of legal documents. Rather than focusing on state-church relations from the perspective of social resistance or state domination, this article considers lived experience and the difference between the official legal norms and what is actually happening on the ground among congregations of the open Catholic church in China. In this it follows the stance of Cao Nanlai concerning the need to “understand the meaning of everyday life [. . .] to examine the symbolic presence of state power and state relations in the local church community” (N. Cao 2010, p. 2), with a focus on a particular Christian denomination.

The problems facing the Catholic church have been under-represented in many studies. The Catholic church is often seen as less involved in the church–state struggle as its theological orthodoxy promotes harmonious cooperation with the communist regime in China. In recent years especially, the Vatican has urged Chinese Catholics to be ‘good citizens’ and to support the ruling regime. This attitude is often overlooked as many researchers focus on the Protestant churches which oppose the regime and support democracy and civil society (Lim 2019, pp. 2–3). Very few articles have analyzed the situation of the official churches as these are often perceived as ‘unproblematic’. We believe, however, that it is also important to consider their case. The CCPA represents a significant number of Chinese Christians in China. And after the signing of the new provisional agreement between the Vatican and the PRC, the CCPA may one day represent all Catholics in China, especially as the signatory, Pope Francis, is in favor of uniting the underground and open churches. He has even appealed to unofficial underground bishops to step down from their posts in favor of candidates officially assigned by the CCPA (Ucanews 2018c).

3. Sinicizing Christianity

3.1. From Yangjiao 洋教 to Sinicized Catholicity

One aspect of religion that has exercised the CCP from 1949 to the present day is the potentially harmful influence of foreign entities with respect to state security (Slobodník 2007, p. 66). Articles 5 and 57 of the *Regulation on Religious Affairs* address this very topic: the former is part of the general provisions; the latter is a specific provision.

Article 5:

All religions shall adhere to the principle of independence and self-governance; religious groups, religious schools, and religious activity sites and religious affairs are not to be controlled by foreign forces.

Article 57:

Religious groups, religious schools, and religious activity sites must not accept donations from foreign organizations or individuals that have conditions attached, and where the amount donated exceeds 100,000 RMB; it shall be reported to the religious affairs department of the people's governments at the county level or above for review and approval.

The two Articles share a connection to the policy of self-governance in the PRC, which has been adopted in response to the potential threat to the regime posed by foreign powers. Since the early 1950s, the state has been determined to remove links between foreign (particularly Western) religious entities and religious communities in China. This has clearly been a more significant policy for Chinese

Catholics and Protestants.¹¹ Article 5 explicitly forbids any foreign control over religious life in the PRC. While Article 5 is vague about how those foreign entities could control Chinese religious affairs, Article 57 addresses one way in which that could be seen to happen, that is, through financial support. Monetary donations could be seen as a means whereby foreign organizations ‘buy’ influence in the country.¹² To prevent such a strategy, any amount over 100,000 RMB (around 14,500 USD) must be reported to the respective Religious Affairs Department where it will be reviewed and approved. The idea that a donation must be approved raises the question of the circumstances under which the Religious Affairs Department may decline the donation and what criteria are considered when reviewing the donations. In any case, the new restriction may not affect smaller Catholic churches. As explained by one Catholic priest, most funds are from individual smaller donations from local believers or from the renting out of church property. More funds may be forthcoming if the community is building a new church or repairing an existing building, but for the daily needs of the parish, small donations are sufficient (Interview, June 2018). This still nonetheless represents an important change in the regulations.

