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**Religions with Chinese  
characteristics for a New Era:  
a legal and political perspective**

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## 前言

本论文旨在分析中国的宗教政治，尤其是将注意力集中于习近平主席治下宗教工作的意识形态、国家机构与法律法规的主要变化。宗教治理是指在中国共产党的领导、政府的行政管理下的国家治理体系的重要组成部分。自2012年习近平担任中国共产党的总书记起，宗教战略发生了深刻变化，中共扮演着愈发重要的角色。宗教治理体系的最终价值目标就是实现“宗教中国化”。在宗教领域，中共有越来越多的职责，完全管理宗教事务，以前并非如此。本论文的最终目标就是了解清楚变化在哪里，在宗教领域有哪些新趋势，中共所制定的政策对信教群众有什么影响。

本论文分为三章：第一是意识形态体系，第二是党政机关体系，第三是法律体系。

关于第一章，也就是说意识形态体系，内容主要包括2015年习近平主席在中央统战工作会议上提出必须坚持中国化方向。一年后，2016年，“宗教中国化”战略在全国宗教工作会议上正式出台。这项战略至关重要：宗教团体、宗教学院、宗教教职人员与信仰群众均必须深入学习战略的主要内容，深入贯彻会议精神，并尽最大努力实现宗教中国化的最终目标。但是，宗教中国化到底是什么意思？首先，本章的第一节解释宗教中国化的意义（1.1节），作者将文化上中国化与政治上中国化区分开来。简单而言，意思是将佛教、道教、伊斯

兰教、基督教与天主教这五个中国政府官方认可的宗教接近中国传统文化。“宗教中国化”不仅涉及到使宗教与“中华优秀传统文化”接近，而且还意味着宗教团体和宗教教职人员要积极引导宗教与社会主义社会相适应。基本上，文化上的中国化是指历史上的自然过程，不同文化交流时互相影响，引进中国特色，而政治上的中国化是指强制的，通过法律法规执行的过程。其次，本章的第二节有助于了解到新战略的实际执行与结果（1.2节）。通过习近平在2016年与2021年的全国宗教工作会议上的政治话语研究（1.2.2与1.2.3段落），可以更地了解信教群应该怎么实施宗教中国化方针，应该进行什么样的活动来符合新战略。主席的政治话语为设立宗教事务方面的机构与法律体系的理论基础。换句话说，本章为第二章（国家机构）和第三章（法律体系）的依据。按照主席习近平重要讲话，教群要进一步挖掘出教义教规中符合中国传统文化的理念、价值、道德等内容，要对教义教规作出符合中国传统文化的阐释，要进一步挖掘那些有利于社会和谐、人类文明、时代进步的内容，并将它放在第一位，放在讲经讲道的核心，提升到最重要的位置。“中国化”不仅仅是指一种思想方向，教群更要积极努力实践它。除了教义教规以外，宗教活动场所（包括教堂、寺院、宫观、清真寺等固定宗教活动场所）、宗教建筑样式、宗教艺术、绘画、教会礼仪等都要体现出中国审美特征。坚持中国化方向的基本概念是完全支持党的领导，遵守法律法规，支持政府落实政策。

关于第二章，也就是说国家机关体系，焦点在于2018年中共中央印发《深化党和国家机构改革方案》。随着改革方案的发布，宗教领域的管理机关进行了重组。首先，本章的第一节（2.1节）试图洞察改革前后的宗教情况。2018年前，宗教事务由宗教事务局承担，该机构是国务院的直属机构。2018年后，宗教事务的管理转移到中国共产党的中共中央统一战线工作部。现在，中央统战部统一管理宗教工作，宗教事务局的全部职责都转归统战部，这意味着不再保留单设的宗教事务局。该改革反映中共以“导”的态度对待宗教的根本原则。有趣的是，虽然该机构不再存在，但是对外保留名牌。目的在表面上是保留党和政府的分离。其次，本章的第二节（2.2节）试图洞察主席习近平治下统战部的复兴。毛泽东时期统一战线作为党的重要法宝，发挥了举足轻重的重要作用。在历史的角度来看，统一战线不仅援助抗日运动，而且有助于反对国民党统治。多年来，统一战线标志上仍旧重要，但现在相比统战部的职责更少。自从习近平掌权以来，统一战线起到愈发重要的作用，统战部从事管理国内和国外的事务。在国内层面，2018改革后，内设机构发生重组。之前，统战部的事务局有九个，现在，事务局的数量增加到十二个，其中十一局与十二局专门从事全部宗教工作。目的在于不断巩固和宗教界的爱国统一战线。这两个事务局的职能不明确，但是按照地方政府网的新闻可以假设十一局和十二局负责哪些相关任务。统战部十一局负责人去各地宗教院校调研指导，监督并巡视宗教院校，证实宗教院校的活动是否符合法律

法规。统战部十二局至少包括五个部门：(1) 中央统战部十二局道教处；(2) 中央统战部十二局基督教处；(3) 中央统战部十二局佛教处；(4) 中央统战部十二局伊斯兰教处；(5) 中央统战部十二局天主教处。

关于第三章，也就是说法律体系，首先，着眼于《宪法》三十六条（3.1 节）。其次，着眼于 2017 年所修订的《宗教事务条例》（以下称条例）（3.2 节）。这两份法律文本为宗教活动的法律依据。基本上，宪法规定公民有信仰自由，也有不信仰的自由，而条例规定宗教管理范围（3.4 节），也就是说宗教团体、宗教活动、宗教活动场所、宗教教职人员和宗教院校。其次，除了了解清楚《宪法》与《条例》条例以外，还有其他相辅相成的办法。办法旨在在某种领域上提供更多法律细节，因而是指宗教法律体系的重要组成部分。一共有多于七项办法，值得注意的是《宗教团体管理办法》、《宗教活动场所设立审批和登记办法》、《宗教院校管理办法》、《宗教教职人员管理办法》和《互联网宗教信息服务管理办法》。因为条例和大部分的办法都是 2018 年以后发布实行的，所以习近平所提出的宗教中国化方针影响到立法程序。事实上，上述法律文本包含习近平主席在政治话语中所讲的关键句子与名言。然后，本章试图回答一个问题：为什么法律体系缺乏宗教基本法？（3.2.3 段落）中华人民共和国没有专门的《宗教基本法》，只有条例和办法。按照《宪法》所规定的，信仰自由属于公民的基本权利范围。从法律制度来看，《立法法》规定低位

阶的条例不能代替上位阶的法律法规。因为宗教信仰自由属于公民的基本权利，所以应该有专门的高位阶的法律法规。在此情形下，条例和办法是不符合《立法法》的内容。从很多角度来看，宗教的法治是不完善的，本节试图认识到宗教法缺失的原因，了解此情形会带来什么问题，预测未来党政会不会完善宗教的法治，并发布《宗教基本法》。最后，作者试图在所有有关宗教的法律文本中选择最有意思的词汇（3.3节），在西方法律制度的角度来看，最奇怪、最有歧义的法律术语。为了更深地了解这些词的含义，需要对中国历史、文化、党政制度等内容有广泛的了解，否则就无法清楚这些含糊的意义。但是，还有一些词故意地不明确，这样党政和地方政府在阐释程序中可以更加有灵活性。比方说，在《宪法》三十六条规定国家保护正常的宗教活动。在这里，正常这个词不明确。谁决定什么是正常的，什么是不正常的？当然是党政决定的，但是公民不能知道宗教活动的允许范围，是由党政自由决定的。这就是一个例子，相似的法律术语遍布于许多法律文本中。

总之，这三章试图分析党政指定的三层控制制度，以便（1）使官方认可的宗教坚持走统一的道路，即宗教中国化方向，（2）统一宗教团体并建立宗教的爱国统一战线来实现政治目标，（3）提高法治化水平。

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# CHAPTER I

## IDEOLOGICAL STRUCTURE

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### 1.1 Religious Sinicisation

The term “religious sinicisation” (宗教中国化 *zongjiao zhongguohua*) was introduced in 2015, in occasion of the Central United Front Work Conference (中央统战工作会议 *zhongyang tongzhan gongzuo huiyi*). Xi Jinping’s “sinicisation” refers to the state’s attempt to pressure religious beliefs to adopt Chinese features into their doctrine and practices.<sup>1</sup> This is evident in his words:

Active efforts should be made to incorporate religions into socialist society by adhering to the path of sinicisation and by improving the rule of law in religious work.<sup>2</sup>

“Sinicisation” in this sense connotes a political slogan, the name of the core religious policy in China during the Xi Jinping administration and creates a new narrative around legitimate and illegitimate forms of religiosity.<sup>3</sup> The term is seeped with juridical and normative meanings, and has been made legally required through regulations and decrees.

Starting from the end of 2012, when Xi Jinping became General Secretary of the CCP, the overall supervision and control over religions has been intensified. The turning point came in April 2016 with the National Conference on Religious Work.<sup>4</sup> On this occasion, Xi Jinping officially declared the need for “religious sinicisation”

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<sup>1</sup> CHANG Kuei-Min, “New Wine in Old Bottles: Sinicisation and State Regulation of Religion in China.” *China Perspectives*, 113, 1-2, 2018, pp. 37-38.

<sup>2</sup> Xi Jinping 习近平, “Xi Jinping: gonggu fazhan zuiguangfan de aiguo tongyizhanxian” 习近平: 巩固发展最广泛的爱国统一战线 (Xi Jinping: On the consolidation and development of the broadest possible patriotic United Front), *Xinhua wang*, 2015, ([www.xinhuanet.com//politics/2015](http://www.xinhuanet.com//politics/2015)), last access March 16, 2023. “积极引导宗教与社会主义社会相适应, 必须坚持中国化方向, 必须提高宗教工作法治化水平 [...]。”

<sup>3</sup> Richard MADSEN, “The Sinicisation of Chinese Religions under Xi Jinping”, *China Leadership Monitor*, 61, 1, 2019, p. 2.

<sup>4</sup> Typically held every five years, was not held during the Hu Jintao administration

as a programmatic policy that would apply to all religious communities.<sup>5</sup> Some scholars have chosen the somehow curious English form “Chinazation of Chinafication” to translate this new propagandistic term, in order to distinguish it from the pre-existing concepts of “sinicisation or sinification”.<sup>6</sup> These two expressions both use the prefix “sino-” and suffix “-isation”, hence denoting a kind of “act, process or result of making or doing”<sup>7</sup> related to China. In the 20th century, this type of lexicon has been largely employed in the context of Buddhism, and more broadly referring to a generalised process of interactions among different cultures which leads to the “historical acculturation of border peoples and assimilation of domestic peoples to Chinese language, culture and economic life, resulting in relative stability and continuity within China itself.”<sup>8</sup> The Chinese characters traditionally used to indicate this form of sinicisation were 汉化 *hanhua*—in which 汉 *han* indicates the Han ethnicity—or 华化 *huahua*—in which 华 *hua* designates more generally China.<sup>9</sup> “Sinicisation” as a conceptual framework for religious and cultural studies has been surpassed in recent years by more sophisticated analytical tools, less generalist and more precise, attempting to

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<sup>5</sup> CHANG Kuei-Min, “New Wine in Old Bottles...”, *op. cit.*, pp. 37–38.

<sup>6</sup> Zbigniew WESOLOWSKI, “Xi Jinping’s Zongjiao Zhongguohua (Chinazation of Religion) and the Christian Idea of Inculturation”, *Religion & Christianity in China today*, 8, 1, 2023, p. 1. And YANG Fenggang, “Sinicization or Chinafication? Cultural Assimilation vs Political Domestication of Christianity in China and Beyond”, in Richard Madsen (ed. by), *The Sinicization of Chinese Religions: From Above and Below*, Leiden, Brill, 2021, pp. 16–44.

<sup>7</sup> *Collins English Dictionary*, Glasgow, Harper Collins, 1998. The definition can be accessed online at the following link [www.collinsdictionary.com](http://www.collinsdictionary.com).

<sup>8</sup> CHENG Fangyi, “The Evolution of ‘Sinicisation.’” *Journal of the Royal Asiatic Society* 31, 2, 2021, p. 322. The scholar proposed an analysis of three different discourses on sinicisation: the first one discusses the historical process of cultural assimilation and acculturation; the second discourse argues that Chinese culture has an inherent superiority that has led to cultural change across eastern Eurasia to promote nationalism; the third discourse emphasizes the diversity and mixing of people within both historical and contemporary China as a way to construct and stabilize the country. See also Peter J. KATZENSTEIN (ed. by), *Sinicization and the Rise of China: Civilizational Processes Beyond East and West*, New York, Routledge, 2012.

<sup>9</sup> CHENG Fangyi, “The Evolution of ‘Sinicisation...”, *op. cit.*, p. 321.

grasp peculiarities of each cultural, historical, ethnic and anthropological phenomenon.<sup>10</sup>

To clarify, the main distinction—Fenggang Yang<sup>11</sup> notes—lies between cultural and political forms of “sinicisation”,<sup>12</sup> where the latter is “not about cultural assimilation, but political conformity and obedience.”<sup>13</sup> Following this line of reasoning, the new “Sinicisation or Chinafication”<sup>14</sup> designed by Xi is profoundly linked to the political sphere, and differs substantially from the meanings surrounding the 1900’s “sinicising” processes. From an etymological point of view, the latest “sinicisation” is composed of 中国 *zhongguo* “China” and 化 *hua*, which used as a suffix means “to change into, to cause change”.<sup>15</sup> According to the Contemporary Chinese Dictionary (现代汉语词典 *Xiandai Hanyu Cidian*), 化 *hua* covers a wide range of meanings, such as 感化 *guanhua* “reform through persuasion, corrective influence, to guide something to the right path”<sup>16</sup> as well as 融化 *ronghua* “to melt, to fuse together”.<sup>17</sup> Interestingly, these two additional dictionary entries, perfectly synthesise the meaning of 中国化 *zhongguohua*. “Sinicisation” in this sense occurs when someone is willing to actively change and provide a “corrective” influence on something else, it is a forced adjustment

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<sup>10</sup> For a detailed study on ethnography—a discipline originated from anthropology and sociology—as a fieldwork method to study the religious field see CAO Nanlai, “The Rise of Field Studies in Religious Research in the People’s Republic of China”, *China Review*, 18, 1, 2018, pp. 137-164.

<sup>11</sup> Professor at Purdue University, director of the Centre on Religion and Chinese Society.

<sup>12</sup> YANG Fenggang, “Sinicization or Chinafication? Cultural Assimilation vs Political Domestication of Christianity in China and Beyond”, in Richard Madsen (ed. by), *The Sinicization of Chinese Religions: From Above and Below*, Leiden, Brill, 2021, pp. 16-44.

<sup>13</sup> Joann PITTMAN, 3 Questions: *Sinicization or Chinafication?* [Interview to Fenggang Yang], “Chinasource”, 2020, [www.chinasource.org](http://www.chinasource.org), last access May 15, 2023. Building on this reasoning, Fenggang Yang suggests to use “Chinafication” instead of the word “Sinicisation”.

<sup>14</sup> For the purpose of this thesis, I chose to use the term “sinicisation” over “Chinafication”, following the example of Benoît VERMANDER, “Sinicizing Religions, Sinicizing Religious Studies”, *Religions*, 10, 137, 2019, pp. 1-23.

<sup>15</sup> CAO Xianzhuo et al., 曹先擢、等, *Xiandai hanyu cidian 现代汉语词典* (Contemporary Chinese Dictionary), Beijing, Shangwu yinshuguan youxian gongsi, 2013, p. 559.

<sup>16</sup> ZHAO Xiuying, *Il dizionario di Cinese dizionario cinese italiano italiano cinese*, Bologna, Zanichelli, 2013, p. 290.

<sup>17</sup> CAO Xianzhuo et al., 曹先擢、等, *Xiandai hanyu cidian...*, op. cit., p. 559.

implemented through normative and institutional tools. Religiosity in China is required to “fuse together” with the Chinese traditional culture—as defined and circumscribed by the Party—and take on Xi-approved Chinese characteristics.

Over the past twenty years, the Chinese Communist Party (hereinafter CCP) has been actively seeking to adjust religious theories and beliefs by introducing their own version of Chinese characteristics into them, leading to the development of the Socialist Religious Theory with Chinese Characteristics (中国特色社会主义宗教理论 *zhongguo tese shehuizhuyi zongjiao lilun*). This theory first appeared in 2001, during the National Conference on Religious Work, then reappeared later on in 2016 and 2021 during the same conference under the Xi Jinping administration.

This theory aims at combining the Marxist religious theory together with the specific reality of China and with its traditional culture. It is the theoretical crystallization of the Marxist theory of religion, which has been modernised in China.<sup>18</sup>

The “modernisation” of the Marxist theory involves recognising that religion cannot be eradicated from society. This takes a distance from the Maoist 1950s’ religious policy aimed at leading people to abandon religion and, ultimately, eliminate religion from society. It also differs from the Reform Era’s religious freedom policy—outlined in the 1982 Document No. 19—which prescribes the gradual disappearance of religion as ultimate goal that must be attained over time.<sup>19</sup> The modernisation of the Marxist theory of religion shows a deep understanding of the complexity of the religious landscape, as well as a heightened awareness that religion is capable of being either a valuable asset or a potential

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<sup>18</sup> WANG Wenhui 汪文慧 and LUI Husheng 何虎生, “Guilu yu lujing: lun jianchi he fazhan zhongguo tese shehui zhuyi zongjiao lilun” 规律与路径:论坚持和发展中国特色社会主义宗教理论 (Laws and Paths: On Adhering to and Developing a Socialist Theory of Religion with Chinese Characteristics), in *Tongyizhanxian xueyuejiu*, 3, 2022, p. 37. “中国特色社会主义宗教理论是中国共产党坚持把马克思主义宗教观同中国具体实际相结合、同中华优秀传统文化相结合的理论结晶，是中国化时代化的马克思主义宗教理论。”

<sup>19</sup> Beatrice LEUNG, “China’s Religious Freedom Policy: The Art of Managing Religious Activities”, *The China Quarterly*, 184, 2005, p. 903.

danger.<sup>20</sup> To explain further, the Chinese government is trying to adapt religions to socialist society by stressing a basic pillar: all religions practiced in China must be *Chinese* in orientation, especially the non-native Chinese religions.<sup>21</sup>

Richard Madsen<sup>22</sup> provides a useful way to read this grand strategy: the scholar believes that there are two forces aimed at “sinicising” religions, one from above—promoted by Xi Jinping and the CCP—and one from below—carried out by religious experts, religious clergy, leaders and lay believers.<sup>23</sup>

Not only is it a vertically integrated policy (“from above and below”), but also horizontally cohesive. As a matter of fact, the “sinicisation” imperative is directed to the entire religious sector in China and to all aspects of it. It encompasses religious thinking, teachings, doctrines, canons, sacred texts, rituals, liturgical ceremonies,<sup>24</sup> art, architecture and decorative elements.<sup>25</sup> To put it simply, both theological and exterior aspects of religion must embody Chinese features and style.

Albeit being a comprehensive policy, disparity in its degree of application is evident.<sup>26</sup> While religions such as Taoism and Chinese Buddhism are considered

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<sup>20</sup> André LALIBERTÉ, “The Politicization of Religion by the CCP: A Selective Retrieval”, *Asiatische Studien-Études Asiatiques*, 69, 1, 2015, p. 187.

<sup>21</sup> The state officially recognises five religions, namely Taoism, Buddhism, Catholicism, Protestantism, and Islam. Any other religions beyond these are not recognized and considered illegal. Further insight into this topic, as well as the governing mechanism and organizational structure of the state-sanctioned religions, will be explored in Chapter II.

<sup>22</sup> Professor of Sociology at the University of California, San Diego, expert in Asian studies.

<sup>23</sup> Richard MADSEN (ed. by), *The Sinicization of Chinese Religions: From Above and Below*, “Religion in Chinese Societies”, 18, Leiden, Brill, 2021, p. 4.

<sup>24</sup> During liturgical ceremonies, the Chinese flag has to be flown and the national anthem has to be sung. See WANG Haiqing 王海馨, “Quanguoxing zongjiao tuanti gongtong changyi zai zong jiao huodong changsuo shengguo guoqi” 全国性宗教团体共同倡议在宗教活动场所悬挂国旗 (National Religious Groups jointly propose raising the National Flag over religious Venues), *Xinhua wang*, 2018, ([www.xinhuanet.com](http://www.xinhuanet.com)), last access May 14, 2023.

<sup>25</sup> See Appendix 1, in particular the Five-year Work Plans to sinicise religions of the five national religious associations.

<sup>26</sup> CONGRESSIONAL-EXECUTIVE COMMISSION ON CHINA, *2019 Annual Report, II. Human Rights: Freedom of Religion*, “Congressional-Executive Commission on China”, 2018, [www.cecc.gov](http://www.cecc.gov), last access May 14, 2023, p. 2.

“indigenous or indigenised”, Christianity and Islam<sup>27</sup> are viewed as “imported or foreign”.<sup>28</sup> These two different political perceptions lead to different kinds of treatment. While Chinese Buddhism and Taoism are subject to a low degree of control, Protestantism, Islam, and Catholicism have to face greater levels of state-party intrusion and have to abide by strict rules.<sup>29</sup> This is because these last three religions have been in some way imported from other countries and have not originated in China, so, they are less consistent with what the CCP considers “Chinese excellent traditional culture”. As a consequence, even though the process of “sinicisation” of religion aims at adapting *all* religions to the Chinese culture, it will naturally be more focused on the non-native Chinese religions. Oppositely, Taoism and Buddhism are perceived as autochthone: Taoism originated in China, and Chinese Buddhism (汉传佛教 *hanchuan fojiao*) has undergone an historical process of “sinicisation”. This is evident also in Xi Jinping’s speech at the UNESCO Headquarters in 2014, during which he put emphasis on the process of indigenisation of Buddhism.<sup>30</sup>

Buddhism originated in ancient India. After it was introduced into China, the religion went through an extended period of integrated development with the indigenous Confucianism and Taoism and finally became the Buddhism with Chinese characteristics, thus making a deep impact on the religious belief, philosophy, literature, art, etiquette and customs of the Chinese people.<sup>31</sup>

Throughout history, Buddhism has had time to adjust to Chinese culture through a process of influence and assimilation with the pre-existing cultural

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<sup>27</sup> The Islamic faith has always represented a complex issue that goes beyond the religious sphere. Muslim ethnic minorities—Hui Muslims excluded—have maintained their cultural identity and language, creating—from a CCP perspective—not only ideological rivalries but also national security problems. See Beatrice LEUNG, “China’s Religious Freedom Policy...”, *op. cit.*, p. 896.

<sup>28</sup> Richard MADSEN (ed. by), *The Sinicization of Chinese Religions...*, *op. cit.*, p. 4.

<sup>29</sup> Sarah COOK, *The Battle for China’s Spirit: Religious Revival, Repression, and Resistance Under Xi Jinping*, “Freedom House”, Rowman & Littlefield Publishers, 2017.

<sup>30</sup> CHANG Kuei-Min, “New Wine in Old Bottles...”, *op. cit.*, pp. 37–38.

<sup>31</sup> XI Jinping 习近平, *Speech by H.E. Xi Jinping President of the People’s Republic of China At UNESCO Headquarters*, on “Ministry of Public Affairs of the People’s Republic of China”, 2014, <https://www.fmprc.gov.cn/eng>, last access February 24, 2023. Cited in CHANG Kuei-Min, “New Wine in Old Bottles...”, *op. cit.*, pp. 37–38.

foundation. In virtue of the strong syncretism present in Chinese religious life, Chinese Buddhists integrated “Indian elements into Chinese systems of thought, especially by blending Buddhism with Confucian and Daoist teachings.”<sup>32</sup> This led to the creation of a new identity, a new version of the religion that took on Chinese characteristics.<sup>33</sup> So, while Chinese Buddhism and Taoism are intrinsically Chinese in nature, Islam and Christianity provide a set of culturally-distant values and beliefs that in the eyes of the CCP may undermine the traditional Chinese culture. For this reason, Islam and Christianity are subject to more extensive controls and limitations and are viewed with suspicion by the CCP.<sup>34</sup>

These differences in terms of degree of control are part of a broader political strategy of levelling control according to needs. As Kang Xiaoguang and Han Heng describe in their research on state-society relationships in contemporary China, the government uses different methods to control the civil society and its social organisations. The most important organisations pointed out by the two scholars are politically antagonistic associations, business and commercial organisations, official non-governmental organisations (NGOs), informal organisations, grassroot NGOs, urban community organisations and, finally, religious organisations.<sup>35</sup>

The government was able to establish a system of “graduated controls” for implementing different strategies tailored to different social organisations [...] according to their different capabilities in challenging its power [...] and to the public goods that the social organisations provide.<sup>36</sup>

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<sup>32</sup> Zbigniew WESOLOWSKI, “Xi Jinping’s Zongjiao Zhongguohua..., *op. cit.*, p. 30.

<sup>33</sup> However, not all Buddhist traditions are treated in the same way: “the positive politicisation of Chinese Buddhism, contrasts with the coercive politicisation of Tibetan Buddhism [...]” Chinese Buddhism is viewed positively, as opposed to Vajrayana Buddhism practised by Tibetans and Mongols and Theravada Buddhism practiced by the Dai people. On this point see André LALIBERTÉ, “The Politicization of Religion..., *op. cit.*

<sup>34</sup> CAO Nanlai, “Chinese Religions on the Edge: Shifting Religion-State Dynamics”, *China Review*, 18, 4, 2018, p. 3.

<sup>35</sup> KANG Xiaoguang and HAN Heng, “Graduated Controls: The State-Society Relationship in Contemporary China”, *Modern China*, 34, 1, 2008, p. 40.

<sup>36</sup> KANG Xiaoguang and HAN Heng, “Graduated Controls..., *op. cit.*, p. 39.

In other words, the scholars theorise five types of control strategies, descending from the most to the least restrictive one, depending on the organisation considered: in the case of religious organisations, the “Grade III” of control is applied. The governmental control covers many aspects: the establishment of the organisation, its governance, the management of its resources and daily activities. This implies that the government views religious organisations as a possible threat, able to compete to a certain extent with the official authority. Religious organisations not only offer moral support in terms of set of values and ethical system, ways of behaviour, but contribute also to material support in terms of public welfare. Faith-based organisations provide the population with both spiritual and practical support to deal with various hardships. These organisations offer charitable and philanthropic services, as well as rehabilitation communities, that aim to uplift individuals and communities in need.<sup>37</sup> In this sense, the Chinese government considers some of its main functions replaced by these organisations and aims to curb their growth and hinder their ability to exert social force.<sup>38</sup> Simply put, the degree of control that the government exercises over religious groups, varies depending on the level of suspicion and distrust that they hold towards them and on the ability of the religious community to challenge the power of the state and its official ideology.

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<sup>37</sup> Susan K. MCCARTHY, “In Between the Divine and the Leviathan: Faith-Based Charity, Religious Overspill and the Governance of Religion in China”, *China Review*, 17, 2, 2017, p. 72.

<sup>38</sup> This has always been a contradictory topic: on one hand, religious organisations offer practical support to the state in terms of social service provision, so the latter has implemented cooperative policies in order to promote these types of activities. In 2012 an opinion “On Encouraging and Regulating Religious Circles to Engage in Public Welfare and Charity Activities” (关于鼓励和规范宗教界从事公益慈善活动的意见 *Guanyu guli de guifan zongjiaojie congshi gongyi cishan huodong de yijian*) was issued by the CCP’s United Front Work Department, the Ministry of Civil Affairs, and the State Administration for Religious Affairs, aimed at encouraging and regulating religious circles to engage in public welfare and charitable activities. On the other hand, however, the same social support offered by these organisations is responsible for the strengthening of religious organisations’ social force, which leads to restrictive policies. The official document can be accessed on this link <http://www.gov.cn>. See also André LALIBERTÉ, “The Politicization of Religion...”, *op. cit.*



However, China's approach to religion appears contradictory. On one hand, religion is seen as a competitor to the party's leadership, as a threat to its authority, since it promotes different ideals. Religion—Sun Yanfei suggests—is “a mass phenomenon, has transregional connections, may constitute an alternative centre of loyalty, and can be a basis for political mobilisation.”<sup>39</sup> On the other hand, the influential role of religion and its power are viewed as a means to reach socialist modernisation and achieve political goals. As a matter of fact, religious ideologies have the ability to reach all members of society, from the highest to the lowest social classes. Among all types of social groups, religious organisations are one of the “strongest carriers of collective behaviour.”<sup>40</sup> Due to this remarkable power of diffusion and collective action, religion can act as a bridge between the state and society, conveying the messages and principles that the state wants to promote. That's the reason for which “religious sinicisation” is *necessary*: religions have to be pushed towards the direction of the official ideology, they must be shaped accordingly, and must internalize the government's official values. Once this process is completed, religion will no longer be viewed as an adversary to the state, its influence as a social organisation will be neutralised, and it will become fully assimilated into the prevailing ideology.

The Party-state deals with this contradiction by controlling religious groups, supervising their activities, and defining strict regulations limiting their scope of freedom. The Party adopts a “guiding attitude in dealing with religion” (坚持以“导”的态度对待宗教 *jianchi yi “dao” de taidu duidai zongjiao*<sup>41</sup>), in that it regulates religious communities on three distinctive levels: on ideological, institutional and legislative levels. On the ideological level, the Party-state promotes the “religious

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<sup>39</sup> SUN Yanfei, “The Rise of Protestantism in Post-Mao China: State and Religion in Historical Perspective”, *American Journal of Sociology*, 2017, 122, p. 1664.

<sup>40</sup> KANG Xiaoguang and HAN Heng, “Graduated Controls...”, *op. cit.*, p. 38.

<sup>41</sup> WANG Zuoan 王作安, “Zhuoli tigao xinshidai zongjiao gongzuo shuiping” 着力提高新时代宗教工作水平 (Make efforts to improve religious work in the new era), *Renminwang*, 2018, ([paper.people.com.cn](http://paper.people.com.cn)), last access February 20, 2023.

sinicisation”, attempting to diminish the political power of religious groups; on the institutional one, it defines how religious communities should be organised and by whom are controlled; on the legislative level, it fixes rules on how these communities can act in society, what they can and cannot do. This three-layer control system aims at curbing the diffusion of potentially challenging ideologies, but at the same time it leverages the role religions play in society, their power of reaching out to the broad masses and shaping believers’ thoughts. To sum up, the Chinese government simultaneously implements restrictive and exploitative measures.<sup>42</sup>

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<sup>42</sup> Interesting research was conducted by Elina Schleutker, investigating the relationship between positive endorsement and negative restrictions in the religious sector. She argues that, in authoritarian regimes, religion can be co-opted or restricted. Co-optation is employed to expand the “base of the regime” and make sure that the survival of the religious group is strictly dependent upon the survival of the regime. The ultimate goal of co-optation is to secure religious organisations’ interest in the continued existence of the regime. Oppositely, negative restrictions are employed to restrain collective action, which can be high or low depending on the resources of the organisation in question. See Elina SCHLEUTKER, “Co-optation and Repression of Religion in Authoritarian Regimes”, *Politics and Religion*, 14, 2021, pp. 209-240.

## 1.2 Political discourse

The new intrinsically-political “sinicisation”, designed by the Xi Jinping administration, is particularly evident in political discourse. By examining parts of the official discourse on religious matters, it is possible to obtain a better understanding of the main trends of current religion politics. The discursive framework sets the foundations and guidelines for the future drafting of measures and regulations and for the establishment of *ad hoc* institutions.

Each political system has its own regime of producing a discourse on legitimate form of religion. The discourse not only assigns ideas, practices and groups into a category of religion [...], but also contributes to shaping the internal structure and norms of religious groups themselves.<sup>43</sup>

Therefore, a deeper analysis of the speeches held during national work conferences on religious affairs helps to better comprehend the ideological, institutional and normative structure, namely the three-layer control mechanism adopted by the CCP. Such national gatherings “are where the real work of governing starts”<sup>44</sup>, because they

kick off a cascade of meetings at lower levels where officials who “manage” religion on the ground scrutinise top leaders’ speeches, policies and other documents.<sup>45</sup>

The term “sinicisation” has been widely used in the political discourse in China since around 2015, particularly in the context of the Chinese government’s “religious work” (宗教工作 *zongjiao gongzuo*), which implies ensuring that “religious groups, individuals and activities obey Party and state regulations as well as trying to direct them to be patriotic.”<sup>46</sup> In addition to this, “sinicisation” has also been incorporated into various regulations, measures and reform plans, such as

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<sup>43</sup> Vincent GOOSSAERT and David A. PALMER, *The Religious Question in Modern China*, Chicago, The University of Chicago Press, 2011, p. 320.

<sup>44</sup> Carsten T. VALA, *Reading Tea Leaves from the 2021 National Religious Work Conference*, “China Source”, 2022, [www.chinasource.org](http://www.chinasource.org), last access May 12, 2023.

<sup>45</sup> *Ibidem*.

<sup>46</sup> *Ibidem*.

the newly revised “Regulations on Religious Affairs” 《宗教事务条例》 (*zongjiao shiwu tiaoli*)<sup>47</sup> in 2018 and the “Party and State Institutions Deep Reform Plan” 《深化党和国家机构改革方案》 (*shenhua dang he guojia jigou gaige fang'an*).<sup>48</sup>

### 1.2.1 The concept of “faith”

“If People have faith, the Nation has hope” (人民有信仰，民族有希望 *renmin you xinyang, minzu you xiwang*) is one of the first political declarations made by Xi Jinping on the 17<sup>th</sup> of November 2012, during the first collective study of the Political Bureau of the Central Committee, after his election as General Secretary of the CCP.

When the People have faith, the Nation has hope and the Country has strength. To achieve the Chinese Dream of the Great Rejuvenation of the Chinese Nation, material wealth must be greatly enriched, as well as spiritual wealth. We must continue to persistently and consistently grasp the construction of socialist spiritual civilisation, so as to provide strong ideological assurance, powerful spiritual strength and rich moral nourishment for the people of all ethnic groups across the country to keep moving forward.<sup>49</sup>

The interesting point of this part of discourse is the attention brought to the word “faith” (信仰 *xinyang*): in order for China to develop, to grow as a nation, and ultimately become a strong country, people must believe in something, must possess a strong faith. Only then can China achieve the “Chinese dream”. However, to what specific belief or principles does “faith” refer in this context? Here, the term faith does not pertain to any specific religious belief, but rather denotes a strong belief in the socialist spiritual civilization (社会主义精神文明 *shehuizhuyi jingshen wenming*),<sup>50</sup> which is vital for the development and progress of the nation.

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<sup>47</sup> On regulations and measures see Chapter III.

<sup>48</sup> On the reform plan see Chapter II.

<sup>49</sup> PAN Xutao 潘旭涛, “Xi Jinping tan xinyang xinnian” 习近平谈信仰信念 (Xi Jinping Talks about Faith), *Renminwang*, 2017, ([cpc.people.com.cn](http://cpc.people.com.cn)), last access March 8, 2023. “人民有信仰，民族有希望，国家有力量。实现中华民族伟大复兴的中国梦，物质财富要极大丰富，精神财富也要极大丰富。我们要继续锲而不舍、一以贯之抓好社会主义精神文明建设，为全国各族人民不断前进提供坚强的思想保证、强大的精神力量、丰润的道德滋养。”

<sup>50</sup> “Socialist spiritual civilisation” is defined as a new stage in the development of human spiritual civilisation. The CCP considers it one of the most scientific, noble and progressive civilizations in

Quite instantly we can notice how words regarding the religious sphere are used in a political context, implying an overlapping between the two. The previously cited segment is extremely important, as it lays the foundation for future discourses on “religious sinicisation”. If the objective is to promote the prosperity of a nation through a faith that is strictly associated with a political ideology, it becomes evident that there is no space for alternative ideologies proposed by non-state entities.

As China experiences a resurgence of religion, the word *xinyang* (faith) is appearing more frequently in political discourse [...]. Through everyday communication channels such as new year’s greetings, songs, and television specials, the CCP encourages a belief system around socialist core values and creates a narrative around the history of the Communist Party and its martyrs, who are elevated to near saints.<sup>51</sup>

As Gerda Wielander<sup>52</sup> points out, China is undergoing a religious revival, which started being documented during the Reform era under the Deng Xiaoping administration and was initially seen as a need of spirituality after the sufferings and hardships of the Maoist era.<sup>53</sup> As religions continue to spread in the Chinese territory, it has become increasingly important for the CCP to delimit the scope of action of the religious organisations by formulating an alternative rhetoric around the concept of ‘faith’.

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human history to date. The earliest proposal to build the “socialist spiritual civilization” was put forward by Ye Jianying 叶剑英 in his speech to celebrate the 30th anniversary of the founding of the People’s Republic of China in 1979. In this speech, Ye Jianying argued that while building a high level of material wealth, China should improve the educational, scientific, cultural and health level of the entire population, establish revolutionary ideals and morality, develop a flourishing cultural life and build a high level of social and spiritual civilization. See “Jiantan shehui zhuyi jingshen wenming jianshe fazhan lichen” 浅谈社会主义精神文明建设发展历程 (About the Development Course of Socialist Spiritual Civilization Construction), *Zhongyang guojia jiguan jingshen wenming jianshe wang*, 2016, ([www.ggj.gov.cn](http://www.ggj.gov.cn)), last access May 11, 2023.

<sup>51</sup> Christine COX, *Story: Gerda Wielander lectures about faith in Chinese political discourse*, “Liu Institute for Asia & Asian studies”, 2018, [asia.nd.edu](http://asia.nd.edu), last access March 7, 2020.

<sup>52</sup> Professor at the University of Westminster, expert in Chinese studies.

<sup>53</sup> The resurgence of religion in China can be actually traced back to Mao Zedong’s Cultural Revolution (1966-1976). He argues that the extraordinary flourishing of religiosity proper to the Reform Era, actually has its origins in the Maoist period, during which Gospel spread in prisons and labour camps, unregistered churches started growing, religious clergy met in private homes and hidden sites to perform mass, rituals and ceremonies. On this topic see Daniel H. BAYS, *A New History of Christianity in China*, ProQuest Ebook Central, 2011, pp. 175-176.

