

Defining Religion with Chinese Characters: Interrogating the Criticism of the  
Freedom of Religion in China.

Torri Kenneth Gunn

Thesis submitted to the  
Faculty of Graduate and Postdoctoral Studies  
In partial fulfillment of the requirements  
For the MA degree in Religious Studies

Classics and Religious Studies  
Faculty of Arts  
University of Ottawa

© Torri Kenneth Gunn, Ottawa, Canada, 2011

## Acknowledgements

I would like first and foremost to thank Dr. Lori Beaman for her patience, support, encouragement, and guidance through this entire process. I would also like to thank Dr. Michel Gardaz, who assisted with the early stages of this project.

I would like to take this chance also to thank my partner Julie Doerr for her unquestioning support and perseverance through this often-aggravating project. Through late nights, vacations at home, and all of the stress, you were always there. I would also like to thank my parents Keith Gunn and Cindy Gunn for their unquestioning love, support, and belief in me from day one, thank you Mom and Dad. I would also like to thank my brothers, Toshi Gunn, Tobias Gunn and Turner Gunn, for their good humor and encouragement over the years. I would also like to thank Scott Jordan, for sparking my earliest interest in the relationship between religion and society.

# TABLE OF CONTENTS

<b>INTRODUCTION: PROTECTING FREEDOM, DEFINING RELIGION.....</b>	<b>5</b>
<b>CHAPTER ONE: RELIGION, AND ‘RELIGION’.....</b>	<b>17</b>
<b>CHAPTER TWO: CREATING RELIGION, DEFINING RELIGION.....</b>	<b>30</b>
<b>CHAPTER THREE: APPROPRIATION AND CONTROL: THE CATEGORY OF RELIGION AND HOW CHINA DEFINES IT.....</b>	<b>61</b>
<b>CHAPTER FOUR: HOW DOES CHINA UNDERSTAND AND GOVERN RELIGION?.....</b>	<b>79</b>
<b>CHAPTER FIVE: EXPLORING THE IMPLICATIONS: UNDERSTANDING ‘RELIGION’ IN CHINA.....</b>	<b>101</b>
<b>CONCLUSIONS.....</b>	<b>118</b>
<b>BIBLIOGRAPHY.....</b>	<b>122</b>

---

## ABSTRACT

This thesis seeks to explore the points of dissonance and resonance around the understanding and deployment of the term 'religion' between Human Rights Watch, and the government of the People's Republic of China. In doing this, it is highlighted that a fundamental disjunction exists in the meaning of, and the boundaries of, the word 'religion' between these two groups. The space that this difference creates makes discussions on religion and religious freedom between these two groups extremely problematic, primarily because Human Rights Watch seeks to protect the right to religious freedom of groups and individuals that the Chinese government does not consider 'religion', but that Human Rights Watch demands they should.

This thesis addresses the question of the role of social and cultural relativism in the defining, and the subsequent role in defending, of the term and contents of 'religion'.

---

# INTRODUCTION: PROTECTING FREEDOM, DEFINING RELIGION

The points of conflict between the laws of governance and the demands of individual religion have earmarked the narratives of nation state constructions, and remained a constant presence in the world. Situations in areas like France, where the presence of the hijab in schools headlines this intersection, or Canada, where the rights of Fundamentalist Mormons to polyamorous relationships currently highlights this exchange, are coloured by the attempt to provide what is considered the fundamental right to religious freedom and expression, while protecting the rights of others, and the proclaimed separation of religion and state. In China however, this conflict does not revolve around issues regarding the conditions and limits of religious freedom, or degrees of religious accommodation. Instead it regards the issue of the outright existence of religions.

Since the rise of the People's Republic of China from the ashes of China's Dynastic history, religion has been problematic for the ruling Chinese Communist Party (CCP). The revolution of Mao Zedong, heavily influenced by Stalinist Marxist-Leninism, challenged religion and the necessity of its existence within a modern socialist society. Though many media reports, books, academic articles, and statistical studies<sup>1</sup> have shown that this apprehension has eased considerably since the time of Mao, the freedom of religion in China is still a major topic of concern for the international community.

With the entrance of China to the global community as a sovereign nation state,

---

<sup>1</sup> Among others see; Ashiwa and Wank 2009, Gregg 2007, Kinips 2001, Overmyer 2003, and Wong and Wong 2005.

the world has focused a critical eye, with varying degrees of intensity, on the relationship between the Chinese state and religion. Of these critics one of the most vocal in the fight for the religious freedom of the Chinese people has been the human rights interest group, Human Rights Watch (HRW).

Human Rights Watch has issued several reports accusing the Chinese government of violating the rights of its citizens to the free association and exercise of religion. Backed by highly detailed reports and considerable research, Human Rights Watch has noted, "in the kind of intrusive control the Chinese government exercises over religious activities, it violates the rights to freedom of association, assembly, and expression as well as freedom of religion" (1997: 3). Examples of what Human Rights Watch is referring to litter international newspapers, from issues regarding the relationship between Chinese Catholics and the Vatican, the practice of Falungong, and the persecution of unregistered Protestant groups.

Given the publicity of these events, and the images and stories that accompany them, it is difficult to argue with the sympathetic position of these reports, and the chastising of the government of the People's Republic of China. In reviewing popular media in the Western world, it is almost impossible to form an opinion to the contrary. As a result, some of the movements being oppressed by the Chinese government have achieved greatly positive public profiles. For instance, the 14th Dalai Lama, head of the Tibetan Buddhist faith and leader of the Tibetan government in exile, has become an international figurehead and symbol for religious freedom and passive resistance.

Furthermore, the qigong based group, Falungong, which is now an 'evil cult' in China, a status that holds a criminal charge against all members, has grown into an international movement with protests that are organized in almost every major city in the

world. The international community, and particularly Western media, have identified the public profiles of these groups as victims and held them as strong images for rights and justice worldwide. With this negative attention being directed towards the Chinese government and its internal affairs by the international community, particularly by national governments whose economic relations China depends, it is interesting to observe China's response to these accusations and charges.

The Chinese Communist Party has developed a firm, and essentially unflinching, stance on religion since the death of Mao and the progression of its economic modernization paradigm. Pioneered by leadership successor Deng Xiaoping, these reforms dictated dramatic changes in China's domestic policy and shifted focus from socialist class struggle to capitalistic economic development. With this shift came a realization of the resilience of religion and spirituality in spite of the former regimes attempts to eradicate it from society. This realization demanded a re-examination of the role of religion within Chinese society and its position in relation to the central government. The CCP produced an unprecedented amount of research on the relationship between religion and society, not only within its own country and ideology, but within other communist cultural contexts as well. The results of these studies were communicated through the party's detailed report, *Document No.19*, which established the official understanding of the role of religion within Chinese communist society by the CCP. Far from loosening the oppressive grasp on religion, the new laws and policies for governing religion in China, developed from *Document No.19*, sought to contain and monitor what was considered a gateway for "hostile forces from abroad" (People's Republic of China 1989: 10).

The promise of the freedom of religion for Chinese citizens has been included in

the *Constitution of the People's Republic of China* since its first drafting in 1958. Since then this article has been reworked and restructured to fit the demands of an increasingly globalized economic model. The most recent revision, adopted in 1982, states,

Citizens of the People's Republic of China enjoy freedom of religious belief. No state organ, public organization or individual may compel citizens to believe in, or not believe in, any religion; nor may they discriminate against citizens who believe in, or do not believe in, any religion. The state protects normal religious activities. No one may make use of religion to engage in activities that disrupt public order, impair the health of citizens or interfere with the educational system of the state. Religious bodies and religious affairs are not subject to any foreign domination.

*Constitution of the People's Republic of China, 1982: Article 36.*

Regarding this Constitutional statement as its declaration of the protection of religious freedom, the CCP has felt no obligation to apologize for, or justify, most of its actions regarding the cases cited by Human Rights Watch. Most of its responses have been reactionary and dismissive.

This massive outpouring of criticism has only prompted the CCP to firmly restate its position on religion in its confrontations with its accusers. In 1997, the Party released a report titled, *Freedom of Religious Belief in China*. In this report it was emphasized that, "[c]itizens of China may freely choose and express their religious beliefs, and make clear their religious beliefs... citizens' right to the freedom of religious belief is protected by the constitution and laws" (Information Office of the State Council of the People's Republic of China 2003: 9).

By comparing the cases developed by Human Rights Watch, with China's steadfast conviction of its own adherence to international agreements of religious



freedom, it seems almost unnecessary to state that there exists a disjunction between the perception of action by HRW and the perception of action by the PRC. How it is that China can remain steadfast in the conviction of its commitment to religious freedom in the face of overwhelming evidence of abuses, is puzzling and invites further inquiry. I propose that this is a result of the fact that these two parties are simply not having the same conversation. When the People's Republic of China and Human Rights Watch each employ the term 'religion' in discussions of freedom, or otherwise, they are each referring to largely different concepts.

This study poses the question, what are the points of dissonance and resonance around understandings and deployment of 'religion' between the international human rights interest group, Human Rights Watch, and the government of the People's Republic of China. Admittedly, the international community has valid points of concern regarding the management of religion, the persecution of 'evil cults', and the harm that stems from these issues, but the inquiry into the management of religious and political affairs in China is not the aim of this thesis. The goal here is to highlight the disjunction in the understanding of what 'religion' is between HRW and the PRC, and unpack the specifics of China's understanding of 'religion'.

This study explores this question by performing a comparative discourse analysis on datasets collected from both Human Rights Watch and the Chinese Government regarding the relationship between religion and state in China. In each of these data sets, the definition of 'religion' used can be illuminated. The results and conclusions of this interrogation are illustrated by specific case studies, which stand to represent the definitions outlined by the CCP of 'religion' and 'superstition/evil cult'. These definitions are represented in this study by the cases of the Bailin Buddhist Temple and Falungong

movement respectively. The results of this development have been put into conversation with current academic discourse regarding post-colonial studies, secularism, globalization, and religion/state relations.

#### METHODOLOGY:

This thesis uses a system of critical discourse analysis derived from a Foucaultian and deconstructionist approach to text and context. This process is used to extract the explicit and implicit definitions of 'religion' held by both Human Rights Watch and the government of the People's Republic of China. This method focuses on the utilization of terms in context, and "how a set of 'statements' comes to constitute objects and subjects" (Peräkylä 2005: 871). This method is useful for the type of analysis pursued here as it assumes the constructed nature of the terms being examined, in this case, 'religion', and allows for the acknowledgement of specific differences in the political and cultural contexts in which these terms arise and are applied.

This analysis was performed on selected documentation developed by Human Rights Watch and the government of the People's Republic of China. The documents being analyzed were individually reviewed and coded with the goal of understanding the implicit and explicit meaning of the word 'religion' in each case and, in the context of the document, what 'religion' refers to. The following system of coding was utilized in analyzing both documents from Human Rights Watch, and documents from the People's Republic of China. First, all instances of an implicit or explicit expression of what 'religion' is, were collected. This developed a dataset from which understanding of what each group means when they deploy the word 'religion' could be derived. Second, all instances where the category of religion is deployed to reference or describe a named or unnamed group, or reference or describe a defined or undefined

collective of groups, were composed. This formed a dataset that, in collaboration with the previous set, allowed for an exploration of the consistency and variation of meaning and content of 'religion'. Lastly all depiction of the Chinese government's justification and/or intentions regarding its actions were collected. This developed a dataset from which the exploration of the lack of correspondence between the term 'religion', between Human Rights Watch and the People's Republic of China, is based.

There are obvious limitations to this methodological approach, most of them realized through the time and spatial constraints of this master's thesis. The analysis of these documents was formed with a focus on these two parties' use of the word 'religion' and what that means to them. Thus, questions regarding the validity of claims to or condemnations of religious freedoms practice, and the validity of those claims, remains to be explored. These interesting and important questions fall outside the parameters of this project.

The documents regarding Human Rights Watch's criticism have been gathered from the organization's official webpage and official print documentation. To date there are a total of ten reports issued by HRW regarding the topic of religion's presence in Chinese society. Of these reports two of them detail issues regarding the management religions in ethnic regions; *Devastating Blows: Religious Repression of Uighurs in Xinjiang* (2005) and *Trials of a Tibetan Monk* (2004). These two reports focus exclusively on the special circumstances existing in these geographical regions and are not suited for the general analysis being pursued in this thesis. From the remaining eight reports, three have been selected for analysis here; *China: Religious Persecution Persists* (1995), *China: State Control of Religion* (1997), and *Dangerous Meditation: China's Campaign against Falungong* (2002). These reports have been selected for two

main reasons. First, the uses of the term ‘Religion’ presented in the excluded reports are restated in the reports analyzed. Secondly, the space restraints of this project demand that the number of sources analyzed be limited. The documents that have been omitted are; *Freedom of Religion in China* (1992), *Religious Repression in China Persists* (1992), *Continuing Religious Repression in China* (1993), *Detained in China and Tibet: A Directory of Political and Religious Prisoners* (1994), *Persecution of a Protestant Sect in China* (1994).

The documentation regarding the People's Republic of China's understanding of religion comes from a number of sources, translated by a number of different people, as some of it is not provided directly in English. Due to my linguistic limitations, I cannot translate these documents myself, nor read them in their original Mandarin script. Given that limitation, care has been taken to select translations, if not directly from the source, then from reputable academic sources. I have had to rely on the translations of Kim-Kwong Chan, Wei Luo, Beatrice Leung, Vincent Goossaert, Fenggang Yang, and Donald MacInnis. The documents that have been chosen for analysis represent the major proclamations from the Chinese government regarding religion. Though other documentation regarding religion exists, it is chiefly comprised of laws and regulations regarding local administration of laws and directives expressed in the documentation analyzed here.

Using the same coding method outline above, this examination looks specifically at the different manifestations of the *Constitution of the People's Republic of China* (1952-1984), *Document No.19: The Basic Viewpoint and Policy on the Religious Question during Our Country's Socialist Period* (1979), *White Paper Report: Freedom of Religious Belief in China* (1997), the *National Regulations on Religious Affairs* (2005),

and the Criminal Code of the Peoples Republic of China.

#### OUTLINE:

To begin this examination in Chapter One, this project looks at the criticisms developed by Human Rights Watch of the Peoples Republic of China's policies and actions towards religion and religious freedom. The examination of HRW's charge against China, and the illumination of its understanding of 'religion', is accomplished through an analysis of reports produced that target the question of religious freedom in China. This analysis develops that HRW possesses and deploys an understanding of religion as an ambiguous category, and that they perceive this category as a universal understanding for 'religion'. It further dictates a universal model for state and the relationship between state and religion, which HRW believes should be an enforced reality in China.

In acknowledging the inconsistencies with the category of religion, this study subscribes to the assertion, developed by scholars such as Talal Asad, that religion is a complex, contestable, and constructed category. This work shows that a framework is established by the deployment of the term 'religion', which reflects a Western and Protestant Christian reality, onto diverse cultural systems, outlining them as comparable to Christianity. Talal Asad and Timothy Fitzgerald trace the history of this construction effectively, and their collective analysis is deployed to treat this topic in the second half of Chapter One.

Following this, Chapter Two explores how this category was used to describe 'religion', as it was perceived in China upon early interaction between China and the Western world. From a perspective influenced by the work of Edward Said, historically it

can be understood that the West has created categorical constraints for ‘others’ that do not, and cannot, accurately reflect the cultural realities that exist for these 'others'. This establishes that any discourse on 'religion' in China must be the direct result of the application of a Western category on a Chinese cultural reality, thereby creating 'religion in China'. This study illustrates this claim by briefly tracing the development of a discourse in the West on 'Chinese religion', showing that this development began in the early seventeenth century specifically with two works of early Jesuit missionary scholarship; *De Christiana Apud Sinas* (1615) by Fr. Matteo Ricci, and *Imperio de la China* (1642) by Fr. Alvero Semendo. The Western discursive construction of 'Chinese religion' is then traced from these early Christian mission works, where 'Chinese religion' is first noted, to the contemporary study of Chinese religion in Western academic institutions, where these categories are still reified. Following this, and drawing specifically from Said's developments in both *Orientalism* (1979) and *Culture and Imperialism* (1993), it is shown how this development of Chinese religion cannot navigate the chasm that exists between Eastern realities and the creation of Eastern realities in Western discourse.