Catholic Christians are often considered to be less loyal to the CCP than are other believers as they have strong connections outside the country (McCarthy 2013, p. 54), and the Catholic church often has to face allegations of supporting foreign interests instead of the PRC.¹³ Because of a fear of infiltration, the official party historiography has consistently promoted this view through directly linking missionaries and Christian churches to imperial forces (Vala 2012, p. 46; Li et al. 2018, p. 4; Leung 2005, p. 897). Several priests raised their concerns about this issue during interviews. They feel that one of the major problems for Catholics in China is how Catholicism is still perceived as a foreign religion, *yangjiao* 洋教. One priest stated that, ‘The traditional thinking of the majority is still that the Catholic church is a foreign religion, and for this reason they dislike it,’ (Interview, May 2018). Another church representative had the same response: ‘Some people think that Catholicism is a foreign religion from abroad, so they reject it,’ (Interview, May 2019). The priests further explained that the church is actively trying to rid itself of such labels by promoting the localization (*bendihua* 本地化) and sinicization (*zhongguohua* 中国化) of the Catholic church, such as by using Chinese music during sermons but mostly by ‘following the official direction of the CCP and cooperating with the government’, (Interview, April 2018). One priest even directly linked the whole idea of sinicization 中国化 to its political aspect. When asked about the sinicization, he answered: ‘In China, it is how it is. We can do nothing about it. The church must follow the Party’s leadership’, (Interview, June 2019). Since 2015, the Chinese authorities have advocated the ‘sinicization of religions’ (*zongjiao zhongguohua* 宗教中国化),¹⁴ which according to the government should eventually lead to the creation of a harmonious society in China (Zhuo 2014, p. 19)—which

¹¹ Richard Madsen suggests that the CCP regarded Catholics as especially problematic because of their hierarchical connection to the Vatican (Madsen 2017, p. 28). From 1951, foreign missionaries began to be expelled from the PRC. Around 5000 Catholic priests and nuns were forced to leave China; many other members of the Catholic clergy were imprisoned. For more information, see (Charbonnier 2010, pp. 214–46).

¹² The PRC is not the only country which is currently dealing with the problem of religious funding. It has been reported in the press that Germany is taking steps against unchecked financial transactions between the entities sending funds and those receiving them. In Germany’s case, the money is coming from Qatar, Kuwait and other Gulf states. Germany wants to set new obligations on donors, including the need to register any funds they wish to send to German mosques. Germany’s home secretary Horst Seehofer stated that by adopting these policies, Germany intends to arrest foreign influence with regard to Germany’s mosques. See (Goebel 2018).

¹³ In interviews, several atheist university students mentioned that in their view, certain religions promote separatism and endanger national unity. One such student stated: “[While] Buddhism in China teaches you to love your country, [...] some religions, for example Christianity, maybe not. [...] Especially in Tibet. Some religions in Tibet teach people to betray our country, [...] to support America, not our country.” The student connected Tibetan Buddhism and Christianity with separatist ideas. According to another recent piece of research on student opinions concerning religion, Li Miao, Lu Yun and Yang Fenggang discovered that among the major religions Catholic Christianity and Islam are held in lowest regard (Li et al. 2018, p. 8).

¹⁴ The term refers to a process whereby religious dogma, liturgy, rules and behavior are interpreted and explained in such a way as to fit Chinese society and conform to goals which further the development of the PRC. The official translation is that Chinese religions have to be ‘Chinese in orientation’, but authors such as Benoît Vermander insist on the term ‘sinicization’ (Vermander 2019).

might even mean a society absolutely obedient to the government. During the annual religious conference in 2016, Chinese President Xi Jinping 习近平 stressed the need for different religions to be compatible with socialism and therefore to undergo sinicization. This direction has been stressed ever more urgently since the 19th Congress of the CCP in October 2017. Accordingly, Article 4 of the new *Regulation on Religious Affairs* mentions the need to support socialism and to practice the core socialist values (shehui zhuyi hexin jiazhiguan 社会主义核心价值观):

Article 4:¹⁵

The State, in accordance with the law, protects normal religious activities,¹⁶ actively guides religion to fit in with socialist society, and safeguards the lawful rights and interests of religious groups, religious schools, religious activity sites and religious citizens.

Religious groups, religious schools, religious activity sites, and religious citizens shall abide by the Constitution, laws, regulations and rules; practice the core socialist values; and preserve the unification of the country, ethnic unity, religious harmony, and social stability.