Another significant speech held in occasion of the National Party School Work Conference in December 2015 clearly outlines the belief system encouraged by the CCP for its members.

The root of our Communist Party is our faith in Marxism, our belief in communism and socialism, and our loyalty to the Party and the people. To establish one's roots implies firmly establishing this kind of faith, belief, loyalty. Only when one has put enough effort into establishing one's roots will one have a strong immunity and resistance.<sup>54</sup>

In short, Xi Jinping suggests that having a solid belief system and a sense of purpose is crucial for achieving long-term success and well-being. He emphasises the importance for new Party cadres to develop faith, belief, and loyalty devoted to the Marxist ideology, to communism and most importantly, to the Party. This speech essentially deprives the word 'faith' of its spiritual meaning and fills it with a strong political connotation. Furthermore, given that the speech was delivered to the Central Party School of the CCP, it reveals that the head of state wants to instruct potential Party members in the ways of atheism: Party members are not allowed to practise any kind of belief. Religious freedom is granted in China, but this

does not mean that Communist Party members can freely believe in religion. The policy of freedom of religious belief is directed toward the citizens of our country; it is not applicable to Party members.<sup>55</sup>

This has been also reiterated by the Chinese president in 2016:

Members of the Communist Party must persist in being Marxist atheists, strictly observe the Party Constitution, must strengthen their faith and ideals,

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<sup>54</sup> PAN Xutao 潘旭涛, "Xi Jinping tan xinyang...", *op. cit.* "我们共产党人的根本，就是对马克思主义的信仰，对共产主义和社会主义的信念，对党和人民的忠诚。立根固本，就是要坚定这份信仰、坚定这份信念、坚定这份忠诚，只有在立根固本上下足了功夫，才会有强大的免疫力和抵抗力。"

<sup>55</sup> CENTRAL COMMITTEE OF THE CHINESE COMMUNIST PARTY 中国共产党中央委员会, "Guanyu woguo shehuizhuyi shiqi zongjiao wenti de jiben guandian he jiben zhengce" 关于我国社会主义时期宗教问题的基本观点和基本政策 (The Basic Viewpoint On The Religious Question During Our Country's Socialist Period), 1982, tr. MacInnis, Donald E., *Religion in China Today: Policy and Practice*, Orbis Books, 1989, pp. 8-26. To access the online translation, see the following link [original.religlaw.org](http://original.religlaw.org).

and always remember the Party's aim, must absolutely not look for their own values and faith in religion.<sup>56</sup>

Given the fact that the majority of positions in government need to be occupied by Party members, “this means a systematic discrimination against religious believers in the full participation to public life.”<sup>57</sup>

A wide selection of discourses on the “political” faith can be found, most of them linking faith to strength: “If faith resides in our heart, there will be strength under our feet” (心中有信仰, 脚下有力量 *xin zhong you xinyang, jiaoxia you liliang*).<sup>58</sup> Others associate faith to core nutrients: “Ideals and faith are essential building blocks for the human spirit, much like calcium is to bones” (理想信念是精神上的“钙” *lixiang xinnian shi jingshen shang de “gai”*).<sup>59</sup> Others highlight the consequences and risks of not cultivating faith and belief in socialism: “The most dangerous form of vacillation is when one's ideals and faith waver” (理想信念动摇是最危险的动摇 *lixiang xinnian dongbai shi zui weixian de dongbai*).<sup>60</sup> The definition of faith provided by Xi Jinping paves the way for the future shaping of “religious sinicisation”.

### 1.2.2 National Religious Work Conference in 2016

In April 2016, the National Religious Work Conference was held in Beijing. At that meeting, Xi Jinping delivered an important speech and for the first time publicly outlined the outstanding strategy of “religious sinicisation”:

We must stick to and develop the Socialist Religious Theory with Chinese characteristics; we must carry out the guiding principles of religious work, we must investigate the religious situation in our country, analyse the problems we face in conducting religious work; we must highly improve the quality of the religious work, better unite and bring together the wide masses of believers and the people of our Nation in order to achieve the “Two Centenary

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<sup>56</sup> XINHUA NEWS AGENCY 新华社, “Xi Jinping: quanmian tigao..., *op. cit.* “共产党员要做坚定的马克思主义无神论者, 严守党章规定, 坚定理想信念, 牢记党的宗旨, 绝不能在宗教中寻找自己的价值和信念。”

<sup>57</sup> André LALIBERTÉ, “The Politicization of Religion..., *op. cit.*, p. 195.

<sup>58</sup> PAN Xutao 潘旭涛, “Xi Jinping tan Xinyang..., *op. cit.*

<sup>59</sup> *Ibidem.*

<sup>60</sup> *Ibidem.*

Goals”<sup>61</sup> and the Chinese Dream of the Great Rejuvenation of the Chinese Nation.<sup>62</sup>

After a general outline of the main goals of the Chinese nation, and after having depicted the framework in which religion resides, Xi Jinping went on talking about more practical goals and tasks regarding religious work.

One of the main tasks is that of sticking to the path of religious sinicisation. We must leverage the core values of socialism to guide and educate religious circles and masses of believers, to develop and expand the excellent traditions of the Chinese Nation, to leverage ideals such as solidarity, progress, peace and tolerance in order to guide the wide masses of believers. While supporting each religion in maintaining their faith, core religious teachings and ritual system, we must also dig into religious teachings and canons in order to extrapolate the ones beneficial for the development of a societal harmony, the progress of the current era, and a healthy civilisation. We must interpret religious teachings and canons in a way that is compliant with the requirements of modern China’s progress and the excellent traditional culture.<sup>63</sup>

This segment openly shows Xi Jinping’s attempt to highlight the functional aspects of religion, rather than the spiritual ones. Although the Party grants to protect and support religious doctrines, it is willing to excavate into them and emphasise those features that can be useful for the achievement of the Two Centenary Goals and the accomplishment of the “Chinese Dream”. Religion is

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<sup>61</sup> The Two Centenary Goals are Xi Jinping’s attempt to achieve the Chinese Dream of Great Rejuvenation of the Chinese Nation. This broader objective has to be achieved through two more practical and defined goals: one regards to the Chinese Communist Party, the other relates to the People’s Republic of China. As for the First Centenary Goal, the CCP before 2021—anniversary of its foundation—has to build a moderately prosperous society for all (全面建成小康社会 *quanmian jiancheng xiaokang shehui*); while the Second Centenary Goal provides that the People’s Republic of China before 2049—anniversary of its foundation—has to build a modernised socialist country that is prosperous, strong, democratic, culturally advanced, harmonious, and beautiful (富强民主文明和谐美丽的社会主义现代化强国 *jiancheng fuqiang minzhu wenmin hexie meili de shehui zhuyi xiandaihua guojia*).

<sup>62</sup> XINHUA NEWS AGENCY 新华社, “Xi Jinping: *quanmian tigao...*, *op. cit.* “我们要坚持和发展中国特色社会主义宗教理论, 全面贯彻党的宗教工作基本方针, 分析我国宗教工作形势, 研究我国宗教工作面临的新情况新问题, 全面提高宗教工作水平, 更好组织和凝聚广大信教群众同全国人民一道, 为实现“两个一百年”奋斗目标、实现中华民族伟大复兴的中国梦而奋斗。”

<sup>63</sup> *Ibidem.* “一个重要的任务就是支持我国宗教坚持中国化方向。要用社会主义核心价值观来引领和教育宗教界人士和信教群众, 弘扬中华民族优良传统, 用团结进步、和平宽容等观念引导广大信教群众, 支持各宗教在保持基本信仰、核心教义、礼仪制度的同时, 深入挖掘教义教规中有利于社会和谐、时代进步、健康文明的内容, 对教规教义作出符合当代中国发展进步要求、符合中华优秀传统文化的阐释。”



regarded as a tool for the attainment of political goals, it does not solely pertain to one's individual spirituality.

The political function of religion is not new at all. Historically, in the Chinese traditional culture, religion has never been understood as an exclusive one-to-one agreement between individuals and divinities;<sup>64</sup> on the contrary, it entails a much larger sphere touching upon the entire society. It was seen to be a “way to understand and improve one's place in the harmony of the cosmos.”<sup>65</sup> This is the reason for which the Chinese government has always felt authorised to participate in people's spiritual life. To explain further, since spirituality is thought of as a way to gain awareness and actively improve one's individual position in the world, it can be a useful tool when it comes to shaping society, because interference in the spiritual sphere also has an impact on the social sphere. Based on these assumptions, it can therefore be easily exploited by the government to inject its political ideology, in order to have religious subjects aligned on the same path. This type of opportunistic exploitation is the so called “religious sinicisation”. Xi Jinping describes it as a task that has to be carried out, aiming at making the most out of religious teachings that are already consistent with the official ideology, and at the same time discarding all the other “unnecessary and unaligned” attributes that constitute the identity of a particular religion.

Richard Madsen has recently suggested that Xi Jinping has partially replaced the Marxist ideology with his own notion of “sinicisation”, in which the Marxist idea of class struggle is replaced by an evocation of nationalistic pride in the past glories of the Han Chinese civilisation.<sup>66</sup> As a matter of fact, Xi's discourses are always filled with expressions from Confucius, Mencius and Xunzi<sup>67</sup> and efforts

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<sup>64</sup> Renzo CAVALIERI, “Religione e libertà religiosa in Cina. Appunti per una ricerca.”, in Chiara Piccinini (ed.by), *Asiatica Ambrosiana, Saggi e ricerche di cultura religioni e società dell'Asia*, Milano, Bulzoni Editore, 2009, p. 163.

<sup>65</sup> *Ibidem*. “La religione non era intesa nella civiltà tradizionale cinese [...] come un patto di reciproca ed esclusiva appartenenza tra l'uomo e la divinità, quanto piuttosto come un modo di comprendere e di migliorare la propria collocazione nell'armonia del cosmo [...]”

<sup>66</sup> Richard MADSEN, “The Sinicisation of Chinese Religions...”, *op. cit.*, p. 5.

<sup>67</sup> Richard MADSEN (ed. by), *The Sinicization of Chinese Religions...*, *op. cit.*, p. 4.

have been made in order to renovate the huge Confucian temple in Qufu. However, “sinicisation” means that “while affirming those parts of Confucianism that promote obedience to authority [...], the government also monitors and restricts the increasingly popular grassroots development of Confucian worship.”<sup>68</sup> Even among the Han people, “sinicisation” implies a homogenisation of local cultures and customs to conform to “the unitary vision of what it means to be Chinese”.<sup>69</sup>

### **1.2.3 National Religious Work Conference in 2021**

In 2021, a second national Religious Work Conference was held in Beijing. The main content of Xi’s speech was similar to that already discussed in the previous paragraph. Xi pointed out that great progress has been achieved in terms of religious work, mainly referring to improvements in terms of policy and legal framework, but also stressed some areas of improvement.

First of all, Xi declared the importance of being “patient and meticulous in religious work”,<sup>70</sup> probably referring to lower-level authorities that might have been too “harsh or careless”<sup>71</sup> in managing religious communities.

Secondly, he argues that religious groups should promote the “sinicisation” strategy by arranging education campaigns on state laws, regulations as well as “Party history, history of New China, Reform and Opening up and socialist development”,<sup>72</sup> in order to be sure that religious practitioners support the CCP and are loyal to the political system. Xi’s emphasis on the educational path and political indoctrination of religious groups and religious clergy is of particular importance, as it sets the foundation for the institutional apparatus (a new bureau of the United Front Work Department is devoted to religious schools’ inspections)

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<sup>68</sup> *Ibidem.*

<sup>69</sup> *Ibidem.*

<sup>70</sup> XINHUA NEWS AGENCY 新华社, “Xi Jinping chuxi quanguo zongjiao gongzuo huiyi bing fabiao zhongyao jianghua” 习近平出席全国宗教工作会议并发表重要讲话 (Xi Jinping attends the National Religious Work Conference and delivers an important speech), *Zhongguo zhengfu wang zhongyang renmin zhengfu menhu wangzhan*, 2021, ([www.gov.cn](http://www.gov.cn)), last access May 12, 2023.

<sup>71</sup> Carsten T. VALA, *Reading Tea Leaves...*, *op. cit.*, last access May 12, 2023.

<sup>72</sup> XINHUA NEWS AGENCY 新华社, “Xi Jinping chuxi quanguo..., *op. cit.*

and for the drafting of regulations and measures, especially those pertaining the administration of religious staff and schools.<sup>73</sup>

Interestingly, during his keynote speech, no reference was done to the notion of United Front. In 2018, a radical transformation of the bureaucratic apparatus was conducted, shifting the responsibility of religious work from state to the Party's United Front Work Department.<sup>74</sup> However, Xi did not mention this restructuring, neither did he underline the need for creating a united front with the religious communities, perhaps taking for granted that "the Party overtook the government's role and so it needed no further discussion."<sup>75</sup>

### National Security and Western Infiltration

In his speech, "sinicisation" seems to be strictly linked to national security. On a practical level, adhering to a Chinese-oriented path means "sticking to principles of independence [from foreign forces] and self-governance (独立自主自办原则 *duli zizhu ziban yuanze*)."<sup>76</sup> Only then can religious groups be totally free from foreign interference, hence guaranteeing national security. To put it simply, religion is seen as a tool that can be used by foreign entities to infiltrate China,<sup>77</sup> thus causing social and national instability. This is why, in order to ensure national security, religious groups must stay away from hostile forces and "improve self-education (自我教育 *ziwo jiaoyu*) and self-discipline (自我约束 *ziwo yueshu*)."<sup>78</sup> The "self" lexicon has always been appetible to the communists as a means to eliminate foreign influence. But not all religious systems can easily comply to the "self" principles,<sup>79</sup> particularly to that of self-governance.<sup>80</sup>

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<sup>73</sup> See chapter 3, section 3.4 for further details on this topic.

<sup>74</sup> See chapter two for further details on this topic.

<sup>75</sup> Carsten T. VALA, *Reading Tea Leaves...*, *op. cit.*, last access May 12, 2023.

<sup>76</sup> XINHUA NEWS AGENCY 新华社, "Xi Jinping chuxi quanguo...", *op. cit.*

<sup>77</sup> Samantha HOFFMAN, *The United Front and the CCP's "People's War" against Religion*, "Congressional-Executive Commission on China", 2018, [www.cecc.gov](http://www.cecc.gov), last access May 12, 2023.

<sup>78</sup> XINHUA NEWS AGENCY 新华社, "Xi Jinping chuxi quanguo...", *op. cit.*

<sup>79</sup> This is the case of Catholic Church, which is inevitably tied to the Vatican.

<sup>80</sup> Daniel H. BAYS, *A New History of Christianity...*, *op. cit.*, pp. 159-160.

As Samantha Hoffman<sup>81</sup> observes, security is ultimately seen as “eliminating ideological threats that political opponents could use as vehicles to challenge the Party.”<sup>82</sup> These ideological threats are generated from Western countries and have been clearly listed in a CCP internal and confidential document, leaked by a CCP dissident.<sup>83</sup> By reading the document, one can immediately capture which are the two Western ideological perils related to the religious field: the concepts of (1) universal values—which include religious freedom—and (2) civil society—which, to be defined as such, must be “immune to the obstruction by the state”.<sup>84</sup> More specifically, these two notions can undermine respectively, (1) the Chinese idea of freedom of religious belief<sup>85</sup>—which is limited to the right to *hold* a belief, but its practical implementation is narrowed to non-defined “normal”<sup>86</sup> religious activities—and (2) the guiding role of the CCP in the religious sector—which exercises significant control over religious activities. It is clear that the CCP is trying by all means to keep full control of the religious environment trying to diminish the impact of imported religions that are injected with Western values, and at the same time striving to *rebalance* the “unbalanced religious ecology”<sup>87</sup>

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<sup>81</sup> Senior Analyst at the Australian Strategic Policy Institute.

<sup>82</sup> Samantha HOFFMAN, *The United Front...*, *op. cit.*

<sup>83</sup> In order to better understand what these “ideological threats” are, see Document Number Nine 关于当前意识形态领域情况的通报 (*guanyu dangqian yishi xingtai lingyu qingkuang de tongbao*). This document circulated internally to the CCP in 2013. It lists 7 Western ideological perils, which the PRC must reject and be aware of. These are (1) constitutional democracy, (2) universal values, (3) civil society, (4) neoliberalism, (5) Western idea of journalism and freedom of press, (6) reassessment of Chinese history and (7) questioning the socialist nature of the PRC. See following footnote for the translation of the document.

<sup>84</sup> CHINA FILE 中参馆, *Document 9: A ChinaFile Translation Communiqué on the Current State of the Ideological Sphere*, “ChinaFile”, 2013, [www.chinafile.com](http://www.chinafile.com), last access May 13, 2023. And ORGANISATION DEPARTMENT OF THE CENTRAL COMMITTEE OF THE CHINESE COMMUNIST PARTY 中央组织部, “Zai ganbu jiaoyu peixun zhong jiaqiang lixiang xinnian he daode pinxing jiaoyu”, 在干部教育培训中加强理想信念和道德品行教育 (Strengthening the Education of Ideals, Beliefs and Moral Conduct in Cadre Training), *Renminwang*, 2014, ([politics.people.com.cn](http://politics.people.com.cn)), last access June 12, 2023.

<sup>85</sup> See chapter three, section 3.3 (a) for the terminological difference between “religious freedom” and “freedom of religious belief”.

<sup>86</sup> See chapter 3, paragraph 3.1 for a discussion on the concept of “normal” religious activities.

<sup>87</sup> The theory of religious ecology (宗教生态 *zongjiao shengtai*) was proposed by Duan Qi 段琦. It refers to the existence of various religions in society, similar to natural ecology. Under normal circumstances, religions should mutually contain their expansion in order to achieve a state of

resulting from the destruction of indigenous religious traditions, including Confucianism, Buddhism and Taoism and folk religions.”<sup>88</sup>

Overall, the new political “sinicisation” that Xi is promoting is not limited to an ideological level; it has seeped into the legislative infrastructure and even the daily lives of religious adherents.

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balance, where each religion has its own slice of market to satisfy the needs of different groups of people. But human intervention may disrupt this equilibrium, leading to a rapid expansion of certain religions and decline of others. See QI Duan 段琦, “Zongjiao shengtai shiheng dui jidujiao fazhan de yingxiang” 宗教生态失衡对基督教发展的影响 (The Impact of Imbalance in Religious Ecology on the Development of Christianity), *Zhongguo minzu bao (China Ethnic News)*, 19th January 2010, p. 1. Cited in Zbigniew WESOLOWSKI, “Xi Jinping’s Zongjiao Zhongguohua..., *op. cit.*, p. 27.

<sup>88</sup> CHANG Kuei-Min, “New Wine in Old Bottles..., *op. cit.*, p. 39.

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## CHAPTER II

### INSTITUTIONAL STRUCTURE

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In Chapter II, the focus will be on the institutional structure, trying to understand how religions are controlled in practice, rather than just in theory. The main questions are: which institutions are in charge of the administration and management of religious activities? What type of governance is adopted in guiding religious organisations? What are the institutional tools that favour the implementation of the “sinicisation” strategy? Before delving into the main topic of this Chapter, a brief outline of the general religious landscape will be presented.

The CCP has classified various forms of religious beliefs into distinct categories<sup>89</sup> based on their definition and interpretation. Each of these religious categories has a unique legal status and relationship with the state, which varies depending on the nature of the belief system.<sup>90</sup> Here, it is fundamental not to fall into a Western paradigm of state-church relations, in which state and church are viewed as being separate and autonomous from one another: the former does not interfere with the latter and vice versa; the state manages public life, while religion pertains to the inner and spiritual sphere of one’s individual.<sup>91</sup> In non-European countries, and especially in Asian countries which have long been colonised, “being modern’ required the simultaneous reform of indigenous practices to appear as ‘religion’ and the institutionalisation of religion as a category within the

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<sup>89</sup> The main categories are: religion 宗教, superstition 迷信, popular faith 民间信仰, new religious movements 新兴宗教 and evil cults 邪教. To each of these categories is reserved a specific treatment and type of legal status, that is legitimate or illegitimate form of religiosity. On this topic see David A. PALMER, “Heretical Doctrines, Reactionary Secret Societies, Evil Cults: Labelling Heterodoxy in Twentieth-Century China” and Eric R. CARLSON, “China’s New Regulations on Religion: A Small Step, Not a Great Leap, Forward”.

<sup>90</sup> Vincent GOOSSAERT and David A. PALMER, *The Religious Question in Modern China*, Chicago, The University of Chicago Press, 2011, 316.

<sup>91</sup> David L. WANK and Yoshiko ASHIWA, “Making Religion Making the State in Modern China: An Introductory Essay”, in Yoshiko Ashiwa e David L. Wank (ed. by), *Making Religion Making the State: the Politics of Religion in Modern China*, Stanford, Stanford University Press, 2009, p. 2.

state's constitution and administration."<sup>92</sup> As opposed to superstitions and popular beliefs, religion was defined as possessing such features as "a logical system of thought oriented to the afterlife that is contained in scriptures, specially trained clergy, fixed sites for religious activities managed by clergy."<sup>93</sup> Based on this key definition, the state recognised five religions, imposing a basic condition for their existence: "love the country, love the religion" (爱国爱教 *aiguo aijiao*).<sup>94</sup> With these premises, when analysing this dichotomy between permitted and non-permitted religions, one should avoid applying a critical approach based on Western assumptions and experiences of religion.

To better understand the institutional and macro-level religious context in China, Fenggang Yang proposes an economic approach,<sup>95</sup> dividing the religious framework into three markets: the red, black and grey markets of religion. This "triple-market model" helps to obtain a broad overview of the complex religious situation in contemporary China.

A red market comprises all legal (officially permitted) religious organisations, believers, and religious activities.

A black market comprises all illegal (officially banned) religious organisations, believers, and religious activities.

A grey market comprises all religious and spiritual organisations, practitioners, and activities with ambiguous legal status.<sup>96</sup>

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<sup>92</sup> *Ibidem*.

<sup>93</sup> ASHIWA Yoshiko, "Positioning Religion in Modernity", in Yoshiko Ashiwa e David L. Wank (ed. by), *Making Religion Making the State: The Politics of Religion in Modern China*, Stanford, Stanford University Press, 2009, p. 58.

<sup>94</sup> *Ibidem*.

<sup>95</sup> For a deeper understanding of the religious economic model and market theory see also CHEN Jianlin, *The Law and Religious Market Theory: China, Taiwan and Hong Kong*, Cambridge University Press, 2017. In brief, it analyses how the state's legislative interference impacts the religious sector, its internal competition and "winners and losers in the religious market".

<sup>96</sup> YANG Fenggang, "The Red, Black, and Gray Markets of Religion in China.", *The Sociological Quarterly*, 47, 1, 2006, pp. 97-98.

### The red market

The “red market” comprises five major religions—Buddhism,<sup>97</sup> Taoism, Islam, Catholicism, Protestantism—which are officially recognised by the State and are organised into National Patriotic Religious Associations. Although the term “red market” refers to religions that incorporate communist ideology into their theological discourse and practices, it does not necessarily mean that it operates without limitations.<sup>98</sup> As a matter of fact, the government imposes restrictions both on religious activities and on places of worship. These restrictions can be explicitly found in laws, regulations and measures, “others are implicit in the CCP’s circulars, and many are arbitrarily decided by local officials.”<sup>99</sup> The arbitrariness is clearly expressed within Article 36 of the 1982 Constitution of the People’s Republic of China (hereinafter Constitution) through the wording “The state protects normal religious activities”.<sup>100</sup> Here, it is not clear what “normal” (正常 *zhengchang*) refers to and it therefore creates ambiguity in the stated article. Chapter three provides a legal and terminological analysis of Article 36 of the Constitution and other ambiguous wordings disseminated in legal texts.

### The black market

The “black market” entails all those cults that fall out of the constitutional protection of the freedom of religious belief; thus, the authorities are responsible for their eradication.<sup>101</sup> These cults are defined as “heterodox teachings” or “evil cults” (邪教 *xiejiao*), as opposed to “orthodox religion” (正教 *zhengjiao*). However, “the demarcation line between the “orthodox religion” and *xiejiao* is not based on

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<sup>97</sup> Buddhism here refers to the Mahayana Buddhism, i.e., Chinese Buddhism. The other Buddhist traditions, namely Theravada and Vajrayana Buddhism are included within the Buddhist Association of China.

<sup>98</sup> YANG Fenggang, “The Red, Black, and Gray Markets of Religion...”, p. 97.

<sup>99</sup> YANG Fenggang, “The Red, Black, and Gray Markets of Religion...”, p. 102.

<sup>100</sup> NATIONAL PEOPLE’S CONGRESS 全国人民代表大会, “Zhonghua Renmin Gongheguo Xianfa – (2018 xiuzheng)” 中华人民共和国宪法 (2018 修正), (Constitution of the People’s Republic of China – amended in 2018), [english.gov.cn](http://english.gov.cn), ([english.www.gov.cn](http://english.www.gov.cn)), last access March 20, 2023.

<sup>101</sup> YANG Fenggang, *Atlas of Religion in China Social and Geographical Contexts*, Leiden, Boston, Brill, 2018, p. 11.



heresy in relation to the doctrines and practices of particular established religions, but on general notions of moral and social order [...].”<sup>102</sup>

Guo An clarifies the difference between the category of “religion” and that of “evil cults”: first of all, he argues that traditional religions favour social stability, whereas evil cults undermine stability and terrorise its followers. Secondly, while religions are characterised by a solid ethical and moral system, evil cults force their followers to sacrifice their family and properties in order to be subordinate to their leader. Thirdly, while religions do not disobey the laws and do not undermine the formation of a law-based system, evil cults force their followers to blindly abide by their master’s rules, weaken the governments stability and slow down the economic development.<sup>103</sup>

### The grey market

The “grey market” encompasses all those forms of religiosity that are in between a legitimate and illegitimate legal status.<sup>104</sup> According to Fenggang Yang’s classification, this market would include Confucianism, folk religions, Protestant House Churches<sup>105</sup> (家庭教会 *jiating jiaohui*), Underground Catholic Churches<sup>106</sup>

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<sup>102</sup> David A. PALMER, “Heretical Doctrines, Reactionary Secret Societies, Evil Cults: Labelling Heterodoxy in Twentieth-Century China”, in Mayfair Mei-hui Yang (ed. by), *Chinese Religiosities: Afflictions of Modernity and State Formation*, Berkeley, Los Angeles and London, University of California Press, 2008, p. 131.

<sup>103</sup> GUO An 郭安, *Dangdai shijie xiejiao yu fanxiejiao*, 当代世界邪教与反邪教 (Contemporary Cults and Anti-Cult Movements), Beijing, Renmin chubanshe, 2003. Cited in David A. PALMER, “Heretical Doctrines..., *op. cit.* p. 131.

<sup>104</sup> YANG Fenggang, *Atlas of Religion in China...*, *op. cit.*, p. 12.

<sup>105</sup> These churches are not affiliated with the national religious association devoted to Protestantism, that is Protestant Three-self Patriotic Movement (中国基督教三自爱国运动委员会 *zhongguo jidujiao sanzì Aiguo yundong weiyuanhui*, PTSPM) and the China Christian Council (中国基督教协会 *zhongguo jidujiao xiehui*, CCC). See this Chapter and Appendix 1 for further details on the national religious associations.

<sup>106</sup> Underground Catholic Churches, as former Protestant House Churches, have refused to take part to the national religious association, that is the China Catholic Patriotic Association (中国天主教爱国会 *zhongguo tianzhujiao aiguo hui*, CCPA), because the Vatican did not approve it. Whilst relations between the Vatican and the PRC have always been tense, since Xi Jinping’s and Pope Francis’s leadership, steps have been made to improve the relationship. A provisional agreement between the Holy See and the PRC was signed in 2018 relating to the administration of the Catholic dioceses and the appointment of bishops. The agreement was renewed in 2020 and 2022. The CCP

(地下教会 *dixia jiaohui*), and the Mao cult.<sup>107</sup> These churches are not registered and are therefore formally illegal. Despite this, they are in fact treated with a certain tolerance, since they are not declared "evil cults" by the State.

At the end of Maoist era—characterised by legal nihilism<sup>108</sup> and total eradication of religious institutions—a period of legal improvement and introduction of Western legal models began in 1979, resulting in the creation of new laws and the acquisition of legal skills that had long been neglected. However, this legal revival was accompanied by a great deal of uncertainty and disorder, which left room for freedom, especially at a local level.<sup>109</sup> On one hand, it generated strong corruption and personal relationships based on the *guanxi* system, but on the other hand, also artistic and literary movements, labour activism, and tolerance towards NGOs and religious organisations.<sup>110</sup> The grey market emerged during this period of disorder

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is still in control of selecting bishops, but the Vatican appoints them officially. According to Fenggang Yang, this agreement might lead to the dissolution of the Underground Catholic Churches. In fact, reports show that following the signing of the agreement, authorities have been detaining and pressuring underground clergy to take part to the Chinese Catholic Patriotic Association. Brasnett argues that this agreement with the Vatican has allowed the central government to tighten its control over Catholic communities, in particular over the unregistered Catholic groups. On this see CONGRESSIONAL-EXECUTIVE COMMISSION ON CHINA, CECC 2021 *Annual Report, II. Human Rights: Freedom of Religion*, "Congressional-Executive Commission on China", 2018, [www.cecc.gov](http://www.cecc.gov), last access May 12, 2023; and Jonathan BRASNETT, "Controlling Beliefs and Global Perceptions: Religion in Chinese Foreign Policy", *International Studies*, 58, 1, 2021, pp. 48–58.

On the complex Vatican-PRC relationship see REN Yanli 任延黎 "La Questione della Chiesa Cattolica in Cina", in Chiara Piccinini (ed. by), *Asiatica Ambrosiana, Saggi e ricerche di cultura religioni e società dell'Asia*, Milano, Bulzoni Editore, 2009, pp. 65–73.

<sup>107</sup> YANG Fenggang, *Atlas of Religion in China...*, *op. cit.*, pp. 44–57.

<sup>108</sup> Renzo CAVALIERI, *Diritto dell'Asia Orientale*, Venezia, Libreria Editrice Cafoscarina, 2008, p. 32. During the Cultural Revolution, both the United Front Work Department and the Religious Affairs Bureau were abolished, since religion had to be eradicated from society. Later on, during the Deng Xiaoping administration, in the period of "Reform and Opening Up", the institutions and the policy of religious freedom were re-established. The UFWD was restored in 1978, the RAB in 1979, and the national patriotic associations in 1980. Religious leaders, clergy members and religious communities were restored. See PALMER, David A, "China's Religious Danwei: Institutionalising Religion in The People's Republic", *China Perspectives*, 80, 4, 2009, pp. 17–30. And Vincent GOOSSAERT and David A. PALMER, *The Religious...*, *op. cit.*, p. 328.

<sup>109</sup> Renzo CAVALIERI, *Diritto dell'Asia...*, *op. cit.*, p. 34.

<sup>110</sup> Nara DILLON, "Governing Civil Society: Adapting Revolutionary methods to Serve Post-Communist Goals", in Sebastian Heilmann and Elizabeth J. Perry (ed. by), *Mao's Invisible Hand, The Political Foundations of Adaptive Governance in China*, Cambridge, Harvard University Asia Center, 2011, pp. 1.

and high tension, and these grey areas extended into the gaps of tolerance and legal uncertainty. The development of a vast grey market was facilitated by taking advantage of legal loopholes, inadequate enforcement of regulations, and corruption among local authorities, but also because the “degree of institutionalisation was stronger at national level and was significantly weaker in more remote localities”.<sup>111</sup> While the State has always played a significant role in defining religious policies and determining the limits of religious activities, it is unable to fully exert control over the emergence of diverse forms of religious practices at a local level.<sup>112</sup> In fact, most of these religious movements have originated from grassroots initiatives and have grown beyond the boundaries of regulatory frameworks and control mechanisms.<sup>113</sup>

With the arrival of Xi Jinping as Party Secretary in 2012 and President of the PRC from 2013, the grey market suffered a severe blow. If the previous period was characterized by a significant gap between the law in the books and the law in action,<sup>114</sup> with Xi Jinping this gap was drastically reduced.<sup>115</sup> The legalist concept of the “rule of law” (法治 *fazhi*)<sup>116</sup> was emphasised as the keystone of Xi's government

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<sup>111</sup> Vincent GOOSSAERT and David A. PALMER, *The Religious...*, *op, cit.*, p. 318.

<sup>112</sup> For an understanding on the relationship between religiosity and contemporary Chinese society by adopting a bottom-up approach see PALMER, David A, “Religiosity and Social Movements in China: Divisions and Multiplications”, in Khun Eng Kuah-Pearce and Gilles Guiheux (ed. by), Amsterdam University Press, 2009, pp. 259-284. In brief, he examines two cases, that are the revival of temples and the *qigong* movement. He believes that neither of these two movements can be circumscribed into the category of religiosity, nor social movement, because they found “their continued existence and legitimacy by adopting the labels of cultural heritage, tourism, economic development, medicine, sports, or science.” By applying a bottom-up approach, he does not focus on how the state deals with illegitimate forms of religiosity, but on how religious groups deal with the state when agonistic relationships occur between them.

<sup>113</sup> Vincent GOOSSAERT and David A. PALMER, *The Religious...*, *op, cit.*, p. 315.

<sup>114</sup> Renzo CAVALIERI, *Diritto dell'Asia...*, *op, cit.*, p. 36.

<sup>115</sup> Xi Jinping initiated an anti-corruption campaign aimed at realigning Party and State cadres. The Supervisory Commissions and the Central Commission for Discipline Inspection were established under Xi's rule to fight corruption.

<sup>116</sup> In 2014, the Central Committee of the Party released a decision (决定 *jueding*): “Central Committee Decision concerning Several Major Issues in Comprehensively Advancing Governance According to Law” (中共中央关于全面推进依法治国若干重大问题的决定 *zhonggong zhongyang guanyu quanmian tuijin yifazhiguo ruogan zhongda wenti de jueding*). This document emphasized and reintroduced the legalist principle of “fazhi”: “坚持走中国特色社会主义法治道路，建设中国特色

and it was even included in the Preamble of the Constitution after the 2018 amendment.<sup>117</sup> Establishing rule of law has meant translating the will and policies of the Party into written law and moving away from the idea that political rule prevails over written law, as was the case during Mao's time.<sup>118</sup> The reassertion of this concept has led to repression through law and legal means, not only of corruption but also of those nascent civil society movements that were developing during the Reform Era.<sup>119</sup> Since the beginning of Xi Jinping's administration, control over religion has increased and manifested itself in a variety of ways.<sup>120</sup> The ideological control—exerted through “sinicisation”—and the reiteration of rule of law as cornerstone of the whole governmental apparatus has led in 2018 to a deep reform of the main functions and powers of the State Council and its agencies with regards to religious affairs.

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社会主义法治体系”, translated as “We must persist in following the path of Socialist rule of law with Chinese characteristics, and establish a Socialist rule of law system with Chinese characteristics.” The official document can be found on the following website: [www.gov.cn](http://www.gov.cn).

<sup>117</sup> The Preamble of the 1982 Constitution, amended in 2018 clearly affirms “中国各族人民将继续 [...] 健全社会主义法治.”, translated as “The People of all ethnic groups in China must continue to strengthen the socialist rule of law.”

The Constitution of the People's Republic of China can be found on the following website: [www.npc.gov.cn](http://www.npc.gov.cn).

<sup>118</sup> Richard MADSEN, “The Sinicization of Chinese Religions under Xi Jinping.”, *China Leadership Monitor*, 61, 1, 2019, p. 6.

<sup>119</sup> Renzo CAVALIERI and Ivan FRANCESCHINI, *Germogli Di Società Civile in Cina*, Milano, Brioschi, 2010, p. 3. On this topic see also, Nara DILLON, “Governing Civil Society...”, *op. cit.*, pp. 138-164.

<sup>120</sup> YANG Fenggang, “Repression of Religious Institutions in China Under Xi Jinping”, *Cornerstone Forum*, 282, 6, 2020, p. 1.

## 2.1 The Institutional Restructuring since 2018

### 2.1.1 Apparatus of control before 2018

The governance of religion before 2018 was exercised by three main subjects: the State Council, the CCP and the National Patriotic Religious Associations. The control apparatus can be divided into central and territorial organisation. The central organisation includes the State Council with its State Administration for Religious Affairs and its Ministry of Public Security, the CCP with its United Front Work Department and the religious communities with their national patriotic associations. The territorial organisation includes the local divisions of the three main entities mentioned above for the management of places of worship, such as temples, monasteries, churches and mosques.

#### **(a) Central organisation: State Council**

At a central level, the State Council—main executive organ of the PRC—is responsible for issuing regulations (法规 *faqui*), measures (办法 *banfa*) and decrees (条例 *tiaoli*) such as the Regulations on Religious Affairs.<sup>121</sup> These norms do not require approval from the National People’s Congress, hence the State Council can autonomously draft administrative regulations at national and provincial levels.

Subordinate to the State Council are two main organs, namely the State Administration for Religious Affairs (国家宗教事务 *guojia zongjiao shiwuju*, hereinafter SARA) and the Ministry of Public Security (公安部 *Gong’anbu*), both with their local branches, respectively Religious Affairs Bureaus (hereinafter RAB) and Public Security Bureaus (hereinafter PSB).<sup>122</sup> The former is in charge of monitoring the five recognised religions, whereas the latter is responsible of law enforcement and eradicating illegal religious groups.<sup>123</sup>

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<sup>121</sup> Eric CARLSON, “China’s New Regulations on Religion: A Small Step, Not a Great Leap, Forward”, *BYU Law Review*, 3, 8, 2005, p. 750.

<sup>122</sup> Eric CARLSON, “China’s New Regulations on Religion...”, *op. cit.*, p. 750.

<sup>123</sup> *Ibidem*.