In Chapter Three, the development of 'religion' as a category within China is explored. By examining the manifestation of the idea of 'religion' within China, and the cultural and historical factors surrounding its development, this chapter traces the integration of the term 'religion' into native Chinese lexicology, as the term *zongjiao*. This study shows how this term dictates the shape of the newly described category of Chinese religion by using both the embrace of the Western framework of 'religion', and the specific details of the ‘Religions of China’ outlined by the field of Sinology.

Chapter Four begins to examine China's understanding and development of this

new category within its own socio-cultural context. This chapter explores how China defines 'religion' explicitly by examining the presence of 'religion' within Chinese legal history. Utilizing the same method of discourse analysis employed to analyze Human Rights Watch documentation, this study analyses official documentation developed by the Chinese Communist Party regarding the relationship between 'religion' and the Chinese government. This analysis argues that the Chinese government has an understanding of religion as a strictly defined category, and that they perceive it as a potential threat to their national security and identity. This position is developed through an examination of modern China's historical relationship with religion. This development is focused specifically on the ideological position towards religion, governed chiefly by a Marxist-Leninist-Maoist form of socialism, and China's relationship with, and perception of, religion as a tool of colonialism.

In Chapter Five, China's attitudes and regulations towards religion are solidified through the presenting of documents concerning the legal manifestation of China's understanding of 'religion'. This is shown through the examination of case studies regarding the government approved and supported Bailin Buddhist Temple, juxtaposed with China's struggle with the officially banned Falungong tradition. This chapter helps in solidifying the definition of 'religion' and 'not-religion', showing exactly what types of traditions the Chinese government allows under the definition of 'religion' and why, and what types of groups it considers malicious and dangerous and why.

Finally, drawing from the analysis in the totality of this thesis, an exploration of the implications of HRW's criticisms of China's alleged violation of the freedom of religion is presented. This makes clear HRW's oversight considering the difference in the definition of 'religion' between itself and the Chinese government.

In doing this, this thesis highlights the difference in the definition of religion used by Human Rights Watch and the government of the People's Republic of China. In highlighting this difference, the argument is tailored that Human Rights Watch's criticism of the abuse of religious freedom in China by the Chinese government, is demanding the existence of a category that has no direct correlation in China. It is proven that, though the category of 'religion' exists in contemporary China, what that category means in the socio-cultural context of China is protected, and therefore the criticism of Human Rights Watch are rendered at best confusing, and at worst invalid.



---

# CHAPTER ONE: RELIGION, AND ‘RELIGION’

This chapter explores the issues regarding the category of religion, highlighting specifically the relationship between the construction of 'religion' and the enforcing of 'religious freedom'. In first examining the complexities involved with defining the characteristics of 'religion', this chapter focuses on the works of Talal Asad and Timothy Fitzgerald and their attempts to understand the etymology of the term 'religion' and the baggage that is carried through that history. This understanding is further employed in a conversation regarding the relationship between concepts of 'religion' and concepts of 'religious freedom'.

From this understanding this chapter examines the discourse regarding religious freedom, and more specifically religious freedom in China, by Human Rights Watch. It looks first at how Human Rights Watch understands and defines religion, and how it reacts to situations regarding religious freedom in China. This chapter argues that Human Rights Watch, in its aim to protect religious freedom around the world, employs a definition of religion that it assumes has universal currency.

## THE CATEGORY OF RELIGION

To begin, religion is not a universal term. The word 'religion' without a direct context is vapid and meaningless, as it contains no content of its own. Many fields of scholarship, and many accomplished scholars, have examined what religion is as a cultural phenomenon, and what that means for the human condition. There exists a long and involved history of defining religion's relationship to the psyche, culture, society,

and politics. This history extends across many scholarly fields and paradigms, from sociology, with Max Weber and Emile Durkhiem, to psychology with Sigmund Freud, to Anthropology with Clifford Geertz, among many others. However, the question of what religion means as a descriptive term and categorical designation is another subject all together.

Recently this question has been taken up by a new conversation involving scholars including Talal Asad and Timothy Fitzgerald, among others, who agree that the term 'religion' cannot be deployed to describe a universal phenomenon. Talal Asad has commented that a trans-historical, and trans-regional, definition of religion is not valid. In stating this, Asad means that it is impossible to use this single term to describe a universal framework, to which all practices now described as 'religious' are contained. He argues that the assumption that 'religion' is natively a category for understanding and organization everywhere in the world is absurd. Asad makes clear that this is "not only because its (religion) constituent elements and relationships are historically specific, but because that definitions is itself the historical product of discursive processes." (Asad 1993: 29). It is these discursive processes, which are essentially Christian processes, which Fitzgerald's work examines.

In his 2007 work *A Discourse on Civility and Barbarity*, Fitzgerald effectively traces the etymological origin of the word and designation 'religion' in the English language. In this work he suggests that the form that the term 'religion' took, became the framework for understanding the various manifestations of the relationship between the transcendent and the immanent world, and that this understanding permeated the colonial endeavors of the latter half of the last millennia. Fitzgerald takes as his starting point the

development of the English language concepts of 'religion' and 'religious studies' “in relation to those other categories with which religion is represented in modern discourses as externally connected, such as politics, economics, and the secular.” (Fitzgerald 2007: 43). He does this by tracing the historical usage of the concept of 'a religion' in Western Europe, and its transition from what he terms as 'Christian Truth' to the category we understand today.

As other authors have also noted<sup>2</sup>, before the formal separation of the Catholic Church and the state in Europe, the term 'religion' was not used to describe a system of spiritual practice. It was not until the construction of the 'secular realm', often attributed to the Protestant Revolution and the embracing of the Scientific Method, that there became a necessity to term that which was not secular and/or rational, and thus 'religious' or superstition. Fitzgerald comments,

The paradigm shift that occurred as a result of the Enlightenment, or rather the paradigm shift that defines the Enlightenment, established scientific method as the dominant criterion of rationality. There was a simultaneous change from the Religion-superstition binary to a binary opposition between Protestant-derived concepts of religion, defined mainly by private belief, and the public rationality of science.

53-4.

Fitzgerald states that "for centuries, the English word Religion stood for Christian Truth, and Truth was in opposition to superstition" (53). Thus during the times of colonial expansion, where explorers and missionaries such as Jesuit Matteo Ricci, were not so much 'discovering' the religions of the world, but instead were looking at differing cultural relationships with the transcendent, and gauging them in degrees of closeness to 'religion', being the practice and theology of Christianity.

---

<sup>2</sup> See, among others, Bruce 2002, Beckford 2003.

In the same realm of thought, Asad has stated that the Christian-centered framework of 'religion' has carried with the term even into modern scholarship and colloquial use, and that for the most part, this has gone unchecked. Overarchingly, Asad has argued that it is the West that dictates the terms, concepts, categories and ideals that dominate modern cultural, political, and social life worldwide. He has famously commented that "non-Westerners who seek to understand their local histories must also inquire into Europe's past, because it is through the latter that universal history has been constructed" (1993: 200). It is from within this understanding that Asad has noted the "historical shifts that have produced our concept of religion as the concept of a trans-historical essence" (29).

It is the project of both Asad and Fitzgerald to show that religion does not exist everywhere, as the detailed fields of Religious Studies and its subject of World Religions has shown us, but that everywhere aspects of culture have been fit into a predefined category, and that this category has been structured in reference to Christianity. It is through the deployment of this category through Europe's colonial history that 'religions' have been discursively created in the world.

With the increasing establishment of nation-states globally, the category of religion, among others, became a category that was subjectively defined. As Asad commented, religion's "constituent elements and relationships are historically specific" (29) This means that the subaltern understanding of 'religion', within differing historical, linguistic, and cultural contexts, would prove to be significantly different from the Christian category originally deployed. However, this could not be seen until this differing definition came in contact with the original. This intersection of definitions can

be viewed no more clearly than in the conflicts regarding fight for international religious freedom.

This is primarily because, to begin to discuss issues of religious freedom, at any level, one must become acutely aware of the role that is played by the definition of religion. Winnifred Sullivan stated in the introduction to her 2005 work, *The Impossibility of Religious Freedom*, that "in order to enforce laws guaranteeing religious freedom you must first have religion" (1). Definitions of religion construct boundaries around the freedom of religion. The decision of what religion means and what it refers to, restricts what laws regarding religious freedom protect, and for whom the fight for religious freedom is a fight for. In committing to a protection of 'religious freedom', groups are committing to a definition of religion.

In order for parties, made up of multiple individuals, to begin to enact laws and reforms protecting religion, there must be an understanding of what 'religion' is, what it is exactly that is being protected. When parties define religion, as Asad has shown, in the context of their own historical, cultural, and linguistic reality, they develop the limits to what religion is. When these definitions are not the same, a conflict arises regarding what it is that protection of religious freedom protects. This notion can be explored through the examination of the degree to which Human Rights Watch accuses China of violating religious freedom, and China's response to such a criticism. It becomes immediately clear that with differing definitions of religion, comes differing enforcements of 'freedom'.

This thesis makes a unique contribution to the question of the relationship between the definition of religion, and the limits and boundaries of religious freedom by looking at the ways that definitions of religion have serious consequences for the idea of

religious freedom. In exploring the ways in which Human Rights Watch defines religion, specifically in the context of its criticisms against China, both the definition of religion assumed by China and HRW is highlighted, along with the limits of religious freedom in both those contexts individually, and within the global context.

## HUMAN RIGHTS WATCH: RELIGIOUS FREEDOM IN CHINA

Human Rights Watch has its headquarters based in New York. It originally started as the private American endeavor *Helsinki Watch*, following the Helsinki Accord in 1975. It evolved from that time to include four regional human rights movements; Asia Watch, Africa Watch, Middle East Watch, and Americas Watch. These groups would form *The Watch Committees*, and collectively adopted the name Human Rights Watch in 1988.

Human Rights Watch's mission, as stated on its official Web site, claims that,

Human Rights Watch is dedicated to protecting the human rights of people around the world. We stand with victims and activists to prevent discrimination, to uphold political freedom, to protect people from inhumane conduct in wartime, and to bring offenders to justice. We investigate and expose human rights violations and hold abusers accountable. We challenge governments and those who hold power to end abusive practices and respect international human rights law. We enlist the public and the international community to support the cause of human rights for all.

[www.hrw.org](http://www.hrw.org).

In the pursuit of this mission, HRW commissions the drafting of a massive amount of reports regarding the state of human rights across the world, for wide public distribution. These reports of HRW's are developed to place "pressure on governments by exposing abuses through the media, and convincing powerful leaders or stakeholders to use their influence on behalf of human rights" ([www.hrw.org](http://www.hrw.org)). These documents are

developed by multiple authors using a field-based research methodology supplemented with information gathered from external source<sup>3</sup>. In cultivating this information and creating these reports, Human Rights Watch is not free from the cultural relativity that it must navigate when considering issues of international human rights. The discourse regarding the debate of moral and cultural relativity in the field of international human rights proliferation is vast and detailed<sup>4</sup>. Given Human Rights Watch's manifestation as an organization from Western European and with American roots, it is obvious that those factors would influence the terms and categories of its conversations, but that does not excuse it from investigating itself for those predetermined terms and categories.

Since its creation, Human Rights Watch has been at the helm of criticizing the Chinese government's relationship with religion within its borders. From this criticism, HRW has generated a number of special reports specifically targeting what they perceive as violations of the freedom of religion in China. It is in these documents that HRW implicitly details the outlining of its understanding of the category of religion. To understand what HRW means when it uses the term 'religion', one has to look to its deployment of the term in its criticisms.

To begin, it should be noted that in its mission statement, outlined above, HRW indicates that its aim is to "challenge governments and those who hold power to end abusive practices and respect international human rights law" ([www.hrw.org](http://www.hrw.org)). The 'international human rights laws' to which it refers is the Universal Declaration of Human Rights (UDHR), signed by all members of the United Nations, which in our interest

---

<sup>3</sup> The methodology of Human Rights Watch is outlined in its entirety on the organizations webpage. See [www.hrw.org](http://www.hrw.org).

<sup>4</sup> For a review of this discourse see Donnelly 2002:89-101.

includes China. The Article of the UDHR that concerns religion and the protection of its freedom is Article 18, which states,

Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest religion or belief in teaching, practice, worship and observance.

*Universal Declaration of Human Rights, Article 18.*

The same issue that affects HRW's use of religion, affects the UDHR's use of 'religion', for the purpose of the proclamation, the word 'religion' is not defined. The subtext of this article suggests that 'religion' is a universally understood term, which it has previously been established, is not.

The universality of this proclamation, and all others in the UDHR, was seriously questioned before the final drafting of the document. In 1947 the American Anthropological Association submitted a long memorandum to the United Nations Human Rights Council highlighting their concerns regarding the ethnocentrism and Western European nature of the values and concerns highlighted in the UDHR ([Morsink](#) 1999: x-xi). They questioned, "how can the proposed Declaration be applicable to all human beings and not be a statement of rights conceived in only the terms of values prevalent in the countries of Western Europe and America?" (xi). They further commented that "standards and values are relative to the culture from which they derive so that any attempt to formulate postulates that grow out of the beliefs or moral codes must to that extent detract from the applicability of any Declaration of Human Rights to mankind as a whole" (xi). Despite these acknowledged concerns the final drafting went ahead.



Following the adopting of the declaration, several other voices arose questioning the Western ethnocentrism of the document. One of those voices, belonging to Islamic Scholar Abdullahi Ahmed An-Na'im, contested that "all normative principles... are necessarily based on specific cultural and philosophical assumptions", and that "given the historical context within which the present standards (UDHR) have been formulated, it was unavoidable that they were initially based on Western cultural and philosophical assumptions"(x). These observations highlight that the assumed universality of undefined terms such as 'religion' in this document, are based in Western cultural bias, and in frameworks that exist as Western cultural norms. This reasons that 'religion' would be based on the Christian framework detailed earlier in this chapter.

The close association of the idea of 'religion', 'though', and 'conscious' expands the boundaries of this article to include all types of practice religious, and again since there is no standing definition of any of these, anything can be applied to it, or omitted from it.

A critical analysis of the reports issued by HRW concerning religious freedom in China exploits this issue with the assumption of religion's universality with more clarity. In the three reports analyzed in this work, it can be seen that Human Rights Watch accuses China of abusing the right to religious freedom of citizen who belong to groups or identities China itself does not consider 'religious'. HRW's frustration steams from its conviction that China has failed to define religion 'properly', and believes that its understanding of what counts as religion is correct.

The fifth report issued by Human Rights Watch concerning religious freedom in China was titled *China: Religious Persecution Persists*. Published in 1995, the report immediately presents Human Rights Watch's understanding of 'religion'. The document

states "we [HRW] note, however, that repression in China is directed against all religions, the five that are officially recognized (Buddhism, Daoism, Islam, Catholicism, and Protestantism) and all allegedly aberrant and superstitious sects" (1995: 2). By stating that the acts of China are against 'all religions', Human Rights Watch is supplementing its own definition of the term 'religion' over and above what might be understood by the People's Republic of China, to be 'religion'.

The report goes on to list the specifics of Human Rights Watch's criticism which specifically highlighting "those held for participation in religious activities outside the aegis of official churches" (1995: 6), and suggests that the international community "should urge China to abolish the distinction between 'normal' and 'abnormal' religious activities in its constitution and religious regulations;" (emphasis original) (1995: 7). By highlighting that the distinction of 'religion' should not be separate from what China considers 'not religion', these comments again reify the understanding of 'religion' that Human Rights Watch holds, and what it perceives the rest of the world to hold that 'religion' is a fixed category, which serves as a 'catch-all' term for spiritual practice. Again in a follow up report, *China: State Control of Religion* published in 1997, Human Rights Watch focused directly on the Chinese government's interaction with 'religion'. As in the previous document, Human Rights Watch struggles with the failure of the Chinese government to legally recognize what it is that HRW understands as 'religion'. One of the key markers in the 1997 report is the invoking of Article 18 of the *Universal Declaration of Human Rights*. This article, enacted as part of the *Universal Declaration of Human Rights* in 1948, and signed by the standing Chinese Government at the time, states,

Everyone has the right to freedom of thought, conscience and

religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest religion or belief in teaching, practice, worship and observance.

*Universal Declaration of Human Rights, Article 18.*

This statement employs the same understanding of the category of 'religion' as Human Rights Watch, and in the context of the Universal Declaration of Human Rights, is undefined and unclassified.