These excerpts are suggestive of an ongoing process of the merging of religion and state ideology. It promotes the ‘state-leads, religion-follows’ model (zhengzhu jiaocong 政主教從) (N. Cao 2018, p. 3). In words of Ping Xiong: ‘The government tries to administer almost every aspect of religious activities in order to maintain control over religious bodies, persons, and activities,’ (Ping 2014, p. 610). To follow socialism and its values is to promote sinicization (Vermander 2019, p. 4), a connection that is made by President Xi himself:

We must develop the socialist theory of religion with Chinese characteristics, [. . .] we must continue to walk the path of socialism with Chinese characteristic; actively practice the core values of socialism, promote Chinese culture, strive to fuse together the religious teachings and Chinese culture. (Xi 2016)

President Xi gave his speech around a year before the Regulation was published. Comparing the first and latest versions of the Regulation, it is obvious that the speech greatly influenced the wording of Article 4, which incorporated phrases such as ‘practice core socialist values’. By adding such expressions to the legal document, sinicization became enshrined in the legislation and thus made mandatory, as Cao Nanlai concludes: ‘request of churches to promote the idea of sinicization undoubtedly serves the state nationalistic agenda [. . .] state authorities have strengthened their efforts to resist the cultural impact and presumed infiltrating forces from the West’ (N. Cao 2017, p. 28).

The trend towards effecting a harmony between the Catholic faith and Chinese tradition is very clear from articles published in the journal *Catholic Church in China* (Zhongguo tianzhujiao 中国天主教). The journal is a Chinese periodical published by the CCPA, and the authors of articles and reports are mostly priests and bishops of the open Catholic church. In 2019, many articles referred to sinicization. Obviously, the content of these articles mirrors the official program of the CCPA, which in turn mirrors official state propaganda. In addition to the articles promoting the need to make Catholicism ‘more in line with the CCP agenda, another manifestation of the sinicization is the mandatory patriotic seminars in religious schools.¹⁷ Pursuant to this program, Chinese Catholics

¹⁵ Bold type in original.

¹⁶ The PRC pledges to protect ‘normal religious activities’ (zhengchang de zongjiao huodong 正常的宗教活动). The problematic aspect of this term is the lack of any clear explanation. Some suggests ‘normal’ should be seen as ‘legal’ and as far as the government officially recognizes a religious group, it is considered authorised and labelled as ‘normal’ (Zhu 2010, pp. 491–92), but the right to decide what defines ‘normal religious activities’ belongs to the state, not to the religious communities (Penny 2012, p. 20). Consequently, this terminological ambiguity is beneficial for the regime. In general, the abstract nature of the rules which are later applied by the state leadership in pursuit of their own agenda is inherently linked to the rule by law (Castellucci 2007, p. 63). If that is the case, the state has at its disposal a tool which effectively helps them to regulate all religious activity within its borders.

¹⁷ The Catholic and Protestant associations added the term ‘patriotic’ (aiguo 爱国) to their official name to further express their devotion and loyalty to the regime.

sought to reinterpret their teaching as one that serves socialism through promoting morality and a united and harmonious Chinese society. Since 2002, the authors of textbooks for this kind of education, both Catholic and Protestant, have interpreted numerous verses from the Bible in light of socialist and patriotic ideals (Kuo 2011, pp. 1042–51).¹⁸ The new regulations also place a strong emphasis on the education of religious specialists. The 2005 version mentioned facilities for religious education (zongjiao yuanxiao 宗教院校) only 4 times; the new version mentions them 55 times. The issue of state-led religious training has been important for a long time, as patriotic education should incorporate religious clergy loyal to the CCP (Goossaert and Palmer 2011, p. 331). Only professionals with official religious seminary training approved by the government can conduct religious activity (Article 36). Without the official certificate, a religious preacher can be sanctioned in accordance with the law (Yang 2005, p. 429).

The new regulation has a whole new chapter, Chapter III, whose sole focus is the management of religious schools and the verification of the qualifications of those who teach there (Article 16). Religious schools can be established only by the national religious associations or by religious groups at provincial level but under the direction of the central government. No other organizations or individuals are allowed to run institutions for religious schooling (Article 11). Since 2018, religious schools have been officially allowed to employ foreign personnel. This is a totally new regulation not mentioned in any previous document on religion. The previous version only allowed students at religious educational institutions to go abroad for religious training, or foreigners to study at religious schools in China. Of course, many foreigners had previously been invited to lecture at Chinese religious institutions and many priests met foreign missionaries during their theological studies (Interview, May 2018).¹⁹ But it is important to get the theological training from the official theological seminary administered by the CCPA, as this organization is responsible for the curriculum, and for educating future priests to follow the official state indoctrination.