Prior to the 2018 Reform, according to the “Regulations on the Management of the Establishment and Staffing of the Administrative Agencies of the State Council” 《国务院行政机构设置和编制管理条例》<sup>124</sup> the SARA was subordinate to State Council and was thus classified as “organisation directly under the State Council” (国务院直属机构 *Guowuyuan zhishu jigou*). Article 6 of the abovementioned Regulations provides that this category of organisation is in charge of “specialised work” (专门业务 *zhuanmen yewu*) and fulfils “autonomous administrative functions” (独立的行政管理职能 *duli de xingzheng guanli zhineng*).<sup>125</sup>

### State Administration for Religious Affairs: functions and internal organisation

The SARA used to perform a wide range of responsibilities (主要职责 *zhuyao zhize*), as listed on the official governmental website, including the following:

- examine and suggest general and specific policies regarding religious work, formulate measures and organise their implementation;
- investigate domestic and foreign (internal and external) religious trends and conduct research on issues related to religious theories; provide suggestions and opinions regarding policies;
- draft laws, regulations, departmental rules<sup>126</sup> (规章 *guizhang*), and specific policies on religious work;

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<sup>124</sup> STATE COUNCIL 国务院, “Guowuyuan xingzheng jigou shezhi he bianzhi guanli tiaoli” 国务院行政机构设置和编制管理条例 (Regulations on the Management of the Establishment and Staffing of the Administrative Agencies of the State Council), *Zhongguo zhengfu wang zhongyang renmin zhengfu menhu wangzhan*, ([www.gov.cn](http://www.gov.cn)), 29 March 2023.

<sup>125</sup> *Ibidem*. “国务院直属机构主管国务院的某项专门业务，具有独立的行政管理职能。”

<sup>126</sup> According to Chapter 4, Section 2, Art. 91 of the 2023 Legislation Law of the PRC, departmental rules are issued by the State Council’s ministries and commissions, the People’s Bank of China, institutions directly under the State Council with administrative functions, the Audit Office and institutions prescribed by law. “第九十一条 国务院各部、委员会、中国人民银行、审计署和具有行政管理职能的直属机构以及法律规定的机构，可以根据法律和国务院的行政法规、决定、命令，在本部门的权限范围内，制定规章。” For the official document see NATIONAL PEOPLE’S CONGRESS 全国人民代表大会, “Zhonghua Renmin Gongheguo lifafa - 2023 xiuzheng” 中华人民共和国立法法 - 2023 修正) (Legislation Law of the PRC – amended in 2023), *Guojia falü fagui shujuku*, 2023, ([flk.npc.gov.cn](http://flk.npc.gov.cn)), last access April 12, 2023.

- protect citizens' freedom of religious belief; protect the lawful rights of religious organisations and places of worship; protect normal religious activities of religious clergy and groups;
- carry out administration and supervision over the implementation of laws, regulations and policies; guide and make sure that religious activities remain within the boundaries of laws, regulations and policies; prevent and stop law offenders from carrying out illegal religious activities and resist overseas infiltration via religious means;
- promote the education in patriotism, socialism, unification of the motherland and ethnic unity among religious circles; consolidate and develop a patriotic united front among religious people;
- organise and guide propaganda and education work relating to religious policies and to the legal apparatus;
- guide local government RABs to perform management functions in accordance with the law and handle major religious affairs events;
- support and help religious circles in friendly exchange activities with Hong Kong, Macao and Taiwan;
- undertake any other duty or task assigned by the State Council.<sup>127</sup>

According to all the previously listed responsibilities, the SARA was internally organised (内设机构 *neishe jigou*) into 4 departments in 1998, then over the years offices were added to acquire different competences reaching 8 departments in 2008.

- I. Office (办公室 *bangongshi*): supports the SARA in guiding and coordinating the work of each office, supervises and inspects the implementation of important matters. It is responsible for the organs' correspondence, meetings, confidential matters, archives, security, petitions, internal

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<sup>127</sup> “Guojia zongjiao shiwu ju zhyao zhize neishe jigou he ren yuan bianzhi guiding” 国家宗教事务局主要职责内设机构和人员编制规定 (Main Responsibilities, Internal Organizations and Staffing Regulations of the State Administration of Religious Affairs), *Zhongguo zhengfu wang zhongyang renmin zhengfu menhu wangzhan*, 2008, ([www.gov.cn](http://www.gov.cn)), last access April 8, 2023.

- reporting and external media coverage; it is also accountable for the organs' finances and infrastructures;
- II. Department of Policies and Regulations (政策法规司 *zhengce faguisi*): drafts religious laws, regulations and departmental rules. The department is in charge of supervision and inspection, and responsible for examining comprehensive policy issues, formulating specific policies and measures, promoting the publicity of policies, laws and regulations, directing educational work on the former topics.
  - III. First Operational Department (业务一司 *yewu yisi*): responsible for the administration of Buddhism and Taoism, studies related matters and suggests policies; guides Buddhist and Taoist organisations in operating according to laws and regulations, connects Buddhist and Taoist circles, gives directives to local government RABs in managing Buddhist and Taoist affairs according to laws.
  - IV. Second Operational Department (业务二司 *yewu ersi*): responsible for the administration of Catholicism and Protestantism and has the same functions as the First Operational Department.
  - V. Third Operational Department (业务三司 *yewu sansi*): responsible for the administration of Islam and the pilgrimage affairs; other duties are the same as the first department.
  - VI. Fourth Operational Department (业务四司 *yewu sisi*): responsible for the management of other religions; studies related matters and suggests policies; directs the establishment of religious schools and undertakes other specific guidance work; coordinates departments in preventing and dealing with evil cults.
  - VII. Foreign Affairs Department - Hong Kong, Taiwan and Macao Office (外事司 - 港澳台办公室 *waishisi - Gang-Ao-Tai bangongshi*): undertakes the management of religious foreign affairs, related examination and approval



work; guides religious organisations in their religious exchanges with Hong Kong, Macao and Taiwan and foreign countries.

VIII. Staff Department (人事司 *renshisi*): accountable for the personnel of the entire institution as well as the directly subordinate units; carries out the planning and organisation of training programs for the religious workforce and related personnel; it is also responsible for the retired cadres.

Internally, the SARA also included the Institutional Party Committee<sup>128</sup> (机关党委 *jiguan dangwei*), responsible for the Party-mass work<sup>129</sup> (党群工作 *dang qun gongzuo*) and the units directly under it in Beijing.<sup>130</sup>

### **(b) Central organisation: CCP**

Whilst being under the control of the State Council, the SARA collaborated closely with the United Front Work Department (hereinafter UFWD) of the CCP Central Committee (hereinafter CCPCC) and was subject to its directives.<sup>131</sup> While the SARA administered the day-by-day religious activities and venues, the UFWD was in charge of religious policy<sup>132</sup> and the main strategic orientation directives regarding the different religions;<sup>133</sup> furthermore, it supervised the religious associations of the five state-sanctioned religions at national and local level.<sup>134</sup> Both institutions—the State Council’s SARA and the Party’s UFWD—cooperated in

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<sup>128</sup> The Institutional Party Committee belongs to the grassroots organization of the Party, established in Party and government organs at all levels. It plays a supervisory role, and does not lead the operational work of the unit.

<sup>129</sup> Party-mass work is a comprehensive task, including Party-related affairs and mass-related ones.

<sup>130</sup> “Guojia zongjiao shiwu ju zhyao zhize neishe jigou he renyuan bianzhi guiding” 国家宗教事务局主要职责内设机构和人员编制规定 (Main Responsibilities, Internal Organizations and Staffing Regulations of the State Administration of Religious Affairs), *Zhongguo zhengfu wang zhongyang renmin zhengfu menhu wangzhan*, 2008, ([www.gov.cn](http://www.gov.cn)), last access April 8, 2023.

<sup>131</sup> SUN Yanfei, “The Rise of Protestantism in Post-Mao China: State and Religion in Historical Perspective”, *American Journal of Sociology*, 2017, 122, p. 1695.

<sup>132</sup> YANG Fenggang, *Religion in China: Survival and Revival under Communist Rule*, New York, Oxford University Press, 2011, pp. 69-75.

<sup>133</sup> T.wai Torino World Affairs Institute (ed. by), *La Cina: sviluppi interni, proiezione esterna*, Senato della Repubblica, 2020, p. 4.

<sup>134</sup> ASHIWA Yoshiko, “Positioning Religion in Modernity”, in Yoshiko Ashiwa e David L. Wank (ed. by), *Making Religion Making the State: The Politics of Religion in Modern China*, Stanford, Stanford University Press, 2009, p. 59.

the governance of religion: the UFWD established relations with religious leaders of the national patriotic associations as individuals, while the agency of the State Council handled the associations as institutions.<sup>135</sup>

Up to 2017, the internal organisation of the UFWD included 9 departments,<sup>136</sup> one of which was devoted to both religious and ethnic affairs.

- I. Second Bureau (Bureau of Ethnic and Religious Work): responsible for conducting research and making policy recommendations on ethnic and religious work; connecting with representatives of ethnic minorities and religious communities; assisting the relevant departments in training and selecting ethnic minority cadres; coordinating and cooperating with the relevant departments in dealing with ethnic and religious major issues.<sup>137</sup>

Religious and ethnic matters were combined into the same department, thus jointly managed: there was no organisational division between the two duties, differing from the current situation following the Reform.

Another important organ of the CCP responsible for religious matters has been, and still is, the People's Political Consultative Conference (中国人民政治协商会议 *zhongguo renmin zhengzhi xieshang huiyi*, hereinafter PPCC), internal to which Religious Commissions (宗教委员会 *zongjiao weiyuanhui*) were established down to the county level.<sup>138</sup> Religious leaders held positions in the said organ to “collectively bring together suggestions and proposals to the National PPCC in the name of the religious sector.”<sup>139</sup>

Until 2018, in addition to the Ministry of Public Security there was an additional office responsible for monitoring illegal religious activities, that is the 610 Office.<sup>140</sup>

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<sup>135</sup> Vincent GOOSSAERT and David A. PALMER, *The Religious...*, *op. cit.*, p. 154.

<sup>136</sup> Alex JOSKE, “Reorganizing the United Front Work Department: New Structures for a New Era of Diaspora and Religious Affairs Work”, *China Brief*, 19, 9, 2019, p. 2.

<sup>137</sup> “Jigou shezhi” 机构设置 (Organisational structure), *Zhongyang tongzhanbu wangzhan*, 2017, ([web.archive.org](http://web.archive.org)), last access April 8, 2023.

<sup>138</sup> Renzo CAVALIERI, “Religione e libertà religiosa in Cina...”, *op. cit.*, p. 171.

<sup>139</sup> Vincent GOOSSAERT and David A. PALMER, *The Religious Question...*, *op. cit.*, p. 329.

<sup>140</sup> The official names for this office are State Council's Office of Preventing and Dealing with Cult Issues (referred to as the Prevention Office) and Office of the Central Leading Group for Preventing

This office was a complex CCP-based institution,<sup>141</sup> hierarchically superior to the SARA, tasked with disseminating atheist propaganda and combating “evil cults” at provincial, prefecture and even county level governments.<sup>142</sup> According to the definition given by Richard Madsen, it is a “secret police organisation that bypasses the state criminal justice system and reports directly to the Party leadership. [...] It has units that extend all the way down to the grass roots of society.”<sup>143</sup>

### **(c) Central organisation: Religious Associations**

The bureaucratic apparatus through which the state-party organises religious communities includes the patriotic associations<sup>144</sup> for the supervision of each of

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and Dealing with Cult Issues. It follows the principle of “two names, one institution” (一个机构两块牌子). On this topic see “Fangfan he chuli xiejiao wenti lingdao xiaozu bangongshi” 防范和处理邪教问题领导小组办公室 (Central Leading group’s Office for Preventing and Dealing with Cult Issues), 2023, *Baidubaike*, ([baike.baidu.com](http://baike.baidu.com)), last access March 31, 2023.

<sup>141</sup> The office is named after the date of its establishment, that is the 10<sup>th</sup> of June 1999. It was created during the Jiang Zemin administration in order to wipe out Falun Gong (法轮功), a spiritual discipline founded by Li Hongzhi 李洪志 in 1992. Falun Gong, was the first “voluntary organisation” that clearly resisted the government, after the latter had revoked its registration certificate, thus, its legal status. On this topic see LU Yunfeng, et al, “Doctrinal Innovation, Resistance, and Falun Gong’s Politicization”, *China Review*, 18, 4, 2018, pp. 41–62. See also Nara DILLON, “Governing Civil Society...”, *op. cit.*, pp. 156–157–158.

<sup>142</sup> YANG Fenggang, *Religion in China...*, *op. cit.*, p. 81.

<sup>143</sup> Richard MADSEN, *Back to the Future: Pre-modern Religious Policy in Post-secular China*, “Foreign Policy Research Institute”, 2009, [www.fpri.org](http://www.fpri.org), last access March 30, 2023.

<sup>144</sup> The official translation of 协会 *xiehui* is “association”. However, the translation creates ambiguity and may cause misunderstanding on the nature of these religious entities.

According to the Oxford Dictionary, the terms “association” and “organisation” have a common ground in terms of meaning as they both denote a formally organised group of people who adhere to defined rules. However, the main difference stands within the scope and goals of the two entities. Members of an association share common goals and interests, for example consumers’, writers’, trade associations. Whereas, according to Weber’s definition, members of an organisation might not be fully committed to its goals. In the first case, people get together to accomplish *their* common purposes, while in the second scenario, people strive to accomplish the organisation’s aims.

In a corporatist view, during the Republican period, a multitude of religious associations were firstly established to represent religious believers’ common interest and legal rights to protect temple wealth and property and to ensure the participation to public life. Buddhist associations, for instance, were established in order to differentiate the authentic religion and popular superstitions. But, over the years, in the state’s mind, religious communities had to be co-opted and had to contribute to public interests. As a result, these entities are gradually becoming similar to organisations, in the sense that the main tasks and goals are imposed by the CCP, not by the

the five state-sanctioned religions. The first attempts of formation of the religious associations date back to the Republican Era.<sup>145</sup> Later on, when the People's Republic of China was founded in October 1949, one of the main CCP's objective was to establish "friendly" relationships with non-Communist forces. In the case of religion, the strategy was to build alliances with each religious community in order to be facilitated to "purge uncooperative religious leaders and networks".<sup>146</sup> Religious leaders started establishing patriotic associations under the guidance of the CCP, fulfilling the objective of the Republican Era of forming *ad hoc* institutions for each of the five officially recognised religions. In May 1953, the China Buddhist Association (中国佛教协会 *zhongguo fojiao xiehui*) and the China Islamic Association (中国伊斯兰教协会 *zhongguo yisilanjiao xiehui*) were established. The next to be established was the Protestant Three-Self Patriotic Movement (三自爱国教会 *sanzi aiguo jiaohui*) in 1954; finally, in 1957, the China Taoist Association (中国道教协会 *zhongguo daojiao xiehui*) and the Chinese Catholic Patriotic Association (中国天主教爱国会 *zhongguo tianzhujiao aiguoohui*) were founded.<sup>147</sup> Local affiliates

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association itself. For instance, the goal of adhering to the sinicisation path was set by Xi Jinping, not by the leading bodies of the association. So, the grounds of the association are not common religious goals, but broader political objectives. Another element, which favours the interpretation of 协会 *xiehui* as "organisations" is the fact that all religious groups are regulated as social organisations and likewise have to abide by the Regulations for Registration and Administration of Social Organisations. See the definition of 协会 on the Zdic dictionary at the following link [www.zdic.net](http://www.zdic.net). See also JI Zhe, "Secularization as Religious Restructuring: Statist Institutionalisation of Chinese Buddhism and Its Paradoxes", in Mayfair Mei-Hui Yang (ed. by), *Chinese Religiosities Afflictions of Modernity and State Formation*, California, University of California Press, 2008, pp. 233-260. See also YANG Fenggang, *Atlas of Religion in China...*, *op. cit.*

<sup>145</sup> Religious associations "were established on the initiative of non-Communist religious believers and even KMT members, but under the framework of the United Front they received varying degrees of open encouragement and covert guidance from the CCP – in some ways prefiguring the official religious associations that would later be established in the PRC." See Vincent GOOSSAERT and David A. PALMER, *The Religious...*, *op. cit.*, p. 145. On the Republican Era religious association see Vincent GOOSSAERT, "Republican Church Engineering: The National Religious Associations in 1912 China", in Mayfair Mei-hui Yang (ed. by), *Chinese Religiosities: Afflictions of Modernity and State Formation*, University of California Press, 2008, pp. 209-232.

<sup>146</sup> Vincent GOOSSAERT and David A. PALMER, *The Religious...*, *op. cit.*, p. 153.

<sup>147</sup> *Ibidem*.

To the two Christian religious associations, two more were added in 1980, focused on the theological, liturgical and pastoral matters, as opposed to the already existing ones more government/CCP-oriented; these are the Chinese Catholic Bishops Conference (中国天主教主教

were established at each administrative level to pass over governmental directives and increase the overall control.<sup>148</sup> Their main responsibilities were to register religious venues, ensure the correct implementation of governmental policies, and “install religious leaders who have proven themselves to be reliable servants of the government, not necessarily servants of the church.”<sup>149</sup> Appendix 1 provides a brief description of each of the five religious association, including their organisational structure, functions and a synthetic overview of the latest Five-year Work Plans.

All the religious associations—both national and local branches—were subject to the authority of the Religious Affairs Bureau (宗教事务局 *zongjiao shiwuju*) of the State Council, founded in 1954 and renamed to State Administration of Religious Affairs (国家宗教事务局 *guojia zongjiao shiwuju*) in 1998.

The religious leaders of these associations were selected jointly by the SARA/RABs and the UFWD after long consultations in order to “ensure that the person elected would have religious legitimacy among the followers, while at the same time being politically acceptable to the government.”<sup>150</sup> This was a necessary condition to be satisfied, if not, the association would have had difficulties in establishing a trustful and supportive relationship either with the government or with the religious community.

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团 *Zhongguo Tianzhujiao Jiaotuan*) for the Catholics and the China Christian Council (中国基督教协会 *Zhongguo Jidujiao Xiehui*) for the Protestants. See Appendix 1 for further explanations.

<sup>148</sup> SUN Yanfei, “The Rise of Protestantism in Post-Mao China: State and Religion in Historical Perspective”, *American Journal of Sociology*, 2017, 122, p. 1695.

<sup>149</sup> Richard MADSEN, “Religious Renaissance in China Today”, *Journal of Current Chinese Affairs*, 40, 2, 2011, p. 29.

<sup>150</sup> Vincent GOOSSAERT and David A. PALMER, *The Religious...*, *op. cit.*, p. 329.

## **Territorial organisation**

At a local level, SARA offices<sup>151</sup> were established all the way down to the township level,<sup>152</sup> whereas the number of places of worship and believers was sufficient to justify their presence.<sup>153</sup> Places of worship were subject to the authority of two major institutions under the 1982 Document 19.<sup>154</sup>

All places of worship are under the administrative leadership of the Religious Affairs Bureau, but religious organisations and professional religious personnel are responsible for their management.<sup>155</sup>

Therefore, the RAB was charged with administration (行政领导 *xingzheng lingdao*), while territorial patriotic associations—controlled by the local UFWD—were responsible for managing (负责管理 *fuzhe guanli*) religious activities and venues. Specifically, each patriotic association had to arrange the time, dimension and frequency of the activities to avoid disturbing social, productive and work order.<sup>156</sup>

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<sup>151</sup> From now on, I will use SARA to indicate the central organ, and RAB to indicate the local branches of the SARA.

<sup>152</sup> LIN Weihuan, “Religion as an object of state power: The People's Republic of China and its domestic religious geopolitics after 1978”, *Political Geography*, 67, 2018, p. 5.

The extension of administrative divisions to the township level was provided by Document 6, issued in 1991 under the Jiang Zemin administration. Its main objective was to tighten the control over the religious sphere, in the immediate aftermath of the 1989 Tiananmen crisis.

<sup>153</sup> David L. WANK, “Institutionalizing Modern “Religion” in China’s Buddhism: Political Phases of a Local Revival”, in Yoshiko Ashiwa e David L. Wank (ed. by), *Making Religion Making the State: The Politics of Religion in Modern China*, Stanford, Stanford University Press, 2009, p. 130.

<sup>154</sup> The official name for this document is “The Basic Viewpoint on The Religious Question During Our Country's Socialist Period”.

<sup>155</sup> CENTRAL COMMITTEE OF THE CHINESE COMMUNIST PARTY 中国共产党中央委员会, “Guanyu woguo shehuizhuyi shiqi zongjiao wenti de jiben guandian he jiben zhengce” 关于我国社会主义时期宗教问题的基本观点和基本政策 (The Basic Viewpoint On The Religious Question During Our Country's Socialist Period), 1982, tr. MacInnis, Donald E., *Religion in China Today: Policy and Practice*, Orbis Books, 1989, pp. 8-26. “一切宗教活动场所，都在政府宗教事务部门的行政领导之下，由宗教组织和宗教职业人员负责管理。”

<sup>156</sup> CENTRAL COMMITTEE OF THE CHINESE COMMUNIST PARTY 中国共产党中央委员会, “Guanyu woguo shehuizhuyi shiqi zongjiao wenti de jiben guandian he jiben zhengce” 关于我国社会主义时期宗教问题的基本观点和基本政策 (The Basic Viewpoint On The Religious Question During Our Country's Socialist Period), *Yunnan tongyi zhanxian* ([www.swtzb.yn.gov.cn](http://www.swtzb.yn.gov.cn)), last access March 29, 2023. “对于宗教活动的时间、规模和次数，宗教组织应当加以安排，避免妨碍社会秩序、生产秩序和工作秩序。”

Essentially, the governance of religion was based on a double control mechanism in which the ideological guidance was provided by the Party's UFWD and the administrative guidance by the governmental RAB agencies.<sup>157</sup> As a result, the double control system often led to negotiations with regards to whom exercised jurisdiction over a specific matter, simply put, regarding which of the two agencies was responsible to deal with a certain issue.<sup>158</sup> The reason for this was that the RAB and the local branch of the UFWD may have had opposite interpretations on what types of religious activities that had to be considered subject to “management” or “administration”.<sup>159</sup> The jurisdiction would have fallen under the religious associations—therefore the CCP's UFWD—in the former case, whereas it would have been exercised by the RAB in the latter case. In the end, “negotiations between the two organisations occurred within the state's dual structure of Party and government.”<sup>160</sup>

Before 2018, the territorial governance of religious sites was ruled by the “Regulations on Religious Affairs” 《宗教事务条例》 (*zongjiao shiwu tiaoli*), issued in 2004 and in force since 2005. Religious activity venues (*zongjiao huodong changsuo*), such as temples (*siyuan*, *gongguan*), mosques (*qingzhensi*), churches (*jiaotang*) and other permanent places of worship (*qita guding zongjiao huodong chusuo*), had to be registered and approved by SARA/RABs and were the only places allowed to host religious activities.<sup>161</sup> According to the Regulations, religious organisations could obtain the ownership of land and buildings for conducting religious activities after having applied to the county level or higher People's Government Real Estate and Land

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<sup>157</sup> ASHIWA Yoshiko, “Positioning Religion in...”, *op. cit.*, p. 59.

<sup>158</sup> However, very often the two departments were run by the same cadres, particularly at a local level.

<sup>159</sup> David L. WANK, “Institutionalizing Modern “Religion” in China's Buddhism...”, *op. cit.*, p. 131.

<sup>160</sup> David L. WANK, “Institutionalizing Modern “Religion” in China's Buddhism...”, *op. cit.*, p. 132.

<sup>161</sup> STATE COUNCIL of the PRC 国务院, “Zhonghua Renmin Gongheguo Guowuyuan ling di 426 tiao ‘Zongjiao shiwu tiaoli’” 中华人民共和国国务院令 (第 426 号) 《宗教事务条例》 (Order No. 426 of the State Council of the PRC “Regulations on Religious Affairs”), *Zhongguo zhengfu wang renmin zhengfu menhu wangzhan*, 2004, ([www.gov.cn/zwgk/2005-05](http://www.gov.cn/zwgk/2005-05)), last access April 17, 2023, Art. 12.

Department (县级以上地方人民政府房产、土地管理部门 *xianji yishang difang renmin zhengfu fangchan, tudi guanli bumen*).<sup>162</sup> The faculty of ownership represented a key change: prior to the 2005 Regulations,<sup>163</sup> religious activities sites were managed according to the 1994 “Regulations Governing Places of Religious Activities” 《宗教活动场所管理条例》 (*zongjiao huodong changsuo guanli tiaoli*): religious organisations were not granted with the legal right to possess religious venues; instead, the state provided land usage for religious purposes. Once the new set of rules were published, the previous regulations became void, granting religious groups legal personality over the religious site.

The registration of religious venues has been, and still is, regulated by the 2005 “Measures for the Examination, Approval, Registration and Establishment of the Religious Activity Venues” 《宗教活动场所设立审批和登记办法》 (*zongjiao huodong changsuo sheli shenpi he dengji banfa*). These measures provide that religious activity venues have to be registered following a bottom-up sequence, from county to national level. For instance, whereas a religious activity venue has to be established, the first religious group in charge of filing the application to the relevant RAB is the county-level one. In absence of the latter, then the prefecture-level religious group is responsible; if no religious group is registered in the prefecture, the duty falls under the province, autonomous region or municipality, and so on up to the national association, which serves as last resort for legal representation of local religious venues.<sup>164</sup>

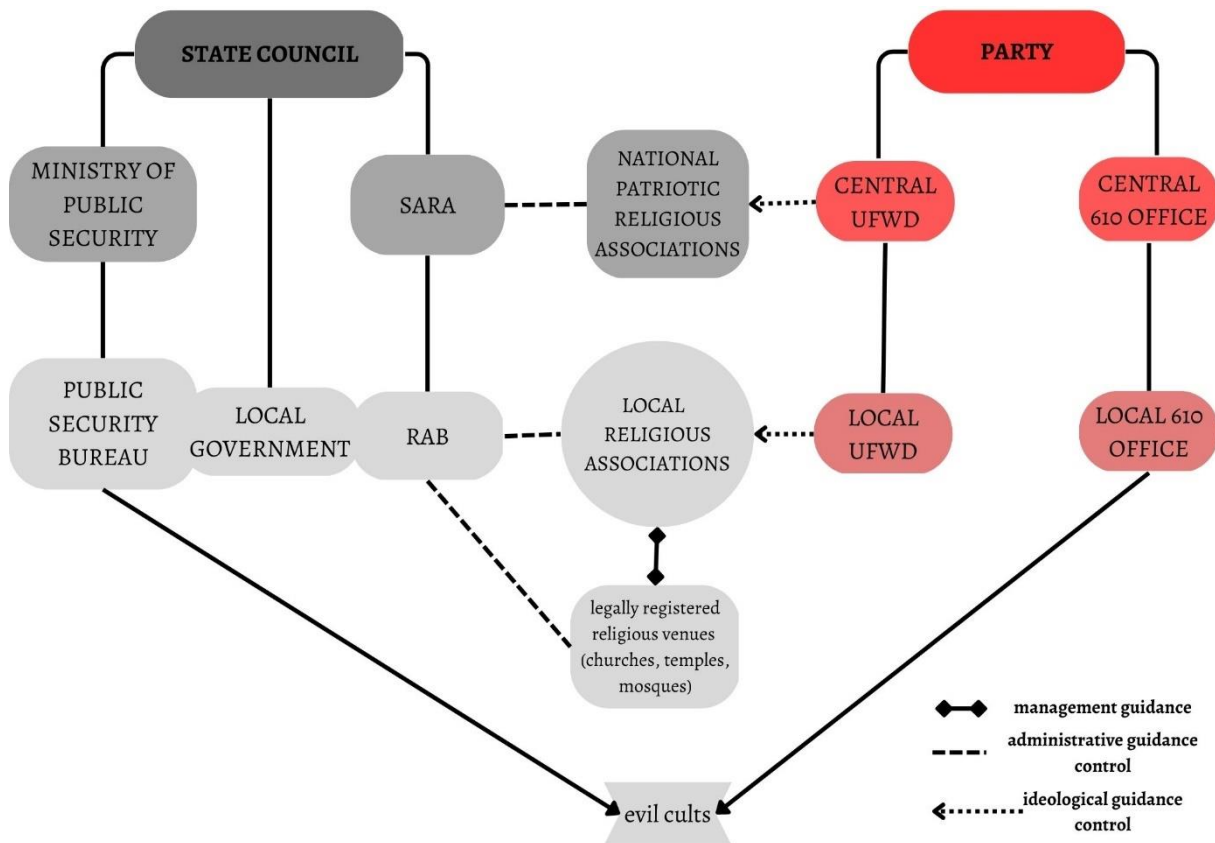
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<sup>162</sup> *Ibidem*, Art. 30-31.

<sup>163</sup> The 2005 Regulations replaced the 1994 Regulations on the Management of Places for Religious Activities 《宗教活动场所管理条例》.

<sup>164</sup> STATE ADMINISTRATION for RELIGIOUS AFFAIRS 国家宗教事务局, “Guojia zongjiao shiwuju ling di 2 hao ‘Zongjiao huodong changsuo sheli shenpi he dengji banfa’” 国家宗教事务局令第2号《宗教活动场所设立审批和登记办法》 (Measures for the Examination, Approval, Registration and Establishment of the Religious Activity Venues), Weixin (account number ZHPTS01), 2020, ([mp.weixin.qq.com](http://mp.weixin.qq.com)), last access April 17, 2023, Art. 3.





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**Figure 1: Institutional Framework before 2018.** The image summarises the institutional framework governing religions before 2018. The “red market” of recognised religious groups, organised and institutionalised into associations, are administered and managed by respectively the RABs and the local UFWD, which are hierarchically beneath the central organs. The “black market” of illegal religious groups is competence of both the PSBs (Public Security Bureaus) and the Local 610 Office, which are subordinate to the central departments. Both the RABs and the PSBs are subject to the supervision and regulations of the local governments of the four administrative levels (provincial, prefectural, county, township).

<sup>165</sup> This figure is based on the previous explanations on the institutional framework. It was made by drawing inspiration from the diagrams provided by two different articles: LIN Weihsuan, “Religion as an object of state power: The People’s Republic of China and its domestic religious geopolitics after 1978”, *Political Geography*, 67, 2018, p. 5; and SUN Yanfei, “The Rise of Protestantism in Post-Mao China: State and Religion in Historical Perspective”, *American Journal of Sociology*, 2017, 122, p. 1697.

The analysis of the central and territorial organisation demonstrates the intertwining relationships among Party, State, and religious associations.<sup>166</sup> Even though the patriotic associations are not formally part of the People's Government, up until 2018 the agencies of the State Council (SARA/RABs) had an active authority upon them. The religious organisations functioned as “an extension and delegation of the RAB.”<sup>167</sup> In fact, in order to obtain a legal status, all religious groups were required to register with RAB offices. This type of relationship leads to the formation of Government Organised NGOs (GONGOs): whilst being autonomous organisations, not technically subordinate to governmental organs, they nevertheless are subject to both directives and regulations provided by the government itself as well as to supervision and control of the UFWD.<sup>168</sup>

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<sup>166</sup> LIN Weihsuan, “Religion as an object of state power: The People's Republic of China and its domestic religious geopolitics after 1978”, *Political Geography*, 67, 2018, p. 4.

<sup>167</sup> YANG Fenggang, *Religion in China...*, *op. cit.*, p. 82.

<sup>168</sup> Kenneth LIEBERTHAL, *Governing China: From Revolution through Reform*, New York, W.W. Norton, 2004. Cited in LIN Weihsuan, “Religion as an object of state power: The People's Republic of China and its domestic religious geopolitics after 1978”, *Political Geography*, 67, 2018, p. 4.

## 2.1.2 Apparatus of control after 2018

In 2018, the institutional framework underlying the management of religions was restructured. The State Administration for Religious Affairs is no longer subordinate to State Council, it is now incorporated in the United Front Work Department. The CCP Central Committee has been working to include religious work into Party governance ever since the United Front Work Conference in 2015 and the National Work Conferences in 2016.<sup>169</sup> The turning point came in March 2018, when the Central Committee of the CCP issued the “Party and State Institutions Deep Reform Plan” 《深化党和国家机构改革方案》 (*shenhua dang he guojia jigou gaige fang'an*) as well as a circular requiring the plan’s strict implementation. This plan aims at restructuring the Party and State institutions and contains a section specifically pertaining the religious work:

中央统战部统一管理宗教工作。为加强党对宗教工作的集中统一领导，全面贯彻党的宗教工作基本方针，坚持我国宗教的中国化方向，统筹统战和宗教等资源力量，积极引导宗教与社会主义社会相适应，将国家宗教事务局并入中央统战部。中央统战部对外保留国家宗教事务局牌子。<sup>170</sup>

The management of religious work is centralized under the Central United Front Work Department. The State Administration for Religious Affairs will be merged into the Central United Front Work Department in order to strengthen the Party’s centralized and unified leadership of religious work, fully implement the Party’s fundamental policy on religious work, adhere to the religious sinicisation, coordinate the resources of the united front work and religion, and actively guide the adaptation of religion to socialist society. The exterior brand of the State Administration for Religious Affairs will be preserved by the Central United Front Work Department.

After having outlined the main structural and ideological change, the plan lists which are the main functions of the UFWD in managing religious matters.

调整后，中央统战部在宗教事务管理方面的主要职责是，贯彻落实党的宗教工作基本方针和政策，研究拟订宗教工作的政策措施并督促落实，统筹协调宗教工作，依

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<sup>169</sup> CAO Nanlai, “Chinese Religions on the Edge: Shifting Religion-State Dynamics”, *China Review*, 18, 4, 2018, p. 2.

<sup>170</sup> CENTRAL COMMITTEE OF THE CHINESE COMMUNIST PARTY 中国共产党中央委员会, “Zhonggong zhongyang yinfa ‘shenhua dang he guojia jigou gaige fang’an”, 中共中央印发《深化党和国家机构改革方案》, (The Central Committee of the Communist Party of China issued the “Party and State Institutions deep Reform Plan”), ([www.gov.cn](http://www.gov.cn)), last access March 22, 2023.

法管理宗教行政事务，保护公民宗教信仰自由和正常的宗教活动，巩固和发展同宗教界的爱国统一战线等。

不再保留单设的国家宗教事务局。<sup>171</sup>

Following the Reform, the main responsibilities of the Central United Front Work Department in the administration of religious affairs are to

1. implement the Party's basic guidelines and policies on religious work;
2. study and formulate policies and measures on religious work and supervise their implementation;
3. coordinate religious work;
4. manage religious administrative affairs in accordance with the law;
5. protect citizens' freedom of religious belief and normal religious activities;
6. consolidate and develop a patriotic united front with religious communities.

The separate State Administration for Religious Affairs will no longer be maintained.

Fundamentally, the Plan requires the SARA to be shifted from the State Council to the CCP's United Front Work Department, an organ of the Communist Party's Central Committee. The former will maintain its original name; however, all its functions and powers will be moved to the UFWD, which will be in charge of formulating religious policies, managing religious work, supervising religious activities and most importantly develop a united front with religious communities.<sup>172</sup> This last point is reiterated by Wang Zuo'an 王作安, who served as head of SARA (国家宗教事务局局长 *guojia zongjiao shiwuju juzhang*) for many years and from 2018 to 2022 took the office of vice president of the UFWD (中央统战部副部长 *zhongyang tongzhanbu fubuzhang*). In 2018 he published an article stressing that the CCP's "defining characteristic and political advantage in handling religious matters is forming a unified front with the religious community under the banners of patriotism and socialism."<sup>173</sup>

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<sup>171</sup> CENTRAL COMMITTEE OF THE CHINESE COMMUNIST PARTY 中国共产党中央委员会, "Zhonggong zhongyang yinfa 'shenhua dang he guojia jigou gaige fang'an'", 中共中央印发《深化党和国家机构改革方案》, (The Central Committee of the Communist Party of China issued the "Party and State Institutions deep Reform Plan"), *Zhongguo zhengfu wang renmin zhengfu menhu wangzhan*, 2018, ([www.gov.cn](http://www.gov.cn)), last access March 22, 2023.

<sup>172</sup> An in-depth analysis on the role of the United Front will be provided later on in this chapter.

<sup>173</sup> WANG Zuoan 王作安, "Zhuoli tigao xinshidai zongjiao gongzuo shuiping" 着力提高新时代宗教工作水平 (Make efforts to improve religious work in the new era), *Renminwang*, 2018,

On a practical level, the fact that Wang Zuo'an assumed the office of both head of SARA and vice-president of the UFWD, is a proof of this institutional transformation. Although, "in practice, at lower levels of government the same official was often in charge of the United Front, religious affairs and minority nationality affairs",<sup>174</sup> at a central level, the two roles had always been separated.<sup>175</sup> There was a close connection between the two agencies, but not to the point where they shared a leader. Currently, Wang Zuo'an is no longer in charge of religious affairs, his double office has been taken by Chen Ruifeng 陈瑞峰 since 2023.<sup>176</sup>

### Implications of the Institutional Restructuring

It is interesting to notice the ambiguity of the phrase:

中央统战部对外保留国家宗教事务局牌子。  
the exterior brand of the SARA will be preserved by the Central United Front Work Department.

As a matter of fact, when analysing the measures issued after this institutional reform, one continues to see the expression "order n° xx of the State Administration for Religious Affairs" (国家宗教事务局令第 xx 号 *guojia zongjiao shiwuju ling di xx hao*). This creates confusion on whether or not this agency still exists and whether it still maintains its governmental substance. According to the notice of the State Council concerning the new institutional set up, "the SARA keeps its nameplate at the UFWD, which performs its relevant duties and

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([paper.people.com.cn](http://paper.people.com.cn)), last access February 20, 2023. "在爱国主义、社会主义旗帜下，同宗教界结成统一战线，是我们党处理宗教问题的鲜明特色和政治优势。"

<sup>174</sup> Vincent GOOSSAERT and David A. PALMER, *The Religious Question in Modern China*, Chicago, The University of Chicago Press, 2011, p. 329.

<sup>175</sup> Gerry GROOT, "The Rise and Rise of the United Front Work Department under Xi", *China Brief*, 18, 7, 2018, p. 1.

