

Hearings on Religious Persecution in China: Dr. Kim-Kwong Chan Prepared Testimony

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(Note: These are unedited and uncorrected transcripts)

Freedom of Religious Belief vs Freedom of Religion

The Chinese Communist Party (CCP)--the ruling party in China--has a well-defined policy on religion. Since 1979, the Chinese Government implements this policy officially referred as the Policy of Freedom of Religious Belief. There is a distinctive difference between "freedom of religious belief" and "religious freedom or freedom of religion" as we usually understood in the West. "Freedom of religious belief" means that religion is a personal matter, and one can choose a personal believing system. All forms of religious expressions are restricted in the private domain or in defined time/space separated from the society. Since it is a personal matter, there is little room for religion--as a social entity--to intervene with social affairs. In fact, the constitution prohibits religion to have any interference with the education system. Further, children--under 18 years of age--are discouraged to receive religious instruction, for children under 18 years of age are technically speaking not a "citizen" but a future torch-bearers of Communist revolution which should receive dialectical materialism (atheism) as their correct worldview. Therefore pedobaptism is not practiced in China.

Religious

worldview is clearly incompatible with this State orthodoxy. Religion is tolerated for pragmatic reason: to rally religious believers during the current phase--Reform & Open--of constructing Socialist China, so long as religion would not challenge or obstruct the Government's authority. Therefore, the freedom of religious belief exists within a well-confined socio-political compartment in Chinese society. Religious freedom lies within a parameter established by the Government in China.

State Governs over Religion-Definition & Registration

The authority to decide whether a group is a religious bodies or not is in the hands of the Government. Currently, the Chinese authority recognizes only five religions in China (Daoism, Buddhism, Protestantism, Catholicism, and Islam). These groups can enjoy the

legally defined sphere of freedom granted to religious bodies. All other groups, strictly speaking, are not considered as religious groups; thus the policy of "freedom of religious belief" is not applicable to them. These groups may be labeled as "feudal superstitions" in the case of tradition folk religions, nationality customs in the case of traditional religion among the national minorities, or even as cult in the case of Falungong. They may subject under various treatments from governmental support to persecutions.

Although the Government recognizes these Five Religions as legitimate religious groups, the religious believers must abide the following conditions to enjoy the freedom granted by the Policy of Freedom of Religious Belief. They have to follow the political leadership of the Chinese Communist Party, support the Chinese Socialist Government, and abide the law of the Government (including registration of all religious congregations). Those groups who refuse to register may be regarded as illegal subjected to prosecution. It is a freedom with political pre-conditions.

The United Front Work Department of the CCP dictates the policy and the Religious Affairs Bureau (RAB)--a government office-- implements the religious policy and supervises over the normal religious activities. The function of the RAB ranges from helping the religious groups to claim back their property, to register the religious groups and to secure funding when a religious group is having financial difficulties. Often it also recommends leaders in religious organization, to approve applicants for theological training, to endorse ordination candidates, as well as to provide political leaderships for these religious groups. When a group fails to register, its activities are no longer regarded as "normal activities." Usually it is the Public Security Bureau that deals with illegal activities and makes arrest or prosecution.

Diversity on Implementation of Religious Policy

Although the law clearly defines the limit, which a religious group can operate in China, the actual implementation of this policy depends greatly on the local cadres' attitude towards religion, as well as the complex socio-political dynamics between local religious believers and the local authority. Thus there exists a vast gray area where religious groups can experience a wide range of treatments-- from dominating the decision of local government to total denial of their constitutional rights. For example: about 80% of the 85,000 population at Fugong County (in Yunnan Province) are Christians and one of their former Governors is an Elder of the Church. Whenever the Fugong Government implements any major policy, the Church is automatically consulted. The neighboring county within the same Prefecture--Lanpin--has a couple thousand Christians but they were refused by the County Government to register despite repeated applications and intervention by Prefecture Government. Therefore they exist in an illegal status and often harassed by the local authority including arrest, beating, fines and even torn down of the , believer's houses.

There

is a gray area existing between the register and non-register religious groups especially in the Protestant tradition where congregation tends to gather in household for pragmatic reasons. Very often the local cadres would turn a blind eye, especially in rural areas, on these seemingly illicit activities. The situation is more restricted in urban areas. Further, many groups that want to register but they usually do not meet the registration requirements; some exist on a provisional basis; others, in a limbo. Many churches do operate Sunday Schools in spite of the fact that they should not provide religious instructions to children. A lot of churches even have children choir a favorite especially in Christmas Service.

Current Situations among Christian Communities in China

Although the central policy on religions seems to be tightening in recent months--consequences from the Falungong event, --the general conditions are not worse than before except in some isolated cases where zealous cadres use it as an excuse to demonstrate their authorities over Christians. The Christian communities in general is still growing, Bibles are widely available. There are more Christian literatures published than before--especially those published by local (provincial or municipal) Christian Councils. New churches are dedicated on a daily basis and pastoral training centers are development all over the country in prefecture and county levels. Many churches operate kindergartens, clinics, old age hostels, vocational schools, and even hospitals. More church leaders are appointed in People's Political Consultative Conference at various levels to press the interest of the Christians to the Government. Sermons are not censored (although a very few pastors may voluntarily submit their sermon to the RAB cadres before preaching, but this is extremely rare).

However,

one can't openly criticize the Government's policy or preaching messages that are in contrary to the current political stance of the Government (such as independence of Taiwan). Should that be the case, the government would interpret is as an issue of political than religious freedom. Also pastors are confined within their designed pastorate and they can't freely serve at other pastorate without Government's permission. Itinerary preachers without Government's specific permission are, therefore, illegal in the eyes of the Government. Similar to other social organizations, contact with foreigners are required to have Government approval.