The document also highlights that "China's narrow interpretation of freedom of religion as equivalent to freedom of private belief is contrary to the much broader international standard" (Human Rights Watch 1997:4). This particular concern presents a major disjunction in understanding the issue in China. The issue is not how China defines, or interprets, the 'freedom of religion', but how it is that China defines "religion". The report moves on to criticize the religious registration system that China employs to monitor the activities of religious groups stating, that "failure to register can result in the imposition of fines, seizure of property, razing of "illegal" religious structures, forcible dispersal of religious gatherings, and occasionally, short term detention." (1997: 2). Again, this criticism shows how it is that Human Rights Watch sees religion as encompassing more than China decides that it does.

The document also details recommendations for China. In this it highlights specifically that China is to carry out the recommendations of the U.N *Special Rapporteur on Religious Freedom*, which includes amending Article 36 of the Chinese constitution, "so that the right to manifest one's religion is recognized along with the already recognized right to freedom of belief." (1997: 5). This once more shows that 'religion' here means more than the five traditions defined by China.

The most recent report issued by Human Rights Watch regarding religious

freedom in China exclusively, is titled *Dangerous Meditation: China's Campaign Against Falungong*. Published in 2002 this document addresses concerns regarding the state of Falungong in China. Regarded by the Chinese government as an 'evil cult', Falungong has been outlawed and actively repressed within China since 1999. The bulk of Human Rights Watch's criticism in this document is focused on Article 300 of the *Criminal Code of the People's Republic of China*, and the labeling of Falungong as an 'illegal religion' or 'evil cult'. This more recent report is clearer in understanding the subtlety of the category of 'religion'. The report, in its attempts to highlight China's inadequate protection for religious freedom, states that "the government's constitutional guarantee of freedom to believe and protection of "normal religious activities" falls far short of applicable international law standards [emphasis original]" (2002:25).

Collectively these document address Human Right Watch's concerns regarding the freedom of religion in China in various ways, but collectively these documents can be seen as highlighting two consistent criticisms; issues regarding the control and monitoring of religions and their activities, and issues regarding all 'religions' outside of the state approved categories. These two concerns are echoed with well-researched and argued cases through these three special reports, and in the section on religion in China in each of the yearly world reports.

Human Rights Watch, in its criticism of China's relationship with religion, utilizes the term and category of 'religion' as if it was an uncontested and universal term. This is highly problematic, and for those in power in China, obfuscates Human Right Watch's criticism and intentions. It has been shown that there can be no universal definition of 'religion', because the word 'religion' carries with it a deeply rooted western structure that does not submit to the subjective interpretation the term receives elsewhere. Human

Rights Watch, in its criticisms, employs a definition of religion that is incompatible with the cultural and political reality of religion in China.

## CONCLUSION

In this chapter the construction of the category of religion and how its Christian framework is unconsciously deployed with its invocation, has been explored.

Furthermore, I have also attempted to demonstrate the ways in which definitions of religion impact the boundaries of religious freedom. By examining the criticisms of Human Rights Watch regarding the freedom of religion in China, HRW's understanding and defining of the category of religion has been deconstructed. It has been shown that this definition is in clear conflict with the definition, and understanding, of religion that exists within China.

In understanding the category of religion as it exists in these separate contexts, it is important to see that the construction of the specific characteristics of this, or any, category is a complex process involving multiple agents and multiple histories. Specifically regarding the question of the category of 'religion' in the context of the People's Republic of China, the thesis must examine not only the importation of the Western idea and category of religion, which is seen reified in the criticisms of HRW, but also the process by which what are now understood as 'Chinese Religions', came to fit the category of 'religion'. The next chapter will explore the historical and cultural situations that facilitated the creation of 'Chinese religions', and the corresponding reality of religion in China.

---

## CHAPTER TWO: CREATING RELIGION, DEFINING RELIGION

Most important, such texts can *create* not only knowledge but also the very reality they appear to describe. In time such knowledge and reality produce a tradition, or what Michel Foucault calls a discourse, whose material presence of weight, not the originality of a given author, is really responsible for the texts produced out of it

Edward Said, *Orientalism* 1979: 94.

The previous chapter has explored how the category of religion developed in western society, and how today the specifics of that category are reified through conversations of religion in a global context. It has also been shown how in some cases this definition, though projected as universal and objective, is not consistent across cultural and political borders. The understanding of 'religion' in China, though framed in similar language and structure, manifests in a strict definition deployed by government rhetoric throughout China's modernizing history. However, this definition did not rise in isolation. The development of this category involves not only the importation of the western category of religion into China, but also the development and dictation of the contents of that category by the West.

This chapter traces the creation of 'Chinese religion' in western discourse, and follows its solidification in a global discourse on 'World Religions'. By doing this, this chapter illuminates the formulation and development of the existence of religion in China, and the shape and contents of Chinese religions. These 'religions' and their category, originally created by the west, will become the content for the problematic term

'religion' that has been explored in the discussion of HRW and the People's Republic of China.

#### THE DATASETS OF SINOLOGY: CREATING CHINESE RELIGION

Interactions between Europe and China most likely extend back to the establishment of the Silk Roads that linked the Mediterranean and the East. The initial relationship that evolved from this contact focused more on mutual economic gain, with neither party seeming too interested in the culture and tradition of the other. The first concrete cultural interaction between Europe and China did not occur until the early 16th Century with the beginning of the Catholic missions to China.

Established by the newly founded Society of Jesus, the mission's first leg, which lasted from 1552 until 1742, developed an authoritative position on all things 'Chinese' in the west. The Jesuits, as the only formally educated Europeans in China, were the primary suppliers of information about China to Europe, most of which came during the seventeenth century (Mungello 1989: 14). The documentation and reports developed by the Jesuits would become the data for eager intellectuals in Europe to begin discussing the mysterious far-eastern Orient.

In the works developed by Jesuits on China, there are few pieces that serve as detailed 'reports' of what would become known as 'Chinese religion'. Despite this, two pieces in particular do serve as the base from which many future works on Chinese religion in Europe would develop; Matteo Ricci's posthumously produced *De Christiana Expeditione Apud Sinas* (1615), and Fr. Alvaro Semedo's *Imperio de la China* (1655). In both of these works, three identifiable 'sects' are established as existing inside of China.

These three traditions are given their first examination and interpretation through the framework of Catholicism and its characteristics.

## DE CHRISTIANA EXPEDITIONE APUD SINAS

The most influential Jesuit missionary to China was Fr. Matteo Ricci. Ricci's placement within the history of Sinology and the study of Chinese religion is at its genesis, as "Ricci may be considered not only the founding father of Sinology as the specialized, linguistically proficient study of China, but also the first great interpreter of Chinese religion" (Girardot 2005). Assigned to the mission in 1582, after working in the India mission in Goa since 1578, Ricci arrived in Macao and immediately set to learning the Chinese language and culture. By the time he arrived in Peking in 1601, he had successfully prepared his own translation of the Confucian *Four Books (Ssu Shu)* into Latin, clarified the geographic placing of China<sup>5</sup>, adopted the dress of the Chinese elite literati, and gained their favor (Young 1983:25). This aggressive self-educating and integrating method, which produced great amounts of information apart from its main intention as a process of conversion, was based in what noted Jesuit historian David Mungello describes as the method of *Jesuit Accommodation*<sup>6</sup>. Ricci's work stood above other work produced by other missionary orders because of this accommodating approach. Ricci presented an account of Chinese civilization that favored an understanding of the complexities of its society, over its condemnation as 'heathen'.

---

<sup>5</sup> Since the work of Marco Polo, the precise geographical location of China remained ambiguous at best. Ricci, a noted mathematician and geographer, used his skills to place Cathay and China, once thought to be two distinctly divided places, together as China. He positioned it between 19 degrees and 49 degrees latitude, which was quite close to today's placement of it. For an explanation of Ricci's method for mapping China, see Mungello 1989:50.

<sup>6</sup> The Jesuit policy of accommodation was established as potentially the most effective Catholic conversion technique, as well as the most controversial. This method blended Christian theology and practice into the exiting culture of the potential convert. It aimed to "propagate Christianity in terms of native customs and rites to meet any other culture on its own terms" (Young 1983:9).



Ricci believed that “China shared a special sympathy with Christianity because of its apparent reverence for the one God, called Shang-ti” (Girardot 2005). Using this deduction, and the downplaying of Buddhism and Taoism as idolatrous, Ricci presented Confucianism in a positive light, emphasizing its logic, rational, and ‘natural law’. This sentiment would later be echoed in the wave of Sinomania in Europe, as Ricci’s initial work on the ‘Sects of China’ would become the authoritative source for understanding the philosophical and spiritual systems of China.

*De Christiana Expeditione Apud Sinas*<sup>7</sup> was initially a report on the mission's history and success in China started by Ricci at the request of the General of the Society of Jesus, Claude Acquaviva. It was left unfinished when Ricci died in 1610, and was completed and then translated by Fr. Nicholas Trigault on the orders of the new Jesuit superior, Niccolo Longobardi. Working from the unfinished edition and notes left by Ricci, Trigault inserted material where he felt necessary<sup>8</sup>, compiled, edited and translated it from Italian into Latin, to its final edition. The final product was a five-volume work, the first four volumes of which dealt specifically with the history of the China mission, from its pioneer St. Francis Xavier, to the death of Ricci. The fifth volume, and the one that concerns the thesis at hand, discusses the superstitions and ‘sects’ of China only briefly. This descriptive work is a small piece amidst larger descriptions of China’s geography, agriculture, arts, sciences, culture and customs and rights.

In this section Ricci determines that originally the Chinese worshiped one god, with several minor deities, or 'spirits', residing on earth and represented by natural

---

<sup>7</sup> The English translation being used for this study is from the 1625 translation by Samuel Purchas in *Purchas his Pilgrims*. See Purchas 1625.

<sup>8</sup> The distinction of material originally written by Ricci, from that which belonged Trigault, was not clarified until the early twentieth century. For a breakdown of this analysis, see Mungello 1989:46-9.

elements<sup>9</sup>. From this he develops that now three sects exist, "the first of the Learned, the second of Sciequia, the third of Laucu" (Purchas 1625: 457). It is clear in the descriptions provided by Ricci, that he has identified each of these groups by using the characteristics of Christianity as a framework for comprehension.

Ricci's treatment of the sects of China emphasizes the correctness of a natural religion in Confucianism, and downplays the practices of Buddhism and Taoism. It becomes obvious that, in their attempts to gain the acceptance of the Chinese literati, who functioned primarily under the instructions and precepts of Confucianism, the Jesuits adopted "the intellectual biases, as well as the dress and etiquette of China's lettered class" (Girardot 2005).

Ricci's expressed and published affinity for the Confucian system came not only from the influence of those surrounding him, but also from his conviction that China had, before what he describes as the corruption of Confucianism by the influences of Buddhist and Taoist idolatry, at one time been monotheistic (Girardot 2005). The *Learned*, as Ricci calls it, is now what has become known as Confucianism. He considers the *Learned* the most proper sect in China, and notes that "Confutius" is the sect's patriarch (Purchas 1625: 457). In characterizing the *Learned*, Ricci states that they have no idols, and worship one God from whom all things radiate (457). He notes that they make no doubt regarding the soul's immortality, and that deceased followers live on in Heaven. According to Ricci, no mention is made of Hell, but that rewards and punishments are temporal, and are confined in this life to a man's self (457). He claims that they have no

---

<sup>9</sup> "Touching the China Sects, I read in their Bookes, that the Chinois from the beginning worshipped one God, which they call the King of Heaven, or by another Name Heaven and Earth. Beneath this Deite, they worshipped divers tutelare Spirits of Mountaynes, Rivers, and of the foure parts of the world [sic]" (Purchas 1625: 456).

temples to the supreme deity, have no proper place of worship, nor any priest (457). He does note however, the multitude of "costly Temples to Confutius in every Citie [sic]" (458), each containing an idol or representation of Confucius (458). He notes that offerings are made to these images during new moons and on the birthday of Confucius. He details that the *Learned* possess five books of written scripture in which all the precepts and laws are contained (458).

In discussing the similarities to Christianity, Ricci highlights that "their Bookes largely explaine that precept of Charitie, to doe to another as a man would be done [sic]". He concludes his description of the first sect by stating, "they [followers] deny this to bee a Sect, but a certayne Academie instituted for the government of the Common-wealth; and because it prescribes not, nor prohibiteth any thing touching the Life to come, many adjoyne the other two Sects to this"(459). This closing comment frees the sect that Ricci favors from the criticisms he will make of the ones to come. He removes the theological dilemma of agreeing with, or associating with heathens, by stating that the *Literati* are not a 'religion' or a 'sect', but an academic institution. This is the beginning of a debate that is still alive and well today.

The second sect, *Sciequia* as Ricci calls, is now what is known as Buddhism, and "came to the Chinois from the West, brough from the Kindome of Thienscio or Scinto, now called Indostan, betwixt Indus and Ganges, about the yeere of Christ 65[sic]" (459). This 'sect' was very familiar to Ricci, as he encountered its progenitor during his time in the India Mission in Goa. He states that they have extremely large idols which they pray to

(461), and have several gods (459). For the *Sciequia*, Ricci establishes that the status of the soul is immortal, and after death receives just rewards in Heaven and Hell (459). However, Ricci notes that existence in Heaven or Hell is not eternal, and that they experience "new birth after I know not what revolutions of time, in some other of their conceited Worlds, then and there to be penitentially purged; with other fooleries" (460).

He notes that the *Sciequia* have temples, and train priests, which he terms *Osciami* (460). Of these priests, he notes that some live austere lives in the mountains and caves, but most reside in the monasteries (459).

In noting the similarities to Christianity, Ricci comments,

The Authors of this Sect, have taken some things out of our Philosophers... transmigration of Soules... Somewhat it seems to acknowledge the Trinitie fabling of three Gods becoming one; it acknowledgeth just rewards to the good in Heaven, to the bad in Hell [sic].

460.

In further comparison he notes that "the Rites of the prophane Sect, have great affinite with our (Romish) Ecclesiastically[sic]" stating that during services men sing, they house beautiful visuals in their churches, and have almost the same priestly garments (460).

The third sect, *Laucu* as Ricci calls it, is now what is known as Taoism. He identifies that the teachings of this sect are derived from a philosopher called 'Lauzu' (461). He makes no notes of idols, but remarks that they worship one deity referred to as "The King of Heaven" (461), and below him three others. He states that they have places of reward and punishment after death, but that these involve both the body and the soul together (462).

He acknowledges that the *Laucu* have temples and priests, but that practice by followers is not restricted to that location, or with priestly supervision (462). Within their

practice, Ricci comments that they have no book from the patriarch 'Lauzu', because it was not his intention to start a new sect. Instead, comments on his life and teachings by followers are used for liturgy (461). To worship, Ricci understands, followers practice sitting in divine postures, praying, and taking longevity medicines (462).

In a comparison to Christianity, Ricci comments that "the Lord of Heaven... they imagine [as] Corporeall, and to have suffered many things [sic]"(462). In developing the parallels to Christianity he comments on the three other deities, of which 'Lauzu' is one, and their likeness to the holy trinity (463).

Despite the often condemning and mocking tone of Ricci's observations of sects in China, these descriptions set the groundwork for the structuring of 'religion' in China amongst Western academics. Upon making its way to Europe, *De Christiana Expeditione Apud Sinas* became one of the most widely published books of its kind. The work was first published in Latin in 1615 and was subsequently republished in 1616, 1617, 1623, and 1684, as well as being translated into: French in 1616, 1617, and 1618, German in 1617, Spanish in 1621, Italian in 1622, and finally in English, though only partially, in 1625 (Mungello 1989: 48). Several historians note the influence of this work. Among them, Donald Lach commented that it was "the most influential description of China to appear during the first half of the seventeenth century... [and] provided European readers with more, better organized, and more accurate information about China than was ever before available" (1965: 512-13).

## IMPERIO DE LA CHINA

One does not have to look too far beyond the publication of *Apud Sinas* to begin to see the impact it had on developing Chinese 'religion'. In 1613, Fr. Alvaro Semedo

arrived in Southern China to work in the China mission. After thirty-six years in China, Fr. Semedo was sent back to Europe to recruit new Jesuits and secure new funding for the China mission (Mungello 1987: 75). Whilst there, he penned his seminal work *Imperio de la China* and insured its wide publication<sup>10</sup>. Like Ricci's work before him, it was the goal of *Imperio de la China* to publicize, promote, and develop interest in China and the Jesuit mission, and in that respect, Semedo's book was successful.