<sup>176</sup> "Lingdao zhi tu" 领导之窗 (Leadership framework), *Zhonggong zhongyang tongyi zhanxian gongzuo bu wangzhan*, ([www.zyztz.gov.cn](http://www.zyztz.gov.cn)), last access April 20, 2023.

responsibilities” (国家宗教事务局在中央统战部加挂牌子, 由中央统战部承担相关职责).<sup>177</sup> NPC Observer has given an explanation to this new identity of the SARA:

This relationship, in which A<sup>178</sup> is a State identity and B is a Communist Party identity, first appeared after the 2018 State Council reorganization. B has in effect absorbed A, which now exists in name only (presumably to maintain a technical, formal distinction between the Party and the State). In addition to its pre-existing functions, B now also performs A's.<sup>179</sup>

In other words, SARA's continued existence is purely symbolic, it has become a sort of *empty shell* maintained to keep an apparent separation between state and Party,<sup>180</sup> even though *de facto*, all the functions are carried out by a CCP-based institution, i.e., the UFWD. This specific point is crucial, as it testifies a radical transformation for the religious sector, as well as the entire governmental structure. To be more specific, in March 2018, the National People's Congress and the People's Political Consultative Conference

signalled the end of much of the pretence of separation between the CCP and key governmental institutions, including the three government departments responsible for ethnic affairs, religion and Overseas Chinese affairs, whose functions will now be largely subsumed by the CCP's own UFWD. [...] This change reflects a return to policies of Party leadership over religion in ways not seen since the 1950s, when Mao Zedong oversaw China's forced transition to socialism.<sup>181</sup>

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<sup>177</sup> STATE COUNCIL of the PRC 国务院, “Guowuyuan guanyu jigou shezhi de tongzhi (guo fa [2018] 6 hao)” 国务院关于机构设置的通知 (国发 [2018] 6 号) (Notice of the State Council on the Institutional Establishment (State Issue [2018] No. 6), *Zhongguo zhengfu wang zhongyang renmin zhengfu menhu wangzhan*, 2018, ([www.gov.cn](http://www.gov.cn)), last access May 16, 2023.

<sup>178</sup> A in this case indicates the SARA, B indicates the UFWD.

<sup>179</sup> NPC OBSERVER, Bilingual State Council Organizational Chart, “NPC observer”, 2023, [npcobserver.com](http://npcobserver.com), last access May 16, 2023.

<sup>180</sup> During the Maoist period, state and Party were merged together, there was no distinction between the two, and between the state powers (legislative, executive and judicial): the “political system was under the absolute centralist leadership of the Party”. The separation between Party and state was introduced during the Deng Xiaoping administration, when a clear line was set between the two: the state with its organs is tasked with administrative, legislative, executive, judicial functions, while the CCP sets political principles, formulates policies and appoints functionaries of state organs. See YU Keping, “Toward an Incremental Democracy and Governance: Chinese Theories and Assessment Criteria”, in Arif Dirlik and Yu Keping (ed. by), *Issues in Contemporary Chinese Thought, Democracy and Rule of Law in China*, Leiden, Koninklijke Brill NV, 2010, pp. 3-34.

<sup>181</sup> Gerry GROOT, “The Rise and Rise of the United Front Work Department..., *op. cit.*, p. 1.

With regards to the legislative matters, the UFWD formulates the content of legal texts, but they are formally promulgated through the SARA label to keep the formal legislative authority within the governmental apparatus.

The latest Reform Plans have affected not only SARA's structure, but also the Ministry of Civil Affairs of the People's Government (人民政府民政部门 *Renminzhengfu minzheng bumen*). Even though the Ministry does not directly handle religious affairs, it is, however, tasked with registration duties for religious groups. Five years have passed since the release of the 2018 Reform Plan and the departments and ministries under the State Council are continuing to see great changes in their structure and functions. The 2023 Party and State Institutional Reform Plan saw the addition of a new department under the Central Committee of the CCP, i.e., the Central Social Work Department (中央社会工作部 *zhongyang shehui gongzuobu*).<sup>182</sup> This has taken over duties of the Ministry such as social work policies, the promotion of Party building at grassroots level governance as well as political power construction.<sup>183</sup>

The shift of responsibilities from the State Council to the Party shows an increasingly centralisation and unification of sensitive matters under the CCP's umbrella. It puts in practice "the fundamental political principle of 'the Party manages religion' (党管宗教 *dang guan zongjiao*)."<sup>184</sup> The 2018 Constitution Amendment is the fundamental essence of this ideological transition from State to Party and was a real quake that radically changed the structure of the Chinese State. Specifically, the following sentence was added to Article 1:

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<sup>182</sup> CENTRAL COMMITTEE OF THE CHINESE COMMUNIST PARTY 中国共产党中央委员会 and the STATE COUNCIL of the PRC 国务院, "Dang he guojia jigou gaige fang'an", 党和国家机构改革方案, (Party and State Institutional Reform Plan), *Zhongguo zhengfu wang renmin zhengfu menhu wangzhan*, 2023, ([www.gov.cn](http://www.gov.cn)), last access May 31, 2023.

<sup>183</sup> NPC OBSERVER, A Guide to China's 2023 State Council Restructuring, "NPC observer", 2023, [npcobserver.com](http://npcobserver.com), last access May 31, 2023.

<sup>184</sup> CAO Nanlai, "Chinese Religions on the Edge: Shifting Religion-State Dynamics", *China Review*, 18, 4, 2018, p. 2.

社会主义制度是中华人民共和国的根本制度。中国共产党领导是中国特色社会主义最本质的特征。禁止任何组织或者个人破坏社会主义制度。<sup>185</sup>

The socialist system is the fundamental system of the People's Republic of China. Leadership by the Communist Party of China is the defining feature of socialism with Chinese characteristics. It is prohibited for any organization or individual to damage the socialist system.<sup>186</sup>

This section is of the utmost importance, as it plainly states that the specific feature of Socialism with Chinese characteristics is the leading role of the Communist Party. Essentially, this has been the case since 1949, but no such sentence appeared in the 1954 or 1982 Constitutions. The CCP was never mentioned in the actual text, except for the Preamble.<sup>187</sup> It is clear from the Constitutions of 1954 and 1982 that the Party is an entity standing side by side with the State and directing its organs, although it does so without this relationship being formalised in the text of the Constitution. When Xi Jinping asked for the addition of this paragraph in 2018, he changed the nature of the People's Republic of China, in which the CCP has become the central core.<sup>188</sup> As a result, it appears reasonable that important functions, previously performed by the State have been transferred to the Party. All in all, the grounds of the reorganisation of the religious sphere lie within the Constitution reform of 2018.

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<sup>185</sup> NATIONAL PEOPLE'S CONGRESS 全国人民代表大会, "Zhonghua Renmin Gongheguo Xianfa – (2018 xiuzheng)", 中华人民共和国宪法 - 2018 修正, (Constitution of the People's Republic of China – amended in 2018), *Zhongguoren da wang*, 2018, ([www.npc.gov.cn](http://www.npc.gov.cn)), last access March 20, 2023.

<sup>186</sup> NATIONAL PEOPLE'S CONGRESS 全国人民代表大会, "Zhonghua Renmin Gongheguo Xianfa – (2018 xiuzheng)" 中华人民共和国宪法 (2018 修正), (Constitution of the People's Republic of China – amended in 2018), *english.gov.cn*, 2018, ([english.www.gov.cn](http://english.www.gov.cn)), last access March 20, 2023.

<sup>187</sup> In fact, the Party is a numerically small association: it comprises about 96 million members in China "By the end of 2021, the CCP counted 96.712.000 members." "截至 2021 年底, 中国共产党党员总数为 9671.2 万。" On CCP latest statistics on Party members, see the following website: [www.gov.cn/xinwen](http://www.gov.cn/xinwen).

<sup>188</sup> On this topic see Renzo CAVALIERI, "La revisione della Costituzione della Repubblica Popolare Cinese del 2018 e le nuove commissioni di supervisione", *Mondo Cinese Rivista di Studi sulla Cina Contemporanea della Fondazione Italia Cina*, 2019, pp. 147-158.



### **(a) Central organisation: State Council**

At a national level, the State Council has no more authority on the “normal” and recognised religious activities: as previously mentioned, the authority has been shifted to the UFWD of CCP. From the analysis of the Reform Plan, the official website of the UFWD and the almost untraceable websites of the former State Council/SARA<sup>189</sup> it can be assumed that all the internal departments of the SARA have been dismantled, while two additional bureaus have been added to the organisational structure of the UFWD.

However, with regards to illegal religious activities and groups, the State Council is still responsible via its Ministry of Public Security to deal with cult issues and wipe out illegitimate forms of religion.

将中央防范和处理邪教问题领导小组及其办公室职责划归中央政法委员会、公安部。The obligations of the Central Leading Group’s Office for Preventing and Dealing with Cult Issues [i.e., 610 Office] and its offices will be incorporated into the Central Political and Legal Committee and the Ministry of Public Security.<sup>190</sup>

The 610 Office is dismantled and its responsibilities are assigned to the Central Political and Legal Committee of the CCP (中央政法委员会 *zhongyang zhengzhi weiyuanhui*, hereinafter CPLC) and to the Ministry of Public Security. The Reform Plan goes along with the main motives for this reorganisation: firstly, it aims at improving the coordination between Party and State in enhancing security and ensuring social stability. Secondly, it aims at establishing a mechanism for the prevention and governance of evil cults (防范治理邪教工作机制 *fangfan zhili xiejiao gongzuo jizhi*) guided by both the Party committee and the Ministry of Public Security. The management of cult issues is now shared between the two

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<sup>189</sup> From now on I will use this form to indicate the State Council’s SARA, as opposed to the new SARA merged together with the UFWD.

<sup>190</sup> CENTRAL COMMITTEE OF THE CHINESE COMMUNIST PARTY 中国共产党中央委员会, “Zhonggong zhongyang yinfa ‘Shenhua dang he guojia jigou gage fang’an”, 中共中央印发《深化党和国家机构改革方案》, (The Central Committee of the Communist Party of China issued the “Party and State Institutions deep Reform Plan”), *Zhongguo zhengfu wang renmin zhengfu menhu wangzhan*, 2018, ([www.gov.cn](http://www.gov.cn)), last access March 22, 2023.

departments, and society will cooperatively engage in stopping the rise of evil cults.<sup>191</sup>

After the reform, the CPLC has been tasked with coordinating and making policy recommendations to the CCP Central Committee, while the Ministry is in charge of analysing the situation of cult organisations affecting social stability and endangering public security, and cracking down on illegal and criminal activities of cult organisations in accordance with the law.<sup>192</sup>

### **(b) Central organisation: CCP**

The Reform assigned new functions and powers to the CCP's UFWD, which now has control over all the religious work and has absorbed the former SARA. The current organisational structure of the new UFWD has not been disclosed. To this day there is no official document describing the new internal bureaus of this department, since "structures and functions of organisations within the Chinese Communist Party are often poorly documented."<sup>193</sup> However, based on Alex Joske's research, the UFWD has experienced one of the most outstanding transformations among the CCP's essential civilian departments since the early 1950s. Between 2016 and 2018, six bureaus were added to the UFWD, two of which are specifically devoted to religious work—11<sup>th</sup> and 12<sup>th</sup> Bureau.<sup>194</sup> It is notable that a significant number of positions within these bureaus are occupied by former officials of the SARA.<sup>195</sup> The division of labour is not clear, however the 12<sup>th</sup> Bureau (中央统战部十二局 *zhongyang tongzhanbu shier ju*) seems to have divisions for each of the five

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<sup>191</sup> *Ibidem*. “为更好统筹协调执政安全和社会稳定工作，建立健全党委和政府领导、部门分工负责、社会协同参与的防范治理邪教工作机制，发挥政法部门职能作用，提高组织、协调、执行能力，形成工作合力 and 常态化工作机制，将防范和处理邪教工作职责交由中央政法委员会、公安部承担。”

<sup>192</sup> *Ibidem*. “调整后，中央政法委员会在防范和处理邪教工作方面的主要职责是，协调指导各相关部门做好反邪教工作，分析研判有关情况信息并向党中央提出政策建议，协调处置重大突发性事件等。公安部在防范和处理邪教工作方面的主要职责是，收集邪教组织影响社会稳定、危害社会治安的情况并进行分析研判，依法打击邪教组织的违法犯罪活动等。”

<sup>193</sup> Alex JOSKE, “Reorganizing the United Front Work Department..., *op. cit.*, p. 1.

<sup>194</sup> Alex JOSKE, “Reorganizing the United Front Work Department..., *op. cit.*, p. 9.

<sup>195</sup> *Ibidem*.

recognised religions, while the 11<sup>th</sup> Bureau (中央统战部十一局 *zhongyang tongzhanbu shiyi ju*) “may instead have functional responsibilities (such as overseeing religious schools) in order to avoid duplication of work.”<sup>196</sup> More recent research on Chinese-language sources attests the existence of these newly established bureaus, not indicating however their detailed functions and scope of competence. Some examples of the work conducted by these bureaus can be found on local UFWD websites. For example, in 2020 Xiao Hong, director of the 12<sup>th</sup> Bureau visited Fuzhou to investigate religious work and conducted on-the-spot investigations of a Buddhist temple and college.<sup>197</sup> Another example can be found on the Shaanxi Province government’s official website. In line with the hypothesis of Alex Joske’s research, the news article mentions a second-level inspector of the 11<sup>th</sup> Bureau (十一局二级巡视员 *shiyi ju erji xunshiyuan*) and the director of the School division of the UFWD (院校处处长 *yuanxiao chu chuzhang*) listening to a report on religious work in Daoist schools.<sup>198</sup> A similar article can be found on the Jiujiang prefecture-level city in Jiangxi<sup>199</sup> and China Buddhist

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<sup>196</sup> Alex JOSKE, “Reorganizing the United Front Work Department..., *op. cit.*, p. 12.

<sup>197</sup> “Zhongyang tongzhanbu shierju juzhang Xiao Hong Yixing lai Caoshan si diaoyan zongjiao gongzuo” 中央统战部十二局局长肖虹一行来曹山寺调研宗教工作 (Xiao Hong, Director of the Twelfth Bureau of the UFWD and his delegation went to Caoshan Temple to investigate religious work), *Fuzhou tongyi zhanxian*, 2020, ([fztz.jxfz.gov.cn](http://fztz.jxfz.gov.cn)), last access April 10, 2023.

Other examples related to the activities of the 12<sup>th</sup> Bureau: in 2019, an inspector of the 12th Bureau visited Guangdong to supervise the management of folk beliefs. In 2021, leaders of the 12th Bureau investigated the religious work of Jiming Temple in Nanjing ([link to the article](#)). In 2022, a professor of the Renmin University of China was invited by the 12th Bureau to participate in an internal symposium to provide expert advice on issues related to Islam.

<sup>198</sup> “Shaanxi sheng minzongwei xiang zhongyang tongzhanbu shiyiju huibao daojiao xueyuan baoxue jinzhan qingkuang bing fu sheng wai daojiao xueyuan kaocha diaoyan” 陕西省民宗委向中央统战部十一局汇报道教学院办学进展情况并赴省外道教学院考察调研 (Shaanxi Provincial Ethnic and Religious Committee reports to the 11th Bureau of the Central United Front Work Department on the progress of running Taoist colleges and visits Taoist colleges outside the province for research), *Shaanxi sheng zhengfu wang*, 2020, ([mzzj.shaanxi.gov.cn](http://mzzj.shaanxi.gov.cn)), last access April 10, 2023.

<sup>199</sup> “Zhongyang tongzhanbu shiyiju lai Xun diaoyan zongjiao yuanxiao gongzuo” 中央统战部十一局来浔调研宗教院校工作 (The 11th Bureau of the United Front Work Department of the Central Committee went to Xun to investigate the work of religious schools), *Jiujiang xinwen wang*, 2022, ([www.toutiao.com](http://www.toutiao.com)), last access April 10, 2023.

Putuoshan College.<sup>200</sup> In both cases inspectors of the 11<sup>th</sup> Bureau are mentioned with regards to investigations and research on religious work related to religious schools.

From these articles and web news it is possible to deduce that the 12<sup>th</sup> Bureau includes at least five divisions:

1. Daoist division (道教处 *daojiao chu*);<sup>201</sup>
2. Protestant division (基督教处 *jidujiao chu*);<sup>202</sup>
3. Buddhist division (佛教处 *fojiao chu*);<sup>203</sup>
4. Islamic division (伊斯兰教处 *yisilanjiao chu*);<sup>204</sup>
5. Catholic division (天主教处 *tianzhujiao chu*);<sup>205</sup>

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<sup>200</sup> “Zhongyang tongzhanbu shiyiju lingdao yixing diaoyan Zhongguo fojiao yuan Putuoshan xueyuan” 中央统战部十一局领导一行调研中国佛学院普陀山学院 (Leaders of the 11th Bureau of the Central United Front Work Department conducted inspections of the China Buddhist Putuoshan College), *Putuoshan fojiao wang*, 2021, ([www.putuo.org.cn](http://www.putuo.org.cn)), last access April 10, 2023.

<sup>201</sup> “Zhonghua Xu Daozang’ bianzuan chuban gongcheng qidong yishi zai Jing juxing” 《中华续道藏》编纂出版工程启动仪式在京举行 (Launching ceremony for the compilation and publication of the “Zhonghua Xu Daozang” was held in Beijing), *Daojiao xinwen ziliao*, 2018, ([web.archive.org](http://web.archive.org)), last access April 10, 2023.

<sup>202</sup> “Zhongguo jidujiao jinian gaige kaifang sishizhounian ji shenxue sixiang jianshe ershi zhounian yantaohui zai Hu juxing” 中国基督教纪念改革开放四十周年暨神学思想建设二十周年研讨会在沪举行 (Chinese Protestants commemorate the 40th anniversary of Reform and Opening up and 20th anniversary of theological thought building: the seminar was held in Shanghai), *Zhongguo Jidujiao lianghui wangzhan*, 2018, ([archive.fo](http://archive.fo)), last access April 10, 2023.

<sup>203</sup> “2019 Hanchuan fojiao yuanxiao qingnian fashi shufa peixun ban kai ban yishi zai Yongfu si juxing” 2019 汉传佛教院校青年法师书法培训班开班仪式在永福寺举行 (The 2019 Calligraphy Training Course for Young Masters of Chinese Buddhist Colleges and Universities was inaugurated at Yongfu Temple), *Zhejiang Fojiao Xiehui guanwang*, 2019, ([www.zjfxh.com](http://www.zjfxh.com)), last access April 10, 2023.

<sup>204</sup> “Quanguo Zhengxie weiyuan minzu he zongjiao weiyuanhui zhu hui fuzhuren Yang Xiaobo yixing lai xiao diaoyan zongjiao rencai peiyang gongzuo” 全国政协委员、民族和宗教委员会驻会副主任杨小波一行来校调研宗教人才培养工作 (Yang Xiaobo, member of the National Committee of the Chinese People’s Political Consultative Conference and deputy director of the Ethnic and Religious Committee, visited the university to investigate the cultivation of religious talents), *Renda xinwen*, 2020, ([news.ruc.edu.cn](http://news.ruc.edu.cn)), last access April 10, 2023.

<sup>205</sup> “Tianzhujiao Shantou jiaoqu zhujiao fu jianshe xiangmu qidong yishi shunli juxing” 天主教汕头教区主教府建设项目启动仪式顺利举行 (Launch ceremony of the Catholic Diocese of Shantou Bishop’s House construction project), *Guangdong sheng minzu zongjiao shiwu weiyuanhui wangzhan*, 2020, ([mzzjw.gd.gov.cn](http://mzzjw.gd.gov.cn)), last access April 10, 2023.

While the 11<sup>th</sup> Bureau includes at least the Religious Schools division (中央统战部十一局院校处 *zhongyang tongzhanbu shiyi ju yuanxiao chu*)<sup>206</sup> and, as many articles suggest by mentioning UFWD 11<sup>th</sup> Bureau inspectors (中央统战部十一局二级巡视员 *zhongyang tongzhanbu shiyi ju erji xunshiyuan*),<sup>207</sup> it might also include a division in charge of inspections.

Even though there is no detailed document depicting the internal set up of the UFWD with its specific functions, the newly revised “Regulations on the Work of the United Front of the CCP” contain a chapter on religious work (Chapter VI, from Article 23 to 26) and give a general idea of the functions these two bureaus might conduct:

- (1) improve rule of law in religious work, manage religious affairs according to laws and regulations;<sup>208</sup>
- (2) prevent foreign forces from interfering with and dominating religious groups and religious affairs;<sup>209</sup>
- (3) guide and educate religious figures and believers with socialist core values, support and guide religious figures to make interpretations of religious doctrines consistent with China’s excellent culture and contributing to China’s development and progress;<sup>210</sup>
- (4) strengthen religious work at the grassroots level, establish and improve the three-level religious work at the county (city 市 *shi*, district 区 *qu*, banner 旗

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<sup>206</sup> “Zhongyang tongzhanbu shiyiju er ji xunshi yuan Zuo Weiguo yixing lai Wudangshan daojiao xueyuan diaoyan gongzuo” 中央统战部十一局二级巡视员左卫国一行来武当山道教学院调研工作 (Zuo Weiguo, Second level Inspector of the Eleventh Bureau of the Central United Front Work Department went to the Wudang Mountain Taoist College for research work), *Wudangshang daojiao xueyuan guanwang*, 2021, ([www.wdsdxy.com](http://www.wdsdxy.com)), last access April 10, 2023.

<sup>207</sup> *Ibidem*.

<sup>208</sup> POLITBUREAU of the CENTRAL COMMITTEE of the CHINESE COMMUNIST PARTY 中共中央政治局, “Zhonggong zhongyang yinfa ‘Zhongguo gongchandang tongyi zhanxian gongzuo tiaoli’” 中共中央印发《中国共产党统一战线工作条例》(The Central Committee issues “CCP’s United Front Work Regulations”), *Zhongguo zhengfu wang zhongyang renmin zhengfu menhu wangzhan*, 2021, ([www.gov.cn](http://www.gov.cn)), last access April 10, 2023, Art. 24.

<sup>209</sup> *Ibidem*.

<sup>210</sup> *Ibidem*.

qi), township (town 镇 *zhen*, residential district 街道 *jiedao*) and village (neighbourhood 社区 *shequ*) levels. In townships with heavy religious work tasks, the Party Committee should select leading cadres in charge of religious work, and specify a person to be responsible.<sup>211</sup>

### **(c) Central organisation: Religious Associations**

There are seven national religious organisations, that are the Buddhist Association of China, the Chinese Daoist Association, the Islamic Association of China, Chinese Catholic Patriotic Association together with the Chinese Catholic Bishops Conference, the Protestant Three-Self Patriotic Movement Committee and the China Christian Council for Protestant Christianity. Each religious organisation elects and produces its leaders and leading bodies in accordance with its own bylaws.<sup>212</sup> Overall, religious associations have not experienced a significant transformation in terms of internal organisation, however the new political “sinicisation” has undoubtedly affected their autonomy. The imperative of “sinicisation” was introduced in all the religious associations’ Five-year Work Plans (see Appendix 1). In the five years spanning from 2018/2019 to 2022/2023, all the national religious associations were obliged to conform to the Chinese-oriented path. This entails not only supporting the leadership of the CCP and educating religious communities on laws and regulations, but also adapting sacred scriptures, liturgical ceremonies, etiquettes, religious architectures to Chinese culture. These guidelines are also present in the latest bylaws of the national patriotic associations, which had to be revised to be consistent with the new regulations and measures.

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<sup>211</sup> *Ibidem*, Art. 26.

<sup>212</sup> “Zhongguo zongjiao gaikuang” 中国宗教概况 (General Situation of Religion in China), *Zhongguo zhengfu menhu wangzhan*, 2005, ([www.gov.cn](http://www.gov.cn)), last access March 24, 2023. “在中国，全国性的宗教团体有中国佛教协会，中国道教协会，中国伊斯兰教协会，中国天主教爱国会，中国天主教主教团，中国基督教三自爱国运动委员会，中国基督教协会等。各宗教团体按照各自的章程选举、产生领导人和领导机构。”

In 2019 the UFWD/SARA<sup>213</sup> decreed the “Measures for the Administration of Religious Groups” 《宗教团体管理办法》 (*zongjiao tuanti guanli banfa*) which came into force the 1<sup>st</sup> of February 2020. These measures, together with the new Regulations on Religious Affairs, specifically provide an explanation of the structure, and for the first time, a description of functions and main duties of the religious organisations. Their main responsibility is that of promoting the adherence of religious communities to the CCP’s official ideology. This is clearly stated in the second paragraph of Article 2 of the Measures:

宗教团体是中国共产党和人民政府团结、联系宗教界人士和广大信教公民的桥梁和纽带。<sup>214</sup>

Religious groups represent a linking bridge that unites and ties the CCP and People’s Government with the religious community and religious citizens at large.

Acting as liaisons between the CCP and the religious field, religious groups serve merely political purposes, such as (1) assisting the government in implementing laws, regulations, rules and policies; (2) formulating a system of rules and supervision for conducting religious affairs; (3) carrying out religious cultural studies, interpreting religious doctrines and canons and establishing religious ideology; (4) arranging religious training for religious clergy, handling their selection and appointment.<sup>215</sup>

As a result, the role of religious associations, which has historically leaned more towards the political sphere rather than the religious one, has been further reinforced, resembling a powerful tentacle of the Party. The leaders of the national patriotic associations are, thus, becoming “little more than collaborators who help

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<sup>213</sup> To avoid confusion with the previous State Council's SARA, I shall now refer to this new form (UFWD/SARA) whenever I discuss the SARA merged into the UFWD.

<sup>214</sup> STATE ADMINISTRATION for RELIGIOUS AFFAIRS 国家宗教事务局, “Zongjiao tuanti guanli banfa” 宗教团体管理办法 (Measures for the Administration of Religious Groups), *Zongjiaoju wangzhan*, ([www.gov.cn](http://www.gov.cn)), last access March 25, 2023.

<sup>215</sup> STATE COUNCIL of the PRC 国务院, “Zhonghua Renmin Gongheguo Guowuyuan ling (di 686 tiao) ‘Zongjiao shiwu tiaoli’” 中华人民共和国国务院令 第 686 号 《宗教事务条例》 (Order No. 686 of the State Council of the PRC “Regulations on Religious Affairs”), *Zhongguo zhengfu wang renmin zhengfu menhu wangzhan*, 2017, ([www.gov.cn](http://www.gov.cn)), last access April 25, 2023, Art. 8.

propagate the Party's propaganda and attempt to connect core socialist values to [religious] dogmas.”<sup>216</sup>

Article 2 further describes what religious groups are. They are categorised as non-profit social organisations (非营利性社会组织 *feiyingli shehui zuzhi*)<sup>217</sup> established voluntarily among citizens for the purpose of being united in patriotism and in religious affiliation.<sup>218</sup> Being this the case, religious organisations have to abide by both the “Regulations for Registration and Administration of Social Organisations” 《社会团体登记管理条例》 (*shehui tuanti dengji guanli tiaoli*) and “Regulations on Religious Affairs” as specified in Article 3. They must, therefore, obtain the approval of the UFWD/SARA and register at the Ministry of Civil Affairs, or else they are not allowed to carry out religious activities.<sup>219</sup>

The administrative unit (业务主管单位 *yewu zhuguan danwei*) of all religious organisations is the UFWD/SARA, which exercises operational guidance (业务指导 *yewu zhidao*) as well as supervisory management (监督管理 *jiandu guanli*).<sup>220</sup>

Article 5 goes on describing the duties of these organisations: they must support the leadership of the CCP, abide by laws, adhere to the principles of independence and self-governance (独立自主自办 *duli zizhu ziban*) and follow the direction of the “sinicisation” path.<sup>221</sup> This article brings up an important aspect of

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<sup>216</sup> Magdaléna MASLÁKOVÁ and Anežka SATOROVÁ, “The Catholic Church in Contemporary China: How Does the New Regulation on Religious Affairs Influence the Catholic Church?”, *Religions*, 10, 7, 2019, p. 14.

For example, Christian leaders are attempting to find “biblical grounds for presenting the guidance of the Party as a form of obedience to God’s commandments.” See Benoît VERMANDER, “Sinicizing Religions, Sinicizing Religious Studies”, *Religions*, 10, 137, 2019, pp. 1-23.

<sup>217</sup> WU Fengshi and CHAN Kin-man, “Graduated Control and Beyond: The Evolving Government-NGO Relations”, *China Perspectives*, 3, 2012, pp. 9-17.

<sup>218</sup> *Ibidem*, Art. 2. “本办法所称宗教团体，是指信教公民自愿组成，为团结信教公民爱国爱教、促进宗教健康发展，按照其章程开展活动的非营利性社会组织。”

<sup>219</sup> *Ibidem*, Art. 3. “成立宗教团体应当按照国家社会团体登记管理和宗教事务管理规定，经人民政府宗教事务部门审查同意并到人民政府民政部门登记。”

<sup>220</sup> *Ibidem*, Art. 6. “人民政府宗教事务部门是宗教团体的业务主管单位。宗教团体应当接受人民政府宗教事务部门的业务指导和监督管理。”

<sup>221</sup> *Ibidem*, Art. 5. “第五条 宗教团体必须坚持中国共产党的领导，遵守宪法、法律、法规、规章和政策，坚持独立自主自办的原则，坚持我国宗教中国化方向，践行社会主义核心价值观，维护国家统一、民族团结、宗教和睦与社会稳定。”



the governance of religions in China: the principles of independence and self-governance. As opposed to one's expectations and immediate assumptions, this does not imply the separation between State and religion, it means that these religious associations cannot be controlled by foreign entities.<sup>222</sup> As a matter of fact, the president (会长 *huizhang*) has to be of Chinese nationality, resident in mainland China, citizen of the PRC and preferably under 70 years of age as stated in Article 11. The president is also the legal representative of the organisation and cannot simultaneously be the legal representative of another social organisation.<sup>223</sup>

Other duties of these organisations are to spread the guidelines and policies of the CCP in order to instruct religious clergy and religious citizens to support the CCP;<sup>224</sup> to excavate into the religious teaching and promote those values in line with the Chinese traditional culture.<sup>225</sup>

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<sup>222</sup> “Jianchi duli zizhu ziban baozhang zongjiao xinyang ziyou” 坚持独立自主自办 保障宗教信仰自由 (Preserve the principles of independence and self-governance, protect the freedom of religious belief), *Zhongguo zhengfu wang zhongyang renmin zhengfu menhu wangzhan*, 2018, ([www.gov.cn](http://www.gov.cn)), last access April 3, 2023.

<sup>223</sup> STATE ADMINISTRATION for RELIGIOUS AFFAIRS 国家宗教事务局, “Zongjiao tuanti guanli banfa” 宗教团体管理办法..., Art. 12.

<sup>224</sup> *Ibidem*, Art. 17.

<sup>225</sup> *Ibidem*, Art. 22.

### Territorial organisation

In several provinces, prefectures, and counties, similar groups go by the same names at the local level; however, these associations are independent organisations and are not a direct branch of the national ones.<sup>226</sup> Religious associations established on all territorial levels must report to the local UFWD/RABs and must register with the local Civil Affairs Bureau (hereinafter CAB).<sup>227</sup> After the approval and registration, the local CAB issues the “Certificate of Registration as a Social Organisation Legal Person” 《社会团体法人登记证书》 (*shehui tuanti faren dengji zhengshu*).<sup>228</sup> However, there are cases in which the registration is not granted. For instance, in the same administrative unit, it is not possible to establish two or more similar associations having the same business scope.<sup>229</sup> To put it simply, it is not permitted to have two provincial religious organisations of the same religion in the same province, such as two provincial Buddhist associations: religious citizens must join the already existing one. As Fenggang Yang argues, this type of fragmented structure, in which the local organisations are not subject to the authority of the national ones, is functional to the Party, because it prevents the comprehensive mobilisation of all the associations that fall under the same religion.<sup>230</sup>

At a county level, the governance over religious activity venues has partially remained unvaried. Temples, mosques and churches can still be governed by county-level associations—which designate leadership roles for the places of worship—but can also decide to apply for legal personhood. In this case, the roles

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<sup>226</sup> YANG Fenggang, *Religion in China...*, *op. cit.*, p. 82.

For instance, the provincial Buddhist Association of China is not a provincial unit of the national Buddhist Association of China, it is not a local extension of the central association.

<sup>227</sup> STATE COUNCIL of the PRC 国务院, “Shehui tuanti dengji guanli tiaoli (2016 nian 2 yue 6 ri xiuzheng ban)” 社会团体登记管理条例 (2016 年 2 月 6 日修正版) (Regulation on Registration and Administration of Social Organizations (amended version of the 6<sup>th</sup> of February 2016)), *Minzhengbu menhu wangzhan*, 2016, ([www.mca.gov.cn](http://www.mca.gov.cn)), last access April 3, 2023, Art. 6. “国务院民政部门 and 县级以上地方各级人民政府民政部门是本级人民政府的社会团体登记管理机关 [...]。”

<sup>228</sup> *Ibidem*, Art. 12.

<sup>229</sup> *Ibidem*, Art. 13.

<sup>230</sup> YANG Fenggang, “Repression of Religious Institutions...”, *op. cit.*, p. 3.

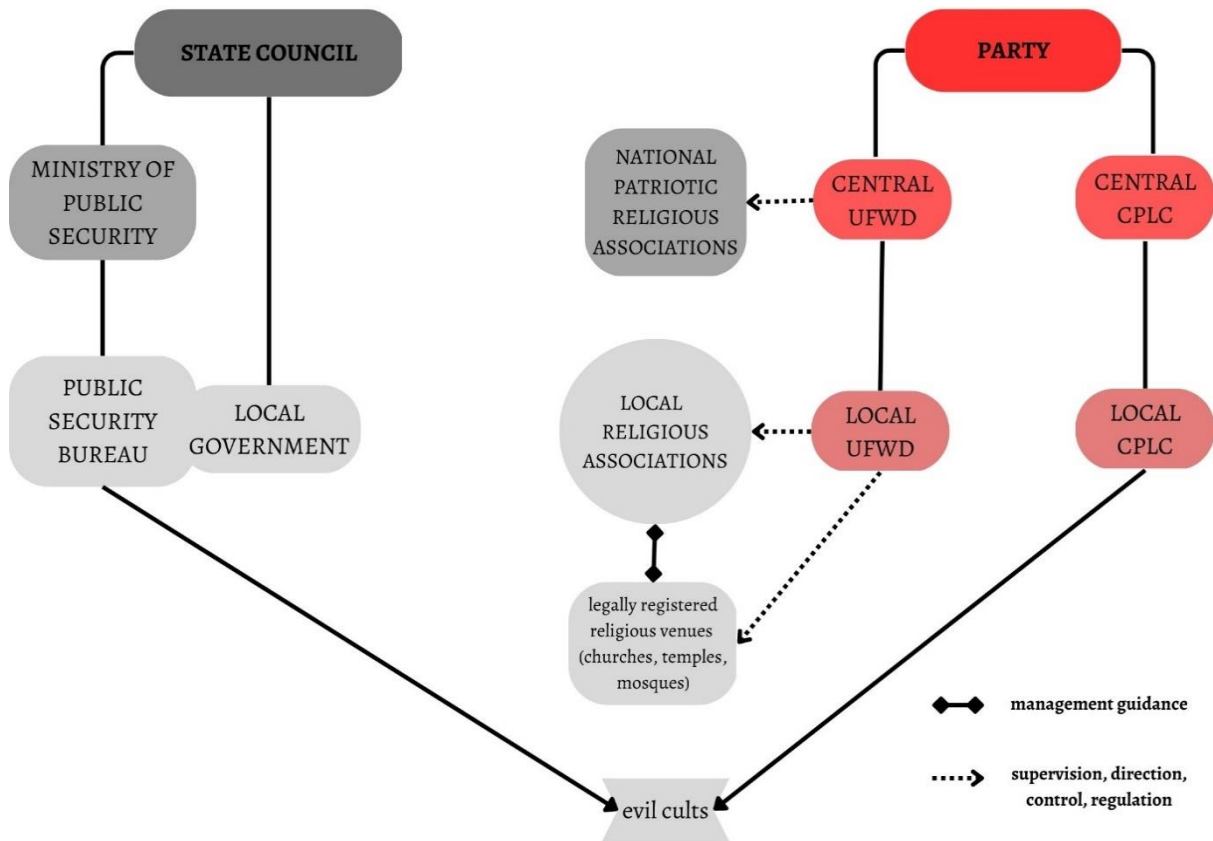
and power of the religious associations at the county level are likely to reduce once religious site is granted legal person status.<sup>231</sup> In 2018, during the National Joint Conference of Religious Organisations (全国性宗教团体联席会议 *quanguoxing zongjiao tuanti lianxi huiyi*) involving key leaders of the UFWD of the five national religious associations, a joint statement was issued declaring the need to put up the Chinese flag over places of worship and to sing the national anthem before liturgical ceremonies to encourage religious believers

to deepen their political, ideological, and emotional identification with the Party and the state, to further practice the core socialist values and to inherit and carry forward the fine traditions of patriotic progress.<sup>232</sup>

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<sup>231</sup> *Ibidem*. Chapter three provides a more detailed analysis on the acquisition of legal personality of religious sites (see paragraph 3.4.1).

<sup>232</sup> WANG Haiqing 王海馨, “Quanguoxing zongjiao tuanti gongtong changyi zai zong jiao huodong changsuo shenggua guoqi” 全国性宗教团体共同倡议在宗教活动场所升挂国旗 (National Religious Groups jointly propose raising the National Flag over religious Venues), Xinhua wang, 2018, ([www.xinhuanet.com](http://www.xinhuanet.com)), last access May 14, 2023. (Cited in CONGRESSIONAL-EXECUTIVE COMMISSION ON CHINA, 2019 Annual Report..., *op. cit.*, p. 3.) “进一步深化对党和国家的政治认同、思想认同、情感认同，进一步践行社会主义核心价值观；有利于宗教界人士和信教群众更好地继承和发扬爱国进步的优良传统。”



**Figure 2: Institutional structure after the 2018 Reform.** The figure depicts the institutional framework governing religions after the “Party and State Institutions deep Reform Plan Reform Plan”. The “red market” of legally registered religious groups, organised into associations, is now totally administered by UFWD at all administrative units, from province/municipality/autonomous region down to villages. The “black market” of illegal religious groups is competence of both the PSBs (Public Security Bureaus) and the local units of the Political and Legal Committee, which are subordinate to the central departments. The picture clearly shows the dismantlement of the SARA and its local offices.