3.2. Catholics as Good Patriotic Citizens

Since the signing of the provisional agreement, Pope Francis has appealed to Chinese Catholics (underground as well as open) to be ‘good citizens, loving their homeland and serving their country with diligence and honesty, to the best of their ability’ (Message of His Holiness Pope Francis to the Catholics of China and to the Universal Church 2018). The Vatican approves of the CCPA’s efforts to free itself from any historical links to imperialism. Some commentators have nonetheless suggested that this appeal for greater patriotism may be a tacit appeal to support the Chinese Communist Party (aidang 爱党) (Leung and Wang 2016).

Although the CCPA is a state institution and therefore follows Beijing’s directives, many church members support it in order to avoid being perceived as anti-Chinese or pro-foreign. The church is seeking to create an image of a patriotic Catholic community which is contributing to a harmonious Chinese society (McCarthy 2013, p. 49). In order to promote this supposed harmony between socialism and Catholicism, some believers attribute socialist values to Pope Francis, highlighting his support for underprivileged people. One interviewee even suggested that the Pope is an example of a ‘good communist’ (Interview, May 2019). Patriotism (aiguo 爱国), one of the virtues associated with socialism

¹⁸ For examples, please refer to the next page on how the Ten Commandments are compared to the core socialistic values by priest Li.

¹⁹ To enrol in a seminary, an applicant must provide a letter signed by both parents approving of his desire to become a Catholic priest. Without this approval, the seminary would not take him (Interview, April 2018). When asked about this rule, one nun later explained: ‘You need to have approval, but it does not mean that if [the applicant’s] parents are not Catholics he would not get that approval. There are some who would agree, but some would not. Some mothers, if they are non-believers, cannot accept their sons becoming priests. There was one priest whose mother even committed suicide because of his decision. So, for this reason, you need the approval,’ (Interview, May 2018). Accepting any foreign religious system can violate the norms of family life, and have a negative impact on relations with family members (N.-J. Chen 2003, p. 342). Becoming a Catholic priest, who needs to accept celibacy, might be seen as unfilial.

and sinicization, is described as a Christian value. The priest Li Zhiyi expressed his belief that the Ten Commandments are basically socialist values (Li 2019, p. 18):

In the everyday experience of a Catholic, the Ten Commandments and the core socialist values are the same. All Christians have the same values: to love the motherland, to love the people, to promote unity, to be unified with the masses, to promote a harmonious society, even to be unified with people with different worldviews and to be united to and protect people who oppose us. [our belief]

Benoît Vermander concludes: ‘Leaders of both the Catholic Patriotic Association and the (Protestant) Three-Self Church were (and are still) striving to find biblical grounds for presenting the guidance of the Party as a form of obedience to God’s commandments’ (Vermander 2019, p. 8). In the same manner, in interviews one priest often explained that following the official laws and regulations is not only a necessary part of being a good citizen but is closely connected to their faith and their understanding of Catholic dogma. Another interviewed priest explained that it is the duty of Catholics to follow the rules, because ‘as believers, we need to obey our religious laws, but in this society, we surely need to obey the laws of the society. If not, we might even hurt someone. We would need to face God’s judgement for this, [because] as Catholics we should be good towards others’ (Interview, April 2018). Another priest agreed:

In fact, if you are a good Catholic, following the national rules is easy. The laws are just forbidding you to do such things as physically hurt or assault others or steal from them. But our Christian belief demands that we not only act rightly on the outside [to hurt, assault, steal], but at the same time are good on the inside, in our heart. If you are just being a good Catholic, it is enough. (Interview, June 2019)

Likewise, Chinese protestants under the official Three Self Patriotic Association highlight the moral values of Christianity. Their position is almost identical to the official narrative of the Catholic church, as Tsai suggests (Tsai 2017, p. 327):

The unregistered Protestant house churches repeatedly express that they are good citizens. In their apologetic writings, they never forget to mention that they love the country, care about the people, espouse national and ethnic unity, and are very willing to contribute their efforts to the advancement of society. Indeed, the Christian virtues they promote are compatible with the socialist morality which CCP would like to see practiced in Chinese society.

In the same way, in interviews, Catholic priests often described patriotism—or a need to love one’s country—as loving each and every citizen according to the basic Christian commandment ‘love one another’ (Interview, May 2018).