*Imperio*, like *Apud Sinas*, contains a considerable section on the history of the China mission. But unlike Ricci's book, this takes up only half of the completed work. Divided in to two pieces, 'The Temporal State Of China', dealing with descriptions of the current state of geography, politics, family structure, language, among other topics, and 'The Spiritual State of China', which recounts the mission's history and success thus far in China, *Imperio* contains a modest twelve page description of 'the Several Sects of China'.

As Ricci does, Semedo's account details that in China exists three sects, "[t]wo of them are proper to China, and first sprung up there: The third, which is of the Idols, is adventitious, and came from India[sic]" (Semedo 1655: 87). Semedo's naming of the sects is slightly different than Ricci's, but nonetheless he identifies the same groups. The first he names the "*Litterati*", which Ricci referred to as the "*Learned*" and is now identified as Confucianism. The second is "*Tausi*", which Ricci referred to as the "*Laucu*", and is now identified with Taoism. And the third he names "*Xaca*" which he highlights is "from *India*, from the part of *Indostan*". This is clearly the group that Ricci refers to as the "*Sciequia*", who are now identified with Buddhism.

---

<sup>10</sup> The book was passed onto a Spanish writer named Manuel de Faria i Sousa, who gave the work a more "historical style". It was then published in Spanish in 1642, Italian (1643), French (1645), and English (1655).

In discussing the *Litterati*, Semedo acknowledges the characteristics originally outlined by Ricci. He notes that they make "Confusio to be the author" (87), they worship no idols but acknowledge a deity who issues rewards and punishments, and that instead of seeking reward "they ask for temporall assistance in this life, good fortune, and to be able to imitate their good works and atchivement [sic]" (86). He also implies that they affirm the immortality of the soul, but does not mention it explicitly<sup>11</sup>. He notes that "they worship no *Pagod*, or Idol, but acknowledge a *Superioritie*, or *Deitie*, who is able to chastise and to reward [sic]." (87) and that of this singular deity "they have no Churches, wherein they worship *him*; nor any divine Offices which they celebrate, nor any prayers that they rehearse; nor any *Priests* or *Ministers*, which officiate at *his* service [sic]" (87). He notes the presence of a written canon in commenting that, despite the lack of service, prayers, and offices, "they speak and write in their books of this *Lord* very *Honourably*, as of a *divine person*" (87). Semedo, like Ricci, comments that this sect "may be made... to agree [with the other two] without any prejudice to their observations" (92).

Semedo's discussion of *Tausi* is almost identical to Ricci's discussion of the *Laucu*. This is apparent not only in the characteristics that are highlighted, but also in the language and general attitude. He notes that the sect is proper to China, and that 'Tausu' the philosopher was taken to be its patriarch (89). In detailing their cosmology, community, and practices, Semedo's language is so close to Ricci's it almost seems

---

<sup>11</sup> "For their soule in the next life, they neither expect, nor pray for any thing [sic]" (Semedo 1655: 86). This quote is of particular interest because it shows concretely the influence of Ricci's work on Semedo. The fact that Semedo does not need to mention explicitly that the *Litterati* trust in the persistence of the soul beyond death shows that Ricci's work is the launching point for his own.

plagiarized. He states, "this *Sect* acknowledgeth one *Great God*, and other lesser ones, all corporeall" (89). He also explains that, "they acknowledge *Glorie* and *Hell*: the *Glorie* to be conjoynd to the body, not only in the other life, but also in this [sic]" (89). In commenting on their worship practice, where Ricci notes that followers practice by sitting in divine postures, praying, and taking longevity medicines, Semedo notes that the *Tausi* believe that "by meanes of certaine exercises and meditations, one may come to make himselfe a child, and young, and others to become *Xin Sien*, that is, the fortunate ones of the earth [sic]" (89).

In his discussion of the *Xaca* sect, Semedo focuses less on the theological details, as Ricci does, and more on the particular practices of followers, this is mostly because of the time that he spent living with *Xaca*. He notes primarily that the *Xaca* "entred into China in the year of our Redemption 63" (89), and that "[t]hey worship idols: They hold a Reward and Punishment in the next Life: They marry not: They live in Convents, foure or five hundred together, or more [sic]" (89). Speaking to their perception of the soul he remarks that "They believe the Transmigration of *Pythagoras*, and that the soules departed go to hell; which, they hold, doth containe nine several places; and after they have passed through them all, those of the best sort, are borne men againe [sic]" (89).

Of their priest he notes that most live in the communities but that "[t]here are others of them, that live in caves, rocks, and grotts [sic]" (89). He also notes, as Ricci does, the striking similarity of their rites and priestly affinities, remarking "[t]heir Caps are like ours, and their sprinkling brushes without any difference at all" (89).

The similarities between the description of the three sects of China by Ricci, and then by Semedo are far too obvious to overlook. It may seem, upon first glance, that



Semedo is simply using Ricci's work as a reference guide from which to shorten his own labour. Given that the bulk of Semedo's work is concerned with other topics, this seems likely. But in looking at Semedo's discussion of examples, particularly in reference to what he calls the *Pekim Incident* and the workings of a *Bonzi* in a small community in which Semedo lived, it is clear that Semedo did not just copy Ricci's work, but studied it as an authoritative source for the Sects of China, and as that, he learned and applied it in his experiences and examinations in China.

#### KNOWLEDGE AND POWER: BEGINNING THE PROCESS OF ORIENTALISM

The use of Ricci's sources as an authoritative text by Semedo, and the subsequent use of both Ricci and Semedo's text by European scholars, mimics a key process in the construction of 'the other' described by Edward Said in his theory of Orientalism.

In his work on the Orientalist discourse developed in Europe regarding the Middle East and 'the Arab', Said details the process of generating authoritative sources on 'the other' and the subsequent use of those sources as fact. What he highlights regarding the discursive construction of 'the Arab', is the same process that can be witnessed in the development of the European discourse on China, and more specifically the discourse on 'religion' in China, discussed here.

The key point that Said makes regarding the 'discourse on the other' is that it becomes a self-referential discourse; that a few pieces are used as empirical, primary source data, assumed to represent the 'reality' of the 'other' being discussed. These select pieces are then referenced again and again by successive writers, such that eventually they become 'truth'. The writings that stem from what can be understood as first hand interactions, become the accepted point of authority regarding the 'other' in question. As

Said describes it, this is the first step in the establishment of an authoritative discourse on the other. In the introduction to *Orientalism* Said summarizes this process by stating,

the phenomenon of Orientalism as I study it here deals principally, not with a correspondence between Orientalism and Orient, but with the internal consistency of Orientalism and its ideas about the Orient... despite or beyond any correspondence, or lack thereof, with a “real” Orient

Said 1979: 5.

What Said is highlighting here is a self-contained process of what we can call 'truth manufacturing'. The discussion of a cultural other, essentially void of contact with said other, and relying only on texts that speak about 'the other'.

In some sense this process is unavoidable. The enthusiasm of scholars to discover a culture that is geographically removed from them demands that a majority rely on sources from those who have traveled to these places. These analyses are done without consideration of the fact that those who encountered the 'Orientals' came against these cultures as Europeans -and in this case missionaries- first, and as scholars second. Said comments that,

no production of knowledge in the human sciences can ever ignore or disclaim its author's involvement as a human subject in his own circumstances... a European or American studying the Orient... comes up against the Orient as a European or American first, as an individual second.

11.

For the discussion on 'Chinese religions', what this means is that missionary scholars, such as Ricci and Semedo, understood the cultural realities they witnessed in China through the Western categorical constructions they carried with them. The understanding of the relationship between the immanent and the transcendent would be framed for them in the category of 'religion' discussed earlier. For these traditions, what

these men saw were the Church-like organizational elements present, forcing them to draw parallels between their own tradition and what it was they were witnessing. The true impact of this observation and recording would come with the perpetuation of this discourse beyond these missionary writings, into the academic field of Chinese Orientalism, also known as Sinology.

#### FROM SEMEDO TO MASPERO: THE DEVELOPMENT OF 'CHINESE RELIGIONS'

The information that streamed back to Europe from the Jesuits in China was eagerly received by a small population of “somewhat eccentric and sometimes brilliant savants” (Mungello 1989:16). This information was digested and disseminated by these individuals, whose excitement far outweighed their knowledge and who were “sadly unprepared to undertake such study” (16). These brilliant, yet ill-equipped, individuals would make up the pioneering group referred to by some as the 'proto-Sinologists'. Their work would be the first stepping-stones for the eighteenth century rise of the academic field of Sinology. In their reception of information from China, the proto-Sinologists were not so much interested in China, as they were interested in what information from China they could use to address European interests and problems. Proto-Sinology manifested primarily in two academic debates existent in Europe, the search for the Adamic tongue<sup>12</sup>, and the push to upset biblical chronology<sup>13</sup>. The

---

<sup>12</sup> The search for the universal language or *lingua humana* was an ongoing search and debate to unveil the first language given to man by God. This study, still very much invested in the assumed validity, accuracy, and truth of the Bible was undertaken by many scholars at this time out of a hope to “encourage the advancement of learning, dispel skepticism, and transcend sectarian and national differences” (Clarke 1997: 47). The possibility of Chinese being this language was first introduced by John Webb in his work *An Historical Essay Endeavouring a Probability that the Language of the Empire of China is the Primitive Language* in 1668.

<sup>13</sup> This attempt was headed by the group of radical philosophers called *les libertines*, and derived primarily from the work of Fr. Mario Martini whose 1658 work, *Sinicae historiae decas prima*, established that the Chinese empire stretched back to 2952 BCE. In this, he produced the claim that seven Emperors had reigned before the accepted date of the great flood.

information provided directly concerning the ‘Sects’ of China, seemingly passed, at first, with little or no notice.

One of the largest markers of the transition of the burgeoning field of Sinology from missionaries to intellectuals was produced in the closing years of the seventeenth century. Four young Jesuits; Prosper Intorcetta, Christian Herdtrich, Francois Rougemont, and Philippe Couplet, produced the translation of *Confucius Sinarum philosophus*. This production is said to be the accumulation of the work of at least seventeen known European Jesuits, spanning from the work of Ricci in the late 1500’s to the date of its printing<sup>14</sup>. The document contained a biography of Confucius and the Latin translation of three of the four books of Confucius; the *Analects*, the *Great Learning*, and the *Doctrine of the Mean* (Intorcetta 1691). This marked the first organized major production of essential ‘religious’ texts coming from China. In its wide reception, it presented the educated European public with the ability to work ‘directly’ with the Confucian classics. This essentially produced the beginning of the European Sinological study of Chinese religion and marks the last movement of advanced analytical material from the Riccian- Jesuit mission in China to Europe. However, the transition from missionary to academic discourse was not a quick and clean one for Sinology, and especially not for the study of the 'religions' of China.

## SINOLOGY AND RELIGIOUS STUDIES

Sinology and comparative religions may well be the two most peculiar, and orphaned, offspring of the human sciences in the nineteenth and twentieth centuries. It is for this reason that these two academic disciplines share a certain kind of disciplinary alienation and have often been found, even within institutions of

---

<sup>14</sup> For a comprehensive analysis of the authorship and the construction of *Confucius Sinarum Philosophus*, see Lundbaek 1983.

higher learning, to be “quite unimportant branches of study

Girardot 2002: 4

In the opening to his work, *The Victorian Translation of China* (2002), Sinologist and Historian of religion Norman Girardot gives this sobering account of the historical position of the specific study of Chinese religion within the Western academic tradition. The academic field of Oriental Studies from the 16th to the 19th and 20th centuries, for most part did not focus on or find interest in China. In his address to the Royal Asiatic Society Max Müller outlined the cause of this problem by stating that there were “no intellectual bonds, no linguistic, spiritual, or social kinship that united Europe and China” (quoted in Girardot 2002: 3). China, as a candidate for interest was completely overshadowed by the discovery of a linguistic link between Europe and India, and by the historical interchanges between Europe and Middle Eastern cultures. Thus, to the European eye it was simply the observation that “China is simply old, very old – that is, remote and strange” (3).

Though interest in the far Eastern land of China may not have been the equivalent of the interest in the Indian subcontinent or the neighboring Middle Eastern nations, it was by no means absent. With the publication of *Confucius Sinarium philosophus* came the closing of the 17th century, and the end of the dominance of Riccian Jesuits in the China mission. In their place came the newly arrived French Jesuits at the behest of King Louis XVI<sup>15</sup> in 1685. This new wave of missionaries quickly gained the favor of the newly appointed K’ang-hsi emperor<sup>16</sup> and prioritized the communication of the fruits of their Sinological labor, back to Europe. It was in the carefully fostered relationships

---

<sup>15</sup> Louis XIV sanctioned the creation of the French Jesuit mission to China in a “bid to circumvent both Portugal’s missionary monopoly and Vatican influence in China” (Bailey 1992:817).

<sup>16</sup> On the request of the K’ang-hsi emperor, French Jesuit Joachim Bouvet returned to Europe as a representative of the Emperor to thank Louis XVI and to “procure more Jesuits of similar caliber” (Mungello 1989: 301).

between French Jesuits and French intellectuals that, in Paris, the first steps were taken in the direction of an academic Sinological scholarship.

Although the eighteenth century eventually brought rise to a complex and diverse contribution to Sinology, which covered the major European intellectual centers in both Germany and the United Kingdom, its concrete origins undoubtedly reside in France. *Sinomania* gripped France at the beginning of the eighteenth century and was the catalyst for the development of Sinology as recognized field within the larger field of Orientalism. Intellectuals in Paris, specifically at *Académie des Inscriptions et Belles Lettres*, focused their interests on China and took advantage of the inheritance of the Jesuit tradition. They aimed to “catalogue, edit, publish, and sometimes plagiarize the rapidly accumulating materials coming from China” (Girardot 2005).

The French Jesuit mission in China was the new source for information on China in Europe. The mission included the young astronomer and mathematician Fr. Joachim Bouvet<sup>17</sup>. Bouvet stood as the main disseminator of information from within the bounds of the Jesuit mission in China until in 1742 when the mission, and the Jesuits, were put to an end by the Pope (Clarke 1997: 41). His greatest contribution to the European study of Chinese religion will be seen in his direct relationship with Sinophile and German philosopher Gottfried Leibniz, in their joint analysis of the *I Ching* through correspondence<sup>18</sup>. The information flowing from China would eventually be brought to collaboration with the highly read and highly influential four-volume work of Fr. Jean-

---

<sup>17</sup> Bouvet's allegiance to France and Louis XVI seemed to supersede his allegiances to Rome. This was exemplified in his journey back to France, as a representative of the Chinese Emperor, in which he did not travel to Rome, as he should have, but instead confined his entire one-year sojourn to France (Mungello1989: 301). While there he gifted Louis XVI with 300 volumes of Chinese books for his library.

<sup>18</sup> The *I Ching* was brought to the attention of Leibniz in the fall of 1700 by Bouvet who held the document as pre-Confucian and "the true source from this nation (China) all its wisdom and customs" (Bouvet quoted in Swiderski 1981:139). For more on the correspondence between Leibniz and Bouvet see Swiderski 1981.

Baptiste du Halde, entitled *The General History of China*<sup>19</sup>. This work was a summation of the attitudes of French Jesuits to China as a whole. Its overall treatment of the kingdom and its people was positive, claiming that "it is certain that China is the largest and most beautiful kingdom yet known" (du Halde vol.3 1775: 2). At times du Halde's work seemed to transcend the Euro-centrism of his time, and draw comparisons between Europe and China that positioned China above Europe.

#### JEAN BAPTISE DU HALDE

In his work, at the outset of the section titled *Of the Religion of the Chinese*, contained in the third of four volumes, du Halde immediately reinforces the Ricci/Semedo construction of Chinese religion, carrying in his analysis both the 'facts' and the favorable disposition to Confucianism, and disgust for Taoism and Buddhism. He states,

There are three principal Sects in the Empire of China; the Sect of the Learned, who follow the Doctrine of the ancient Books, and look upon Confucius as their Master; that of the Disciples of Lao kien, which is nothing but a Web of Extravagance and Impiety; and that of Idolaters, who worship a Divinity called Fo, whose Opinions were translated from the Indie into China about thirty-two Years after the Crucifixion of our Savior [sic]

14.