<sup>233</sup> This figure is based on the previous explanations on the institutional framework.

The analysis of the central and territorial organisation demonstrates the increasingly important role given to the UFWD<sup>234</sup> This is a very old institution, that dates back to the early 20<sup>th</sup> century. This department was highly operational during the Maoist period, but over time it lost many of its functions, maintaining primarily a symbolic value. However, with the Xi Jinping era, it took on a new form, becoming one of the most active departments of the CCP.

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<sup>234</sup> Not only the SARA was shifted from State to Party, also other governmental agencies have been moved under the CCP Central Committee's control. The Overseas Chinese Affairs Office under the UFWD; the National Press and Publication Administration and State Council Information Office under the Propaganda Department; the National Service Administration under the Organisation Department.

## 2.2 The United Front

### 2.2.1 Origins of the United Front

“The notion of ‘united front’ (统一战线 *tongyi zhanxian*), originally formulated by Lenin, was first adopted by the Chinese Communist Party (CCP) in the early 1920s, a period of strong Comintern and Soviet influence.”<sup>235</sup> The first experience of formation the United Front was in 1923: the CCP established an alliance with the Nationalist Party (国民党 *guomindang*) to fight foreign imperialism, but ended tragically in 1927 with the complete destruction of the CCP.<sup>236</sup> On the other hand, the Second United Front<sup>237</sup> significantly influenced the growth of the CCP and the formulation of its political strategy and tactics.<sup>238</sup> It became one of the most characteristic features of the CCP, and was defined by Mao Zedong one of the three “magic weapons” (法宝 *fabao*) that contributed to the victory of the CCP. The work of the united front aims at interacting “with several political, cultural and social constituencies within an apparent win-win strategy, but without jeopardising its ability to make autonomous action” and “isolating the individuals who do not conform.”<sup>239</sup> As the years went by, this initially relatively small organisation within the Party became increasingly valuable for achieving the Party’s goals, until it was institutionalised into the United Front Work Department in 1938 and placed under the direct control of the Central Committee of the CCP with divisional units at every administrative level.<sup>240</sup>

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<sup>235</sup> Laura DE GIORGI, “United Front”, in Christian Sorace, Ivan Franceschini, and Nicholas Loubere (ed. by), *Afterlives of Chinese Communism: Political Concepts from Mao to Xi*, ANU Press, 2019, p. 303.

<sup>236</sup> Lyman P. VAN SLYKE, “The United Front in China”, *Journal of Contemporary History*, 1970, 5, 3, p. 120.

<sup>237</sup> An alliance between the CCP and the Nationalist Party to fight the Japanese invasion. It lasted from 1937 to 1941. On the history of the First and Second United Front see Lyman P. VAN SLYKE, “The United Front in China”, *Journal of Contemporary History*, 1970, 5, 3, pp. 119-135.

<sup>238</sup> Laura DE GIORGI, “United Front...”, *op. cit.*, pp. 304, 307.

<sup>239</sup> *Ibidem.*

<sup>240</sup> *Ibidem.*

### 2.2.2 Defining the United Front

According to Van Slyke's definition, the United Front divides society into three clusters: (1) the Party and its cadres, numerically the smallest group; (2) the middle group, numerically the largest, comprising the "uncommitted" to Party's objectives; and finally, (3) the enemies, including individuals or groups to be isolated. The main objective of the United Front was that of "winning over some of the uncommitted and neutralising others so that they do not participate on either side."<sup>241</sup>

This definition can be extended to present time: religious groups are part the intermediate segment to be neutralised and to be prevented from becoming misaligned and, consequently, part of the third cluster. The goal of the "religious work", which was previously responsibility of the State Council—now in the United Front Work Department's hands—is precisely to neutralise and align religions on the same path. In this particular instance, one can see a close connection between the policy of "sinicisation" proposed by Xi Jinping and the revival of the United Front as a political and governing tool of the religious sphere in China.

For many years, in fact, during the Cultural Revolution and also in the subsequent period of Reform and Opening-up, the United Front Department had been left in the background. On a practical level, between the 1980s and 1990s it was a minor CCP organ and it had become "increasingly irrelevant to concrete problems within China" and was full of "faceless functionaries whose work is rarely mentioned".<sup>242</sup> But, from an ideological point of view, the united front functioned as a theoretical support for the activities of the cadres. Over the years, the discursive network over the united front had always been abundant, but its actual practical role had been marginalised.<sup>243</sup> On an institutional level, however, "the

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<sup>241</sup> Lyman P. VAN SLYKE, "The United Front in China...", *op. cit.*, p. 128.

<sup>242</sup> Lyman P. VAN SLYKE, "The United Front in China...", *op. cit.*, p. 135.

<sup>243</sup> Laura DE GIORGI, "United Front...", *op. cit.*, p. 304.

most systematic attempt to organise and assign a new fundamental role to united front work is currently being done under Xi Jinping.”<sup>244</sup>

### 2.2.3 Revival of the United Front Work in Xi’s Era

The United Front Work (hereinafter UFW)<sup>245</sup> as a practical strategic tool was restored in 2015, when a new emphasis was given to its role. The resurgence of the united front tactic follows the emergence of new social groups and the increasingly complex societal interactions, that have to be “controlled, integrated and represented in the CPPCC [Chinese People’s Political Consultative Conference] system to forestall the development of anything that might resemble a civil society space.”<sup>246</sup> In occasion of the Central United Front Work Conference<sup>247</sup> (中央统一战线工作会议 *zhongyang tongyi zhanxian gongzuo huiyi*), Xi Jinping highlighted the importance of consolidating and developing a patriotic united front to provide extensive support for the accomplishment of the “Chinese Dream”.<sup>248</sup>

The united front is an effective instrument for rallying the people’s support and pooling their strength. We will build a broad united front to forge great unity and solidarity and we will encourage all the sons and daughters of the Chinese nation to dedicate themselves to realising the Chinese dream of national rejuvenation. [...] We will remain committed to the principles that

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<sup>244</sup> Laura DE GIORGI, “United Front..., *op. cit.*, p. 306.

<sup>245</sup> United Front Work must not be confused with United Front Work Department. The former refers to different strategic operations and tactics, the UFWD refers to the institution.

<sup>246</sup> Gerry GROOT, “The Rise and Rise of the United Front Work Department..., *op. cit.*, p. 2.

<sup>247</sup> In 2015 the title of this conference changed from “National United Front Work Conference” (全国统一战线工作会议) to “Central United Front Work Conference”, implying an upgrade of the conference status to that of the other CCP central-level work conferences. See Gerry GROOT, “The Expansion of The United Front Under Xi Jinping”, p. 170.

<sup>248</sup> CHENG Mazhan 成马占, “Xi Jinping: gonggu fazhan zui guangfan de aiguo tongyi zhanxian” 习近平：巩固发展最广泛的爱国统一战线 (Xi Jinping: On Consolidating and Developing the Broadest Patriotic United Front), *Xinhua wang*, 2015, ([www.xinhuanet.com](http://www.xinhuanet.com)), last access April 1, 2023. “巩固和发展最广泛的爱国统一战线，为推进“四个全面”战略布局，为实现“两个一百年”奋斗目标、实现中华民族伟大复兴的中国梦，提供广泛力量支持。”

In Xi Jinping’s opinion, the united front is linked to the need of modernising the governance of the CCP by promoting the “Four Comprehensives” (四个全面 *si ge quanmian*), which are comprehensively (1) build a moderately prosperous society, (2) deepen the reforms, (3) implement rule of law, (4) improve Party discipline.



religions in China must be Chinese in orientation and provide active guidance to religions so that they can adapt to socialist society.<sup>249</sup>

There are a variety of manoeuvres carried out by Xi that prove the prominence assigned to this institution. First of all, even more significantly than having re-established the UFW Conference,<sup>250</sup> in July the Party formed a Central Leading Small Group (hereinafter LSG)<sup>251</sup> on United Front Work.<sup>252</sup> In the same year, the Central Committee of the CCP issued the “United Front Work Trial Regulations” 《中国共产党统一战线工作条例（试行）》 to elucidate the scope of action of this revamped tool. Significant of these Regulations is Article 2, which after having broadly defined the members of the united front,<sup>253</sup> it further describes the united front as

a political advantage and strategic policy of the CCP aiming at uniting people’s hearts and gather strength. It is an important magical weapon in winning the cause of revolution, construction and reform, in strengthening the Party’s class basis, expanding the Party’s mass basis and consolidating the Party’s ruling position, in building a moderately prosperous society, accelerating socialist modernization and realising the Chinese dream of the Great Rejuvenation of the Chinese nation.<sup>254</sup>

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<sup>249</sup> Xi Jinping, “Hold High the Great Banner of Socialism with Chinese Characteristics and Strive in Unity to Build a Modern Socialist Country in All Respects”, *CPC Central Committee Bimonthly Qiushi*, 14, 59, 2022, p. 28.

<sup>250</sup> It was held 13 times during the Maoist period; only 7 times during the Deng Xiaoping, Jiang Zemin and Hu Jintao administrations.

<sup>251</sup> The leading small groups were first created in the 1950s. They were subordinate to the CCP Secretary and were under the authority of the CCP’s Politburo and the Politburo Standing Committee. These small groups are never available in charts or diagrams of the Party institutions and they are rarely mentioned on the media. On this topic see Alice MILLER, “The CCP Central Committee’s Leading Small Groups”, *China Leadership Monitor*, 26, 2008, pp. 1-21.

<sup>252</sup> “Xi Jinping zhixi zhongyang zhengzhiju huiyi jue ding zheli zhongyang tongyi zhanxian gongzuo lingdao xiaozu” 习近平主持中央政治局会议 决定设立中央统一战线工作领导小组 (Xi Jinping presided over the meeting of the Political Bureau of the Central Committee and decided to establish a leading group for the work of the Central United Front), *Xinhua wang*, 2015, ([www.xinhuanet.com](http://www.xinhuanet.com)), last access April 2, 2023.

<sup>253</sup> That are workers and peasants, including all socialist laborers, builders of the socialist cause, supporters of socialist patriots, supporters of the reunification of the motherland. See Article 2 of the Regulations.

<sup>254</sup> CENTRAL COMMITTEE OF THE COMMUNIST CHINESE COMMUNIST PARTY 中国共产党中央委员会, “Zhongguo gongchandang tongyi zhanxian gongzuo tiaoli (shixing)” 中国共产党统一战线工作条例(试行) (United Front Work Trial Regulations), *Zhongguo gongchandang xinwenwang*, 2015, ([cpc.people.com.cn](http://cpc.people.com.cn)), last access April, 2023. “统一战线是中国共产党凝聚人心、汇聚力量的政治优势和战略方针，是夺取革命、建设、改革事业胜利的重要法宝，是增强党的阶级基础、扩大党的群众基础、

The Regulations also provide a list of targets<sup>255</sup> of the UFW, including in fifth position religious figures and all those individuals with whom one must connect (联系 *lianxi*) and unite (团结 *tuanjie*).<sup>256</sup> The list of targets demonstrates that the CCP feels a potential threat coming from religious communities, however they are not yet seen as constituencies of third segment of “unaligned entities”. The main duty of UFWD cadres is that to “make friends with those who are not the Party’s natural allies and interpret and translate Party policy to them in a way that can win them over.”<sup>257</sup> According to Xi Jinping, in order for the UFW to be effective

it’s necessary to be good at keeping and making friends with non-Party entities. ‘Making friends’ is a fundamental concept and method of the UFW. [...] After all, if we want to verify whether the UFW is doing a good job, we must see whether its friends are many or few, qualified or not, strong or weak.<sup>258</sup>

Another operation which demonstrates the new emphasis given to the united front was carried out in 2018. Following the “State and Party Institutions Reform Plan” the scope of competence of the United Front Work Department was enlarged<sup>259</sup> including the SARA and two other State Council’s agencies.

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巩固党的执政地位的重要法宝，是全面建成小康社会、加快推进社会主义现代化、实现中华民族伟大复兴中国梦的重要法宝。”

<sup>255</sup> *Ibidem*. (1) Members of democratic parties; (2) Individuals without Party affiliation; (3) Non-Party intellectuals; (4) People from ethnic minorities; (5) religious figures; (6) Persons in the non-public sector of the economy; (7) People from new social classes; (8) Study abroad and returnees; (9) Compatriots from Hong Kong and Macao; (10) Taiwan compatriots and their relatives in the mainland; (11) Overseas Chinese, returned overseas Chinese and relatives of overseas Chinese; (12) Other persons who need to be connected and united. For a brief insight on the various targets see Gerry GROOT, “The Expansion of The United Front Under Xi Jinping”.

<sup>256</sup> *Ibidem*.

<sup>257</sup> Gerry GROOT, “The Expansion of The United Front Under Xi Jinping”, in Gloria Davies, Jeremy Goldkorn and Luigi Tomba (ed. by), *Pollution*, ANU Press, 2016, p. 169.

<sup>258</sup> “Qiushi pinglun yuan: zhashi zuo hao tongzhan gongzuo zhuangda gongtong fendou liliang” 《求是》评论员：扎实做好统战工作壮大共同奋斗力量 (Commentator of “Qiushi”: Doing United Front Work well and Strengthening the Common Struggle Force), *Zhongguo gongchandang xinwenwang*, 2015, (<http://cpc.people.com.cn/pinglun>), last access April 3, 2023. “第三，必须善于联谊交友。联谊交友，是统战工作的重要内容，也是统战工作的重要方式。说到底，统一战线是做人的工作，是为了壮大共同奋斗的力量。从某种意义上说，统一战线工作做得好不好，要看交到的朋友多不多、合格不合格、够不够铁。对党外人士，要多接触、多谈心、多帮助，讲尊重、讲平等、讲诚恳，不随意伤害对方自尊心，不以势压人。”

<sup>259</sup> The UFWD is now composed of 12 Work Bureaus (WB): (1) Minor Parties Work Bureau; (2) Ethnic Affairs Work Bureau; (3) Hong Kong, Macau, Taiwan United Front Work; (4) Non-public Economy Work Bureau; (5) Non-affiliated and Minor Party Intellectuals Work Bureau; (6) New Social Strata

An additional element showing the significance attributed to the refurbished UFWD, is the fact that it is now in charge of Chinese People’s Political Consultative Conference (CPPC),<sup>260</sup> the main consultative organ of the CCP representing the new “democracy with Chinese characteristics”. In consultative democracy, the UFWD’s role is to select representatives of interest groups which will have the possibility to participate to the consultative conference.<sup>261</sup> According to Gerry Groot, religious associations can be considered as interest groups and the process of creating national and local religious associations uniting all the believers of the same religion represents one of the “best examples of the UFWD methods”.<sup>262</sup>

Laura De Giorgi proposes two different perspectives through which one can read the growing significance of the United Front. The first reasoning lies in a gradual loss of legitimacy of the Party: in fact, according to Gerry Groot, in times of crisis the Party has relied on the united front to prevent non-aligned elements from subverting the system. However, this strategy is not always effective: religious leaders within the UFWD who promote the Party’s ideals may induce the religious community to lose trust in them, especially if they stress the official ideology over the religious one.<sup>263</sup> As UFWD leaders lose the trust of their

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Individuals Work Bureau; (7) Tibet Work Bureau; (8) Xinjiang; (9) Overseas Chinese Affairs General Bureau and (10) Overseas Chinese Affairs Work Bureau; (11) Religious Work Bureau with functional responsibilities and (12) Religious Work Bureau with responsibilities related to each religion. See Alex JOSKE, “The Party Speaks for You: Foreign Interference and the Chinese Communist Party’s United Front System”, *Australian Strategic Policy Institute*, 2020, pp. 10–12.

<sup>260</sup> Founded in 1949 by the CCP to serve as representative of China’s political groups and other allies in the national government. The National People’s Conference was established a few years later in 1954.

<sup>261</sup> Ray WANG and Gerry GROOT, “Who Represents? Xi Jinping’s Grand United Front Work, Legitimation, Participation and Consultative Democracy”, *Journal of Contemporary China*, 2018, 27, 112, p. 570.

<sup>262</sup> Ray WANG and Gerry GROOT, “Who Represents? Xi Jinping’s..., *op. cit.*, p. 573.

<sup>263</sup> Based on the latest research conducted by Yun Lu and Fenggang Yang, the more restrictions and controlling actions the state carries out, the more it is likely that religious believers will participate in protests. The study was aimed at better understanding whether religion functions “as an opium of people or an amphetamine to stimulate them to action”, comparing Marx and Gramsci’s theories on the relationship between religion and protest with Tocqueville’s. Synthetically, a high degree of restrictions leads to a higher probability of mobilisation of religious communities. However, they argue that China represents an exception: restrictions are able to discourage religious groups to engage in activism and protest participation, even though they

communities, they also lose their ability of connection and influence over the specific group.<sup>264</sup> Synthetically, their role is gradually delegitimised.

The other motive lies in the vision of China as a corporatist state: the revival of the united front has been analysed in terms of the evolution of corporatism in China. The united front would then serve to establish relations with a variety of interest groups in society and dismantle those groups who do not conform.<sup>265</sup> In this sense, the religious associations should represent interest groups. Many different scholars have, in fact, linked Chinese religious associations to Philippe Schmitter's definition of state corporatism, namely as

a system of interest representation in which the constituent units are organised into a limited number of singular, compulsory, non-competitive, hierarchically ordered and functionally differentiated categories, recognised or licenced by the state and granted a deliberate representational monopoly [...] in exchange for observing certain controls on their selection of leaders.<sup>266</sup>

In line with this definition, more than serving as a tool to unite religious believers in order to better represent their interests, the state-sanctioned patriotic associations are used to favour the control and regulation of religious communities.<sup>267</sup> Moreover, the “representational monopoly” of “one religion, one association” (i.e., one association per religion per administrative area)<sup>268</sup> is not functional to religious groups' interest, but necessary to implement a more effective governance on religious activities. Although being religious associations excluded from the Party-state apparatus, they are however subject to its

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cannot avoid single religious adherents from protesting. (See YANG Fenggang and LU Yun, “Does State Participation Suppress the Protest Participation of Religious People”, *Sociology of Religion: A Quarterly Review*, XX, 2018, pp. 1-28.)

<sup>264</sup> Gerry GROOT, “The Expansion of The United Front...”, *op. cit.*, p. 172.

<sup>265</sup> Laura DE GIORGI, “United Front...”, *op. cit.*, p. 308.

<sup>266</sup> Philippe C. SCHMITTER, “Still the Century of Corporatism?” *The Review of Politics*, 36, 1, 1974, pp. 85–131.

<sup>267</sup> JI Zhe, “Secularization as Religious Restructuring...”, *op. cit.*, p. 247.

<sup>268</sup> STATE COUNCIL of the PRC 国务院, “Shehui tuanti dengji guanli tiaoli (2016 nian 2 yue 6 ri xiuzheng ban)” 社会团体登记管理条例 (2016年2月6日修正版) (Regulation on Registration and Administration of Social Organizations (amended version of the 6<sup>th</sup> of February 2016)), *Minzhengbu menhu wangzhan*, 2016, (<https://www.mca.gov.cn/article>), last access April 3, 2023, Art. 13.

supervision and strict normative. As Ji Zhe argues, the associations are “*neither* clerical bodies, *nor* representative institutions [...]. Its main functions are *not* licencing priesthood and controlling the number of temples, but the mobilisation of clergy and lay people to contribute to state-building”<sup>269</sup> and the progress of modern China. Religious associations and the overall institutional infrastructure can be, therefore, seen as instrumental for the alignment of all religions to the Chinese-oriented path for the ultimate achievement of the Chinese Dream of Great Rejuvenation of the Chinese Nation.

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<sup>269</sup> Ji Zhe, “Secularization as Religious Restructuring...”, *op. cit.*, p. 247.

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## CHAPTER 3

### LEGISLATIVE STRUCTURE

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The governance of religion in China was not only subject to institutional transformations as outlined in chapter 2, the normative apparatus was revised as well and brought about new developments and issues. The chapter will attempt to provide a detailed understanding of the laws, regulations and measures in which religious subjects move, as well as the articulate system of registration, approval and establishment of all religious entities and the issues that arise from it.

### 3.1 Constitution 《中华人民共和国宪法》

Religious freedom in China is granted in the 1982 Constitution, specifically in the second chapter “Fundamental Rights and Obligations of Citizens”.

**第三十六条** 中华人民共和国公民有宗教信仰自由。  
任何国家机关、社会团体和个人不得强制公民信仰宗教或者不信仰宗教，不得歧视信仰宗教的公民和不信仰宗教的公民。  
国家保护正常的宗教活动。任何人不得利用宗教进行破坏社会秩序、损害公民身体健康、妨碍国家教育制度的活动。  
宗教团体和宗教事务不受外国势力的支配。<sup>270</sup>

**Art. 36** Citizens of the People’s Republic of China shall enjoy freedom of religious belief.

No state organ, social organization or individual shall coerce citizens to believe in or not to believe in any religion, nor shall they discriminate against citizens who believe in or do not believe in any religion.

The state shall protect normal religious activities. No one shall use religion to engage in activities that disrupt public order, impair the health of citizens or interfere with the state’s education system.

Religious groups and religious affairs shall not be subject to control by foreign forces.<sup>271</sup>

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<sup>270</sup> NATIONAL PEOPLE’S CONGRESS 全国人民代表大会, “Zhonghua Renmin Gongheguo Xianfa – (2018 xiuzheng)”, 中华人民共和国宪法 - 2018 修正, (Constitution of the People's Republic of China – amended in 2018), *Zhongguoren da wang*, 2018, (<http://www.npc.gov.cn/npc>), last access March 21, 2023.

<sup>271</sup> NATIONAL PEOPLE’S CONGRESS 全国人民代表大会, “Zhonghua Renmin Gongheguo Xianfa – (2018 xiuzheng)”, 中华人民共和国宪法 (2018 修正), (Constitution of the People's Republic of China – amended in 2018), *english.gov.cn*, (<https://english.www.gov.cn/archive/lawsregulations>), last access March 20, 2023.

In the first two paragraphs, the State protects religious freedom, providing that for no reason whatsoever it is possible to discriminate someone due to their religious adherence. However, the following three paragraphs set clear conditions to this freedom. Firstly, only “normal” religious activities are protected; secondly, religions must not undermine public order, the educational system, nor citizens’ health; thirdly, no foreign entity must interfere in religious matters.<sup>272</sup> These represent immediate limitations to the previously granted freedom. The boundary between “normal” and “abnormal” is not defined, but arbitrarily decided by the state-party. *Normality* is a subjective concept and can vary from country to country and from individual to individual. However, the ambiguity surrounding the definition of “normal” is functional to the state’s control activities. It, in fact, enables authorities to decide what can be defined as “normal” and what falls out of its scope of meanings, which beliefs or practices fall within acceptable bounds and which do not.<sup>273</sup> From other sources of law, it is, however, possible to define a boundary between what is permitted and what is not.

For instance, many religions consider proselytising one of the most important activities to be conducted, but the PRC does not permit it. Religious expression and activities are delimited to places of worship: for no reason can they be conducted in public spaces, outside the selected, registered and appointed venues.<sup>274</sup> In this case, what would be “normal” for religious groups, namely satisfying their missionary impulse,<sup>275</sup> is equivalent to the state’s connotation of “not-normal”, namely forcing non-religious citizens to believe in a religion.

Another example can be seen in the education system. In many countries, children are educated by their family to religion since a young age. They are taken

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<sup>272</sup> Renzo CAVALIERI, “Religione e libertà religiosa in Cina...”, *op. cit.*, p. 170. For an interesting analysis of Article 36 of the Constitution see also LI Songfeng, “Freedom in Handcuffs: Religious Freedom in the Constitution of China”, *Journal of Law and Religion*, 35, 1, 2020, pp. 113-137.

<sup>273</sup> YANG Fenggang, “The Red, Black, and Gray Markets of Religion...”, *op. cit.*, p. 102.

<sup>274</sup> STATE COUNCIL of the PRC 国务院, “Zhonghua Renmin Gongheguo Guowuyuan ling (di 686 tiao) ‘Zongjiao shiwu tiaoli’” 中华人民共和国国务院令 第 686 号 《宗教事务条例》 ..., *op. cit.*, Art. 40, 41.

<sup>275</sup> Richard MADSEN, “The Sinicisation of Chinese Religions...”, *op. cit.*, p. 4.

to church and participate in after-school or summer-school activities with churches. This is “normal” in many countries. In some Chinese provinces, notices have appeared discouraging children from participating in religious services and from entering places of worship.<sup>276</sup> In Xinjiang Uyghur Autonomous Region, the 2014 local religious regulations have provided that minors cannot take part to liturgical ceremonies and activities.<sup>277</sup> Even though national legislation does not forbid minors from joining in these kinds of activities, the idea is that children must not be forced to believe in any religion and their educational path must not be influenced by religious teachings. This is an example of the Party using its “control over the educational system to marginalise religious belief.”<sup>278</sup>

Li Songfeng argues that despite being included in the chapter of “Fundamental Rights”, Article 36 better classifies as “legal right”. The scholar points out that— from a Western perspective—a significant difference exists between the two: while fundamental rights are inalienable, legal rights are subject to legal restrictions.<sup>279</sup> Although the first paragraph of said article grants religious freedom almost inalienably, the following three sections immediately limit the scope of freedom, turning the fundamental right into a legal right “granted to citizenry by the government”, oppositely from the Western notion of fundamental rights granted to all citizens “simply because they are human”.<sup>280</sup>

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<sup>276</sup> At the following link an example of notice impeding children from participating in religious activities [www.sohu.com](http://www.sohu.com).

<sup>277</sup> STANDING COMMITTEE of the PEOPLE'S CONGRESS of XINJIANG UYGHUR AUTONOMOUS REGION 新疆维吾尔自治区人大常委会, “Xinjinag weiwuer zizhiqu zongjiao shiwu tiaoli” 新疆维吾尔自治区宗教事务条例 (Xinjiang Uyghur Autonomous Region's Regulations on Religious Affairs), *Guojia falü fagui shujuku*, 2014, ([flk.npc.gov.cn](http://flk.npc.gov.cn)), 25 April 2023, Art. 37. 第三十七条 未成年人不得参加宗教活动。任何组织或者个人不得组织、引诱、强迫未成年人参加宗教活动。

<sup>278</sup> Pitman B. POTTER, “Belief in Control: Regulation of Religion in China”, *The China Quarterly*, 174, 2003, p. 320.

<sup>279</sup> LI Songfeng, “Freedom in Handcuffs: Religious Freedom in the Constitution of China”, *Journal of Law and Religion*, 35, 1, 2020, pp. 125-126. The debate on identifying universally applicable and fundamental rights is still ongoing among scholars. The concept of fundamental rights and their universality is a complex and contentious issue in the field of human rights.

<sup>280</sup> Daniel A. BELL, “The East Asian Challenge in Human Rights: Reflections on an East West Dialogue”, *Human Rights Quarterly*, 18, 3, 1996, p. 650. Cited in LI Songfeng, “Freedom in Handcuffs...”, *op. cit.*, pp. 125-126.



## 3.2 Regulations on Religious Affairs 《宗教事务条例》

### 3.2.1 Pre-Promulgation Phase

In June 2016, the SARA submitted the “Regulations on Religious Affairs Revised Draft (Draft for Review)” 《宗教事务条例修订草案（送审稿）》 to the State Council.<sup>281</sup> After receiving this document, the Legislative Affairs Office of the State Council solicited opinions from relevant departments, provincial People's Governments, national religious organisations, experts and scholars and went to localities to conduct research together with the SARA.<sup>282</sup> The draft had 74 articles, divided in 9 chapters. Although it was a draft version and awaited public opinion for approval, the final version remained largely unvaried,<sup>283</sup> with only 3 additional articles being included. In light of this, the Legislative Affairs Office of the State Council, together with the SARA and other departments revised the draft and finalised the “Regulations on Religious Affairs (Revised Draft)” 《宗教事务条例（修订草案）》 (*zongjiao shiwu tiaoli xiuding cao'an*).<sup>284</sup> On June 14, 2017, the executive meeting of the State Council approved the text and on the 26<sup>th</sup> of August 2017, Premier Li Keqiang signed the State Council Order No. 686 to announce the new

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<sup>281</sup> STATE ADMINISTRATION for RELIGIOUS AFFAIRS 国家宗教事务局, “Zongjiao shiwu tiaoli xiuding cao'an (song shen gao) gongkai zhengqiu yijian 《宗教事务条例修订草案（送审稿）》公开征求意见 (Regulations on Religious Affairs Revised Draft (Draft for Review) are open for public consultation), *Zhongguo zhengfu wang zhongyang renmin zhengfu menhu wangzhan*, 2016, ([www.gov.cn](http://www.gov.cn)), last access April 24, 2023.

<sup>282</sup> XINHUA NEWS AGENCY 新华社, “Zai fazhigua dao shang tuijin zongjiao gongzuo—Guowuyuan fazhiban fuzeren jiu ‘Zongjiao shiwu tiaoli’ xiuding da jizhe wen” 在法治轨道上推进宗教工作——国务院法制办负责人就《宗教事务条例》修订答记者问 (Promoting Religious Work on the Track of the Rule of Law—The Head of the Legislative Affairs Office of the State Council Answers Reporters' Questions on the Amendment of the “Regulations on Religious Affairs”, *China Daily Zhongguo ribao wang*, 2017, ([china.chinadaily.com.cn](http://china.chinadaily.com.cn)), last access April 25, 2023.

<sup>283</sup> Bernardo CERVELLA, *Pechino diffonde la nuova bozza di regolamenti sulle attività religiose. Più dura*, 2016, [www.asianews.it](http://www.asianews.it), last access April 25, 2023.

The date for soliciting comments was set to be to October the 7<sup>th</sup>, but as reported an AsiaNews piece a Party member pointed out: “It is said to be a draft, but it is actually the final draft.” (“说是草案，实际上是最终定稿”).

<sup>284</sup> STATE COUNCIL LEGISLATIVE AFFAIRS OFFICE 国务院法制办公, “Zongjiao shiwu tiaoli xiuding cao'an (song shen gao) 宗教事务条例修订草案 (送审稿) (Regulations on Religious Affairs Revised Draft (Draft for Review), *Weixin Chanling wang (account number chanlinorg)*, 2016, ([mp.weixin.qq.com](http://mp.weixin.qq.com)), last access May 1, 2023.

Regulations on Religious Affairs (hereinafter RRA), which finally entered into force the 1<sup>st</sup> of February 2018.<sup>285</sup>

### 3.2.2 Background of the Regulations

At a national level, the most important source of law governing religions in China are the Regulations.<sup>286</sup> They contain 77 articles in 9 chapters:

- I. General Provisions (总则 *zongze*);
- II. Religious Groups (宗教团体 *zongjiao tuanti*);
- III. Religious Schools (宗教院校 *zongjiao yuanxiao*);
- IV. Religious Activity Venue (宗教活动场所 *zongjiao huodong changsuo*);
- V. Religious Clergy (宗教教职人员 *zongjiao jiaozhi ren yuan*);
- VI. Religious Activities (宗教活动 *zongjiao huodong*);
- VII. Religious Property (宗教财产 *zongjiao caichan*);
- VIII. Legal Responsibility (法律责任 *falü zeren*);
- IX. Supplementary Provisions (附则 *fuzhe*).

The older regulations date back to 2005 and had 48 articles in 7 chapters. Two chapters were added: Religious Schools (III) and Religious Activities (VI). These matters were formerly included in the chapters “Religious Groups” and “Religious Activity Venues”, but they have now been expanded to have their own dedicated and comprehensive section. Many articles have been added to the revised version together with an exceedingly large number of limitations, obligations, supervisory mechanisms and sanctions. As Ying argues, “the regulations define ‘obligations’ for religious actors, venues, activities and finances that are more ‘duty-oriented’ than ‘rights-oriented.’”<sup>287</sup> These duties cover all aspects of the religious sector, from the

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<sup>285</sup> STATE COUNCIL of the PRC 国务院, “Zhonghua Renmin Gongheguo Guowuyuan ling (di 686 tiao) ‘Zongjiao shiwu tiaoli’” 中华人民共和国国务院令 第 686 号《宗教事务条例》..., *op. cit.*, Art. 77.

<sup>286</sup> LIU Peng 刘澎, “Jinri zhongguo de zhengjiao guanxi: wenti yu zouxiang” 今日中国的政教关系：问题与走向 (The State-Religion Relations in Today’s China: Issues and Trends), *Pu Shi Institute For Social Science*, 2011, ([www.pacilution.com](http://www.pacilution.com)), last access April 25, 2023.

<sup>287</sup> YING Fuk-Tsang, “New wine in old wineskins: An appraisal of religious legislation in China and the regulations on religious affairs of 2005”, *Religion, State and Society*, 34, 4, 2006, pp. 347-373. Cited in LIN, Weihuan, Religion as an object of state power: The People’s Republic of China and its domestic religious geopolitics after 1978, *Political Geography*, 67, 2018, p. 4.

conditions and preparatory work required to establish a religious group, school or venue, to their registration, approval, and finally, establishment; from the selection of religious clergy and verification of its “quality” to its training and licencing for conducting its daily tasks. The new provisions also provide limitations on the publishing of religious content online and on the use of online platforms by religious subjects. Following the promulgation of the central regulation, a series of secondary normative measures (办法 *banfa*) were released by the SARA throughout the years, each of them pertaining to a specific issue of the central regulation. Among the most important ones, the following.

- “Measures for the Examination, Approval, Registration and Establishment of the Religious Activity Venues” 《宗教活动场所设立审批和登记办法》, in force since 21<sup>st</sup> of April 2005 and “Measures on Managing Religious Activity Venues (Draft for Comments)” 《宗教活动场所设立审批和登记办法（征求意见稿）》, in comment solicitation process until the 24<sup>th</sup> of April 2023, meaning that it is not yet approved but will soon replace the former;
- “Measures for the Approval, Examination and Administration of Temporary Religious Activity Sites” 《宗教临时活动地点审批管理办法》, in force since the 22<sup>nd</sup> of February 2018;
- “Measures for the Financial Management of Religious Activity Sites” 《宗教活动场所财务管理办法》, in force since the 1<sup>st</sup> of June 2022;
- “Measures for the Administration of Religious Groups” 《宗教团体管理办法》, in force since the 1<sup>st</sup> of February 2020;<sup>288</sup>
- “Measures for the Administration of Religious Schools” 《宗教院校管理办法》, took effect on the 1<sup>st</sup> of September 2021;
- “Measures for Religious Clergy” 《宗教教职人员管理办法》, in force since the 1<sup>st</sup> of May 2021;

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<sup>288</sup> See chapter two for a deeper understanding on the management of religious groups.

- “Measures for the Administration of Internet Religious Information” 《互联网宗教信息服务管理办法》, took effect on the 1<sup>st</sup> of March 2022.<sup>289</sup>

These measures, especially the most recent ones, are no longer drafted by the State Council’s SARA, but all formulated by the UFWD/SARA. However, the official promulgation is done by means of the SARA label to maintain an apparent separation between Party and State.<sup>290</sup> This is in line with the Reform Plan described in the previous chapter, the UFWD is now in charge of formulating regulations and rules relating to religious matters.<sup>291</sup>

Other measures are aimed at single matters—for instance controlling religious activities of foreigners in China<sup>292</sup>—or at specific religions. The Party is well aware of the “overlap between religious belief and ethnic tension”,<sup>293</sup> therefore, the legislative framework focuses on controlling the authority of the Dalai Lama and the reincarnation of living Buddhas in Tibetan Buddhism.<sup>294</sup> Furthermore, other

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<sup>289</sup> All of the cited measures can be found on the national laws and regulations database.

“Guojia falü fagui shujuku” 国家法律法规数据库 (Database of National Laws and Regulations), *Guojia falü fagui shujuku*, (<https://flk.npc.gov.cn/index.html>), last access April 25, 2023.

<sup>290</sup> Jiang Feng takes the UFWD/SARA as an example to show the “disappearing boundary” between Party and state in the law-making process. See FENG Jiang, “Party Regulations and State Laws in China: A Disappearing Boundary and Growing Tensions”, *Chinese Law & Government*, 51, 5-6, 2019, pp. 260-276.

<sup>291</sup> CENTRAL COMMITTEE OF THE CHINESE COMMUNIST PARTY 中国共产党中央委员会, “Zhonggong zhongyang yinfa ‘Shenhua dang he guojia jigou gaige fang’an”, 中共中央印发《深化党和国家机构改革方案》, (The Central Committee of the Communist Party of China issued the “Party and State Institutions deep Reform Plan”), *Zhongguo zhengfu wang renmin zhengfu menhu wangzhan*, 2018, (<http://www.gov.cn/zhengce/2018-03/21>), last access March 8, 2023.

<sup>292</sup> “Regulations on the Administration of the Religious Activities of Foreigners in the PRC” 《中华人民共和国境内外国人宗教活动管理规定》, in force since the 1<sup>st</sup> of January 1994, and the “Detailed Rules for the Implementation of the Regulations on the Administration of Foreign Religious Activities in the PRC” 《中华人民共和国境内外国人宗教活动管理规定实施细则》, in force since the 1<sup>st</sup> of January 2011. For the full text see respectively [flk.npc.gov.cn](http://flk.npc.gov.cn) and [www.gov.cn](http://www.gov.cn). On the 18<sup>th</sup> of November 2020, the SARA published a draft of the new rules, and publicly solicited opinions from the public, but up to now, the new revised rules have not yet been issued. See the official website of the Ministry of Justice for further updates [www.moj.gov.cn](http://www.moj.gov.cn). The full text of the 2020 draft can be accessed at the following link [mp.weixin.qq.com](http://mp.weixin.qq.com).

<sup>293</sup> Pitman B. POTTER, “Belief in Control: Regulation of Religion...”, *op. cit.*, p. 327.