While acknowledging official regulations, some priests would still rather follow Christian doctrine than the CCP’s demands. As one priest put it:

We are all patriotic, all people in China are patriotic [爱国的]. But the situation in the church is specific. We need to respect the particularity of the church. After first obeying the church, we can be truly patriotic and obey the state. (Interview, May 2018)

Another one explained: ‘[Socialism and Catholicism] have a different position on the question of beliefs. [. . .] But, anyway, we need to follow the Party’s directive,’ (Interview, June 2019). The need to follow the rules, but at the same time to be devoted to Christian doctrine, is not unique to the Catholic church. In the protestant Three Self Patriotic Movement, a similar narrative prevails. Vala (2017) analyzed the protestant reaction to nationalism and patriotism in the PRC, and the stories protestant priests told him mirror those shared by Catholic priests. One unregistered protestant preacher said:

A good citizen will not go beyond the bounds of the laws and regulations [. . .] [But] if you followed all these regulations, then the Christian gospel would not have spread so widely, because the regulations on public order restrict evangelism. Christians have the life of God, and so we do not have to obey. Because we live for God, so we can violate them. (quoted in [Vala 2017](#), p. 67)

This contradicts the assumption that Catholics who are ‘good citizens’ and love their country must first cooperate with the CCP and only in second place obey Christian dogma ([Leung and Wang 2016](#)).

4. Chinese Catholics and the Vatican

The revision of the Regulations redefines the exact functions and duties (zhineng 职能) of the patriotic associations:

Article 8:

- (1) to assist the government in the implementation of law, regulations, rules, and policy; to protect the legal rights of religious citizens;
- (2) to guide religious affairs; to formulate rules and regulations and to supervise their implementation;
- (3) to engage in religious cultural study; to interpret religious canons and doctrine; to construct religious ideology;
- (4) to carry out religious education and training; to educate religious personnel, and to appoint and manage them [. . .].

This is the first time a legal document has regulated the roles and functions of religious groups. The Regulations also now state that it is the task of the Chinese Patriotic Association to interpret religious doctrine and ideology. Religious groups united under the associations are compelled to follow the directives issued by the CCP and to ‘recognize the supremacy of the Chinese government on religious matters’ ([Chan 2012](#), p. 990). Previously, non-registered religious groups who opposing governmental control were only de facto illegal ([Cox 2007](#), p. 384); now, they are officially outlawed. The new regulations in effect stipulate that the Patriotic Association is now an instrument of the government, and that all religious professionals and educational institutions must follow its directives.

For the Catholic church, the regulation repeats the need for the official church to follow bishops appointed by the CCPA and the authority of Vatican (Article 36). Before the publication of the *Regulations on Religious Affairs*, the CCPA had not officially recognized the authority of the pope to appoint bishops in China. In recent decades, the association has followed an unofficial agreement on the issue: bishops were generally elected from among those priests who had received approval both from the Chinese government and from the Vatican. Only in exceptional cases was a candidate without papal approval selected ([Moody 2012](#), p. 406). In September 2018, the Vatican and the PRC signed a new provisional agreement on the appointment of bishops, which signaled efforts towards reunification of the Catholic church in China.²⁰ Under the agreement, the Vatican grants authority to the CCPA to elect Chinese bishops but the Vatican retains the right of veto.²¹ The agreement

²⁰ The Catholic church in China has been divided since 1957, when Chinese Catholics loyal to the CCP established the CCPA and started to elect its own bishops without approval from the pope; the organization declared total independence from the Vatican ([Madsen 1999](#)). At the same time, the Vatican has long refused to recognize bishops elected by any other authority. Since 1957, there have been two Catholic bodies within the PRC: the CCPA under the control of the government, and the underground church loyal to the pope. Discussions about cooperation between the Vatican and the PRC began during the papacy of John Paul II, and successive popes have increasingly given their approval to bishops elected by the CCPA ([Chu 2014](#), p. 147; [Leung and Wang 2016](#), p. 467).