In his detailing of the merits of Confucianism du Halde is quick to position Confucianism at a theological distance from the other two, and from the condemnation of 'heathen'. He states that this first Sect "only make Profession of being regular Students, in order to advance themselves... on account of Merit, Wit, and Government of the Empire [sic]" (14).

---

<sup>19</sup> du Halde's book was originally published in 1736 and soon underwent revisions. The third edition has been sourced in this thesis, and was published in 1775.

As can be predicted, du Halde's attitude towards Taoism describes its practice as having "degenerated into a Profession of Magick and Enchantment; for the Disciples of this sect boast of the Secrets of making Gold, and of rendering Persons immortal [sic]" (14). His attitudes towards Buddhism are also as predictable. The tradition, he claims, "is nothing but a Heap of Fables and Superstitions brought from the *Indies* into *China*, and maintained by the Bonzes, who deceive the People under the Appearances of false Piety...[sic]"(15).

It is important to note that du Halde's work was composed from the reading of several Jesuit records, and du Halde himself never set foot in China. This shows how influential these documents were, that writers could develop authoritative stances on these distant lands, without ever corresponding with the reality directly. More than this, the inclusion of the constructed religions of China in du Halde's work, solidified the existence of these traditions in the eventually burgeoning study of World Religions.

#### THE PROTO-SINOLOGICAL HANGOVER

Although interest in China boomed in France during the eighteenth century, the interest of academics was still characterized by the use of China to support their own endeavors as "China was used... as a proxy to fight what was in essence a local European and more specifically a French battle" (Chesneaux 1987:13). Thus, China did not fully manifest in France as a consideration of its own. Regardless, the development of information coming from China saw an immense boost in the academic culture of France, but amidst this, specific interest in the religiosity of China still suffered. The tradition of the focus on, and praise of, Confucianism and the uncertainty and misunderstanding of Chinese Buddhism and Taoism, inherent from the previously discussed Riccian Jesuit and proto-Sinological documents, still affected eighteenth century Sinophiles and



Sinologist. This can be seen in the treatment of the topic of religion in the works of the most famous early Sinologist in France, a group of thinkers known as the *Philosophes*.

The *Philosophes* were a group of French intellectuals who had a considerable influence over the intellectual interests of Europe at the time, and were considered to be at the heart of the Enlightenment. It is obvious through their work that the *Philosophes* had “little grasp of, or indeed interest in, the nature of Taoism and Buddhism and the role they played within the whole web of Chinese cultural and intellectual life” (Clarke 1997: 43). This is a direct result of the source of their information; the Jesuits and proto-Sinologists. Among the French deist *Philosophes*, the most notable scholars who dealt with some aspects of religiosity in China were; Nicolas Malebranche, Pierre Bayle, and Voltaire.

Though his major work on the religiosity of China predates the massive wave of *Sinomania* in France, Malebranche’s *Dialogue between a Christian Philosopher and a Chinese Philosopher on the Existence and Nature of God* (1708), served to show that there was somewhat of an interest in the relationship between understandings of transcendence and divinity outside of the Jesuit intentions. In this work, the created Chinese philosopher espouses a Confucian view, as Malebranche understands it. It is structured in such a way that it shows the correctness of Malebranche’s own viewpoint on the question of God’s existence. Rather than establishing an understanding of conceptions of the divine in China, Malebranche simply uses Chinese philosophy “as a potent weapon with which to engage with purely European objectives” (Clarke 1997: 44).

Pierre Bayle, in the same way as Malebranche, used the China detailed in writings for his own ends. A deist and an advocate against the power of organized religion, Bayle used China in his “assault on the climate of intolerance” (44), he perceived within

European society. He used Confucian conceptions and attitudes, as he understood them, as tools to further his own issues with European culture. Highly critical of the metaphysical and religious claims to truth, Bayle claimed in his *Historical and Critical Dictionary* (1697) that in the moral society of China "the greatest part of Literati there are Atheists, being idolaters only through dissimulation and hypocrisy" (Bayle vol.5 1697: 30). This view was used to demonstrate that Christian theism, and theism in general, was not necessary for the establishment and maintenance of a sound moral society.

Unquestionably, the leading French Sinophile was Voltaire. In true *Philosophe* form, Voltaire used China in his works as a lens through which to view and critique European customs. Voltaire expressly saw China as superior to the West in questions of religion and moral order. Amidst works of fiction and plays, Voltaire's Sinophilism manifested most notably in his production of *Essai sur les moeurs* (1756)<sup>20</sup>, in which the first chapter of the first of four volumes is titled *Of China, its antiquity, force and laws* (Voltaire vol 1 1759: 9-19), and the second *Of the religion of China* (20-32). It was in this work that Voltaire "elaborated most explicitly his views on Confucian philosophy, and exploited it in a frontal assault on the political and religious institutions of his day, arguing for the inherent superiority of Chinese moral philosophy" (Clarke 1997: 44).

When dealing with the religiosity of China, Voltaire did not portray the Chinese as atheists. In opposition to this charge by figures such as Bayle, Voltaire retorted defending Chinese religion and criticizing European intellectual culture stating;

... the reproach of atheism, which we, in this part of the world, are so apt to bestow upon everybody, that is not of the same way of thinking as ourselves, has been lavished on the Chinese.

---

<sup>20</sup> All four volumes of this work were translated into English and printed under the title *An essay on history, the manners, and spirit of nations, from the reign of Charlemaign to the age of Lewis universal XIV*. See Voltaire 759.

Nothing but the inconsiderateness, for which we are remarkable in all our disputes, could have made us presume to treat a government as atheistical, most of whose edicts speak of a supreme being...

Voltaire 1759 vol 1: 20-1.

In this Voltaire structured China's association with the sacred as deist, a position that Voltaire believed and fought for himself. In support of his own view, and in contrast to the Catholic Church, and Jesuit reports, Voltaire “insisted that the Confucians were deist and that their belief in a supreme deity rested not on faith but on the natural light of reason” (Clarke 1997: 45). Through this comparison he could show that Christianity cultivated “superstitious beliefs... flamboyant rituals, and corrupt institutions” (45). Much like his predecessors, Voltaire paid little heed to Buddhism and Taoism, which he associated with Hinduism in India, as polytheistic.

Though the *Philosophes* of France served as the starting point for the rising of Sinology, they were by no means the only ones interested in China. German Sinology would see its rise through the previously mentioned relationship between Jesuit missionary Joachim Bouvet, and German philosopher Gottfried Leibniz. The relationship of correspondence between these men, which started in 1697, marked a movement away from the focus on Confucianism that was so prevalent in France (Mungello 1989: 312), a focus that existed as a direct result of Ricci's opinions and attitudes in his original analysis of the sects of China.

Leibniz, a philosopher and mathematician, had written on the topic of China just prior to contact with Bouvet<sup>21</sup>. Leibniz's interest in China was sparked by his pursuit of a universal philosophy, a *philosophia perennis*<sup>22</sup>. The effect of this occupation of Leibniz's

---

<sup>21</sup> *Novissima Sinica* (1697) was an anthology of Jesuit letters from China that Leibniz had acquired overtime. This work included Leibniz's own original preface.

<sup>22</sup> The coining of this phrase is sometimes credited to Leibniz (Clarke 1997:48).

on his sinology would manifest itself in his 1713 work *Discourse on the Natural Theology of China*, in which he compared the similarities of essential Chinese concepts, such as *li* (first principal) and *Chi* (life energy) with Western philosophical concepts. In his attempts to distill the world's ideas into commonalities, Leibniz, in his mathematical endeavors, eventually developed the mathematical language of binary numbers. This development, though interesting in its own right, was seen by Bouvet as a possible explanation of the mysterious *I Ching* charts of China. Bouvet, in his focus on pre-Confucian China, was very excited that Leibniz's binary system confirmed his belief that these documents were the key to Chinese philosophy and language<sup>23</sup> (Mungello 1989: 319). Though this assumption and analysis would later fall apart (Clarke 1997: 49), it nonetheless served to introduce the Western world to non-Confucian Chinese religiosity, and marked Germany as a contributor and participator in the growth of Sinology.

Leibniz's Sinophilism did not die with him, but instead was inherited by his pupil, philosopher and rationalist, Christian Wolff. Wolff held the study of China in high regard and studied the philosophy of Confucianism rigorously. In a lecture delivered at the University of Halle on 12 July 1721 entitled *De Sinarum Philosophia* (Lach 1965 vol 3: 564), Wolff proclaimed that Confucian moral teaching, though based on the natural light of reason rather than on revelation, was the equal of the moral teaching of Christianity (Clarke 1997: 48). The lecture caused such unrest amongst his orthodox Protestant colleagues, that Wolff was dismissed from the university, and banished from Prussia (48). Though he was reinstated later, this event made Wolff into a European celebrity and a martyr of reason. Wolff and Leibniz's interest in other cultures relatively void of

---

<sup>23</sup> For a complete breakdown of Leibniz's binary system and Bouvet's subsequent application of it to the *I Ching* see Mungello 1989: 312-327.

polemics, as compared to the *Philosophes* of France, would undoubtedly contribute to the ecumenical climate in Germany, which would eventually give rise to the works of Max Müller in the nineteenth century.

The degree of interest in China and the cultivation of knowledge regarding it, have been shown in prominence in both France, and to a lesser extent in Germany. Both of these intellectual centers took interest in China, and used the information and deductions to further their individual concerns and studies. In summary, China was used as a tool of enlightenment thinkers to forward the progress of reason over irrational belief, as China and its Confucianism, was seen as a Utopian connection between, educated individuals, rule, and religion, a connection that was generally void in Europe. This use of China can be clearly seen in enlightenment thinkers of the United Kingdom. Though the British and Scottish did not share the same enthusiasm for China as their French and German counterparts seemed to<sup>24</sup>, they still were aware of the developments regarding knowledge of China<sup>25</sup>. The works of deist enlightenment thinkers reflected their French and German counterparts. This can be seen in David Hume's published assertion that the Chinese were "the only regular body of Deists in the universe" (Clarke 1997: 51). English Philosopher Matthew Tindal, in his work *Christianity as Old as Creation* (1731) echoed Wolff's conviction that the Confucian teachings were equivalent of Christian teachings more clearly defined, stating "I am so far from thinking that the Maxims of Confucius and Jesus Christ to differ, that I think the plain and simple Maxims of the former, will help to illustrate the more obscure ones of the latter" (1731: 314).

The European interest in China and its 'religions' saw its peak at this time. The

---

<sup>24</sup> This can be attributed to the United Kingdom's ongoing involvement with colonialism.

<sup>25</sup> In 1691 an English translation of *The Morals of Confucius, a Chinese Philosopher* and a translation of *Confucius Sinarum Philosophus* appeared in England (Clarke 1997: 51).

authoritative stances on Chinese religion taken at this time would prove to resonate more than three hundred years into the future, right up until the development of 'religion' in China by the Chinese Communist Party.

#### THE DECLINE OF SINOMANIA AND THE RISE OF SINOPHOBIA

As the eighteenth century began to see its close, so did Europe's greater interest in China. Several factors within Europe shifted its identity, causing disenchantment with the previous praise of China. Ashley Millar suggests that "this shift in perception...stemmed predominately from changes in European history, particularly, economic growth and political consolidation" (2007: 3), and Norman Girardot agrees, stating,

in the face of the West's growing confidence in its imperial destiny, racial superiority, and dynamic progress, the old infatuation with Confucian China gave way to a more negative, and at times contemptuous, conviction that Chinese culture was inherently stagnant

Girardot 2005.

This cultural shift was seen very clearly in the works of European intellectuals, as those who previously praised China and its rationalism, turned to condemn it as un-evolved. In this downfall even the *Philosophes* rescinded their previous stand point, with noted Sinophilic authors such as Diderot, announcing that "reports concerning the elevated moral and religious practices of the Chinese [are] biased and unscientific" (Clarke 1997: 52), and Friedrich Grimm who, in 1776, declared "China worship to be excessive and in bad taste" (52). The revived Euro-centrism highlighted by these authors, potentially hints at the rising effects of European colonialism. This movement away from *Sinophilism* and into *Sinophobia* was sharp, fast, and aggressive, and would become the a defining aspect of the Enlightenment. It would not, however, be the end of Sinology, and would only be the start of specific study of religion within Sinology.

## PROTESTANTS, INSTITUTIONS, AND *RELIGIONSWISSENSCHAFT*

Though a general disenchantment with China and all things Chinese hovered over Europe, the nineteenth century would still see Sinology, and the continued development of 'Chinese religions' gain its foothold as a “one of the fledgling disciplines of Orientalism” (Girardot 2002: 6). The launching of the Protestant mission to China and the colonization of Hong Kong would bring the interest in China within the United Kingdom to fruition. The general separation of knowledge and religion, and the sliding of the Church’s overall authority in part lead to the conditions needed for the establishment of the comparative study of religion, in *Religionswissenschaft*. This climate established a situation in Europe where “it was now reasonable to separate caring, either positively or negatively, for religion from analyzing, comparing and explaining religion” (Braun 2000:7). With this came the establishment of a comparative approach to the constructed Chinese religions, a study that would manifest itself fully in the relationship between protestant missionary-scholar James Legge, and German comparative scholar Fredrick Max Müller.

A group of non-denominational Protestant Christians, after two-hundred years of Catholic dominance in China, decided to deploy missionaries from the *London Missionary Society* in the early nineteenth century. The placement of Protestant missionaries in China allowed for a return of 'Riccian style' cultivation of cultural knowledge and language development amongst not only British, but also early American missionaries (Girardot 2005). The work that these scholar-missionaries<sup>26</sup> would produce would be “not only responsible scholarship about general aspects of Chinese tradition, but also haphazardly objective appraisals of Chinese religions” (Girardot 2005) that

---

<sup>26</sup> Some missionaries to note were; Walter Medhurst, S. Wells Williams, Ernst Eitel and Joseph Edkins.

would come in the form of periodicals such as *The Chinese Recorder* and *The China Review*. Pioneered by Robert Morrison in 1807, the mission would see its greatest success, and Sinology would see one of its greatest contributors, in the works of Scottish Congregationalist, James Legge.

#### JAMES LEGGE AND THE SOLIDIFICATION OF THE CHINESE 'CANNON'.

Two-hundred and fifty eight years after St. Francis Xavier, James Legge landed on the coast of Malacca (Girardot 2002: 13). As arguably the greatest of the nineteenth century Sinologists, Legge would serve with the *London Missionary Society* in Malacca and Hong Kong from 1839-1870, and stand as the first professor of Chinese at Oxford University from 1876-1897 (Girardot 2002: 9). During this time he produced, among many works, an English-language edition of the *Chinese Classics* (1861) and translation and commentary of *The Sacred Books of China: The texts of Taoism* (1891) and *The Sacred books of China: The texts of Confucianism* (1893) for Müller's celebrated *Sacred Books of the East* series. According to Girardot, Legge "was more of a hyphenated and transitional agent who facilitated the passage from the earlier amateur tradition of Chinese studies to the later era of professionalized academic Sinological Orientalism" (Girardot 2002: 13). His relationship with his Oxford mentor Max Müller, considered the father of the comparative religion studies, helped implant China and its dictated religious diversity firmly in the new 'science of religion'. This would echo volumes into the current debate regarding religious freedoms in China, as it would standardize research on 'Chinese religions', making them now an apparently 'objective reality'.

As well as a movement of Protestant missionaries to China, the nineteenth century brought a revival of the French Jesuit China mission, with the reinstatement of the Jesuit order in 1814, bringing a substantial contribution to the study of Chinese religions



(Girardot 2005). The most notable production of work from this revived mission came from Jesuit Henri Dore's publication of *Recherches sur les superstitions en Chine* (1915), which initiated the interest of Sinologists in the folk and popular religions of China. By the end of the nineteenth century, academic Sinological Orientalism and the study of Chinese religions were firmly established in Paris at the *Collège de France*, in England at Oxford, but Germany would not see its first chair of Chinese studies until 1909. Though the nineteenth century provided huge steps for the academic study of China and of religion, when viewed in the greater context of comparative human sciences, such as philology, and Orientalist endeavors like those popular at this time in the area studies of India, these fields stood as "quite unimportant fields of study" (Girardot 2002: 4).

## THE TWENTIETH CENTURY

At the dawn of the twentieth century, France was still seen as the center of Sinological studies in Europe. As two World Wars loomed closer, the age of the missionary movement passed, making way for the formally separate academic field of Sinology. The field had now manifested itself fully as a serious professional endeavor. The development of Chinese studies, and specifically the study of Chinese religions, became a notable field of study not only in France, Germany and the United Kingdom but also in America<sup>27</sup>.