<sup>294</sup> “Measures for the Administration of the Reincarnation of Living Buddhas in Tibetan Buddhism” 《藏传佛教活佛转世管理办法》, in force since the 1<sup>st</sup> of September 2007. The full text of the measures can be accessed at the following link [www.gov.cn](http://www.gov.cn). On this topic see Sergius L. KUZMIN,

provisions are devoted to the administration of Islamic Hajj Affairs<sup>295</sup> or the anti-extremist campaign (去极端化 *qu jiduanhua*) of the Xinjiang region.<sup>296</sup>

Provincial administrations have issued new or revised RRA that are specific to their individual provinces, municipalities and autonomous regions while still being based on and reflecting quite entirely the State's council decree.<sup>297</sup> Additionally, provincial governments have passed legislation defining how to carry out these rules.<sup>298</sup>

### 3.2.3 Why Regulations 《条例》 and not a Law on Religion 《宗教法》?

Before analysing more specifically the main content and key articles of the RRA and its adjunct measures, important is to understand why the PRC has never promulgated a “Law on Religion”. The curiosity generates from the abundant legislation existing on religious matters. Many documents, decisions, regulations, detailed rules and measures have been issued. Liu Peng<sup>299</sup> argues that these “are superficial, only involve certain aspects of religious matters and lack overall consideration.”<sup>300</sup> Moreover, there has been an entire restructuring of the whole religious institutional apparatus and a huge emphasis on rule of law, but no law (法律 *falü*) has ever been promulgated. This is quite surprising, but nothing comes without a reasoning.

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“Management as a Tool of Destruction: Reincarnation of ‘Living Buddhas’ in Modern Chinese Legislation”, *The Tibet Journal*, 42, 1, 2017, pp. 37–48.

<sup>295</sup> “Measures for the Administration of Islamic Hajj Affairs” 《伊斯兰教朝觐事务管理办法》, in force since the 1st of December 2020. The full text of the measures can be accessed at the following link [www.chinaislam.net.cn](http://www.chinaislam.net.cn).

<sup>296</sup> STANDING COMMITTEE of the PEOPLE'S CONGRESS of XINJIANG UYGHUR AUTONOMOUS REGION 新疆维吾尔自治区人大常委会, “Xinjiang Weiwuer zizhiqu qu jiduanhua tiaoli” 新疆维吾尔自治区去极端化条例 (Xinjiang Uyghur Autonomous Region Anti-extremism Regulation), *Guojia falü fagui shujuku*, 2018, ([flk.npc.gov.cn](http://flk.npc.gov.cn)), last access April 25, 2023.

<sup>297</sup> Pitman B. POTTER, “Belief in Control: Regulation of Religion...”, *op. cit.*, p. 327.

<sup>298</sup> YANG Fenggang, “Repression of Religious Institutions...”, *op. cit.*, p. 2.

<sup>299</sup> Scholar at the Chinese Academy of Social Sciences 中国社会科学院, expert in religious and legal issues in China.

<sup>300</sup> LIU Peng 刘澎, “Jinri zhongguo de zhengjiao guanxi...”, last access April 25, 2023.

Anthony Lam<sup>301</sup> has tried to give an answer to this question after the 2005 RRA became effective. He believes that “on the surface the Religious Regulations are roughly equivalent to a Law on Religion at the legislative level”.<sup>302</sup> However, regulations and laws are “essentially different”.<sup>303</sup> In 2005, he predicted that a Law on religion would not be drafted in the near future, in fact, another regulation appeared in 2017, confirming his forecast. According to the Constitution and the Legislative Law, the interpretation of laws is duty of the Standing Committee of the National People’s Congress (hereinafter NPC). Lam argues that whereas regulations were replaced by laws, then the State Council and the SARA would see their interpretative autonomy taken away by the NPC.<sup>304</sup> However, this is not the case. The religious normative framework comprises only regulations and measures, formulated by the State Council; furthermore, the 2001 “Regulations on the Procedure for Formulating Administrative Regulations” 《行政法规制定程序条例》, revised in 2017, read:

the Legislative Affairs Office of the State Council (国务院法制机构 *guowuyuan fazhi jiguan*) shall study and draft the interpretation (解释草案 *jieshi cao'an*) of administrative regulations, which shall be published by the State Council or authorised by relevant departments of the State Council after being approved by the State Council.<sup>305</sup>

So, the State Council’s Legislative Office is in charge of giving clarification in case of need. In fact, most of the normative texts terminate with the same article, “The SARA is responsible for the interpretation of these Measures” (本办法由国家

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<sup>301</sup> Researcher and Professor at the Hong Kong Shue Yan University.

<sup>302</sup> Anthony LAM, “A Commentary on the Regulations on Religious Affairs”, *Tripod*, 136, 2005, p. 26.

<sup>303</sup> *Ibidem*.

<sup>304</sup> *Ibidem*.

<sup>305</sup> STATE COUNCIL of the PRC 国务院, “Xingzheng fagui zhiding chengxu tiaoli” 行政法规制定程序条例 (Regulations on the Procedure for Formulating Administrative Regulations), *Zhongguo zhengfu wang zhongyang renmin zhengfu menhu wangzhan*, 2020, ([www.gov.cn](http://www.gov.cn)), last access April 25, 2023, Art. 31. “第三十一条 行政法规有下列情形之一的, 由国务院解释: (一) 行政法规的规定需要进一步明确具体含义的; (二) 行政法规制定后出现新的情况, 需要明确适用行政法规依据的。国务院法制机构研究拟订行政法规解释草案, 报国务院同意后, 由国务院公布或者由国务院授权国务院有关部门公布。行政法规的解释与行政法规具有同等效力。”

宗教事务局负责解释 *ben banfa you guojia zongjiao shiwuju fuze jieshi*).<sup>306</sup> As a result, the State Council and its administrative agencies have the power to implement Regulations (条例 *tiaoli*) without submitting them to the NPC, and their interpretation has the same legal value of the regulation itself, in accordance with Article 31 of the 2001 Regulations.<sup>307</sup> The conclusion to all this is that the State Council and its subordinate agencies enjoy a huge amount of autonomy, which could be limited by a hypothetical law on religion.

Liu Peng also raised the topic concerning the absence of a Basic Law on Religion (宗教基本法 *zongjiao jibenfa*). He believes that the legislative religious framework is imperfect without it, since

matters involving civil rights can only be formulated by laws and cannot be replaced solely by administrative regulations (行政法规 *xingzheng fagui*). Freedom of religious belief constitutionally belongs to the category of fundamental rights (基本权利 *jiben quanli*) of citizens. From a legal point of view, using hierarchically lower-level regulations to replace upper-level laws to regulate citizens' fundamental rights is inconsistent with the Legislative Law 《立法法》.<sup>308</sup>

To better understand his point of view, a step back is necessary. The Legislative Law, Chapter 3, Article 72, provides that administrative regulations have to be formulated on the following two matters:

- (1) matters that require administrative regulations for the implementation of laws;

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<sup>306</sup> Usually, this type of Article can be found at the end of the document.

<sup>307</sup> STATE COUNCIL of the PRC 国务院, "Xingzheng fagui zhiding chengxu tiaoli...", Art. 31.

<sup>308</sup> LIU Peng 刘澎, "Jinri zhongguo de zhengjiao guanxi...", last access April 25, 2023. "按照《立法法》的规定, 国家行政机关在得到授权后, 可以根据宪法和法律, 制定行政法规, 但涉及公民权利的事项只能制定法律, 不能用行政法规代替。按照我国宪法, 宗教信仰自由属于公民的基本权利范畴。从法律体系上说, 用低位阶的行政法规代行应该由上位阶的法律规定的涉及公民基本权利的做法, 是不符合《立法法》规定的。"

(2) matters related to administrative functions and powers of the State Council as stipulated in Article 89 of the Constitution.<sup>309</sup>

Given that no basic law exists, the Religious Regulations do not fall under category (1) of “required regulations for the implementation of law’s provisions”. In addition, by taking a look at the functions and powers of the State Council as provided by Article 89 of the Constitution, no reference is done to 宗教事务 *zongjiao shiwu* “Religious Affairs”, whilst clear reference is done to Ethnic Affairs, Civil Affairs and Public Security (Art. 89, Paragraphs 8 and 11).<sup>310</sup> Even if—Liu Peng argues—Religious Affairs hypothetically fell under one of these three areas, or were considered part of “other functions and powers accorded by the NPC and its Standing Committee”<sup>311</sup> (Paragraph 18), the Regulation would continue to be inconsistent with the Legislative Law. That’s because Article 72, further states that with the relevant approval of the NPC and its Standing Committee, the State Council *can* issue regulations, but these enter a sort of trial period of practical testing (实践检验 *shijian jianyan*), at the end of which a specific law on the matter has to be drafted by the Standing Committee. On these premises, the 2005 Regulations would have gone through a “testing period” of 12 years, before being replaced by other Regulations in 2017, and never becoming an actual law. Liu Peng argues that since no law has been issued, “no matter how many administrative and local regulations there are, the legal system related to religion is incomplete.”<sup>312</sup>

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<sup>309</sup> NATIONAL PEOPLE’S CONGRESS 全国人民代表大会, “Zhonghua Renmin Gongheguo lifafa - 2023 xiuzheng” 中华人民共和国立法法 - 2023 修正 (Legislation Law of the PRC - amended in 2023), *Guojia falü faqū shujuku*, 2023, (<https://flk.npc.gov.cn>), last access April 12, 2023, Art. 72. “第七十二条 国务院根据宪法和法律, 制定行政法规。行政法规可以就下列事项作出规定: (一) 为执行法律的规定需要制定行政法规的事项; (二) 宪法第八十九条规定的国务院行政管理职权的事项。应当由全国人民代表大会及其常务委员会制定法律的事项, 国务院根据全国人民代表大会及其常务委员会的授权决定先制定的行政法规, 经过实践检验, 制定法律的条件成熟时, 国务院应当及时提请全国人民代表大会及其常务委员会制定法律。”

<sup>310</sup> NATIONAL PEOPLE’S CONGRESS 全国人民代表大会, “Zhonghua Renmin Gongheguo Xianfa - (2018 xiuzheng)” 中华人民共和国宪法 (2018 修正), (Constitution of the People’s Republic of China - amended in 2018), *english.gov.cn*, ([english.www.gov.cn](http://english.www.gov.cn)), last access March 20, 2023, Art. 89.

<sup>311</sup> *Ibidem*.

<sup>312</sup> LIU Peng 刘澎, “Jinri zhongguo de zhengjiao guanxi...”, last access April 25, 2023. “行政法规和地方性法规再多, 有关宗教的法律体系也是不完善的。”



Extending these considerations to present times, given the 2018 radical restructuring of the entire religion-related institutional apparatus, and the consequent dismantlement of the SARA with the absorption of functions and powers by the UFWD, a supposed law on religion seems even further away. It is clear that the CCP want to autonomously manage religion, without any type of domestic nor foreign interference.

Although the legislative framework still lacks a comprehensive law on religion, specific laws comprehend articles granting freedom of religious belief.<sup>313</sup>

- Art. 11 of the “Regional Ethnic Autonomy Law of the PRC” 《中华人民共和国民族区域自治法》 (amended in 2001) reflects entirely Art. 36 of the Constitution;<sup>314</sup>
- Art. 3 of the Electoral Law of the National People's Congress and Local People's Congresses of the PRC 《中华人民共和国全国人民代表大会和地方各级人民代表大会选举法》 (amended in 2020) grants the right to vote regardless of religious adherence;<sup>315</sup>
- Art. 8, 9 and 84 of the Education Law of the People's Republic of China 《中华人民共和国教育法》 (amended in 2021) provide the distinct separation between education and religion and refer to the RRA for provisions related to religious education;<sup>316</sup>
- Art. 12 of the Labour Law of the PRC 《中华人民共和国劳动法》 (amended in 2018), against discrimination in employment due to religious beliefs;<sup>317</sup>
- Art. 251 of the Criminal Law of the PRC 《中华人民共和国刑法》 (amended in 2020) provides punishment for state functionaries who deny freedom of

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<sup>313</sup> Pitman B. POTTER, “Belief in Control: Regulation of Religion...”, *op. cit.*, p. 172.

<sup>314</sup> “Guojia falü fagui shujuku” 国家法律法规数据库 (Database of National Laws and Regulations), *Guojia falü fagui shujuku*, ([flk.npc.gov.cn](http://flk.npc.gov.cn)), last access April 25, 2023.

<sup>315</sup> *Ibidem*, ([flk.npc.gov.cn](http://flk.npc.gov.cn)), last access April 21, 2023.

<sup>316</sup> *Ibidem*, ([flk.npc.gov.cn](http://flk.npc.gov.cn)), last access April 21, 2023.

<sup>317</sup> *Ibidem*, ([flk.npc.gov.cn](http://flk.npc.gov.cn)), last access April 21, 2023.

- religious belief to citizens; Art. 300 provides penalties for those who use cult organisations (邪教 *xiejiao*) to undermine the implementation of laws;<sup>318</sup>
- Art. 5 and 47 of the Administration of Domestic Activities of Foreign Non-governmental Organisations of the PRC 《中华人民共和国境外非政府组织境内活动管理法》 (amended in 2017);<sup>319</sup>
  - Art. 4, 6, 17, 81 of the Counter-terrorism Law of the PRC 《中华人民共和国反恐怖主义法》 (amended in 2018) provide that the State and local governments should carry out anti-terrorist work by addressing both symptoms and root causes (标本兼治 *biaoben jianzhi*) through in-depth education on terrorist activity prevention and emergency response. According to Article 4, paragraph 2, terrorism is believed to originate from distorted religious teachings (歪曲宗教教义 *waiqu zongjiao jiaoyi*) and religious extremism (极端主义 *jiduanzhuyi*);<sup>320</sup>
  - Art. 27 of the National Security Law of the PRC 《中华人民共和国国家安全法》 (adopted in 2015) bans evil cults organisations (邪教组织 *xiejiao zuzhi*);<sup>321</sup>
  - Art. 92 of the Civil Code of the PRC 《中华人民共和国民法典》, adopted on the 28<sup>th</sup> of May 2020 and in force since the 1<sup>st</sup> of January 2021.<sup>322</sup>

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<sup>318</sup> *Ibidem*, ([flk.npc.gov.cn](http://flk.npc.gov.cn)), last access April 21, 2023. Art. 300 is used to shut down illegal religious cults. The Supreme People's Procuratorate of the PRC provided an interpretation of Art. 300 in 2017, better defining what cult organisations are and when the article is applied. See SUPREME PEOPLE'S PROCURATORATE of the PRC 中华人民共和国最高人民检察院, "Guanyu banli zuzhi, liyong xiejiao zuzhi pohuai falü shishi deng xingshi anjian shiyong falü ruogan wenti de jieshi" 关于办理组织、利用邪教组织破坏法律实施等刑事案件适用法律若干问题的解释 (Interpretation on several issues concerning the application of law in criminal cases such as handling organizations and utilizing cult organizations to sabotage law implementation), *Zhonghua renmin gongheguo zuigao renmin jianchayuan*, 2017, [www.spp.gov.cn](http://www.spp.gov.cn), last access May 15, 2023.

<sup>319</sup> *Ibidem*, ([flk.npc.gov.cn](http://flk.npc.gov.cn)), last access April 21, 2023. In the next paragraph, a reference to the content of the two articles will be made.

<sup>320</sup> *Ibidem*, ([flk.npc.gov.cn](http://flk.npc.gov.cn)), last access April 21, 2023.

<sup>321</sup> *Ibidem*, ([flk.npc.gov.cn](http://flk.npc.gov.cn)), last access April 21, 2023.

<sup>322</sup> *Ibidem*, ([flk.npc.gov.cn](http://flk.npc.gov.cn)), last access April 21, 2023. In the next paragraph, a reference to the content of the article will be made.

### 3.3 Legal and Terminological Analysis: continuity and change

When the old Religious Regulations took effect in 2005, many scholars held different views on whether these would have been beneficial to religious communities or not. As Renzo Cavalieri<sup>323</sup> argues, these seriously restricted the autonomy of religious groups: “the moments in which the public administration intervened in the activities of religious organisations were multiple.”<sup>324</sup> The main ones were those of establishment of a religious group and selection of clergy, both actions needed the administrative approval of the relevant department.<sup>325</sup> When the draft of the Religious Regulations was published in 2016, there were no doubts that these would have a huge impact on religious communities in China, and necessarily impose tougher restrictions on the entire religious sector. While the 2005 RRA gave the impression of a small step in the direction of religious freedom,<sup>326</sup> the 2018 RRA seem to have made a step back.<sup>327</sup> In line with Cavalieri’s observation, given that the SARA has been transferred to the UFWD—a CCP-based institution, the moments in which the CCP intervenes in the activities of religious organisations are numerous, and the scope of control has been enlarged. This is because the new RRA must adapt to the modern times in which the Internet is a major source of information and its ability “to spread unsanctioned religious material”<sup>328</sup> has become a great concern in the CCP’s eyes.<sup>329</sup> Moreover, other modifications or additions to the 2005 regulations are intended to strengthen the

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<sup>323</sup> Associate Professor of Chinese Law at Ca’ Foscari University of Venice.

<sup>324</sup> Renzo CAVALIERI, “Religione e libertà religiosa in Cina...”, *op. cit.*, p. 171.

<sup>325</sup> *Ibidem*.

<sup>326</sup> Eric R. CARLSON, “China’s New Regulations on Religion...”, *op. cit.*, pp. 747-797.

<sup>327</sup> See YANG Fenggang, “Repression of Religious Institutions...”, *op. cit.*, p. 1. See also Katharina WENZEL-TEUBER, “The State Council Publishes a Draft Revision of the ‘Regulations on Religious Affairs’”, *Religion & Christianity in Today’s China*, 6, 4, 2016, p. 21.

<sup>328</sup> Jessica BATKE, “PRC Religious Policy: Serving the Gods of the CCP”, *China Leadership Monitor*, 52, 2017, p. 2.

<sup>329</sup> See paragraph 3.4.2 Management of religious activities.

legal framework for previously underregulated areas,<sup>330</sup> such as religious schools and religious activities.

The main objective of the old and the new RRA are both stated in Article 1. The 2005 RRA goal is that to “standardise the administration of religious affairs”<sup>331</sup> (规范宗教事务管理 *guifan zongjiao shiwu guanli*), while the new RRA are aimed at “improving rule of law in the religious work”<sup>332</sup> (提高宗教工作法治化水平 *tigao zongjiao gongzuo fazhizhuan shuiping*).

The new emphasis on rule of law is the heart of Xi’s policy. From the moment he became Secretary and President of the PRC his official discourses have been full of references to the need for “governing the state according to law” (依法治国 *yifa zhiguo*), to the point where in the 2018 Constitution amendment the ambiguous term 法制 *fazhi* contained in the Preamble—the meaning of which can be translated as both “rule of law” and “rule by law”—was changed to the precise and clear 法治 *fazhi*—meaning unequivocally “rule of law”.<sup>333</sup> “Improving religious work in the religious environment” was not present in the first draft of the regulations, it was added to the final revised version, in line with Xi’s insistence on “managing religious affairs according to law” (依法管理宗教事务 *yifa guanli zongjiao shiwu*).<sup>334</sup>

Rule of law differs from rule by law, in that the former defines a legal system in which the law is above everything, no one, not the state, nor the CCP are above the law; while the latter defines a situation in which the state or Party tailor laws

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<sup>330</sup> Jessica BATKE, “PRC Religious Policy: Serving the Gods of the CCP...”, *op. cit.*, p. 2. See paragraphs 3.4.3 Management of religious clergy and religious schools and 3.4.1 Management of religious sites.

<sup>331</sup> STATE COUNCIL of the PRC 国务院, “Zhonghua Renmin Gongheguo Guowuyuan ling (di 426 tiao) ‘Zongjiao shiwu tiaoli’” 中华人民共和国国务院令 第 426 号《宗教事务条例》(Order No. 426 of the State Council of the PRC “Regulations on Religious Affairs”), *Zhongguo zhengfu wang renmin zhengfu menhu wangzhan*, 2004, ([www.gov.cn/zwggk/2005-05](http://www.gov.cn/zwggk/2005-05)), last access April 17, 2023, Art. 1.

<sup>332</sup> STATE COUNCIL of the PRC 国务院, “Zhonghua Renmin Gongheguo Guowuyuan ling (di 686 tiao) ‘Zongjiao shiwu tiaoli’” 中华人民共和国国务院令 第 686 号《宗教事务条例》..., *op. cit.*, Art.1.

<sup>333</sup> Renzo CAVALIERI, “La revisione della Costituzione...”, *op. cit.*, p. 149.

<sup>334</sup> XINHUA NEWS AGENCY 新华社, “Xi Jinping: quanmian tigao...”, last access March 10, 2023.

to their own needs and exploit them for the achievement of their own goals.<sup>335</sup> On one hand, Jessica Batke<sup>336</sup> notes that the greater concern with establishing rule of law is true and can clearly be seen by “comparing the frequency of certain terms in the old versus new regulations.”<sup>337</sup> Words such as 合法 *hefa* “legal”, 非法 *feifa* “illegal” and 依法 *yifa* “in accordance with law” appear with much more frequency in the new text, compared to the old one. She points out that the revised version is characterised by a “greater specificity and clarity”<sup>338</sup> on what is admissible and what is not and on the consequences in case of violation of the provisions.<sup>339</sup> The clarity and “rule of law imperative” is directed to both religious adherents and relevant functionaries: practitioners must remain within the boundaries of what is permissible;<sup>340</sup> authorities must apply consistently the rules at all administrative levels,<sup>341</sup> complying with the central directives and smoothing the local autonomies and inconsistencies. On the other hand, according to Ignazio Castellucci,<sup>342</sup> the main attribute of the Chinese system is to issue general and abstract rules to favour the “application and enforcement according to political needs and objectives”,<sup>343</sup> thus distancing itself from an actual rule of law system.

The discussion on whether the PRC is truly a rule of law system as it claims to be is not topic of this thesis, however the previous observations lead to the question: are the new Religious Regulations consistent with the rule of law principle? The key word here is “vague rules”. Although the new RRA are more detailed and express clarity on specific topics, the aura of vagueness which

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<sup>335</sup> Magdaléna MASLÁKOVÁ and Anežka SATOROVÁ, “The Catholic Church..., *op. cit.*, p. 3.

<sup>336</sup> Senior Editor for Investigations for the online journal ChinaFile, expert in China’s political and social affairs.

<sup>337</sup> Jessica BATKE, “PRC Religious Policy: Serving the Gods of the CCP..., *op. cit.*, p. 3.

<sup>338</sup> *Idibem.*

<sup>339</sup> Chapter 8 of the RRA “Legal Responsibility” lists the fines applied in case of violations of the provisions.

<sup>340</sup> STATE COUNCIL of the PRC 国务院, “Zhonghua Renmin Gongheguo Guowuyuan ling (di 686 tiao) ‘Zongjiao shiwu tiaoli’” 中华人民共和国国务院令 第 686 号 《宗教事务条例》 ..., *op. cit.*, Art. 8.

<sup>341</sup> *Ibidem.*, Art. 6.

<sup>342</sup> Associate Professor of Comparative Law at the University of Teramo, expert in Chinese Law.

<sup>343</sup> Ignazio CASTELLUCCI, “Rule of Law with Chinese Characteristics,” *Annual Survey of International & Comparative Law*, 13, 1, 2007, p. 63.

characterised the older regulations<sup>344</sup> persists. Some wordings are functionally left indefinite and interpretable in various ways in order to leave the “reins” in the hands of the Party.<sup>345</sup> An example of ambiguous word is “normal” as explained in section “1.1 Constitution”, but there are similar words disseminated in the whole text. Paragraphs from (a) to (e) attempt to focus attention on some of them.

**(a) Freedom of religious belief (宗教信仰自由) or religious freedom (宗教自由)?**

Article 2 of the RRA reads:

Citizens have the freedom of religious belief (宗教信仰自由 *zongjiao xinyang ziyou*).

No state organ, social organization or individual shall coerce citizens to believe in or not to believe in any religion, nor shall they discriminate against citizens who believe in (hereinafter referred to as religious citizens) or do not believe in any religion (hereinafter referred to as non-religious citizens).<sup>346</sup>

Is *freedom of religious belief* the same as saying *religious freedom*? An approximate reader might be induced to think they have the exact same meaning, but the Chinese legislator does not seem to have selected the word approximately. According to a report of the Congressional-Executive Commission on China,

under international law, freedom of religion encompasses both the right to form, hold and change convictions, beliefs and religions—which cannot be restricted—and the right to outwardly manifest those beliefs—which can be limited for certain specific justifications.<sup>347</sup>

In Chinese language, freedom of *religious belief* is 宗教信仰自由 *zongjiao xinyang ziyou*, while freedom of *religion* should be 宗教自由 *zongjiao ziyou*. The article of the Constitution, the RRA and of all its complementary measures all use the prior form.

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<sup>344</sup> Renzo CAVALIERI, “Religione e libertà religiosa in Cina...”, *op. cit.*, p. 171.

<sup>345</sup> Magdaléna MASLÁKOVÁ and Anežka SATOROVÁ, “The Catholic Church...”, *op. cit.*, p. 3.

<sup>346</sup> CHINA LAW TRANSLATE, *Religious Affairs Regulations 2017*, “China Law Translate”, 2017, [www.chinalawtranslate.com](http://www.chinalawtranslate.com), 28 April 2023.

<sup>347</sup> CONGRESSIONAL-EXECUTIVE COMMISSION ON CHINA, *2019 Annual Report...*, *op. cit.*, p. 1. See also Paul M. TAYLOR, *Freedom of Religion: UN and European Human Rights Law and Practice*, New York, Cambridge University Press, 2005, pp. 19, 24, 203, 204.

Ye Xiaowen, former director of the SARA,<sup>348</sup> argues that while the term “religious belief” pertains to one individual’s sphere and has nothing to do with national laws, “religion” comprehends both the individual and public sphere, it comprises all public aspects of religious observance. It is a social reality (社会实体 *shehui shiti*) including social organisations (社会组织 *shehui zuzhi*)—namely patriotic associations and registered religious groups, social facilities (社会设施 *shehui sheshi*)—such as places of worship, and social activities (社会活动 *shehui huodong*)—rituals, liturgical ceremonies, pilgrimages, collective worship etc.<sup>349</sup> Zhuo Xinping<sup>350</sup> confirms his view, he believes religions “play a political, societal, cultural and conceptual role. This means that religion is not a private matter and that all religions belong to the state.”<sup>351</sup>

Paragraph two of the article provides a further explanation on what the legislator means by “religious belief”: “No organisation or individual shall force citizens to believe (信仰宗教 *xinyang zongjiao*) or not believe in any religion (不信仰宗教 *buxinyang zongjiao*).”<sup>352</sup> From this negative statement, it can be deduced that *freedom of religious belief* is the liberty of holding or not holding a religious belief, but does not automatically include liberty of practicing a religion and taking part to religious communities. The freedom of religious belief ends where its “social and public” features arise.

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<sup>348</sup> From 1995 to 2009. See [baike.baidu.com](http://baike.baidu.com).

<sup>349</sup> YE Xiaowen 叶小文, “Zongjiao yu pufa— ‘Zongjiao gongzuo pufa duben’ xu” 宗教与普法——《宗教工作普法读本》序 (Religion and Popularisation of Law, Preface to “Readings on law-popularisation of religious work”), in *Zhongguo zongjiao*, 1997, p. 23. Cited in YING Fuk-Tsang, New wine in old wineskins: An appraisal of religious legislation in China and the regulations on religious affairs of 2005, *Religion, State and Society*, 34, 4, 2006, p. 358.

<sup>350</sup> Director of the World Religion Research Institute and Christianity Research Centre of the Chinese Academy of Social Sciences.

<sup>351</sup> ZHUO Xinping, “Relationship between Religion and State in the People’s Republic of China”, tr. Jacqueline Mulberge, *Religions & Christianity in Today’s China*, 6, 1, 2014, p. 18.

<sup>352</sup> STATE COUNCIL of the PRC 国务院, “Zhonghua Renmin Gongheguo Guowuyuan ling (di 686 tiao) ‘Zongjiao shiwu tiaoli’” 中华人民共和国国务院令 第 686 号 《宗教事务条例》..., *op. cit.*, Art. 2.

**(b) Extremism (极端化) or normality (正常化)?**

Article 3 gives an additional example of vague article:

The administration of religious affairs adheres to the principles of protecting the lawful and stopping the illegal, limiting extremism, resisting infiltration, fighting crime.<sup>353</sup>

What is extremism (极端 *jiduan*)? No definition is provided, no example of extremist action or activity is mentioned, this word represents the other side of the coin of what was defined as “normal activity”. Madsen argues that an “assessment of ‘fanaticism’ depends on the context. [...] Can fasting during Ramadan among Muslims in Xinjiang be considered fanatical?”<sup>354</sup> When is a certain religious activity defined normal and when is it extremist? This particular segment seems, in fact, to be directed to Islamic communities.

Whilst not providing an overall valid definition of fanaticism for the five recognised religions, in 2017 Xinjiang autonomous region published a specific Regulation to better explain some of the activities included in such broad concept. Article 9 of these Regulations provides that actions such as

refusing public goods and services such as radio and television, extending the concept of Halal to other areas other than Halal foods [...], wearing or forcing others to wear burqas with face coverings or symbols of extremism; growing anomalous beards and giving abnormal names to spread religious fanaticism (宗教狂热 *zongjiao kuangre*),<sup>355</sup>

are to be considered as primary expressions of extremism (极端化的主要表现 *jiduanhua de zhuyao biao xian*) and must be stopped. Here, the overlap between

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<sup>353</sup> *Ibidem*, Art. 3.

<sup>354</sup> Richard MADSEN, “The Sinicisation of Chinese Religions...”, *op. cit.*, p. 4.

<sup>355</sup> STANDING COMMITTEE of the PEOPLE’S CONGRESS of XINJIANG UYGHUR AUTONOMOUS REGION 新疆维吾尔自治区人大常委会, “Xinjiang Weiwuer zizhiqu qu jiduanhua tiaoli” 新疆维吾尔自治区去极端化条例 (Xinjiang Uyghur Autonomous Region Anti-extremism Regulation), *Guojia falü fagui shujuku*, 2018, ([flk.npc.gov.cn](http://flk.npc.gov.cn)), last access April 25, 2023, Art. 9. Full English translation of the text at the following link: [www.chinalawtranslate.com](http://www.chinalawtranslate.com).



extremism and normality is very clear. The religious activities listed above are *normality* for the Islamic religion, are *fanaticism* for the CCP.

**(c) Resist infiltration (抵御渗透) or establish friendly relationships (友好交往)?**

Another interesting wording of Article 3 is 抵御渗透 *diyū shéntou* “resist infiltration”. The meaning of this expression is specified in Article 5, which reads

All religions shall adhere to the principles of independence and self-governance. Religious groups, schools, activity venues and religious affairs<sup>356</sup> must not be controlled by foreign forces (不受外国势力的支配 *bu shòu wàiguó shìlì de zhīpèi*).

Religious groups, schools, activity venues and religious clergy must develop external exchanges based on mutual respect, equality and friendship; [...].

“Resisting infiltration” is therefore intended as “resisting foreign forces”, namely as impeding foreign entities from taking control of religious communities, schools and places of worship. Here again, some confusion arises from the terminology selected by the legislator. On one hand, the religious sector must not be subject to foreign interference and autonomously handle religious matters, on the other hand, it must conduct friendly exchanges with foreign countries. The difficulty of this section originates from two words: infiltration and friendship. Madsen suggests that it is difficult to grasp the moment in which friendly contacts with persons abroad “turn into unacceptable foreign influence.”<sup>357</sup>

In order to better understand what type of activities are considered 渗透 *shéntou* “infiltration”, a reference must be done to the Law on the Administration of Domestic Activities of Foreign NGOs. Article 5 and 47 provide that overseas NGOs cannot illegally arrange, carry out (从事 *cóngshì*) nor subsidise (资助 *zìzhù*) religious activities.<sup>358</sup> In line with this, Article 57 of the RRA specifies the maximum

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<sup>356</sup> In order not to sound repetitive, I have omitted the translation of “religious” in front of each element.

<sup>357</sup> Richard MADSEN, “The Sinicisation of Chinese Religions...”, *op. cit.*, p. 4.

<sup>358</sup> If these provisions are not respected the registration management authority (登记管理机构) shall revoke its registration certificate or temporarily ban its activities. The PSBs can even decide to detain the directly responsible person for no more than 15 days.

amount foreign entities can donate to religious organisation without the need of the RAB/UFWD approval, that is 100,000 RMB. If it exceeds this limit, the donation must be reviewed and approved by the relevant department. This article was not present in the old regulations and represents one of those articles that slightly clarifies vague general provisions. From these articles, it is clear that financial support is seen as a foreign interference, but the circumstances under which the RAB/UFWD “may decline the donation and what criteria are considered when reviewing it”<sup>359</sup> are not specified. Besides financial support, no other interfering actions are mentioned in the RRA, but quite likely it is not the only one.

Friendly religious exchanges are intended to establish relations with foreign countries as in to “promote cultural exchanges, open to the outside world, and give a positive image of China.”<sup>360</sup> Religion in this sense is seen as a diplomatic tool<sup>361</sup> “to increase [China’s] influence in nearby regions by acquiring predominant access to powerful [religious] organizations.”<sup>362</sup> There is plenty of research on religion in public diplomacy,<sup>363</sup> which will not be covered in this thesis. However, the main point here is the contrast between the fear of foreign influence in the domestic religious sector and the willingness to exploit religion to improve relations with neighbouring countries.<sup>364</sup> This is done to ultimately “persuade others to support its views and objectives, to behave the way it wants them to without the use of force or coercion.”<sup>365</sup> Therefore, friendship is not intended as a

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<sup>359</sup> Magdaléna MASLÁKOVÁ and Anežka SATOROVÁ, “The Catholic Church..., *op. cit.*, p. 6.

<sup>360</sup> “Xin xiuding ‘Zongjiao shiwu tiaoli’ shiyi (1)” 新修订《宗教事务条例》释义 (一) (Newly revised “Regulations on Religious Affairs” explanation), in *Zhongguo zongjiao*, 11, 2017, p. 68.

<sup>361</sup> WANG Liwan, “Religion in China’s Public Diplomacy: Transition and Institutionalization”, *China Quarterly of International Strategic Studies*, 6, 4, 2020, pp. 371-387.

<sup>362</sup> Jayadeva RANADE, *Buddhism: A New Frontier in the China-India Rivalry*, “Carnegie India”, 2017, [carnegieindia.org](http://carnegieindia.org), last access April 28, 2023.

<sup>363</sup> See for example Jonathan BRASNETT, “Controlling Beliefs and Global Perceptions..., *op. cit.*, pp. 48-58; ZHANG Juyan, “China’s Faith Diplomacy”, in Philip Seib (ed. by), *Religion and Public Diplomacy*, New York, Palgrave Macmillan, 2013, pp. 75-97; NGEOW Chow-Bing, “Religion in China’s Public Diplomacy Towards the Belt and Road Countries in Asia”, in Md. Nazrul Islam (ed. by), *Silk Road to Belt Road*, Singapore, Springer, 2019, pp. 75-93.

<sup>364</sup> Sarah COOK, *The Battle for China’s Spirit...*, *op. cit.*, p. 29.

<sup>365</sup> This is the definition of soft power as developed by Joseph S. Nye. Cited in Jonathan BRASNETT, “Controlling Beliefs and Global Perceptions..., *op. cit.*, pp. 43.

reciprocal tool to develop a flourishing religious exchange, but rather represents an outward tool used by the Party-state to influence diplomatic relationships, as well as facilitate communication and connection with other countries, particularly those that participate in the Belt and Road Initiative.<sup>366</sup> All in all, although being equivocal, the two concepts do not coincide: infiltration is an inward action perpetrated by external forces, friendship is an outward action carried out by domestic religious organisations for broader political goals.

**(d) National security (国家安全)**

The fear of foreign interference has led to a stronger control and tougher approach in the new RRA, this can be seen by the greater emphasis put on public security (公安 *gong'an*), national security (国家安全 *guojia anquan*) and national unity (国家统一 *guojia tongyi*).

Art. 4 Religion must not be used by any individual or organisation to engage in activities that endanger national security or disrupt public order [...].<sup>367</sup>

The frequency of usage of these terms is higher in the new RRA. Article 27 of the National Security Law once again stresses the importance of “preventing, stopping and punishing illegal and criminal activities which use the name of religion to endanger national security.”<sup>368</sup> This concern is not however equally distributed for all religious groups, “the question of foreign influence might be crucial for some religious groups.”<sup>369</sup> In line with the theory of “graduated controls” mentioned in the first chapter, the state-party applies a different treatment to religious groups on the basis of the degree of concern it has towards them. In this case, this stress attached to external forces seems more directed to the “imported” religions such

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<sup>366</sup> CONGRESSIONAL-EXECUTIVE COMMISSION ON CHINA, 2019 *Annual Report...*, *op. cit.*, p. 2.

<sup>367</sup> CHINA LAW TRANSLATE, *Religious Affairs Regulations 2017*, “China Law Translate”, 2017, [www.chinalawtranslate.com](http://www.chinalawtranslate.com), last access April 28, 2023, Art. 4.

<sup>368</sup> STANDING COMMITTEE of the NATIONAL PEOPLE'S CONGRESS 全国人民代表大会常务委员会, “Zhonghua Renmin Gongheguo guojia anquanfa” 中华人民共和国国家安全法 (National Security Law of the PRC), *Guojia falü faqi shujuku*, 2015, ([flk.npc.gov.cn](http://flk.npc.gov.cn)), last access May 1, 2023, Art. 27.

<sup>369</sup> Magdaléna MASLÁKOVÁ and Anežka SATOROVÁ, “The Catholic Church...”, *op. cit.*, p. 2.

as Christianity, Islam and Buddhism, rather than the autochthone Taoism. The concern is by a large extent directed to the authority of both the Vatican and the Dalai Lama, which in the mind of the state-party could endanger its role of primacy over the subordinate religious sector.<sup>370</sup> This is where the “sinicisation” policy comes in. In order to counterbalance the *outward* linkages between religious communities and foreign forces, the CCP has been trying to redirect religious adherents *inwards*, towards the “excellent Chinese traditional culture”.