²¹ Four days after the agreement was signed, Pope Francis conciliated seven bishops elected by the CCP who had not previously obtained papal approval, requested underground bishops to abdicate from their positions in favor of bishops elected by the CCPA, and has consistently advocated on behalf of the unification of the underground and open churches in China. See ([Message of His Holiness Pope Francis to the Catholics of China and to the Universal Church 2018](#)). After the signing of the agreement and the Pope’s message, several opposing voices have been raised. Many criticise the Pope for seeking an alliance with a totalitarian regime such as the PRC ([Ucanews 2018b](#)).

is a result of many years of negotiations between successive popes and Chinese leaders and even before its signing, the Vatican still carried influence with the official Catholic church. Even if it was only the CCPA who was to interpret Catholic the doctrine, many Chinese Catholics have regularly followed news about the pope, who has continued to be considered a moral example and a spiritual leader (lingxiu 领袖). Many believers have followed and shared his teaching about the Christian life on the Internet (Interview, May 2018). As explained by one priest: ‘The pope is a successor to the apostles of Jesus Christ, a follower of Saint Peter, and therefore we as Catholics should obey him fully’ (Interview, April 2018). Although the official CCPA journal *Catholic Church in China* has rarely mentioned the pope, stories and items of news from the Vatican are often published in the church newsletter published by Hangzhou diocese. The newsletter seems to focus more on the Vatican than on political issues connected with religion in China. On various official *Wechat* and *Weibo* accounts, Chinese Catholics are sharing quotations and prayers from Pope Francis or live-streaming sermons from the Vatican. Such local newsletters and articles shared online represent the ‘everyday face’ of Catholicism in China. The content targets lay believers, who tend to be less interested in the church’s political issues. It is normal for members of the open Catholic church to hold a positive image of the pope and to see themselves as connected to the one united Catholic church. Chinese Catholics publish not only passages from the Bible, prayers and local news from the diocese, but also news about the pope. This was the case before the provisional agreement was signed, and even more so since.

5. Restriction and Cooperation

Church members come together through online groups on social networking sites and microblogs, which they use to organize meetings, masses and trips; they often share pictures and prayers (Interview, May 2019). Some even use social networking for proselytizing (Lim 2019, p.11). The regulation nonetheless prohibits the publishing of religious content on the Internet without approval from the government, (Article 47, 48; see Yang 2017, p. 79) which performs thorough surveillance of the kind of religious information that is being spread. A new draft of the *Measures on Administration of Internet Religious Information Service* proposes strict control over the sharing of content via the Internet. The draft is yet to be enforced and is still open for comments, but if it is accepted, groups and individuals will need to apply for a license to share religious content, and foreigners will not be allowed to engage in it (Article 7). Such a license, which will be valid for three years only (Article 14), will enable the holder to ‘interpret religious doctrine and rules with content conducive to social harmony, the progress of the times, and healthy civilization’ (Article 16). The new measures could represent a sizeable obstacle for the church. One church visited has its own private *Wechat* group, the sole purpose of which is to share religious content; its members are active every day. Restrictions on this activity could well discourage believers and further constrain their already limited religious freedom.

Similarly, although religious organizations are officially allowed to publish and distribute printed materials with religious content, the regulation prohibits the printing of religious materials which promote disturbance or separatist ideas (Article 45): on the contrary, religion is to be an instrument of the government for promoting socialism and a harmonious society (Li 2019; Zhang 2016; Fang 2005). Notably, the regulation does not forbid the publishing of the current version of the Bible, although within the patriotic associations, there are attempts to change its content so as to render it compatible with the CCP’s agenda (Vermader 2019, p. 5).

Numerous restrictions on the circulation of the Bible have been reported (Ucanews 2018a). Under the regulation, Bibles cannot be sold on or downloaded from the Internet and foreign religious materials cannot be distributed without government approval; only ‘a reasonable amount for personal use’ is permitted (Article 46).²² The trend towards stricter control are already noticeable: some unofficial

²² Nonetheless, in June 2019 it is possible to order a Bible on *Taobao*, a Chinese online shopping platform, in both English and Chinese.

printed religious materials were available at the churches visited during the fieldwork; a year later, there are no such materials.²³

The churches had been unaffected by the program of demolitions even though they are in Zhejiang province, which has been one of the main targets;²⁴ churches in other provinces have also been facing destruction. During interviews, Catholic priests did not mention the issue, but a protestant pastor from the same area raised his concerns at an unofficial meeting: ‘In this city, we are blessed. But friends from Henan are having problems: [the government] is destroying their churches, they want to eliminate them’ (Interview, June 2019).