In France, dominance of the field of Sinology continued as several academic figures rose. The works of Édouard Chavannes (1865-1918), who began to express the importance of anthropological fieldwork and archeology in Sinology, helped establish

---

<sup>27</sup> The field also had very significant developments in Eastern Europe, Russia, Italy, Spain, Japan, and even in China itself, but it is to this authors regret that spatial restraints forbid their inclusion in this analysis.

*École Française d'Extrême Orient* in Hanoi to facilitate these endeavors. Chavannes' work would emphasize the belief "in the importance of religion to an understanding of early China" (Girardot 2005). Lastly, one of the great contributors to the Sinological study of Chinese religions was Henri Maspero (1883-1945) who worked diligently to reconstruct ancient Chinese religious and cultural identity. His interest in Chinese Taoism peaked just before his untimely death in the Buchenwald Nazi concentration camp in World War II. In his interests he became one of the first scholars to amass serious scholarship on the history and nature of religious Taoism, as his posthumously published work *Le Taoïsme et les religions chinoises* contains 9 books detailing the history, doctrines, and interactions of Taoism<sup>28</sup>.

Germany held its academic status amidst its position during the two World Wars, though a lot of its scholars fled to far Western Europe and the Americas during the dark times leading to World War II. Of the German scholars specifically concerned with Sinology and the study of religion, it is of necessity to mention Richard Wilhelm who produced a definitive translation of the *I Ching* (1951), and Max Weber, who was not explicitly concerned with China but "nevertheless demonstrated the relevance of a comparative sociological method for understanding Chinese religions" (Girardot 2005).

In England, the massive efforts of James Legge still remained the standard, but works of note were produced by Arthur Waley who translated *en masse* Chinese and Japanese works of literature<sup>29</sup>, and whose particular affinity for poetry lead him to investigate the place of the *Tao te Ching* in Chinese society communicated through his work *The Way and Its Power: A Study of the Tao Te Ching and its Place in Chinese Thought* (1934).

---

<sup>28</sup> Frank A. Kierman, Jr later translated this work into English in 1981. See Maspero 1981

<sup>29</sup> See Waley 1921, 1934

The post war condition left most of the European world in recovery, while across the Ocean America and its academic institutions flourished. The development of multi-disciplinary schools of thought, and the movement from fields of Orientalism, to the more 'particular sub disciplines' of Area Studies, marked a shift in Sinological scholarship. With this shift came an explosion of academic societies, journals and conferences that exist to discuss, and in many ways reify the understanding and existence of 'religion' globally. Of even greater impact on the specific study of Chinese religion was the movement of the Chinese Communist Party into power in 1949. The CCP's Marxian attitudes towards religion devalued the importance of the history of religion, and thus it became less of concern for scholars. But by this time, the presence of Confucianism, Taoism, and Buddhism, and their associated canons, were forever written into the discourse of World Religions, and understood by the global community as the 'Religions of China'.

## CONCLUSION

This chapter has shown how the idea and content of 'Chinese religion' and 'Chinese religions' was a discursive creation of western scholarship, and how that development became an embedded reality in the discourse on so called World Religions. The formation of these traditions is best understood through Said's theory of Orientalism, and shows how the idea of 'Chinese religions' suggested by Jesuit missionary scholars, developed eventually into a reality of its own.

The solidification of this western construction in the conversation of 'World Religions' meant that in China's entrance on the world stage as a nation-state, after the victory of the CCP, the category and contents of religions in China was already present in

the global community. Before China had the chance to define itself and its traditions in this conversation, the contents of these categories were already determined.

The next chapter will show how, through China's development into a modern nation-state, this western concept of 'Chinese religions' would be self-imposed onto China's culture and society, fundamentally changing the spiritual landscape of China. However, as Chapter Three will show, this does not mean that these exact categories stayed perfectly intact.

---

## CHAPTER THREE

# APPROPRIATION AND CONTROL: THE CATEGORY OF 'RELIGION', AND HOW CHINA DEFINES IT.

By the beginning of the nineteenth century, there was no doubt in dominant Western discourse that China existed and it possessed very unique, yet familiar and comparable, 'religions'. This affirmation however, was not yet so clear *within* China. This chapter explores how the 'Chinese religions' that were developed in the West became a reality within China's own understanding of itself, and how the traditions that did exist inside China, completely separate from the discussion of them, were fundamentally changed to become those traditions. By briefly exploring China's cultural history before its modernization paradigm, and its redefinition of itself within its modernization paradigm, it is shown how China's own unique understanding of 'religion' was developed and solidified.

The idea of a 'religion' did not correspond with the cultural reality of China, and the detailers of the 'Chinese religions' were not at all concerned if it did. The strict distinction, naming, comparison, and categorization of the dynamic Chinese relationship with the transcendent into the seemingly static categories of Confucianism, Taoism, and Buddhism, was not something entirely native to China. If we follow the process that has been outlined in previous chapters, it would seem logical to conclude that in China, the traditions of 'Taoism', 'Confucianism', and to a lesser extent 'Buddhism' did not exist at all outside of this manufactured discourse. However, to assert that these categories were

exclusively a fabrication is to misunderstand Said's theory of *Orientalism*, and ignore his warning about the essential process of knowledge construction. Said warns,

It would be wrong to conclude that the Orient was *essentially* an idea or a creation with no corresponding reality...[Orientalism] should not be interpreted as saying that the East was *only* a career for Westerners. There were – and are – cultures and nations whose location is in the East, and their lives, histories, and customs have a brute reality obviously greater than anything that could be said about them in the West

1979: 5.

That is to say, in this case, that Ricci and those following him did not create these structures *a priori*, but that the constructed 'religions' of China were framed and influenced by some reality. To further state, these 'religions' were not manufactured arbitrarily, but rather that Ricci and other early missionaries were viewing very elaborate cultural phenomena, with the predisposed categories that they arrived in China with. The differing rituals and practices of Chinese culture could only be contextualized for them in their perceived similarity to the Christian truth. To reiterate Said's sentiments regarding the subjectivity of knowledge, "no production of knowledge in the human sciences can ever ignore or disclaim its author's involvement as a human subject in his own circumstances" (11). That is to say that the development of 'Chinese religion' in Western discourse cannot be viewed without fully considering the environment in which it was created, cultivated and developed.

The observation of 'religion' in China was further informed by a persistent discourse dominating western missionary scholarship that confirmed that 'religion' indeed existed everywhere in the world. The missions to India, the Middle East, and to a lesser extent the Americas, proved for Western civilization that man and God had a

relationship. It was the quality and means of that relationship that differed. Timothy Fitzgerald, in his work with the document *Purchas and his Pilgrims*, in which Ricci's *De Christiana Expeditione Apud Sinas* comprises the entirety of the analysis on China and 'Chinese Religions', has pointed out that prior to the post-Enlightenment development of *Religionswissenschaft*, examining the 'religion' of the other was simply gauging how close they were to the 'Christian truth'. In commenting on the analysis of the 'Religions of the World' by Samuel Purchas, Fitzgerald notes that the analysis of religion by scholars and missionaries at the time dictates,

there is only one true Religion, and this religion can explain, on the basis of the Bible, how these fallen versions of religion can be found in so many different forms all over the world. The religions of the world are represented as mistakes, misunderstandings, superstitions, and lies resulting from lack of contact and a falling away from the true sources of revelation

2007: 200.

This understanding was couched in the Judeo-Christian culture under which it arose, but left no room for the understanding of relationships with the transcendent that emerged in different cultural locations, under their own separate cultural influences.

#### BEFORE RICCI: UNDERSTANDING TRANSCENDENCE IN THE OLD EMPIRE

The question of what it was that Ricci and others were seeing and interpreting, as 'religion' is difficult to discern without falling into the type of categories and language that are being critiqued here. For this very reason I cannot claim to be able to express what this reality was, or even could have been, and I would question any claim that one could. There is currently an active discussion on this topic of what the shape, scope, position, and location of specifically spiritual cultural phenomena in China was before the creation of the Western discourse of 'Chinese Religions'. This conversation is best

understood through the works of, among others, C.K Yang, Vincent Goossaert, Lionel Jensen and Anthony Yu. Though it is not the expressed purpose of this thesis to explore and explain this vast and growing field of study, it is important, for the purpose of framing the forth-coming conversation, to at least highlight this discussion.

One of the first scholars to tackle this question of how to conceptualize spiritual aspects of Chinese society, as it existed before the dominance of the Western category of religion, is Chinese Sociologist C.K. Yang. Yang's 1967 work *Religion in Chinese Society* is still frequently cited by individuals involved in this discussion, and clearly establishes the frustration caused by the question of what Chinese society looked like before the categorization of 'religion'. In doing this he highlights the continuing dominance of the category of religion, even in modern scholarship. When discussing the challenge of locating and describing the cultural phenomena that existed prior to the creation of 'Chinese Religions', even Yang struggles with understanding this. He states,

An important reason for the obscurity [of conceptualizing religion in Chinese society] is the lack of structural prominence of a formally organized religious system in the instructional framework of Chinese society, which leads to the frequent interpretation that the numerous popular cults are unorganized and are of little importance in the Chinese social and moral order ... this interpretation is largely the result of viewing the religious situation in Chinese culture from the pattern of the Christian world, where religion has a formal organizational system and has occupied a prominent structural position in the organizational scheme of Western society

Yang 1967: 20.

Throughout his work, Yang tries to avoid the use of the term 'religion' to describe the structure of spiritual society in Imperial China, in the hopes of avoiding the structures that the term forces on research and discussion. This is effective, if only in illustrating how difficult of a conversation this is to have.



## HEAVEN-STATE RELATIONS IN IMPERIAL CHINA

Yang set out in his work, a picture of Chinese spiritual life as revolving not around specific doctrinal and dogmatic practices/traditions, but diverse teachings underneath one collectively acknowledged system governed by, what he terms, ‘the Mandate of Heaven’.

*Tianxia* was the domestic name for the idea of China before the advent of Chinese nationalism. Called *Zhongguo* (中国) meaning *Center Kingdom*, China was understood in cosmological terms as *Tianxia* meaning *under the heavens*. In this cosmological system, the occurrences on earth were a reflection of the occurrences in Heaven. According to Yang, under dynastic rule, spirituality/transcendent shared a close and intertwined relationship with the state, as it was the state’s responsibility to rule *Tianxia* according to the will of heaven. This cosmology functioned in favor of the Empire, serving to "establishing popular acceptance of the ruling power and the institution of government" (Yang 1967: 180). This acceptance was uniformly gained through *The Mandate of Heaven*. This concept, employed by succeeding Emperors, was ceremoniously enacted through the receiving of the *Mandate of Heaven* to rule the empire. This established the Emperor as the chosen ruler by the heavenly realms, to rule mortals on earth (186). This was a status that was widely accepted by the common people and was one classical tradition that was neither displaced by foreign beliefs, nor tarnished by time through its more than three thousand years of existence and development (127-43).

The distinction of practices that fell under this cosmological system was understood in one of two ways, ‘orthodox’ or ‘heterodox’. Vincent Goossaert explains that underneath the overarching cosmological system “a large array of local cults to

ancestors, saints, and gods was recognized as orthodox (zheng 正) and thereby allowed while an even larger array of religious practices and groups were banned as heterodox (xie 邪) and/or immoral (yin 淫)” (2005a: 3). It is in this system of organization that the teaching of Lao Tzu, Confucius, and the Buddha would fall. Lionel Jensen identifies that these three teachings were known in traditional Chinese society as *sanjiao* (三教) or the ‘three teachings’ (1997: 4) and were the most prominent and accepted teachings in China. These traditions were natively referred to as *dao* (the teachings of Lao Tzu), *fo* (the teachings of the Buddha), and *ru* (the teachings of Kongzi, known in Latin as Confucius). Goossaert further comments that this tense relationship between systems of teaching and worship, and the imperial state was contingent on the opinion of the current emperor. He states,

The religious policies of succeeding dynasties up to the end of the Qing (1644-1911) were based on the absolute religious authority of the emperor, who, theoretically at least, relied solely on his judgment to determine which religious practices and organizations to protect and which ones to ban

2005a: 3.

Persistent in Imperial history, Confucianism shared a close relationship with the state, perhaps closer than any other system in the *sanjiao*. Continuously across multiple dynastic leaders, the teachings of Lao Tzu, and of the Buddha ebbed and flowed in their position under the orthodox/heterodox dichotomy. This relationship between the communities of Lao Tzu, and of the teachings of the Buddha, with the Chinese governing bodies over history is the subject of Anthony Yu’s book *Religion and the State in China* (2005). In this work Yu argues that the tense relationship between these traditions and the state historically, reflect very closely the tense relationship that exist contemporarily between ‘religions’ and the Chinese state today. According to Anthony Yu,

[t]here has never been a period in China’s historical past in which the government of the state, in imperial and post-imperial form, has pursued a neutral policy towards religion, let alone encouraged... its ‘free exercise’

2005: 3.

Yu’s book focuses on the fact that despite the linguistic distinction of these groups, as

‘teachings’ or as ‘religions’, their relationship with the state, and place in society has been consistent in China over time. For Yu, the designation of the ‘*sanjiao*’ as ‘religions’, is mostly a question of terminology and categorization, of remodeling an ancient tension to incorporate modern terms, situations, and factors. Viewing the historical tendencies of the tense relationship between various Chinese governments and these traditions, sets a consistent tone when looking at the understanding of *zongjiao* in contemporary Chinese discourse.

#### THE EMBRACE: REVOLUTION, MODERNIZATION AND SOCIAL/INSTITUTIONAL DIFFERENTIATION.

The eve of the end of the nineteenth century would bring a monumental change to this cosmological system governing the Middle Kingdom. Amidst external pressure, China would fall into a ruthless civil war that would last well into the new century and end with the complete restructuring of Chinese culture, society and governance. The collapse of the final Dynasty of the Qing, orchestrated by the republican revolution of the Kuomintang Nationalist Party, marked the end of feudal governance and of the concept of *Tianxia*. This would begin the creation of the most populated nation-state to date in the world, China.

It was the threat of colonialism from both England and the water-faring United States, and the military confrontation of surrounding nations that was realized in China through the Opium Wars and the colonization of Hong Kong. The pressure to conform to the new demands of a rapidly growing international picture, as well as the capitalist development of areas like Japan and Korea, forced China to begin its own 'modernization' paradigm. The embracing of a 'modernization' paradigm in *Tianxia* by the Qing Emperor

would prove to be its downfall. One of the key markers of the beginning of paradigm can be seen in the Empires attention to its 'religions' and the start of an embrace of the Christianity-structure of 'Religions' previously discussed. According to Goossaert, the start of this shift is marked by the little discussed 1898 *Wuxu reforms*.

The *Wuxu*, or 'One Hundred Days' reform, spanned not quite one hundred days, from 11 June 1898 until 21 September 1898 (Goossaert 2006: 307). These reforms marked the first attempt to systematically formulate a Chinese vision of modernity. The movement was an attempt to modernize culture and society in the wake of the Empire's defeat in the early stages of the Sino-Japanese war. Proposed by reformist leader Kang Youwei, and passed by the Qing Emperor, the Wuxu reforms sought to restructure the Empire mainly through the creation of separate institutional realms for the military, economy, and education. As highlighted by Goossaert in his 2006 paper titled *1898: The Beginning of the End for Chinese Religion*, the institutional category of education, had tied to it a redefining of the relationship between the state and heaven. One of the primary aims of the Wuxu reforms was to have "all academies and temples in China, with the exception of those included in registers of state sacrifices<sup>30</sup> ... be turned into schools" (307).

As Goossaert explains, this was not just "a piece of legislation aimed at facilitating the creation *ex nihilo* of a nationwide network of public schools but as the declaration of a religious<sup>31</sup> reform, that is a change in religious policy that would rid

---

<sup>30</sup> The Registers of State Sacrifices was the list that detailed which teachings were recognized as 'orthodox'. As part of this approval, all sites belonging to these groups were obligated to perform sacrifices to heaven on behalf of the Emperor and the state. See Goossaert 2006: 315.