**(e) Religious Sinicisation (宗教中国化): propagandistic or juridical term?**

“Sinicisation” as a strategy to curb foreign influence, has acquired a mandatory aspect. From being solely a propagandistic term, used in Xi’s political discourses as delineated in the first chapter, it has become a technical and juridical term. This is because for the first time it has been included to the legislative framework, in almost all measures the imperative of “sinicisation” is present (four times in those relating to the management of religious schools, twice in those regarding religious clergy, once in those of religious groups and internet religious information).

The term 宗教中国化 *zongjiao zhongguohua* “religious sinicisation” is not present in the newly issued RRA, however Article 4, anticipates this already established concept, which was included in the subsequent complementary measures.

The state protects normal religious activities according to law and actively guides religion to adapt to the socialist society [...].

Religious groups, schools, activity sites, religious citizens shall practice the core socialist values, preserve the unification of the country, ethnic unity, religious harmony and social stability.<sup>371</sup>

The wording of this article recalls the sections of political discourse analysed in chapter one. Most likely, legislators have based their law-making process and review procedure on Xi’s speeches at the National Conference on Religious Work held in 2016. As a matter of fact, by comparing the final version of the RRA with

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<sup>370</sup> ZHUO Xinpeng, “Relationship between religion and State...”, *op. cit.*, p. 18.

<sup>371</sup> STATE COUNCIL of the PRC 国务院, “Zhonghua Renmin Gongheguo Guowuyuan ling (di 686 tiao) ‘Zongjiao shiwu tiaoli’” 中华人民共和国国务院令 第 686 号 《宗教事务条例》..., *op. cit.*, Art. 4.

the draft version of 2016,<sup>372</sup> to Art. 4 a couple of sentences were added, namely “actively guides religion to adapt to the socialist society” (积极引导宗教与社会主义社会相适应 *jiji yindao zongjiao yu shehuizhuyi shehui xiangshiying*) and “practice core socialist values (践行社会主义核心价值观 *shijian shehuizhuyi hexin jiazhi guan*), pronounced by the President during the conference.<sup>373</sup> The measures went through the same kind of process. Lexicon of Xi’s political discourses was incorporated into the General Provisions of all most recent measures, most notably the phrase “adhere to the path of religious sinicisation” (坚持我国宗教中国化的方向 *jianchi woguo zongjiao zhongguohua de fangxiang*) is present in all of them.

By using such language in a legal document, “sinicisation” was enriched and therefore made legally required.<sup>374</sup> As a consequence, all national religious organisations had to rapidly adapt to the new programmatic policy. Between 2018-2019, they promptly issued revised bylaws and new Five-year Work Plans, in which the term 中国化 *zhongguohua* is contained between 79 and 85 times (the smaller number belongs Taoist and Buddhist documents, the larger one to the Catholic and Protestant documents).

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<sup>372</sup> STATE COUNCIL LEGISLATIVE AFFAIRS OFFICE 国务院法制办公, “Zongjiao siwu tiaoli xiuding cao’an (song shen gao)” 宗教事务条例修订草案 (送审稿) (Regulations on Religious Affairs Revised Draft (Draft for Review), Weixin Chanling wang (account number chanlinorg), 2016, ([mp.weixin.qq.com](http://mp.weixin.qq.com)), last access May 1, 2023.

<sup>373</sup> XINHUA NEWS AGENCY 新华社, “Xi Jinping: quanmian tigao...”, last access May 1, 2023.

<sup>374</sup> Magdaléna MASLÁKOVÁ and Anežka SATOROVÁ, “The Catholic Church...”, *op. cit.*, p. 7.

### 3.4 Areas of Religious Management

#### Two clarities (两个明确) and two standardisations (两个规范)

As mentioned previously in the Chapter, the new Regulations attempt to apply a more rigorous rule of law, despite still being anchored to the Chinese-style legislation of vagueness and ambiguity. An interview conducted by Xinhua News Agency immediately after the promulgation of the new RRA, shows the importance attributed to expressing a higher clarity on some aspects of the religious sector that previously resulted underregulated. The interviewee is a member of the Legislative Office of the State Council, which has synthesised the newly revised Regulations with three expressions: “Two Safeguards”, indicating both the safeguard of citizens’ freedom of religious belief and national security; “Two Standardisations”, referring to the implementation of an increasingly uniform management of both religious sites’ financial resources and online religious content, and most importantly “Two Clarities”, comprising the acquisition of legal personality of religious sites and restrictions on the commercialisation of religion.<sup>375</sup>

Jessica Batke believes that this legal framework characterised by a higher clarity, despite restricting the freedom of religious belief, “offers a greater predictability and certainty for those wishing to avoid conflict with the government [...] and wanting to operate within the latter of the law.”<sup>376</sup> Paragraphs 3.4.1, 3.4.2, 3.4.3 will attempt to examine the areas in which a greater accuracy and uniformity in management was introduced.

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<sup>375</sup> XINHUA NEWS AGENCY 新华社 “Zai fazhi guidao shang tuijin zongjiao gongzuo——Guowuyuan fazhiban fuzeren jiu ‘Zongjiaoshiwutiaoli’ xiuding da jizhe wen” 在法治轨道上推进宗教工作——国务院法制办负责人就《宗教事务条例》修订答记者问 (Promoting Religious Work on the Track of the Rule of Law—The Head of the Legislative Affairs Office of the State Council answers reporter's questions on the revision of the "Regulations on Religious Affairs"), *Zhongguo zhengfu wang zhongyang renmin zhengfu menhu wangzhan*, 2017, ([www.gov.cn](http://www.gov.cn)), last access May 1, 2023.

<sup>376</sup> Jessica BATKE, “PRC Religious Policy: Serving the Gods of the CCP...”, *op. cit.*, p. 5.

### 3.4.1 Management of religious activity sites

#### Classification of religious sites

Religious activity sites can be classified as “Temporary Religious Activity Sites” (宗教临时活动地点 *zongjiao linshi huodong didian*) or “Permanent Religious Activity Sites” (固定宗教活动处所 *guding zongjiao huodong chusuo*). Religious citizens can apply to the county-level government either for the establishment of a permanent site, including temples, churches, mosques,<sup>377</sup> or a temporary site, whereas the circumstances for establishing a permanent one do not yet exist.<sup>378</sup> The two basic conditions for the establishment of a place of worship are (1) the need for regularly and collectively conducting religious activities and (2) the presence of religious personnel (宗教教职人员 *zongjiao jiaozhi ren yuan*) that presides the site.<sup>379</sup>

This is a significant point: prior to the new regulations, temporary religious sites were not regulated. Article 35 of the RRA now allows the use of general facilities—such as normal buildings or rooms—classified as ‘Temporary’ only with explicit approval.<sup>380</sup> Although apparently enlarging the range of places allowed to host religious activities, it officially outlaws all unregistered places and whomever carries out religious activities there, hence discouraging landlords from renting rooms or buildings to unsanctioned religious groups.<sup>381</sup> Accordingly, the new regulations have established new legal responsibilities and penalties directed both to lawbreakers but also to whom sets out the conditions for breaking the law, by

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<sup>377</sup> STATE ADMINISTRATION for RELIGIOUS AFFAIRS 国家宗教事务局, “Zongjiao huodong changsuo sheli shenpi he dengji banfa” 宗教活动场所设立审批和登记办法 (Measures for the Examination, Approval, Registration and Establishment of the Religious Activity Venues), *Zhongguo zhengfu wang zhongyang renmin zhengfu menhu wangzhan*, 2005, ([www.gov.cn](http://www.gov.cn)), last access May 1, 2023, Art. 2.

<sup>378</sup> STATE ADMINISTRATION for RELIGIOUS AFFAIRS, “Zongjiao linshi huodong didian shenpi guanli banfa” 宗教临时活动地点审批管理办法 (Measures for the Approval, Examination and Administration of Temporary Religious Activity Sites), *Zhongguo zhengfu wang zhongyang renmin zhengfu menhu wangzhan*, 2018, ([www.gov.cn](http://www.gov.cn)), last access May 1, 2023, Art. 3.

<sup>379</sup> STATE COUNCIL of the PRC 国务院, “Zhonghua Renmin Gongheguo Guowuyuan ling (di 686 tiao) ‘Zongjiao shiwu tiaoli’” 中华人民共和国国务院令 第 686 号 《宗教事务条例》..., *op. cit.*, Art. 20.

<sup>380</sup> *Ibidem*, Art. 35.

<sup>381</sup> Non-recognised religious groups belonging to the grey area such as Catholic Underground Churches or House Churches, often rented spaces other than churches to conduct their activities.

providing, for example, unregistered groups with illegal religious activity sites (违法宗教活动场所 *weifa zongjiao huodong changsuo*).<sup>382</sup> Renting spaces to religious groups is now forbidden, unless the contract is explicitly approved by the relevant departments and classified as 'Temporary'.

### Acquisition of legal personality and its implications

Another important aspect regarding religious sites is contained in Article 92 of the Civil Code of the People's Republic of China (hereinafter Civil Code) approved on May 28, 2020 and effective since January 1, 2021:

**第九十二条** 具备法人条件，为公益目的以捐助财产设立的基金会、社会服务机构等，经依法登记成立，取得捐助法人资格。

依法设立的宗教活动场所，具备法人条件的，可以申请法人登记，取得捐助法人资格。法律、行政法规对宗教活动场所所有规定的，依照其规定。<sup>383</sup>

**Article 92** A foundation or social service with the qualifications of a legal person which is established with donated property for the purpose of public welfare shall be a legal person funded by donations upon registration according to law. A religious activity site established according to law, may be registered as a legal person and endowed with the status of legal personhood, whereas it meets the relevant requirements. Where laws and administrative regulations governing the premises for religious activities stipulate otherwise, such stipulations shall prevail.<sup>384</sup>

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<sup>382</sup> STATE COUNCIL of the PRC 国务院, "Zhonghua Renmin Gongheguo Guowuyuan ling (di 686 tiao) 'Zongjiao shiwu tiaoli'" 中华人民共和国国务院令 第 686 号《宗教事务条例》..., *op. cit.*, Art. 71.

<sup>383</sup> NATIONAL PEOPLE'S CONGRESS 全国人民代表大会, "Zhonghua Renmin Gongheguo Minfadian" 中华人民共和国民法典 (The Civil Code of the PRC), *Guojia falü faqūi shujuku*, 2020, ([fk.npc.gov.cn](http://fk.npc.gov.cn)), last access May 5, 2023, Art. 92.

<sup>384</sup> NATIONAL PEOPLE'S CONGRESS, General Provisions of the Civil Law of the People's Republic of China, *Zhongguoren da wang*, 2017, [www.npc.gov.cn/englishnpc](http://www.npc.gov.cn/englishnpc), last access May 1, 2023.



This is reiterated in Article 23 of the RRA:

**第二十三条** 宗教活动场所符合法人条件的，经所在地宗教团体同意，并报县级人民政府宗教事务部门审查同意后，可以到民政部门办理法人登记。<sup>385</sup>

**Art. 23** Religious activity sites meeting the requirements for legal personality, may register as legal person with the Civil Affairs Bureau upon the approval of a religious group and the county-level RAB.

This represents an important change: religious sites can now attain legal personality, but the actual process for its obtainment has not been so linear, nor immediate. Religious venues were already allowed to acquire such status through the “General Principles of the Civil Law of the People’s Republic of China” 《中华人民共和国民法总则》 (hereinafter General Principles), in force since 2017. But jurisprudential issues arose since no specifications had been provided on the procedure and application requirements.<sup>386</sup> Until recently, religious venues “did not have the capacity to enjoy legal rights or bear civil liabilities”,<sup>387</sup> could not sue nor be sued in court, could not enter into labour or construction contracts (劳动或建设合同 *laodong huo jianshe hetong*), did not receive compensation in case of demolition (拆迁补偿 *chaiqian buchang*), could not open bank accounts nor obtain bank loans, could not obtain real-estate registration.<sup>388</sup> Religious places of worship were fully dependent from the county-level or above religious associations and the local RABs. For a long time, the lack of legal personality of religious venues has caused many difficulties in carrying out civil activities and was unfavourable to legal management (依法管理 *yifa guanli*). These entities resulted politically and

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<sup>385</sup> STATE COUNCIL of the PRC 国务院, “Zhonghua Renmin Gongheguo Guowuyuan ling (di 686 tiao) ‘Zongjiao shiwu tiaoli’” 中华人民共和国国务院令 第 686 号 《宗教事务条例》 ..., *op. cit.*, Art. 23.

<sup>386</sup> YANG Fenggang, “Repression of Religious Institutions...”, *op. cit.*, p. 3.

<sup>387</sup> CHANG Kuei-min, *Spiritual State, Material Temple: The Political Economy of Religious Revival in China* [Doctoral dissertation, Columbia University], 2016, <https://doi.org/10.7916/D8SN097K>, p. 196. Cited in Sarah COOK, *The Battle for China's Spirit...*, *op. cit.*, p. 29.

<sup>388</sup> ZONG Wen 宗文, “Mingque changsuo falü zhuti diwei tuijin zongjiao gongzuo fazhi jianshe” 明确场所法律主体地位 推进宗教工作法治建设 (Clarify the legal person status of venues and promote the construction of the rule of law in religious work), in *Zhongguo zongjiao*, 2019, pp. 10-11.

institutionally weak and very likely to be commercially exploited.<sup>389</sup> Throughout the years, religious circles had repeatedly pointed out the difficulties encountered through proposals to the National People's Congress and the Chinese People's Political Consultative Conference, until finally in 2019 the SARA and the Ministry of Civil affairs jointly issued a notice<sup>390</sup> for fully implementing the norms contained in both the General Principles and the RRA, clarifying the conditions and procedures for the registration of religious activity venues as legal persons.<sup>391</sup>

According to an authoritative interpretation published on the official WeChat account of the United Front, only places of religious activity registered as monasteries, temples, mosques, and churches can apply for legal person registration—other fixed places of religious activity cannot. They belong to the category of “legal persons founded by donations” (捐助法人 *juanzhu faren*), serving the purpose of public welfare, within the broader category of “non-profit legal persons” (非营利性法人 *fei yinglixing faren*).<sup>392</sup> The phenomena which these provisions try to minimise are 被承包 *bei chengbao* “being contracted” and 被经营 *bei jingying* “being managed”. This consists of an investor (出资人 *chuziren*) signing a contract (承包合同 *chengbao hetong*) with the temple management authority—usually local governmental agency or village committee—and acquiring the right to manage (经营权 *jingying qun*) the religious site for a defined period of time. The investor pays a fee (承包费用 *chengbao feiyong*) to the temple management authority which allows the use of the religious site for commercial activities

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<sup>389</sup> CHANG Kuei-min, *Spiritual State, Material Temple: The Political Economy of Religious Revival in China* [Doctoral dissertation, Columbia University], 2016, <https://doi.org/10.7916/D8SN097K>, p. 196. This dissertation provides an analysis on commercial exploitation and commodification of Buddhist and Taoist temples.

<sup>390</sup> "Notice on the Registration of Legal Persons at Religious Activity Sites" 《关于宗教活动场所办理法人登记事项的通知》.

<sup>391</sup> ZONG Wen 宗文, “Mingque changsuo falü zhuti diwei tuijin zongjiao..., *op. cit.*, pp. 10-11.

<sup>392</sup> UNITED FRONT NEWS 中国统一战线新闻网, “【Quanwei】 jiedu zongjiao huodong changsuo banli faren dengji shixiang ‘ba wen!’ 【权威解读】宗教活动场所办理法人登记事项“八问”! ([Authoritative Interpretation] “Eight Questions and Answers” on Legal Person Registration for Religious Activity Sites!), Weixin (account number *tongzhan xinyu*), 2019, ([mp.weixin.qq.com](http://mp.weixin.qq.com)), last access, May 4, 2023.

related to tourism.<sup>393</sup> Another practice was that to force monasteries to collaborate with local tourism bureaus for a joint management of the religious site.<sup>394</sup> This leads the loss of reputation of worship places, which are deprived of their sacred value and assume a commercial one. The acquisition of legal status of religious sites is a double edged-sword. On the one hand, it helps solve the previously mentioned issues and most importantly curbs the commodification of Taoist and Buddhist temples. On the other hand, it tightens both government control (政府监管 *zhengfu jianguan*) and social supervision (社会监督 *shehui jiandu*).<sup>395</sup>

### Registration procedure

The registration procedure for religious sites is still ruled by the 2005 “Measures for the Examination, Approval, Registration and Establishment of the Religious Activity Venues” 《宗教活动场所设立审批和登记办法》, but in March 2023 the new “Measures on Managing Religious Activity Venues” 《宗教活动场所管理办法（征求意见稿）》 were published, and are currently under public consultation until the end of April 2023.<sup>396</sup> The new measures are significantly longer than the current ones (seventy-six articles over fifteen). They provide more details on the preparatory materials, registration and approval procedures, and are updated to reflect the most recent developments, including new provisions on designating venues as legal person status that were not present in the old measures. If the new measures will take effect soon, the establishment worship sites will become more complex, with several conditions to be met, for example

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<sup>393</sup> MENG Caiyun 孟彩云, “Minfadian beijing xia simiao caichanquan shu wenti yanjiu” 民法典背景下寺庙财产权属问题研究 (Research on Property Ownership of Temples under the Civil Code), *Pu shi Institute For Social Science*, 2022, ([www.pacilution.com](http://www.pacilution.com)), last access May 4, 2023.

<sup>394</sup> JI Zhe, “Buddhism and the State: The New Relationship”, *China Perspectives*, 55, 2004, p. 10.

<sup>395</sup> ZONG Wen 宗文, “Mingque changsuo falü zhuti diwei tuijin zongjiao...”, *op. cit.*, pp. 10-11.

<sup>396</sup> Citizens can give opinions on the new normative sending a letter by post, sending an e-mail or logging in the government’s Ministry of Justice official website and leaving a comment in the indicated section.

第五十条 宗教活动场所应当在建筑、雕塑、绘画、装饰等方面融汇中华文化、体现中国风格，并与周边环境相协调。

Art. 50. Religious activity venues shall integrate Chinese culture in architecture, sculpture, painting, decoration, etc., embody Chinese style, and coordinate with the surrounding environment.<sup>397</sup>

This is the “sinicisation” requirement, which in this case, relates to the aesthetics of religious venues which have to incorporate Chinese-style features.

An additional prerequisite is the obtainment of a registration certificate.<sup>398</sup> Religious organisations at the county-level are generally in charge of the establishment of religious sites<sup>399</sup> and can decide to apply for the “Religious Activity Venue Registration Certificate” 《宗教活动场所登记证》，issued by the county-level UFWD/RAB.<sup>400</sup> An alternative option is to apply for “Religious Activity Venue Legal Person Registration Certificate” 《宗教活动场所法人登记证书》 issued by the Civil Affairs Bureau upon approval of the UFWD/RAB and the relevant religious organisation.<sup>401</sup> Only after receiving one of the two certificates can religious activity venues conduct activities.

Another new legislative provision concerns the automatic deregistration procedure, not present in the current measures: whereas the religious venue sees revoked its certificate, fails to conduct normal operations (正常运行 *zhengchang yunyong*), remains inactive for more than two years or is willing to dismantle itself, it shall apply to the deregistration procedure.<sup>402</sup> The inactivity is connected to one of the basic requirements for establishing a religious venue, that is “a need for a

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<sup>397</sup> STATE ADMINISTRATION for RELIGIOUS AFFAIRS 国家宗教事务局, “Zongjiao huodong changsuo guanli banfa (zhengqiu yijian gao) gongkai zhengqiu yijian” 《宗教活动场所管理办法（征求意见稿）》公开征求意见 (The “Measures on Managing Religious Activity Venues (Draft for Comments)” are open for public consultation), Weixin (account number *zhongguofoxie*), 2023, ([mp.weixin.qq.com](http://mp.weixin.qq.com)), last access April 18, 2023, Art. 50.

<sup>398</sup> *Ibidem*, Art. 17.

<sup>399</sup> *Ibidem*, Art. 9.

<sup>400</sup> *Ibidem*, Art. 17.

<sup>401</sup> *Ibidem*, Art. 18.

<sup>402</sup> *Ibidem*, Art. 20. “第二十条 宗教活动场所有下列情形之一的，应当到原登记管理机关申请注销登记：（一）被依法吊销《宗教活动场所登记证》或者民政部门颁发的《宗教活动场所法人登记证书》的；（二）无法维持正常运行的；（三）无正当理由两年以上不开展宗教活动的；（四）自行解散或者由于其他原因终止的。”

certain number of local religious believers to regularly conduct collective religious activities”. If this need is not habitually satisfied, then the place of worship will no longer be registered. Another interesting point is the fact that religious venues cannot form affiliation relations (不得形成隶属关系 *bude xingcheng lishu guanxi*).<sup>403</sup> Registered churches, temples and mosques, after having acquired a legal person status, cannot establish any other religious site under their authority, just as registered religious groups cannot.

### **3.4.2 Management of religious activities (offline and online)**

The new RRA have an entire chapter dedicated to the administration of religious activities, differing from the previous regulations which saw religious venues and activities combined in the same chapter. Worship activities must be held in registered religious sites, arranged by a religious legal entity (school, venue or group) and presided over by religious clergy.<sup>404</sup> Large-scale religious activities can be held outside the relevant church, temple or mosque only with due approval of the provincial, municipal or autonomous region’s UFWD/RAB. Keeping social order is responsibility of the organism which has arranged the event.<sup>405</sup> No religious entity can conduct worship activities, such as preaching and proselytise in public schools or other non-religious educational bodies.<sup>406</sup> This provision is in line with the attention attached to non-obstructing the national education system.

Aside from the traditional worship activities, new measures have been released on the management of online religious activities and content. The “Measures for the Administration of Internet Religious Information” 《互联网宗教信息服务管理办法》, in force since March 2022, were jointly issued by the UFWD/SARA, the National Internet Information Office, the Ministry of Industry and Information

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<sup>403</sup> *Ibidem*, Art. 6.

<sup>404</sup> STATE COUNCIL of the PRC 国务院, “Zhonghua Renmin Gongheguo Guowuyuan ling (di 686 tiao) ‘Zongjiao shiwu tiaoli’” 中华人民共和国国务院令 第 686 号 《宗教事务条例》 ..., *op. cit.*, Art. 40.

<sup>405</sup> *Ibidem*, Art. 42.

<sup>406</sup> *Ibidem*, Art. 44.

Technology, the Ministry of Public Security and the Ministry of National Security. They were released after the 2021 National Religious Work Conference, held during the pandemic emergency. As a matter of fact, during the Covid-19 pandemic, religious practitioners could not regularly reunite, since “religious organisations cooperated with the government’s directive to close physical spaces of worship and suspend activities and operations.”<sup>407</sup> However, locals found new ways to continue practicing their religion: they started using WeChat and other popular social media platforms to keep their faith alive by providing virtual donations to places of worship, participating in online sermons, copying scriptures, accessing videos of daily devotions.<sup>408</sup> Religious adherents reinvented the physical sacred space into virtual platforms, “adapting to the new socio-spatial circumstances and articulating religion’s continual significance in their lives.”<sup>409</sup> Online worship has undoubtedly witnessed a steep growth in recent years due to the pandemic, but its development follows the more general trend of technologization and diffusion of the Internet in Chinese contemporary society. Scholarly research has lately focused attention on online religious practices, inquiring whether it represents a societal trend or can be considered as a new ritual modality.<sup>410</sup> In any case, digital technology undoubtedly plays a significant role in practitioners’ daily lives, it enables them to establish relationships with other members of religious groups and “be on very close terms with monks who can efficiently answer their questions, dispel doubts and reinforce religious bonds.”<sup>411</sup> Virtual platforms, however, have a dual effect. On one hand, they

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<sup>407</sup> CHEN Ningning, CHEN Jinwen and Kenneth DEAN, “Religions in times of crisis: Innovative lay responses and temporal-spatial reconfigurations of temple rituals in COVID-19 China”, *Cultural Geographies in Practice*, 29, 2, 2022, p. 302. See also Carsten T. VALA, *Reading Tea Leaves from the 2021 National Religious Work Conference*, “China Source”, 2022, [www.chinasource.org](http://www.chinasource.org), last access May 12, 2023.

<sup>408</sup> Stefania TRAVAGNIN, “Cyberactivities and ‘Civilized’ Worship”, in Ji Zhe, Gareth Fisher and André Laliberté (ed. by), *Buddhism after Mao*, Honolulu, University of Hawai’i Press, 2019, p. 293.

<sup>409</sup> CHEN Ningning, CHEN Jinwen and Kenneth DEAN, “Religions in times...”, *op. cit.*, p. 306.

<sup>410</sup> Stefania TRAVAGNIN, “Cyberactivities and ‘Civilized’ Worship...”, *op. cit.*, p. 292.

<sup>411</sup> Francesca TAROCCO, “Technologies of Salvation: (Re)locating Chinese Buddhism in the Digital Age”, *Journal of Global Buddhism*, 18, 2017, p. 157.

strengthen faith and religious communities' bonds by nurturing a sense of belonging and facilitating the exchange of spiritual experiences. On the other hand, it is also a means by which religions can spread their teachings and reach a wider audience by "establishing, maintaining local, transregional and international networks of online and offline followers."<sup>412</sup> Simply put, digital tools have a unifying effect within existing faith communities, as well as an expansive effect in terms of outreach and formation of new religious connections. This last point is exactly what the party-state attempts to avoid. The CCP—Yang notes—aims at creating a geographically-dispersed structure among religious groups by means of legislative and institutional tools in order to prevent mass mobilisation.<sup>413</sup> However, this is hard to avoid within an infinite cyber-space, in which connections are easily formed among geographically-distant communities. This is the reason why these measures are among the most restrictive and limiting ones. The CCP considers the internet a vulnerable channel for foreign forces to infiltrate via religious means, and believes that it "has led to the resurgence of underground religious factions and ideas that harm society and humanity."<sup>414</sup>

Following the "temporal-spatial transformations",<sup>415</sup> the CCP saw the necessity to better regulate the online religious sector and decided to formulate new measures aimed at clarifying Articles 47 and 48 of the RRA, which govern the use of internet religious information services. After the General Provisions, containing all of the most important topics already discussed (sinicisation, national security, resisting infiltration, extremism etc), Article 6 defines clearly what Internet Religious Information is:

using websites, applications, forums, blogs, microblogs, public accounts, instant messaging tools, live streaming to disseminate religious teachings and

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<sup>412</sup> Francesca TAROCCO, "Technologies of Salvation...", *op. cit.*, p. 156.

<sup>413</sup> YANG Fenggang, "Repression of Religious Institutions...", *op. cit.*, p. 3.

<sup>414</sup> BING Zhou 周兵, "Jingtí didu duì shìlì duì woguo 'yánsè gémìng' de hulianwang buju" 警惕敌对势力对我国"颜色革命"的互联网布局 (Be alert of hostile forces' influence on the Internet arranging our "color revolution"), *Wenhua wang*, 2016, ([m.hswb.org.cn](http://m.hswb.org.cn)), last access May 9, 2023.

<sup>415</sup> CHEN Ningning, CHEN Jinwen and Kenneth DEAN, "Religions in times...", *op. cit.*, p. 301.

canons, religious knowledge, religious culture and activities in the form of texts, pictures, audio or video is permitted contingent upon the prior obtainment of the “Internet Religious Service Licence” (互联网宗教信息服务许可, hereinafter Licence).<sup>416</sup>

Therefore, for being able to publish religious material online one must possess a governmental permit. However, not everyone can obtain it. Some conditions are set: firstly, only Chinese citizens or organisations (with or without legal personality) familiar with the national religious policy can apply for it. Foreign organisations or individuals cannot engage in any type of online religious content, even if legally resident in China. Secondly, the online platform or internet service being used must be registered and enabled to contain religion-related content. It has to be owned by the religious group, school or venue authorised to share religious material. Thirdly, the applicant must have a matching religious service, such as a religious venue, facility or funds.

From these provisions it is easily deductible that individual internet users are not allowed to publish religious information by their own name, on their own account, on none of the available internet platforms.<sup>417</sup> Even if all the conditions are met, the obtainment of the Licence is not immediate: the applicant must first take part to a special training and then pass an exam.<sup>418</sup> Local RABs websites provide lists of topics and the exam syllabus. Applicants must have a deep knowledge of Xi’s Thought on Socialism with Chinese Characteristics for a New Era and Rule of Law, core socialist values, Xi Jinping’s important discussions on

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<sup>416</sup> STATE ADMINISTRATION for RELIGIOUS AFFAIRS 国家宗教事务局 and other ministries, “Hulianwang zongjiao xinxi fuwu guanli banfa” 互联网宗教信息服务管理办法 (Measures for the Administration of Internet Religious Information), *Zhongguo zhengfu wang zhongyang renmin zhengfu menhu wangzhan*, 2021, ([www.gov.cn](http://www.gov.cn)), last access May 5, 2023, Art. 6.

<sup>417</sup> “Hulianwang zongjiao xinxi fuwu xukezheng shenqing zhinan (2023 nian ban) 《互联网宗教信息服务许可证》申请指南 (2023 年版) (Application Guide for the “Internet Religious Information Service License” (2023 Edition)), *Weixin (account number daanqifu)*, 2023, ([mp.weixin.qq.com](http://mp.weixin.qq.com)), last access May 4, 2023.

<sup>418</sup> *Ibidem*.



religious work, laws and regulations related to religious affairs.<sup>419</sup> The ultimate goal of the examination is not to test the subject's religious knowledge, but verify whether or not the subject is aligned with the CCP ideology and test its political reliability.

### 3.4.3 Management of religious clergy and religious schools

Religious schools and clergy are maybe one of the biggest concerns for the CCP, since the Party has long been aware of the influence religious leaders can have on their followers, and the role religious schools have in educating and preparing “politically reliable” (政治上靠得住 *zhengzhishang kaodezhu*) religious personnel. It is exactly through religious academies and seminaries that future clergy is formed to be aligned with the official ideology. The two measures devoted to clergy (Measures for the Administration of Religious Clergy) and schools (Measures for the Administration of Religious Schools) are those in which the term 中国化 *zhongguohua* is contained with more frequency—twice in those pertaining religious clergy and four times in those regarding religious schools. This shows the stress put into this aspect of religious management. The selection of leadership roles is of the utmost importance: Cao Nanlai suggests the main risk is that of “producing cadre-like religious leaders or public figures who, consciously or unconsciously, distance themselves from the majority of believers due to their lack of spiritual authority or liturgical legitimacy.”<sup>420</sup> His observation is especially true since Xi's arrival: the appointment of spiritually-legitimate and politically-aligned religious personnel has become a challenge lately. Upon Xi's promotion of “religious sinicisation” for the entire religious environment, a special role is

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<sup>419</sup> NANJING RELIGIOUS and ETHNIC AFFAIRS BUREAU 南京市民族宗教事务局, “Jiangsusheng minzu zongjiao shiwu weiyuanhui guanyu kaizhan hulianwang zongjiao xinxi fuwu xukezheng gongzuo tongzhi” 江苏省民族宗教事务委员会关于开展互联网宗教信息服务许可工作的通告 (Notice of the Jiangsu Provincial Ethnic and Religious Affairs Commission on the Licensing of Internet Religious Information Services), *Nanjingshi minzu zongjiao shiwu ju wangzhan*, 2022, ([mzzjj.nanjing.gov.cn](http://mzzjj.nanjing.gov.cn)), last access May 4, 2023.

<sup>420</sup> CAO Nanlai, “Chinese Religions on the Edge: Shifting Religion-State Dynamics”, *China Review*, 18, 4, 2018, p. 4

assigned to whomever has the duty to instruct and lead religious masses. Xi has explicitly required all religious circles to actively excavate into the religious teaching and promote ideals and rituals consistent with the Chinese traditional culture.<sup>421</sup> This is reiterated by Article 7 which reads:

**第七条** 宗教教职人员应当注重提升自身素质，提高文化、道德素养，研究教义教规中有利于社会和谐、时代进步和健康文明的内容，并融入讲经讲道中，为推进我国宗教中国化发挥作用。<sup>422</sup>

**Article 7** Religious clergy should focus on improving their own quality (自身素质), enhancing their cultural and moral literacy, studying the contents doctrines and canons conducive to social harmony, progress and healthy civilisation. Religious clergy shall introduce these former contents into sermons to contribute to religious sinicisation.

This is the fundamental task of all members of the clergy. As a consequence, they start losing their spiritual significance and gain political value. The wording “improve their quality” catches the eye of a critical reader. Article 35 gives a better explanation of the meaning of quality in this specific context.

**第三十五条** 宗教团体应当制定宗教教职人员培养规划，加强宗教教职人员的政治教育、法治教育、文化教育、宗教教育，提高宗教教职人员的综合素质和宗教教职人员队伍的整体素质。<sup>423</sup>

**Article 35** Religious organisations shall formulate plans for the training of religious clergy, strengthen political education (政治教育 *zhengzhi jiaoyu*), rule of law education (法治教育 *fazhi jiaoyu*), cultural education and religious education of religious staff, and improve the overall quality (综合素质 *zonghe suzhi*) of religious clergy and the overall quality of the ranks of religious clergy.

So, *quality* (素质 *suzhi*) is strictly linked to the political trustfulness: the higher the loyalty to the CCP, the higher the quality. Being a high-quality clergy member implies being law-abiding, accepting the guidance of both the UFWD/RAB and the

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<sup>421</sup> XINHUA NEWS AGENCY 新华社, “Xi Jinping: quanmian tigao...”, last access March 10, 2023.

<sup>422</sup> STATE ADMINISTRATION for RELIGIOUS AFFAIRS 国家宗教事务局, “Zongjiao jiaozhi renyuan guanli banfa” 宗教教职人员管理办法 (Measures for the Administration of Religious Clergy), *Zhongguo zhengfu wang zhongyang renmin zhengfu menhu wangzhan*, 2021, ([www.gov.cn](http://www.gov.cn)), last access May 5, 2023, Art. 7.

<sup>423</sup> *Ibidem*, Art. 35.

relevant religious legal entity (group, school, venue) and most importantly inspire believers to love the motherland and follow the laws.<sup>424</sup>

### Selection of clergy

The selection of clergy is responsibility of religious groups.<sup>425</sup> The national religious organisations of the five state-sanctioned religions are in charge of formulating methods for identifying (认定 *rending*) religious personnel and attributing the title (称谓 *chengwei*) to clergy members.<sup>426</sup> Articles 15 and 16 are directed to Catholicism and Tibetan Buddhism. In both cases, the CCP fears foreign interference from the Pope and the Dalai Lama. The succession of living buddhas must be managed according to relevant measures<sup>427</sup> and the ordination (批准 *pizhun*) and consecration (祝圣 *zhusheng*) of bishops must be carried out by the Chinese Catholic Bishop Conference (hereinafter CCBC).<sup>428</sup>

An interesting point of the clergy measures, announced in November 2020, is the fact that no mention has been done to the agreement with the Holy See. In 2018 the PRC and the Vatican signed a provisional agreement for the administration of dioceses and the appointment of bishops which was renewed in 2020 and 2022. Up to July 2021, seven CCP-appointed bishops had been approved by the Vatican and five jointly approved by both entities.<sup>429</sup> The content of the agreement is unknown, however, according to Anthony Clark, the mechanism should follow three steps:

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<sup>424</sup> *Ibidem*, Art. 6.

<sup>425</sup> *Ibidem*, Art 13.

<sup>426</sup> *Ibidem*, Art. 13.

Chapter 4 is devoted to high clergy (宗教活动场所主要教职), subject to stricter provisions.

<sup>427</sup> *Ibidem*, Art. 15.

See “Measures for the Administration of the Reincarnation of Living Buddhas in Tibetan Buddhism” 《藏传佛教活佛转世管理办法》. On this topic see Amy KELLAM, “How to Reincarnate Lawfully: the Rebirth of a Tibetan Religious Tradition with Socialist Characteristics”, *The Journal of Comparative Law*, 10, 2, 2016, pp. 384-405.

<sup>428</sup> *Ibidem*, Art. 16.

<sup>429</sup> CONGRESSIONAL-EXECUTIVE COMMISSION ON CHINA, *CECC 2021 Annual Report*, II. Human Rights: Freedom of Religion, “Congressional-Executive Commission on China”, 2018, [www.cecc.gov](http://www.cecc.gov), last access May 12, 2023, p. 1.

first, the selection of priest candidates by China's Religious Affairs authorities; second, the Vatican's approval of candidates; and third, the consecration and installation of these bishops into Chinese dioceses.<sup>430</sup>

Although the agreement has been renewed a couple of times, there is no reference to it in any regulation or measure. Therefore, on a legislative level, the procedure for the appointment of bishops has remained unvaried.

After being selected and registered with the UFWD/SARA or local RAB, a record number (备案号 *beian hao*)<sup>431</sup> and a clergy certificate 《宗教教职人员证书》 is assigned to priests, imams, pastors, monks and nuns etc.<sup>432</sup> All the clergy-related material is collected into a database (宗教教职人员数据库 *zongjiao jiaozhi ren yuan shujuku*) managed by the UFWD/SARA and has to be regularly updated with basic information, awards and punishments record (奖惩情况 *jiangzheng qingkuang*).<sup>433</sup> Being registered in the database is a necessary condition for being allowed to practice religious functions. As a result, all non-registered clerics are outlawed, such as pastors of House Churches, priests of Underground Churches, clergy of independent mosques, Buddhist or Taoist temples. The permanence inside the database is strictly connected to the behaviour of clergy: religious groups must closely monitor clerics' behaviour and loyalty to the CCP by establishing an assessment system and a code of conduct.<sup>434</sup>

### Training of clergy

Together with the selection of trustworthy candidates for religious posts, the training phase is considered equally or even more important by the CCP.

**第四条** 宗教院校是培养爱国宗教后备人才、正确阐释宗教教义、培训在职宗教教职人员的重要基地。宗教院校应当以坚持我国宗教中国化为办学方向，以社会主义核心价值观为引领，走中国特色宗教院校办学道路，按照政治上靠得住、宗教上有

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<sup>430</sup> Anthony E. CLARK, *Making sense of the China-Vatican agreement on the selection of bishops*, "The Catholic World Report", 2016, [www.catholicworldreport.com](http://www.catholicworldreport.com), last access May 7, 2023.