The new regulation allows religious groups to file an administrative lawsuit if they are dissatisfied with an administrative action issued by a Department of Religious Affairs:

Article 75:

Where anyone is dissatisfied with administrative acts taken by the religious affairs departments, they may lawfully apply for an administrative reconsideration; where dissatisfied with the decision of the administrative reconsideration, they may lawfully raise an administrative lawsuit.

Article 75 thus offers an opportunity for churches to challenge the administrative decisions of local governments:²⁵ first by applying for administrative reconsideration,²⁶ and if still dissatisfied with the outcome, by filing an administrative lawsuit. This does not mean a religious group necessarily has a real chance of an unbiased process: the decision-making body in each case could be influenced by the CCP. Also, the courts in China are answerable to the National People’s Congress—they are not independent of the state or free its legislative or executive power. The CCP can decide to intervene if they deem that a topic being discussed in court is politically sensitive, and religious questions can of course fall into that category. Such interventions can also occur when the court finds itself ruling on a law that is vague or arguable (Horsley 2007, p. 102). Interpreting a law somewhat loosely—for example, by not defending a *normal religious activity* which the state proclaims to protect—can help the state to keep control of any future interpretation, making it easier for it to use the law as means of exercising power. The situation has improved in recent years with the establishment of the *China Judgements Online* site in 2014, which now makes rulings of the Chinese courts accessible to the public (Finder 2017, p. 247). This makes it, at least theoretically, more difficult for the state to intervene in the courts. Nonetheless, it seems that few in the Catholic church in China would ever dare to think of challenging a decision of the government. On the contrary, many priests and nuns repeatedly declared their aim to create and maintain good relationships (*guanxi* 关系) with the local government. One priest expressed his greatest wish as follows:

²³ For example, during a pilgrimage to Sheshan basilica in Shanghai in 2018 many leaflets were given to the visitors. This year, no materials were prepared, and the pilgrimage was restricted to a smaller area.

²⁴ The campaign began in 2013 and was officially finished in 2016. One of the churches visited had been built just before the announcement of the ‘3+1 campaign’ (*san gai yi chai* 三改一拆)—suggesting that one in four buildings would be demolished (Yang 2017, p. 87). Open churches were not so much affected by the campaign as the official targets were buildings belonging to unauthorised churches (N. Cao 2017, p. 30).

²⁵ Occasions when an administrative decision is required (Religious Affairs Regulations. 7 July 2004, as amended on 26 August 2017) include:

Article 12: When establishing religious schools.

Article 21: When establishing religious sites.

Article 30: When building large outdoor religious statues.

²⁶ For the legislative framework on this topic, see: *Law of the People’s Republic of China on Administrative Reconsideration*. 29 April 1999. Available at: http://www.npc.gov.cn/englishnpc/Law/2007-12/11/content_1383562.htm.

It is definitely to be able to develop and spread the Gospel. But in China today, the situation is that many, especially in this region, say our belief is a superstition. In many places, there are just a very few believers or friends of the church, just about one or two families. [...] Another thing that I also wish is that relations with the government would develop, as our law declares that it should respect our beliefs. (Interview, April 2018)

Developing good relations with the government may also be a question of survival. When asked her opinion regarding patriotism, one nun mentioned that with respect to relationships with the government, ‘patriotism does not influence us. But the Party can decide to shut down a church. But in this area, our relations with the government are good, therefore we can manage our church freely, and they would not close us down’ (Interview, May 2019). Filing an administrative lawsuit was not considered a possibility for a church if the government decided to demolish or otherwise remove it. The only chance is for a church to foster ‘unofficial’ relationships with people in local government if it wishes to continue its work without interference. Some of the more prominent members of Catholic churches may benefit from ties to local officials, who might turn a blind eye to certain activities (Chambon 2019, p. 31): cooperation between religious bodies and local governments is hardly uncommon in the context of authoritarian regimes (Koesel 2014, p. 160). For clergy in the open church, it is easier to follow (most of) the CCP’s regulations and maintain good relations with the local government, and this can lead to a more benevolent approach from the government towards the parishes concerned (Goossaert and Palmer 2011, p. 321). Such collaboration is often mutually beneficial—the church is free from strict government supervision, and the government need not fear any opposition or resistance from the church. This mutuality is noticeable from observing the everyday life of smaller Catholic churches in Zhejiang province. On the one hand, there are often many children present,²⁷ even though they should not officially participate in religious activity as according to the Constitution only Chinese citizens over 18 years of age are allowed to freely exercise religious belief.²⁸ But at the same time, in sermons church leaders would rarely address sensitive topics or mention politics and instead focus solely on the daily issues and moral problems of the believers. They would rather self-censor their preaching than upset the status quo. Yang (2006) proposed a system of ‘red’, ‘black’, and ‘grey’ markets with respect to religion: in this scheme, the open Catholic church represents the red market as it has status as a legal religious organization; but in its everyday life, it is closer to the grey market, as church members are often involved in illegal activities. Such behaviors are tolerated by the government as long as they do not implicitly oppose the governmental policies.