<sup>31</sup> Goossaert use of the term 'religious' in this context is clearly problematic, given the previous discussion of the incompatibility of this term with the cultural realities existing in China. He clarifies his use of this term, much to the satisfaction of this thesis, stating "neither the historical facts nor the discourses observed around 1989 may be understood if we use today's definition of religion in general and religion in China in particular...it does not adequately describe religious life in the Chinese context...I call this pluralistic and

China of temple cults and their specialists: Buddhist, Taoists, and spirit mediums” (307). Though this movement presented itself as an attack on ‘Religion’, of which it had little impact in doing, it was more importantly the acknowledgement and recognition of spiritual affairs as itself a social realm of its own, and a complete restructuring of the relationship between state and religion. This would soon lead to an embracing of the category of ‘religion’ previously discussed. Many documents and persons facilitated the adopting of the category of 'religion' in China. However, the key figure in the acknowledging the necessity for a separate realm for 'religion' and ensuring the adoption of a concrete and western definition of ‘religion’ in China was the previously mentioned developer of the *Wuxu Reforms*, Kang Youwei.

Kang had a close relationship with a Scottish Baptist Missionary, Timothy Richards. Fostered from this close relationship, Kang was said to have possessed a strong desire to “remodel Chinese religion on a Christian-based model of what [he felt] a religion should be.” (314). The first step in the emulation of the category of ‘religion’, which was established for China in the previously mentioned Western Sinological discourse, was a process of understanding the structure of ‘religion’. This came with the shift in the way that Chinese laws, elites, and academics talked about the variety of types of relationships between society and heaven. Although generally, the *Wuxu Reforms* were considered incomplete, they did set in motion the creation of several distinct societal institutions that would forever change China.

---

internally contested religious system [existing in China at this time] *Chinese Religion*, a merely heuristic, but nonetheless useful, concept (2006: 309-10).

## REORGANIZATION: ZONGJIAO AND THE CHANGING POLITICAL LANDSCAPE.

This new section of society, and its unweaving from the realm of the state, needed its own terminology such that it could be talked about; the interwoven and diverse spiritual practices of China now needed their own category. This need to label these cultural phenomena had existed before in neighboring Japan. Under its Meiji revolution; Japan experienced the need to contextualize its own 'religions' as a separate institution. Differently, this was not driven from an intentional push for social modernization, as was the case in China. The Japanese government was in the midst of negotiating with European colonial nations for a treaty that would ensure secure commerce, as well as permit foreigners residing in Japan to engage in religious activities. To facilitate the discussion, the Japanese government had to find a word for the German *Religionsübung*, meaning 'religious practice'. For this situation, the Japanese adopted the neologism, *shukyo*<sup>32</sup>.

Interestingly, the term *shukyo* is a combination of two kanji characters, which are a shared script between the Japanese language and the Han Chinese language. This script, now referred to in China as 'Traditional Chinese' or '*fanjian zhizheng*' (繁简之争), uses the same character set but with different meanings and pronunciations. The Japanese neologism *shukyo* is the combination of the characters 宗, in Japanese '*shu*', and 教, in Japanese '*kyo*'. In China's adoption of a term to label 'religion' it was easy enough to use the same characters used previously in Japan, which in Chinese becomes the concept *zongjiao*. The adoption of the term *zongjiao*<sup>33</sup> worked its way into the reformist discourse primarily through the concerted efforts of Kang Youwei and his student Liang Qichao,

---

<sup>32</sup> There exist two dominant theories as to how Japanese officials came to settle on the term *shukyo*. For an explanation of these theories in detail see Yu 2003: 9.

and the term soon became the accepted standard "to translate the western concept of 'religion' as a structured system of beliefs and practices, separate from society, which organizes believers in a church-like organization." (Goossaert 2005b:14).

In China's adoption of a term to label 'religion' it was easy enough to use the same characters used previously in Japan, which in Chinese becomes the concept *zongjiao*. The adoption of the term *zongjiao*<sup>33</sup> worked its way into the reformist discourse primarily through the concerted efforts of Kang Youwei and his student Liang Qichao, and the term soon became the accepted standard "to translate the western concept of 'religion' as a structured system of beliefs and practices, separate from society, which organizes believers in a church-like organization." (Goossaert 2005b:14).

In the same way that Japan quickly established *Shinto*, the indigenous Japanese spirituality, as a state religion, Kang Youwei fought relentlessly to instill the widely respected native Confucian tradition as China's state religion (Goossaert 2006:311). This even went so far as Kang suggesting that all improper temples, and proper Confucius temples that were dedicated to anyone other than Confucius, be transformed into proper temples of Confucius.

This was done through a desire to recognize and cement the central importance that Confucianism held in Chinese society. The overarching issue, as described by Lionel Jensen, is that 'Confucianism' as it was understood natively in China, was not clearly distinguished from what already existed as general Chinese culture. The separation was a relatively new one, prompted by the Jesuit understanding of the tradition 'ru' which was greatly ingrained in Chinese culture. The 'Confucianism' that Youwei was looking to instate, was a neo-Confucianism that focused on religious aspects that were not part of the *ru* system of thought.

Jensen explains that,

These features could more reasonably be identified as Chinese rather than Confucian. Certainly, the Chinese term for Kongzi's tradition, *ru*, was not exclusively identified with this range of practices; however, because of the Jesuits' preference for *ru*, it was this tradition, above all others, that has been taken, in a manner reminiscent of Clifford Geertz's work, as a critical symbol under which all such features of the Chinese quotidian are subsumed

1997: 142.

Despite his efforts, the notion of a national religion was entirely rejected (2005a:4)<sup>33</sup>. Following this rejection, Confucian intellectuals gradually turned towards reinventing their tradition in non-religious terms (2005b:15).

The Qing Empire, which was slowly being undermined by China's movement toward 'modernization', faced the challenge of not only defending its Empire against a multitude of foreign insurgencies, but also against internal revolutionaries seeking control of the Empire. At the break of the twentieth century, forces led by reformer Dr. Sun Yat-sen began to dismantle the Qing. A standoff in Wuhan on 10 October 1911, set forth a series of regional rebellions across China's provinces, culminating in the abdication of the Qing Emperor soon after. For the most part China was immediately plunged into a civil war between various regional warlords, and two reformist political groups; the anti-monarchist and national unification group the Kuomintang [KMT], and, establishing a few years later, the Communist Party of China [CCP], led by Mao Zedong.

The Kuomintang acted quickly after the fall of the Qing to install the Republic of China, and assert itself as the successor to the Empire. Many of the KMT members were

---

<sup>33</sup> The residual effect of removing all notions of a state religion in China, left the traditionally favored Confucian tradition in a disputed state regarding its position in Chinese culture. Following the forming of a religious component of society, Confucianism, as will be seen, was complete left out of the five approved traditions of China. This is a situation whose complexity is beyond the scope of this thesis, but is nonetheless important. For a dissection of the important role of Confucianism in Chinese society see Jensen 1997.



key players in the internal collapsing of the Qing, and wasted no time continuing on the road to China's unification and modernization, essentially continuing the unfinished work of the *Wuxu Reforms*.

During the Republican period (1911-1949) under the rule of the first Chinese Republics President, Yuan Shikai, the idea of *zongjiao* was understood as an entity with a positive role to play in building the new Chinese nation state and securing the moral order of the nation (Goossaert 2005b:15). In structuring their own constitution, taking note from Japanese and Western constitutions, the various Chinese constitutions through both the Republican and Communist period, provided for the freedom of religion.

However, as Goossaert notes,

this religious freedom is hedged about with limiting conditions, in particular a restriction to the only authentic 'religions', which are separated from the 'superstition' that the Republic of China, especially with the Guomindang [KMT] regime from 1927, and the People's Republic of China committed themselves to combat and wipe out

15.

From this, the discourse on spiritual practices from academics and the state in China, shifted from the traditional distinction of 'orthodox/heterodox' to one of *zongjiao/mixin* or religion/superstition.

By adopting the concept of 'religion', based on the model of Christianity, and its opposite of 'superstition', China, under the Republican regime, could gain control over what types, and in what ways, religion was practiced by ensuring the freedom of 'religion', the parameters of which it strictly defined, and outlawing 'superstition'. In this the KMT noted exclusively five 'religions', a definition which is still to this day enforced. These religions were Catholicism, Protestantism, Islam, Buddhism, and Taoism.

It quickly became apparent that this definition stipulated that only the institutional and Christian structured forms of these identities would be recognized. Because of this fact, these traditions would have to undergo fundamental changes in order to become 'religions'. In doing this they worked into the categories of 'Chinese religions' that had already been established in the West. Goosseart notes that in doing this, these groups "were forced, from the early 1900s, to create a discourse that incorporated western notions of religion" into their teachings (Goosseart 2005b: 17). This resulted in the restructuring primarily of Taoism and Buddhism into Church-like institutions which contained "a logical theosophy, scriptures, a professional clergy, and fixed religious sites" (Ashiwa and Wank 2009: 9).

#### REIFICATION: MARXIST-LENINISM, COLONIALISM, AND THE DEVELOPMENT OF AN AGGRESSIVE DISPOSITION TOWARDS RELIGION

The control of the unified Republic of China by the KMT would be short lived, as their main adversary the Communist Party of China, lead by Mao Zedong and funded by the USSR, would gain, and hold power, in 1949. After years of struggle between several forces battling for China, the emergence of Mao's communist revolution defined what is now considered 'New China'. With this new direction, came an ideological position of atheism concerning religion inherited from the Marxist-Leninist ideologies of Stalin's Soviet Russia. Mao's dictating redefinition of Chinese society and culture are known universally, and the party's disdain for religion is often noted.

Sociologist Fenggang Yang observes that the victory of Mao's Communist Party brought a Marxist-Leninist understanding of religion in 'New China'. This understanding manifested itself in two distinct ways; scientific atheism and militant atheism. China's "scientific atheism, as the offspring of the European Enlightenment Movement", Yang

claims, "sees religion as illusory or false consciousness, non-scientific and backward" (Yang 2004: 103). On the other hand, China possesses "militant atheism", a view that Yang sees as directly adopted from Lenin and the Russian Bolsheviks, which "treats religion as the dangerous opium and narcotic of the people, a wrong political ideology serving the interests of the anti-revolutionary forces" (103). In this line of thought, Mao Zedong and the newly founded CCP embraced these atheisms, and over the developing decades sought to control, and later eradicate, religion as an anti-revolutionary threat and to liberate the minds of people.

The CCP instituted the first standing *Constitution of the People's Republic of China* in 1944, before it had formally consolidated power. In chapter two, article 7, this document stated "All citizens of the Republic of China, irrespective of sex, religion, race, class or party affiliation, shall be equal before the law" (Tung 1968: 350). The official constitutional protection of religious freedom in China was established in the first official Constitution of the People's Republic of China, adopted in 1954. Now an article of its own, Article 99 states, "citizens of the People's Republic of China enjoy freedom of religious belief". This constitutional statement seems to offend the tenets of the Marxist-Leninist attitudes towards religion that the CCP adopted. Regardless, Mao's China continued to use the strict definition of 'religion' set out by the Republican regime before it. It would continue that the five religions would be officially recognized as the limits of 'religion'.

The Chinese people and the global community would quickly learn that the constitutional protection of Article 99 meant nothing. Far from struggling to define the inherited categories of religion and superstition, Mao's communist regime moved quickly to reform Chinese society as it saw fit. Between 1956 and 1976 Mao's regime enacted

four cultural reform campaigns; the One Hundred Flowers Campaign (1956-57), the Anti-Rightist Campaign (1957-58), the Great Leap Forward (1958-1960) and finally the Cultural Revolution (1966-1977). During these campaigns, Mao forced the closure of all places of worship, protected or not. In an attempt to fully embody the militant atheism his political ideology dictated, he tried to eradicate religion altogether. However, the campaign that inflicted the most destruction on Chinese religion was the Cultural Revolution.

The Cultural Revolution developed out of Chairman Mao's fear that China's people, in their new found stability, were becoming content with rising living standards. He saw this as diluting the revolutionary fervor that motivated individuals to adhere strictly to the tenets of socialism (Mitter 2008: 60). Mao used his position and influence to remove and persecute members of the CCP that he marked as "takers of the capitalist road" (60) and ignited a revolutionary renaissance. Among those removed were several chief party members including future leader and reformer, Deng Xiaoping.

In the position of those removed, were placed what came to be known as *The Gang of Four*. This aggressive totalitarian group consisted of Mao's wife, Jiang Qing, and her three associates: Zhang Chunqiao, Yao Wenyuan, and Wang Hongwen (Brugger 1980: 20). This new revolutionary revival also saw the development of the violent 'Red Guard' militia, whose mandate it was to "struggle against and crush those persons in authority who are taking the capitalist road... and all other parts of the super-structure that do not correspond to the ...development of the socialist system"<sup>34</sup>.

In reflecting on the aggression exercised during the Cultural Revolution, it is

---

<sup>34</sup> This quote is taken from the *Decision of the Central Committee of the Chinese Communist Party Concerning the Great Proletarian Cultural Revolution* adopted on 8 August 1966. It can be found translated and republished in *CPP Documents of the Great Proletarian Cultural Revolution 1966-1967*. See URI 1968: 52.

noted that it "had a disastrous effect on all aspects of the society in China, including religion" (*Information Office of the State Council of the People's Republic of China* 1997). Though the intention of the attack on religion was to purify the socialist society, it is suggested by some that this violent suppression had the opposite of its intended effect, and actually increase religious adherence in China (Zhufeng 1991: 98-99). The Deputy Director-General of Religious Affairs, Wang Zuo'an, would later note the error of this approach stating,

If the Chinese Communist Party were to impose its atheism on everyone and persecute religious believers, that would only serve to drive 100 million people to an antagonistic position. Such hypothetical practice, which would virtually undermine its very own foundation of governance, is unimaginable

Quoted in Carlson and Chan 2005: ix.

The violence of the Cultural Revolution ended abruptly following Mao's death in 1976. The *Gang of Four* were arrested and, after minor disorder, Deng Xiaoping gained support from the CCP<sup>35</sup>, consolidated power within the party, and began to implement movements away from a focus on class struggle, to a focus on economic development<sup>36</sup>.

## CONCLUSION

This chapter has summarized how 'religion' became a cultural reality in China, and what specific characteristics and content became associated with it. By exploring the ideas around the relationship between man and the transcendent, and society and the transcendent, before 'modernization', it has been shown how different Chinese society

---

<sup>35</sup> See Ebrey 1996: 320.

<sup>36</sup> Deng's developments came in an approach named the *Four Modernizations*. This principle focused on the simultaneous development of industry, agriculture, national defense and science and technology, which were seen as interdependent. These *modernizations* were officially announced on 26 November, 1979 in an interview style address titled *We Can Develop a Market Economy Under Socialism*. For an explanation of the specifics of this movement see Xiaoping 1979.

was from the discourse on religion in China authored by European Sinologist of the time.

Marking the importation of a relational category for the idea of ‘religion’, in the term *zongjiao*, and exploring the repercussions of this within emerging China, this chapter has sought to develop an introduction to China’s unique and complex understanding ‘religion’ today. The following chapter will pursue the promise of this introduction, by exploring in depth, the deployment of the concept of ‘religion’ in legal discourse developed by the Chinese Communist Party. The understanding of ‘religion’ in China has been reified through the legal construction and regulation of ‘religion’ in Chinese society. In exploring this, it is shown how the concept of ‘religion’ was treated by the subsequent development of China’s unique brand of socialism, and how the defining markers of that concept are set in very different places than they are for groups like Human Rights Watch.

---

## CHAPTER 4: HOW DOES CHINA UNDERSTAND AND GOVERN RELIGION?

Decrypting the understanding of the category and characteristic of 'religion' by the modern Chinese government requires an inquiry not only into the government's political ideology, but its own very personal relationship with its interactions with religion throughout its history. The marks left from various interactions with 'religion', from the infiltration of foreign missionaries during the Opium Wars, to the rural rebellion of the White Lotus Society, influenced greatly the shape of religion for China. This chapter considers these factors in analyzing the development of the category of religion in China, expressed through official releases regarding the existence of 'religion' within China.