<sup>431</sup> STATE ADMINISTRATION for RELIGIOUS AFFAIRS 国家宗教事务局, "Zongjiao jiaozhi ren yuan guanli banfa" 宗教教职人员管理办法..., Art. 19.

<sup>432</sup> *Ibidem*, Art. 20.

<sup>433</sup> *Ibidem*, Art. 33.

<sup>434</sup> *Ibidem*, Art. 37 and 38.

造诣、品德上能服众、关键时起作用的标准，培养宗教教职人员和宗教方面其他专门人才。<sup>435</sup>

**Art. 4** Religious schools are important centres for cultivating patriotic and future religious talents, correctly interpreting religious doctrines and training in-service religious staff. Religious schools should adhere to the sinicisation of religion in China guided by socialist core values, follow the path of running religious schools with Chinese characteristics. Religious schools should cultivate religious staff and other specialized talents in the field of religion according to the standards of political reliability, religious attainments, moral persuasion and critical role.

Chapter 3 of the RRA and the Measures for the Administration of Religious Schools are the legal basis for this area of management. In order to obtain a religious title, potential clergy members have to be trained in official religious academies and seminaries.<sup>436</sup> These can only be established by the national religious associations or by religious groups at provincial, autonomous region and municipality level<sup>437</sup> and the UFWD/SARA or RABs are in charge of the approval for the establishment and management of all religious academies.<sup>438</sup> No individual or organisation other than registered religious groups can establish a national or local religious school.<sup>439</sup> Students must attend courses for two to six years and at the end of their theological training path they obtain a religious title.<sup>440</sup>

The UFWD/SARA contributes to the formulation of the curriculum, which has to include at least 30% of the total class hours devoted to political studies.<sup>441</sup> The syllabus is very similar to that described for obtaining the Internet Religious

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<sup>435</sup> *Ibidem*, Art. 4.

<sup>436</sup> Vincent GOOSSAERT and David A. PALMER, *The Religious Question...*, *op. cit.*, p. 333.

<sup>437</sup> STATE ADMINISTRATION for RELIGIOUS AFFAIRS 国家宗教事务局, “Zongjiao yuanxiao guanli banfa” 宗教院校管理办法 (Measures for the Administration of Religious Schools), *Zhongguo zhengfu wang zhongyang renmin zhengfu menhu wangzhan*, 2021, ([www.gov.cn](http://www.gov.cn)), last access May 8, 2023, Art. 3.

<sup>438</sup> *Ibidem*, Art. 6.

<sup>439</sup> *Ibidem*, Art. 3.

<sup>440</sup> *Ibidem*, Art. 28, 29 and 30.

The length of the training period depends on the level of religious education one wants to obtain. There are three levels: post-secondary intermediate 中等专科层次宗教教育, post-secondary high 高等专科层次宗教教育, undergraduate 本科层次宗教教育 and postgraduate levels 研究生层次宗教教育.

<sup>441</sup> STATE ADMINISTRATION for RELIGIOUS AFFAIRS 国家宗教事务局, “Zongjiao yuanxiao guanli banfa” 宗教院校管理办法..., *op. cit.*, Art. 38 and 39.

Service License: one must be proficient in the comprehensive ideological, political and legislative system pertaining religion, whereas proficiency in spiritual matters is of secondary importance. The training path is seen

not as a true spiritual education but merely as a ticket to advancement in their official careers, giving clerics the academic and social background needed to successfully function within the system of relationship building and bureaucratic politics in which religious associations are embedded.<sup>442</sup>

The training does not end with the obtainment of a religious diploma and title. It continues throughout clerics' entire career with non-academic continuing education (非学历继续教育 *fei xueli jixu jiaoyu*) and in-service training (培训在职宗教教职人员 *peixun zaizhi zongjiao jiaozhi renyuan*).<sup>443</sup> Not only clergy, but also religious teachers are subject to a high degree of control in terms of morality (思想品德 *sixiang pinde*), ideological and political performance (思想政治表现 *sixiang zhengzhi biao xian*).<sup>444</sup> Since 2018, a totally new provision has been introduced: religious schools can now employ foreign professionals, but a deep assessment has to be conducted to verify whether or not the former has participated in anti-China organisations (反华组织 *fanhua zuzhi*) or activities (反华活动 *fanhua huodong*) and whether it has advanced anti-China opinions (反华言论 *fanhua yanlun*).<sup>445</sup> All in all, the high degree of political interference in key stages (training, appointment) of clergy's career leads to the drastic reduction of the number of candidates and therefore of the ordained clergy corps. The small number of politically trustful clerics face the challenge of losing their spiritual authority, since their main duty is that to lead religious believer to support Party leadership, thus being "good citizens".<sup>446</sup>

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<sup>442</sup> Vincent GOOSSAERT and David A. PALMER, *The Religious Question...*, *op. cit.*, p. 333.

<sup>443</sup> STATE ADMINISTRATION for RELIGIOUS AFFAIRS 国家宗教事务局, "Zongjiao yuanxiao guanli banfa" 宗教院校管理办法..., *op. cit.*, Art. 42.

<sup>444</sup> *Ibidem*, Art. 45 and 48.

<sup>445</sup> *Ibidem*, Art. 60 and 61.

<sup>446</sup> Carsten T. VALA, "Pathways to the Pulpit: Leadership Training in Patriotic and Unregistered Chinese Protestant Churches", in Yoshiko Ashiwa e David L. Wank (ed. by), *Making Religion Making the State: The Politics of Religion in Modern China*, Stanford, Stanford University Press, 2009, p. 118.

By analysing the entire corpus of religious norms with a quantitative approach, one could say that the higher the frequency of the term 中国化 *zhongguohua*, the greater the concern from the CCP's perspective. In line with the "graduated controls mechanism", one can see a close relation between the threat the CCP feels and the need for standardising and regulating a certain aspect of the religious field. Starting from the five-year work plans of the five national organisations, and extending the observation to the institutional reforms, regulations and measures, it becomes apparent that the "sinicisation" policy has seeped its way deep down into every aspect of state-party religious administration and religious system. Religiosity is so widespread in China, so deeply ingrained in society, that legislation has to keep pace. Chinese religiosity is characterised by a multiform nature, capable of responding to societal changes and even recreating itself in new spaces, such as the Internet. The government, thus, recognises the need to regulate, oversee, and define the scope of religious activities. It can be said, therefore, that direct proportionality occurs between religious expression and religious legislation: high degrees of religiosity lead to tighter restrictions.

To conclude, Elina Schleutker advances an interesting theory on religious regulations. She believes that positive correlation exists between the level of restrictions imposed on religious groups and their capacity for social mobilisation. In other words, restrictions will be tighter on those groups which manifest a strong potential for collective action. She further distinguishes resources for collective action, including moral, human, organisational and material assets.<sup>447</sup> Each religious group can possess a spectrum of such resources, which, consequently, can grant them varying degrees of power to engage in political protest. Following this line of reasoning, the regime can impose restrictions that specifically target certain resources. Moral resources can be hindered through

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<sup>447</sup> Elina SCHLEUTKER, "Co-optation and Repression of Religion...", *op. cit.*, pp. 219, 220.

control of religious sermons, preaching, doctrines etc; human resources can be weakened by forcing political indoctrination and exerting severe control over the selection of religious leadership positions and ordinary clergy members; material resources can be restricted by imposing limitations on foreign donations directed to the organisation; finally, organisational resources can be weakened by prescribing religious gatherings within authorised sites and through limitations on affiliation among religious groups.

The analysis of regulations and measures shows that the Chinese government is enacting restrictions directed to all of the abovementioned resources. This confirms the views and theories discussed in the first chapter: religious groups are perceived as threats and opponents to the state, so the CCP “is not likely to cooperate with religious groups, but rather pursue a restrictive strategy towards them.”<sup>448</sup> Under the Xi Jinping administration, this restrictive approach has been officially termed “Sinicisation”.

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<sup>448</sup> Elina SCHLEUTKER, “Co-optation and Repression of Religion..., *op. cit.*, p. 229.



## APPENDIX I: Religious Associations

The following tables summarise the main functions, organisational structure and Five-year Work Plans of the seven state-sanctioned religious associations. All material is largely drawn from the official websites of the associations and their bylaws. All associations have approximately the same organisational structure, however functions and departments differ according to the needs of each organisation. First, an overview of the macro-organisational set up is presented; then, tables devoted to individual associations are presented, highlighting their specific functions and roles.

Supreme organ (最高权力机构 <i>zuigao quanli jigou</i> )	The supreme organ of all associations is the National Representative Conference, held every five years and composed of delegates selected by the patriotic associations at provincial, autonomous region, and municipal level. The National Conference develops and revises the bylaws of the association, deliberates on important matters; determines the work, objectives and tasks of the association. It is also in charge of establishing the executive body and elects or dismisses its members.
Leading Body (领导机构 <i>zhixing jigou</i> )	Each association has a leading body, including a President (会长 <i>huizhang</i> )—which is the legal representative, signs important documents, convenes and presides over all relevant meetings—Vice President (副会长 <i>fu huizhang</i> ) and Secretary General (秘书长 <i>mishuzhang</i> ).
Permanent Body (常设机构 <i>changwu jigou</i> )	The five entities all have an executive body responsible for implementing the provisions outlined in the bylaws. <sup>449</sup> An executive meeting is held every two years to elect members of the leading body, establish the Standing Council or Committee and select its members. The standing body carries out several functions of the executive body when the latter is not in session, for instance, implements resolutions of both the National Conference and the executive body, reviews and approves relevant rules and regulations, carries out important policies. It also establishes special committees according to operational needs of the organisation, selects its members and assigns specific duties to it.

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<sup>449</sup> Associations (1), (2), (3) have an Executive Council (理事会 *lishihui*), (4) and (5) a Commission (委员会 *weiyuanhui*).

## **(1) 中国佛教协会 The Buddhist Association of China (BAC)<sup>450</sup>**

### **Brief description**

The BAC was the first religious group to be organised as a national patriotic association in Beijing in 1953, reuniting Buddhists of all ethnic groups and Buddhist traditions (Han, Tibetan and Theravada Buddhism). The BAC is the only national Buddhist organisation in mainland China; there are local Buddhist organisations in every province and city. In 1956, the BAC founded the first national institute for Buddhist studies, i.e., the Buddhist Academy of China (中国佛学院 *zhongguo fojiao yuan*), which was opened at the Fayuan Temple in Beijing.<sup>451</sup> The main goal of the BAC is to propagate “Humanistic Buddhism” (人间佛教 *renjian fojiao*), which refers to the process of integrating Buddhist practices in Chinese people’s daily lives.<sup>452</sup>

### **Organisational structure<sup>453</sup>**

#### **Special Committees (专门委员会 *zhuanmen weiyuanhui*)**

Tibetan Buddhism Work Committee  
Theravada Buddhism Work Committee  
Buddhist Educational Affairs and Teaching Method Supervision Committee  
Buddhist Education Committee  
Charity Public Welfare Committee  
Rights Protection Committee  
Overseas Exchange Committee  
Culture and Art Committee  
Lay Affairs Committee

#### **Work Departments (工作部门 *gongzuo bumen*)**

- (1) Office (办公室 *bangongshi*) coordinates the daily work and important administrative activities of the headquarters.
- (2) Religious Affairs Department (教务部 *jiaowubu*) guides and supervises Buddhist preaching, identifies and recruits Buddhist staff, appoints main positions in Buddhist activity venues, reviews internal Buddhist publications, TV and film scripts or finished films, promotes the standardisation of internal management of Buddhist venues, manages digital tools and platforms.

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<sup>450</sup> “Zhongguo Fojiao Xiehui” 中国佛教协会 (The Buddhist Association of China), *Zhongguo fojiao xiehui guanwang*, (<https://www.chinabuddhism.com.cn/>), last access April 13, 2023.

<sup>451</sup> For more information see Ji Zhe, “Schooling Dharma Teachers, The Buddhist Academy System and Sangha Education”, in Ji Zhe, Gareth Fisher and André Laliberté (ed. by), *Buddhism after Mao*, Honolulu, University of Hawai’i Press, 2019, pp. 175-176.

<sup>452</sup> “Zhongguo fojiao xiehui zhangcheng” 中国佛教协会章程 (Constituion of the Buddhist Association of China), *Zhongguo fojiao xiehui guanwang*, ([www.chinabuddhism.com.cn](http://www.chinabuddhism.com.cn)), last access June 5, 2023, Art. 3. And YANG Fenggang, *Atlas of Religion in China...*, *op. cit.*, p. 15.

<sup>453</sup> NATIONAL BUDDHIST REPRESENTATIVE CONFERENCE 中国佛教协会全国代表会议, “Zhongguo fojiao xiehui zhangcheng” 中国佛教协会章程 (Bylaws of the Buddhist Association of China), *Zhongguo fojiao xiehui guanwang*, 2020 ([www.chinabuddhism.com.cn](http://www.chinabuddhism.com.cn)), last access June 6, 2023.

- (3) International Department (国际部 *guojibu*) carries out friendly exchanges with international Buddhist organisations, religious peace organisations, Buddhist communities in Taiwan, Hong Kong and Macao; promotes cultural exchanges between Chinese and foreign Buddhists.
- (4) Office of Comprehensive Research (综合研究室 *zonghe yanjiushi*) carries out research on Buddhism, explains Buddhist teachings and doctrines, promotes the construction of Buddhist thought.
- (5) Office of the Special Committees (专委会办公室 *zhuanweihui bangongshi*) communicates with various special committees of the Council, organises and coordinates special meetings.
- (6) Tibetan Buddhism Work Office (藏传佛教工作室 *hanchuan fojiao gongzuoshi*) responsible for the Tibetan tradition of Buddhism, drafts special measures for the management of both Tibetan clergy and temples.
- (7) Education and Training Department (教育培训部 *jiaowu peixunbu*) guides the construction and management of Buddhist schools, cultivates Buddhist talents.
- (8) Editorial Department of The Dharma Voice (《法音》编辑部 *fayin bianjibu*) publishes the Dharma Voice journal for the scholarly study of Buddhism, including discussions on Buddhist art, culture and doctrines.

### **Affiliated institutions**

- Chinese Buddhist Culture Research Institute (中国佛教文化研究所 *zhongguo fojiao wenhua yanjiusuo*) founded in 1987 by the BAC at the Guangji Temple in Beijing; conducts activities of Buddhist cultural exchange at home and abroad.
- Buddhist Library and Culture Relics Museum of China (中国佛教图书文物馆 *zhongguo fojiao tushu wenwuguan*) founded in 1980 by the BAC at the Fayuan Temple in Beijing; collects, displays and studies Buddhist cultural relics and books.
- Jinling Engraving Centre (金陵刻经处 *jinling ke jing chu*) founded in 1866 by the BAC in Nanjing; engraving centre for the circulation of Chinese Buddhist classics.

### **Directly subordinate temples**

- Beijing Guanji Temple (北京广济寺 *Beijing guangjisi*)  
 Lingguang Temple (灵光寺 *lingguangsi*)  
 Beijing Fayuan Temple (北京法源寺 *Beijing fayuansi*)  
 Shenzhen Hongfa Temple (深圳弘法寺 *Shenzhen hongfasi*)  
 Nepal Zhonghua China Temple (尼泊尔中华寺 *nibo'er zhonghuasi*)

### **Five-year Work Plan to sinicise Buddhism (2019 - 2023) 《坚持佛教中国化方向五**

The Five-year Plan of the BAC was adopted at the third meeting of the Ninth Standing Council in July 2019. The Plan contains an historical background of the Buddhist religion, the

年工作规划纲要(2019 - 2023  
年)》<sup>454</sup>

guiding ideology that has to be followed, overall goals and main tasks. The main content of the whole document can be summarised into the following points:

- (1) adhere to the sinicisation path by excavating the content of Buddhist teachings compatible with socialist core values, and use socialist core values as a guide to make modern interpretations of Buddhist teachings;
- (2) carry out public welfare and charitable activities, actively fulfilling social responsibilities;
- (3) carry out friendly exchanges with international Buddhist organisations, religious peace organisations and Buddhist communities in various countries, promote cultural exchanges between Chinese and foreign Buddhists.

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<sup>454</sup> “Jianchi fojiao zhongguohua fangxiang wu nian gongzuo guihua gangyao” 坚持佛教中国化方向五年工作规划纲要 (Outline of the Five-Year Work Plan for Advancing the Sinicisation of Buddhism), in *Fayin*, 10, 2019, pp. 22-28.

## **(2) 中国伊斯兰教协会 China Islamic Association (CIA)<sup>455</sup>**

### **Brief description**

The CIA is both a patriotic and Islamic religious organisation reuniting Muslims of all ethnic groups.<sup>456</sup> It was established in 1953 in Beijing and was initially categorised as ethnic organisation under the administration of the Ethnic Affairs Bureau. In 1959, the CIA was shifted under the Religious Affairs Bureau.<sup>457</sup> The CIA manages the China Islamic Koranic Institute (中国伊斯兰教经学院 *zhongguo yisilanjiao jingxueyuan*)—founded in 1955 trains future imams which can be both males and females<sup>458</sup>—and publishes the “China Muslims” Magazine (《中国穆斯林》杂志 *zhongguo musulin zazhi*) in two versions, Han and Uyghur version (汉文版、维吾尔文版 *han wenban, weiwu'er wenban*).

### **Organisational structure<sup>459</sup>**

#### **Special Committees (专门委员会 *zhuanmen weiyuanhui*)**

China Islamic Guidance Committee (中国伊斯兰教教务指导委员会 *zhongguo yisilanjiao jiaowu zhidao weiyuanhui*)  
China Islamic Association Education Work Committee (中国伊斯兰教协会教育工作委员会 *zhongguo yisilanjiao xiehui jiaowu gongzuo weiyuanhui*).

#### **Work Departments**

##### **(工作部门 *gongzuo bumen*)**

##### **(1) The Office (办公室 *bangongshi*)**

drafts the annual work summary and work plan, assists the Secretary-general in implementing work plans; formulates regulations for the organisation, collects, organises and submits information; arranges the CIA's meetings, manages its fixed assets.

##### **(2) Religious Affairs Department (教务部 *jiaowubu*)**

assists relevant government departments in implementing religious policies and regulations; communicates with the relevant committees of the National People's Congress and the Chinese People's Political Consultative Conference to put forward proposals on issues related to Islam.

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<sup>455</sup> “Zhongguo Yisilanjiao Xiehui” 中国伊斯兰教协会 (China Islamic Association), *Zhongguo yisilanjiao xiehui*, (<http://www.chinainlam.net.cn>), last access April 13, 2023.

<sup>456</sup> The majority of Chinese Muslims practise Sunni Islam; Shi'a Islam is less popular in China, small communities are present within the Xinjiang Region.

<sup>457</sup> YANG Fenggang, *Atlas of Religion in China...*, *op. cit.*, p. 20.

<sup>458</sup> *Ibidem*.

<sup>459</sup> NATIONAL ISLAMIC REPRESENTATIVE CONFERENCE 中国伊斯兰教全国代表会议, “Di shi jie zhongguo yisilanjiao xiehui zhangcheng” 第十届中国伊斯兰教协会章程 (Bylaws of the Tenth National Islamic Association of China), *Zhongguo yisilanjiao xiehui*, 2016, ([www.chinainlam.net.cn](http://www.chinainlam.net.cn)), last access June 6, 2023.

- (3) International Department (国际部 *guojibu*) responsible for friendly exchanges and cooperation between the CIA and overseas Islamic organisations.
- (4) Islamic Scriptures Interpretation Office (解经工作办公室 *jiejing gongzuo bangongshi*) responsible for the sinicisation of Islam and makes sure that interpretations of Islamic scriptures are in line with the guiding ideology.
- (5) Hajj Work Office (朝覲工作办公室 *chaojin gongzuo bangongshi*) formulates norms on pilgrimage services and their administration, strengthens the “institutionalization, standardization and normalization” (机制化、规范化、常态化 *jizhihua, guifanhua, changtaihua*) of Hajj work by assisting relevant governmental departments in formulating laws and regulations related to pilgrimage affairs; organises training for Hajj leaders and religious guidance personnel.
- (6) Islamic Culture Research Department (伊斯兰文化研究部 *yisilanjiao wenhua yanjiubu*) studies, collects, promotes and protects Islamic cultural relics.
- (8) Network Information Office (网络信息办公室 *wangluo xinxi bangongshi*) manages the Chinese version and the Uyghur version of the CIA official website, WeChat public account, and other apps.

**Five-year Work Plan to sinicise Islam (2018-2022)**

《坚持伊斯兰教中国化方向五年工作规划纲要(2018-2022年)》

<sup>460</sup>

The Islamic Five-year Work Plan is very similar to the Buddhist one. The main points are the need for sinicisation of the Islamic religious doctrine, scriptures and theology, the need for uniting and loving the Chinese Nation and conducting charitable activities. The CIA also has to cooperate with the government to fight all kinds of foreign infiltration, subversive and sabotage activities, terrorism, ethnic separatism and religious extremism.

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<sup>460</sup> “Jianchi woguo yisilanjiao jianchi zhongguohua fangxiang wu nian gongzuo guihua gangyao (2018-2022)” 坚持我国伊斯兰教中国化方向五年工作规划纲要(2018-2022) (Outline of the Five Year Work Plan for Advancing the Sinicisation of Islam (2018-2022)), in *Zhongguo Musilin*, 1, 2019, pp. 5-8.

### **(3) 中国道教协会 Taoist Association of China (TAC)<sup>461</sup>**

#### **Brief description**

The TAC was founded in 1957 and is the national non-profit patriotic and religious association which reunites all Taoist believers. During the Cultural Revolution, the TAC ceased activities, and many temples and Taoist cultural relics were destroyed. Its activities were resumed in 1980.

#### **Organisational structure<sup>462</sup>**

#### **Work Committees (工作机构 gongzuo jigou)<sup>463</sup>**

Office (办公室 bangongshi)	in charge of administrative functions.
Education and Teaching Method Committee (教务教风委员会 jiaowu jiaofeng weiyuanhui)	establishes a teaching method, improves both the reward-punishment mechanism and admission-retirement mechanism for Taoist clergy.
Education and Training Committee (教育培训委员会 jiaowu peixun weiyuanhui)	identifies, trains, and manages Taoist clergy and teaching staff.
Culture and Arts Committee (文化艺术委员会 wenhua yishu weiyuanhui)	carries out Taoist cultural and artistic exchange activities, conducts academic and classical research, contributes to the protection of Taoist cultural relics and intangible cultural heritage.
Charity and Public Welfare Committee (慈善公益委员会 cishan gongyi weiyuanhui)	carries out social welfare and charity activities, and promotes Taoist ecological and environmental protection concepts.
Daoist Medicine Committee (医学养生委员会 yixue yangsheng weiyuanhui)	studies and does research on Taoist medicine, self-cultivation practices and martial arts.
Rights Protection Committee (权益保护委员会 quanyi baohu weiyuanhui)	collects opinions and requests of the Taoist community, safeguards the legitimate rights and interests of Taoist clerical personnel and religious believers, and guides them to fulfil their civic obligations.

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<sup>461</sup> “Zhongguo Daojiao Xiehui” 中国道教协会 (Taoist Association of China), *Zhongguo daojiao xiehui* (<http://www.taoist.org.cn>), last access April 13, 2023.

<sup>462</sup> NATIONAL TAOIST REPRESENTATIVE CONFERENCE 中国道教协会全国代表会议, “Zhongguo daojiao xiehui zhangcheng” 中国道教协会章程 (Bylaws of the Taoist Association of China), *Zhongguo daojiao xiehui*, 2021, ([wdsdjxh.com](http://wdsdjxh.com)), last access June 6, 2023.

<sup>463</sup> “Xiehui jieshao > gongzuo jigou” 协会介绍 > 工作机构 (Outline of the Association > Working bodies), *Hubei sheng daojiao xiehui*, 2022, ([www.hbsdjxh.com](http://www.hbsdjxh.com)), last access June 6, 2023.

With regards to work departments or committees, there is no list available on the national official website, but are very likely similar to the ones listed for the Hubei province.

Overseas Exchange  
Committee (海外交流委员会  
*haiwai jiaoliu weiyuanhui*)

carries out exchanges and maintains friendly relationships with Taoist organisations in Hong Kong, Macau, and Taiwan, as well as overseas Taoist communities.

Chinese Taoist College  
(中国道教学院 *zhongguo daojiao xueyuan*)<sup>464</sup>

In 1962, the first specialised course on Taoism was held in Baiyun Temple (Beijing) but was later interrupted due to the Cultural Revolution. In 1982, the TAC resumed the training program, offering two programmes: Taoist Knowledge Specialised Training Classes and Taoist Knowledge Advanced Training Class. Finally, in 1990, the TAC founded the Chinese Taoist College located in the back garden of Baiyun Temple.

**Five-year Work Plan to  
sinicise Daoism (2019-2023)**  
《坚持道教中国化方向五年工作  
规划纲要 (2019-2023 年)》<sup>465</sup>

The Taoist Five-year Work Plan, as the previously mentioned ones, insists on the sinicisation of Taoism. However, the Plan differs significantly from the others, in that religious sinicisation is defined as characterised by three dimensions: regional, ethnic, and epochal dimensions (宗教中国化有地域性、民族性、时代性三个维度 *zongjiao zhongguohua you diyuxing, minzuxing, shidaixing, san ge weidu*). In terms of regionality and ethnicity, Taoism is a native Chinese religion and has the inherent advantage of already being Chinese in orientation. However, from an epochal point of view, Taoism still has many shortcomings in adapting to contemporary society. According to the Plan, the abandonment of Taoist outdated concepts, systems and behaviours have made Taoism survive and develop up to this date. The main goal of Taoist sinicisation is to achieve modernization both inwards and outwards, respectively modernising its belief system and better serve the development and progress of contemporary China.

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<sup>464</sup> “Zhongguo daojiao xueyuan” 中国道教学院 (Chinese Taoist College), *Zhongguo daojiao xueyuan*, 2022, ([www.zgdjxy.org.cn](http://www.zgdjxy.org.cn)), last access June 6, 2023.

<sup>465</sup> “Jianchi daojiao zhongguohua fangxiang wu nian gongzuo guihua gangyao (2019–2023)” 坚持道教中国化方向五年工作规划纲要(2019–2023 年) (Outline of the Five Year Work Plan for Advancing the Sinicisation of Taoism (2019–2023)), in *Zhongguo daojiao*, 6, 2019, pp. 11-16.



#### **(4) 中国基督教两会 The Two Councils of Chinese Protestant Churches<sup>466</sup>**

##### **Brief description**

The Two Councils of Chinese Protestant Churches<sup>467</sup> refer to the Protestant Three-Self Patriotic Movement (中国基督教三自爱国运动委员会 *zhongguo jidujiao sanzi aiguo yundong weiyuanhui*, hereinafter PTSPM) and the China Christian Council (中国基督教协会 *zhongguo jidujiao xiehui*, hereinafter CCC). The PTSPM was established in 1954, year in which the first National Conference of Chinese Protestant Churches (中国基督教第一次全国代表会议 *zhongguo jidujiao di-yi ci quanguo daibiao huiyi*) was held in Beijing. At first, the PTSPM comprised all denominations of Protestant Churches, but these were totally dismantled in 1958. The CCC was founded later on in 1980 as to “compensate the lack of legitimacy of the Mao-era Protestant Three-self Patriotic Movement.”<sup>468</sup> The main functions of the CCC are to focus on spiritual matters, theological education, liturgy, and doctrine as opposed to the adjunct patriotic association, in charge of maintaining political relationships with the government.

##### **Organisational structure<sup>469</sup>**

The National Protestant Representative Conference (中国基督教代表会议 *zhongguo jidujiao quanguo daibiao huiyi*) is co-chaired by the Two Councils.

##### **Work Departments (工作部门 *gongzuo bumen*)**

jointly set up by the Standing Committees of the “Two Councils”.

##### **(1) Office (办公室 *bangongshi*)**

responsible for arranging the daily administrative affairs of the association.

##### **(2) Overseas Relations Department (海外联络部 *haiwai lianluobu*)**

connects the Chinese Protestant Church and the churches in various countries and regions through visits and exchanges according to principles of independence, self-governance and national unity.

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<sup>466</sup> “Zhongguo Jidujiao wang” 中国基督教网 (The Protestant Churches in China), *Zhongguo jidujiao wang*, ([www.ccctspm.org](http://www.ccctspm.org)), 13 April 2023.

The term used to indicate Protestantism is 基督教, even though its literal translation is Christianity. The more accurate translation for Protestantism is 新教 *xinijiao*, but it is not used frequently.

<sup>467</sup> Hereinafter Two Meetings.

<sup>468</sup> PALMER, David A, “China’s Religious Danwei: Institutionalising Religion in The People’s Republic”, *China Perspectives*, 80, 4, 2009, pp. 17–30.

<sup>469</sup> NATIONAL PROTESTANT REPRESENTATIVE CONFERENCE 中国基督教代表会议, “Zhongguo jidujiao sanzi aiguo yundong weiyuanhui zhangcheng” 中国基督教三自爱国运动委员会章程 (Bylaws of the Three-Self Patriotic Movement), *Zhongguo jidujiao wang*, 2018 ([www.ccctspm.org](http://www.ccctspm.org)), last access June 6, 2023. NATIONAL PROTESTANT REPRESENTATIVE CONFERENCE 中国基督教代表会议, “Zhongguo jidujiao xiehui zhangcheng” 中国基督教协会章程 (Bylaws of the China Christian Council), *Zhongguo jidujiao wang*, 2018, ([www.ccctspm.org](http://www.ccctspm.org)), last access June 6, 2023. The organisational structure of the PTSPM and the CCC is almost identical.

- (3) Protestant Church Department (教会事工部 *jiaohui shigongbu*) guides local Protestant Churches in nominating clergy according to the bylaws and makes sure clergy members conduct their duties correctly; improves the management of Protestant Churches and coordinates the training of all staff.
- (4) Research Department (研究部 *yanjiubu*) studies the China-related dynamics of the overseas Protestant Church, collects ecumenical information and organises academic seminars.
- (5) Theology and Education Department (神学教育部 *shenxue jiaowubu*) promotes the development of Protestant Theology and the standardisation of all Theological Schools; evaluates the teachers' qualifications and professional titles before giving them a work position in the schools.
- (6) Media Department (传媒事工部 *chuanmei shigongbu*) coordinates the editing, publishing and distribution of the "Tianfeng" 《天风》 magazine, the Bible and other scriptures;
- (7) Social Service Department (社会服务部 *shehui fuwubu*) responsible for public welfare, charitable activities and poverty alleviation.

**Five-year Work Plan to sinicise Protestantism (2018-2022) 《推进我国基督教中国化五年工作规划纲要(2018-2022年)》<sup>470</sup>**

Sinicisation of the Protestant Church means to shift from "Protestant Church in China" to "Chinese Protestant Church" (实现从“基督教在中国”向“中国基督教”的转变), a syntactic transformation from location complement to adjective that implies an ideological shift from viewing the Protestant Church as "foreign" to "autochthone". The Five-year Work Plan emphasises the importance of conducting this shift in order to satisfy the expectations of both Party and government and thus being able to continue developing in China. The Plan points out some challenges impeding the achievement of this major objective that is the lack of cultural competence of Protestant Clergy in interpreting sacred texts in a "sinified" way. In other words, they possess a theological knowledge but lack a China-related cultural knowledge.

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<sup>470</sup> DU Peng 杜鹃 and WU Xinwang 吴新望, "Tuijin woguo jidujiao zhongguohua wu nian gongzuo guihua gangyao 2018-2022" zhengshi qidong 推进我国基督教中国化五年工作规划纲要(2018-2022) 正式启动 (Officially launch the Outline of the Five Year Work Plan for Advancing the Sinicisation of Protestantism), in *Tianfeng*, 5, 2, 2018. And CHINA LAW TRANSLATE, *Five-Year Planning Outline for Advancing the Sinification of Christianity (2018-2022)*, "China Law Translate", 2019, [www.chinalawtranslate.com/en](http://www.chinalawtranslate.com/en), last access May 1, 2023.

## **(5) 中国天主教“一会一团” Catholic Church in China “One Association One Conference”<sup>471</sup>**

### **Brief description**

The expression “One Association One Conference” refers to the two Catholic entities in China: China Catholic Patriotic Association (中国天主教爱国会 *zhongguo tianzhujiao aiguo hui*, CCPA) and Chinese Catholic Bishops Conference (中国天主教主教团 *zhongguo tianzhujiao zhu jiaotuan*, CCBC). The first one to be established was the CCPA in 1957, year in which the National Catholic Representative Conference approved the Association’s bylaws 《中国天主教友爱国会章程》. The second one was founded later on in 1980, in occasion of the Third National Conference (中国天主教第三次全国代表会议 *zhongguo tianzhujiao di-san ci quanguo daibiao huiyi*), and is composed of bishops (主教 *zhijiao*), assistant bishops (助理主教 *zhuli zhujiao*) and auxiliary bishop (辅理主教 *fuli zhujiao*) of all dioceses of the country. This association was created to recover and reconstruct the Catholic Church following the Cultural Revolution and to deal with theological matters, rather than political ones. Its functions are to appoint bishops selected by dioceses and negotiate the division and adjustment of dioceses based on the needs of the national Catholic Church.

### **Organisational structure<sup>472</sup>**

National Catholic Representative Conference (中国天主教代表会议 *zhongguo tianzhujiao daibiao huiyi*, NCRC) is convened by the Standing Committees of both the CCPA and the CCBC. When the NCRC is not in session, a joint meeting of all members of the CCBC and all committees of the CCPA can be convened. The two leading bodies can also decide to have a joint meeting on important matters, referred to as “Joint Meeting of the Heads of “One Association One Conference” (中国天主教“一会一团”负责人联席会议 *zhongguo tianzhujiao yihui yituan fuzheren lianxi huiyi*).

### **Special Committees (专门委员会 *zhuanmen weiyuanhui*)**

are jointly established by the Standing Committees of the two associations.

#### **(1) Overseas Exchange Committee (海外交流委员会 *haiwai jiaoliu weiyuanhui*)**

responsible for promoting religious exchanges and international cooperation in order to help the Ecumenical Church and each country’s Church to better understand the Chinese Church and the Chinese religious policy.

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<sup>471</sup> “Zhongguo Tianzhujiao” 中国天主教 (Catholic Church in China), *Zhongguo tianzhujiao* ([www.chinacatholic.cn](http://www.chinacatholic.cn)), last access April 13, 2023.

<sup>472</sup> NATIONAL CATHOLIC REPRESENTATIVE CONFERENCE 中国天主教全国代表会议, “Zhongguotianzhujiao aiguo hui zhangcheng” 中国天主教爱国会章程 (Bylaws of the Chinese Catholic Patriotic Association), *Zhongguo tianzhujiao*, 2023, ([www.chinacatholic.cn](http://www.chinacatholic.cn)), last access June 6, 2023. And NATIONAL CATHOLIC REPRESENTATIVE CONFERENCE 中国天主教全国代表会议, “Zhongguo tianzhujiao zhujiao tuan zhangcheng” 中国天主教主教团章程 (Bylaws of the Chinese Catholic Bishop Conference), *Zhongguo tianzhujiao*, 2023, ([www.chinacatholic.cn](http://www.chinacatholic.cn)), last access June 6, 2023.

- (2) Public Welfare, Charity and Social Services Committee (公益慈善与社会服务委员会 *gongyi cishan yu shehui fuwu weiyuanhui*) takes care of promoting charity and philanthropic activities at a national and local level.
- (3) Communication and Publishing Committee (宣传出版委员会 *xuanchuan chuban weiyuanhui*) promotes and spreads principles of independence, self-governance and self-appointment of bishops (自选自圣主教 *zixuan zisheng zhujiao*); strengthens the guidance and management of church publications both offline and online.
- (4) Liturgical ceremony and Sacred Art and Music Committee (礼仪与圣乐艺术委员会 *liyi yu shingle yishu weiyuanhui*) according to the Constitution on the Sacred Liturgy (*Sacrosanctum Concilium*), selects liturgical ceremonies, sacred art and music suitable for the Chinese Church.
- (5) Lay Committee (平信徒委员会 *ping xintu weiyuanhui*) guides lay believers in pastoral evangelisation, church training and social services.
- (6) Theology and Research Committee (神学研究委员会 *shenxue yanjiu weiyuanhui*) promotes and carries out theological discussions and research within the Church, so as to improve the faith quality of clergy and lay believers.
- (7) Clergy Committee (圣职委员会 *shengzhi weiyuanhui*) responsible for improving the quality of the clergy and strengthening the Church discipline (教会纪律 *jiaohui jili*).
- (8) Vocational and Training Committee (圣召培育委员会 *shengzhao peiyu weiyuanhui*) encourages and guides young men and women in their religious vocation journey and helps seminaries and convents in conducting training work.

**Five-year Work Plan to sinicise Catholicism (2018-2022) 《推进我国天主教中国化五年工作规划纲要 (2018-2022 年)》**<sup>473</sup>

The Five-year Plan aims at increasing the Catholic Church's understanding of the Chinese culture and attempts to include Chinese ethics into catechumen classes and catechist teachings. Sinicisation is not only an ideological path, it also has to be reflected in a practical way. For example, liturgical ceremonies have to include Chinese-style music and Catholic architecture has to be shaped according to Chinese architecture, introducing Chinese aesthetic elements, such as paintings, drawings and decorations. With regards to the interpretation of sacred texts, the clergy should have a deep knowledge of Chinese philosophy, ideology and way of thinking in order to innovate the interpretation of the Catholic scriptures by introducing Chinese characteristics.

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<sup>473</sup> “Tuijin woguo tianzhujiao jianchi zhongguohua fangxiang wu nian gongzuo guihua” 推进我国天主教坚持中国化方向五年工作规划 (Five Year Work Plan for Advancing the Sinicisation of Catholicism), in *Zhongguo Tianzhujiao*, 5, 2018, pp. 6-11.

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