We should not forget that the process of enforcing regulations in the field of religion in China differs from province to province: some local government leaders and cadres may allow certain unofficial activities; in other places, the control is more sustained (Lambert 2001). What is permitted or overlooked in northern Zhejiang province may be extremely problematic in other parts of China. This is not to say, however, that every open church is blindly following all the rules set out by the CCP. Many catholic priests and nuns are nonetheless concerned about the everyday needs of believers and fear drawing too much attention to the local church. They are only too aware that, ‘if you oppose the government, you will have trouble’ (Interview, April 2018).

²⁷ This has, however, become less common since the end of 2018. In the churches visited in March–May 2018, it was an exception for children to attend mass, but in May 2019, at the same churches, parents with small children were taking part in weekly meetings. Children were aged between one and ten years; older children had the content of the mass explained to them. These were not likely to have been newcomers to the church; the arrival of any new parents with children is possibly the outcome of the gradual connecting of the underground and official Catholic churches as these families might originally have been members of an underground church. This is only an assumption—we have not conducted interviews with these new church members.

²⁸ The law prohibits proselytising among children, but it is common for religious parents to introduce their faith to their children (Yang 2006, p. 97).

6. Conclusions

In many ways, the updating of the Regulation on Religious Affairs and the legislation on religion in China simply highlight the CCP's long-lasting fear of separatism, of the influence of foreign entities, and of possible challenges to the Party. The Party and officials within the leadership of the CCPA have continually sought to create a narrative that projects the creation of a legal system that protects religious beliefs. It seems more plausible, however, that the regulation is a tool that will allow the state to shape the religious life of Chinese citizens. For many years, the state has been determining the legal discourse on religion and creating strict boundaries between legal and illegal forms of religious activity. The newly enforced procedures are following this powerplay and demonstrating the uneven nature of church–state relations. The PRC still holds a dominant position of authority over religiosity within its borders and continues to tighten its control through institutionalization and sinicization. The continuation of state authority continues to weaken the position of religion in China. In certain spheres, such as international influence or the recognition of specific religious groups, the state's dominant position gives it a clear advantage over religious groups, such as regarding its ability to define what 'normal religious activities' are and use this term at its own discretion.

The leaders of the Chinese Catholic Patriotic Association are becoming little more than collaborators who help to propagate the Party's propaganda and attempt to connect core socialist values with the Christian dogma. They implement this high-level indoctrination through the mandatory patriotic training program in theological seminaries that is designed to produce priests who will finish their training as loyal subjects of the CCP; if they not overtly loyal to the Party, they must at least acknowledge its leadership.

On the other hand, local Catholic clergy represent a form of Catholic orthopraxis that is more closely associated with the 'everyday' experience of lay believers. They are often not concerned with the same issues as the leaders of the CCPA, and the activities of many local churches do not fit clearly within legal parameters. The priests of the open Catholic church are well aware of the situation and are mostly 'playing according to the rules' as it is essential for them to protect their activities and their small communities. As Michel Chambon concludes (Chambon 2017, p. 195), the situation for the Catholic church has changed little, as we can observe 'a political status quo that allows Christians to exist openly as long as they implicitly respect the leadership of the Party.' Nonetheless, many articles within the regulation can become a tool in the hands of the government, and be used by the state to crack down on religious groups in the 'grey' area of the Chinese religious market, and this can have serious consequences for many local parishes.

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