On 4 December 1982 what can now be understood as 'modern China' was officially born with the adoption of the fourth constitution of the People's Republic of China. Lifting itself out of the self-destructive depths created by Mao Zedong's Cultural Revolution, China pushed to open up to the larger, and increasingly globalizing world. A large part of this community saw its atheist-communist identity, and its mentality toward, and treatment of, religion as highly problematic. The 'modernizations' of the 1980s reopened space for the existence of religion in society. The opening of this space demanded that modern China readdress and clarify its understanding of religion not only for itself and its people, but for the international community. Following this various documents, regulations, and official reports were commissioned in attempts to understand the tension between the staying power of religion and the Marxist-Leninism

of the state. Modern China, unlike most countries in the world, seriously engaged with religious identity and utilized comparatively large amounts of time and resources to understand the position of religion in its own society, and implement its policies<sup>37</sup>.

The movement away from the aggression of the Cultural Revolution was a denouncing of the militant approach to forcibly removing religion from society. This dictated that the attitudes towards religion in China shifted only in their approach to diminishing religion, moving from aggression to regulation, and did not negate the view that China held towards religion. The ideological disposition of China toward religion still remained rooted in Marxist-Leninist theory, yet it was critically reassessed and now religion was to be approached from a position of what Fengyang Yang calls China's scientific atheism<sup>38</sup>. This ideological adjustment would find its expression in the formulation of *The Basic Viewpoint and Policy on the Religious Question during Our Country's Socialist Period* by the CCP Central Committee<sup>39</sup>.

#### FROM PROHIBITION TO TOLERANCE: DOCUMENT NO.19 AND THE CONTROLLING OF RELIGION.

The Basic Viewpoint and Policy on the Religious Question during Our Country's Socialist Period was first published and distributed internally within the Party as part of Selected Documents of the Third Plenum of the Eleventh Central Committee in 1979. Now commonly referred to as 'Document No.19', this document is a Party directive on religious policy, and is held by scholars and Party officials alike to be "the most definitive statement on religion and religious policy ever issued by the Chinese

---

<sup>37</sup> For bibliographies and collections of PRC commissioned studies see MacInnis 1989 and Carlson and Chan 2005.

<sup>38</sup> See Yang 2004: 101.

<sup>39</sup> See Yang 2004: 105.



Communist Party or government" (MacInnis 1989: 2).

Addressed to all levels of government and association<sup>40</sup>, the main goal of Document No.19 was to state the Party's understanding of religion, re-establish its position in relation to society and the state, and ensure that it was monitored and controlled until such a time that, according to Marxist doctrine, it would naturally disappear. The document marks at the same time, a reaffirmation of the characteristics of religion, according to the Marxist-Leninist ideology of the state, and a major shift in the position of, and governing of, religion within Chinese society. The overall theme of the document is the affirmation that,

the long-term influence of religion among a part of the people in a socialist society cannot be avoided. Religion will eventually disappear from human history. But it will disappear naturally only through the long-term development of Socialism and Communism, when all objectives are met

The People's Republic of China 1989: 10.

Through this document the Chinese government sees that in order to maintain its place with the people and protect against revolution and foreign infiltration, it must tolerate the existence of religion within its borders until such time that it 'disappears naturally'. It is with this understanding that Document No. 19 readdresses the question of religion in China. This document will become the primary influence for all documents regarding religion under the People's Republic of China to date, as it definitively outlines what 'religion' means, and what it directly refers to.

---

<sup>40</sup> The opening to Document no.19 states that it is addressed to "...provincial and municipal Party committees; all Party committees of autonomous regions, greater military regions, provincial military regions, field armies, ministries, and commissions within State organs the general headquarters of the Military Commission of the Central Committee; all Party committees within the armed forces and within all people's organizations" (People's Republic of China 1989: 8).

## DOCUMENT NO. 19: UNDERSTANDING OF RELIGION

Document No.19 states that religion is a product of history. It understands that originally, religion was an expression of "the low level of production and the sense of awe towards natural phenomena of primitive peoples" (People's Republic of China 1989: 10). From this position, the document takes the standard Marxist view of religion, in that it understands that religion exists as a coping mechanism of the working class that is manipulated for the purpose of control (10). It further states that this phenomenon "has its own cycle of emergence, development and demise" (10) that this process cannot be hastened by force.

The document recaps the history of religions presence within Chinese society and notes that historically, "all religions were manipulated and controlled by ruling classes". It states specifically that the traditions historically native to China were "controlled by the feudal land owners, feudal lords, and reactionary warlords, as well as the capitalistic class" (11) and that non-native religions existing in China were controlled by foreign colonialist and imperialist forces (11). This analysis positions religion as a coercive tool of power.

In the second section of the document, a reiteration of what 'religion' is exactly is outlined. It is here that the document explicitly mentions only Buddhism, Daoism, Islam, Roman Catholicism, and Protestantism as religions (11). It further makes clear the distinction between 'religion' and 'non-religion' by commenting that "[n]aturally, out of the total population of our country... there are a considerable number who believe in spirits, but the number who actually adhere to a *religion* is not great" (emphasis added) (10). This restates, authoritatively, the distinction of the religion/superstition dichotomy

that has been prevalent in state discourse on religion since the fall of the Empire.

Most importantly, noted in this readdressing of religion, is the identification of the five key characteristics of religion. This acknowledgement marks the most important change in the perception of religion in post-Mao China. This goes a step beyond what was previously discussed to further reify the category of 'religion' in China. Beyond focusing on the structure and identifiers of religion, Document No.19 notes that the characteristics of 'religion' are that it: 1) will exist for a long time; 2) has masses of believers; 3) is complex; 4) entwines ethnicity; and 5) affects international relations (11).

This explanation of religion will stand as the Party's official understanding of religion, and will be seen re-expressed in further documentation regarding religion such as the 1997 White Paper Report, and the National Regulations for Religious Affairs. With this position, the CCP understands that religion exists indefinitely, regardless of their opinion of its absurdity, and that it is reified through people in actions.

#### DOCUMENT NO. 19: RELIGIONS POSITION IN SOCIETY

From this revised understanding of what the word religion refers to, the document goes to lengths explaining the Party's understanding of the position of religion within the socialist society. It reviews, and condones, the previous administration's misunderstanding of this position, and establishes a renewed understanding.

The document wastes no time making clear the error of Mao's regime's attitude towards religion's position in society. Though not directly criticizing the actions of the Mao Zedong, the document remarks

during the "cultural revolution" ... the antirevolutionary Lin biao-Jiang Qing clique had ulterior motives in making use of these leafiest errors [of understanding], and wantonly trampled upon the scientific theory of Marxist-Leninism and Mao Zedong Thought concerning the religious question

The People's Republic of China 1989: 12.

It comments that the aggressive attempts to destroy the presence of religion, in a manifestation of militant atheism, served only to drive religion underground, increasing the anti-revolutionary fervor of these groups (12).

The document establishes that religion exists within Chinese society as a realm separate from the state that needs to be actively monitored and controlled such that the state can protect itself from the threat that religion can potentially pose to the unity of the state. Religion again is marked as a potential tool of social disorder and a tool of colonialist interests.

The document affirms that religious believers exist as a minority in China. It notes that out of its mammoth population, only about one hundred million individuals practice religion. Though this number is presented as a growth, it is stated that overall "when compared with the growth of the population there has been a decline." (11). The statement of this does not diminish the importance of the religious question for the party, for they understand through their own history of interaction with religious groups that it holds a pervasive amount of control over their population.

#### DOCUMENT NO. 19: ESTABLISHING A SYSTEM OF MONITOR AND CONTROL

The greatest impact of Document No. 19 is the reorganization of China's monitoring and controlling of religious groups. In the procedures outlined regarding

monitoring and control, Document No. 19 sets precedents for ensuring that the definition of religion understood by the CCP is upheld. The legalization of the registration of religion process, the training and accreditation of religious professionals, the registration of places of worship, the outlining of criminal charges, and the guide lines for international relations of religious groups, keeps the distinction between religion and superstition clear in China, and protects religions from foreign influence. The goal of this aggressive monitoring and controlling of religion is so that religions "can become religious groups with a positive influence, and can act as bridges for the Party's and government's work at winning over, uniting with, and educating persons in religious circles" (People's Republic of China 1989: 19).

In an internal, top-down, method for controlling religion comes in the recommendation for the selection and training of religious professionals. Document No. 19 outlines the Party's understanding that the religious leaders have an important influence over the lives of religious practitioners and recommends that the Party must attend

to all persons in religious circles, but primarily professional religious, uniting them, caring for them, and helping them to make progress. We must unrelentingly yet patiently forward their education in patriots, upholding the law, supporting Socialism, and upholding national and ethnic unity.

16.

By co-opting religious professionals in this way, China recognizes that it can implement its ideological understanding of religion's role in the socialist society in a large mass of religious believers.

In the same line of reasoning, the Document suggests the implementation for a

program to train new professionals in the same way. It argues for the establishment of seminaries "to create a contingent of young religious personnel who, in terms of politics, fervently love their homeland and support the Party's leadership and the Socialist system and who possess sufficient religious knowledge" (17).

The establishment of institutions such as the one suggested here, demands that the government maintain control over buildings that facilitate the training of religious professionals and the worship activities of religious believers. Most importantly for the party, this requires outlining rules on the physical and material presence of religion through the building, and rebuilding, of religious sites of worship. This process at the same time demands a control over the funding of these projects so as to ensure the continued self-governance of religious groups. The document outlines that,

In the process of restoring places of worship, we must not use the financial resources of either country or collective, outside of government appropriations. And we must particularly guard against the indiscriminate building and repairing of temples in rural villages

The People's Republic of China 1989: 17.

No function of the state has gone so far as to define the category of religion in China as criminal enforcement has. The actions of the state against believers -considered 'religious' or not- is a complex and emotional discussion that will not be detailed here. In considering Document No. 19, an exploration of the outlines for criminal charges regarding religion and superstition, as outlined by the state, primarily regarding the implementation of Article 300 of the Criminal Code is discussed. It is enough for my purpose here to show how Document No .19 clearly establishes a sharp divide religion and superstition. It explains that,

The resolute protection of all normal religious activities suggests, at the same time, a determined crackdown on all criminal and antievolutionary activities which hide behind the

facade of religion, which includes all superstitious practices which fall outside the scope of religion and are injurious to the national welfare

The People's Republic of China 1989: 22.

This statement, about the 'scope of religion' makes reference directly to the totality of the category of religion in China as containing the five state-approved religions, and confirms that it does not expand beyond this<sup>41</sup>.

In this Document, as with others, there exists a distinction within religion between 'normal religion' and 'criminal religion' as seen in this quote from Document No. 19:

Furthermore, they should take care to clearly delineate the line dividing normal religious activities from criminal ones, pointing out that cracking down on criminal activities is in no way to attack, but is rather to protect, normal religious activities

The People's Republic of China 1989: 23.

By criminal religion, these documents are not referring to superstitions or evil cults, but practices of 'religion' (Taoism, Buddhism, Islam, Catholicism, Protestantism) that fall outside of the preview of the Patriotic Religious Associations, such as underground Protestant Churches and Vatican tied Catholic groups.

The final section of Document No.19 details the role of the Party in the religious question. It is most clear in this section that the Party aims to enforce its understanding of religion, so as to ensure that its control and monitoring of religion protects China from, 1) religion being deployed as a tool for revolution and defiance, 2) from religion as a tool for colonialism, and 3) to ensure that religion maintain its path to its 'natural

---

<sup>41</sup> It is useful here, if only for the purpose of presenting a clear understanding of the post-Mao understanding of the division between permitted religion and superstition to present Fenggang Yang's market analysis of religion in China. In his 2006 work titled *The Red, Black, and Gray Markets of Religion in China*, Yang explores the state organization of religion this system of division between religion. He states that China has three religious markets, the Red market, consisting of officially permitted religions, the *Grey Market* consisting of practices with an ambiguous legal/illegal status, and the *Black Market* consisting of officially banned practices. See Yang 2006: 93.

disappearance'.

The impact of Document No.19 was not seen in the publication of the document itself, as it is not a law establishing or committee creating document, but an official statement on the Party's theories and direction in addressing religion within China. Document No .19's real impact rests in its informing of the several laws and policies that result from its publication.

#### THE 1982 CONSTITUTION: ARTICLE 36 AND DEFINING 'NORMAL' RELIGION

The major manifestation of Document No.19 is found in Article 36 of the 1982 Constitution of the Peoples Republic of China<sup>42</sup>. In this article, a concise statement of China's attitude towards religion is expressed through the restating and restructuring of China's promise of religious freedom to its citizens. Article 36 states,

Citizens of the People's Republic of China enjoy freedom of religious belief. No state organ, public organization or individual may compel citizens to believe in, or not to believe in, any religion; nor may they discriminate against citizens who believe in, or do not believe in, any religion. The state protects normal religious activities. No one may make use of religion to engage in activities that disrupt public order, impair the health of citizens or interfere with the educational system of the state. Religious bodies and religious affairs are not subject to any foreign domination

People's Republic of China 1982.

By deconstructing Article 36 in the light of China's history and the prescriptions of Document no.19, modern China's definitive view of religion can be more clearly

---

<sup>42</sup> The constitutional protection of religious freedom in China was originally established in the first Constitution of the PRC, adopted in 1954. In Article 99 this document stated, "Citizens of the People's Republic of China enjoy freedom of religious belief". In 1975 the second revision to the constitution stated in Article 28 "Citizens enjoy freedom of speech, correspondence, the press, assembly, association, demonstration, the freedom to strike, and enjoy freedom to believe in religion and freedom not to believe in religion and to propagate atheism". Reworded again in the 1978 constitution, Article 46 held that "citizens enjoy freedom to believe in religion and the freedom not to believe in religion and to propagate atheism".



understood.

Article 36 is most comprehensively viewed when broken down in to two parts. The first part of this article states the government's protection of *belief* in religion. There is no restriction placed by the government on the *belief* or *disbelief* in religion of any kind in any official documentation. This is a claim that is generally neither protested nor problematic<sup>43</sup>. For China, it is religious action and association that needs to be regulated and therefore controlled. The statement on the regulation of religious action and association comes in the second part of Article 36. This part can be viewed as consisting of three key issues: a) "the state protects normal religious activities", b) "no one may make use of religion to engage in activities that disrupt public order, impair the health of citizens or interfere with the educational system of the state", and c) "religious bodies and religious affairs are not subject to any foreign domination".

The first statement made in this second part of Article 36 is that "the state protects normal religious activities". The CCP defines 'normal' through a system of categorization and registration of beliefs, placing any claim to religious identity in one of four official categories. Standing at the definition of normal is what falls under the jurisdiction of the *Patriotic Religious Organizations*.

As previously mentioned, in China the five officially recognized religions; Islam, Buddhism, Taoism, Catholic Christianity, and Protestant Christianity, are protected through government *Patriotic Religious Organizations*. Document no. 19 outlines the

---

<sup>43</sup> This statement does become problematic for members of the ruling Chinese Communist Party as Section 8 of Document no.19 states "The policy of freedom of religious belief is directed towards citizens of our country; it is not applicable to Party members...a Communist Party member cannot be a religious believer...any member who persists in going against this proscription should be told to leave the Party". See People's Republic of China 1989: 20.

seven religious associations<sup>44</sup> to govern these five recognized religions: the *Chinese Islamic Association*, the *Buddhist Association of China*, the *Daoist Association of China*, the *Chinese Catholic Patriotic Association*, the *Chinese Catholic Bishops' Conference*, the *Three Self Patriotic Movement Committee of the Protestant Churches in China*, and the *China Christian Council*<sup>45</sup>. When viewing the role of these 'patriotic associations' in Chinese society, Chinese Legal Scholar Eric Carlson observes, "... the government's goal in maintaining these organizations is to ensure that religious activities remain within government set parameters" (2005: 14). These parameters are now structured by the *Three Guiding Principles for Management of Religion* which, as they were set forth by Chairman Jiang Zemin<sup>46</sup> in 1993, are; the adoption of the tradition to socialist society, supervision according to the law, and correct and comprehensive implementation of the party's religious policy. This entails that religious groups must make drastic changes to their theological and organizational structures, and reshape their traditions and teachings in the interests of socialism. Doing this allows these groups to receive the recognition as a 'religion', and the protections and privileges that come with fitting the observations and inspections of the state<sup>47</sup>.

The Second grouping under which religious action is categorized is that of 'Unregistered Organizations' and 'Cults'<sup>48</sup>. In China all groups and organizations with

---

<sup>44</sup> Document no.19 actually lists eight associations, as in 1982 Catholicism was represented by the *Chinese Catholic Religious Affairs Committee (CCRAC)* alongside the other two mentioned here, but in the late 1980's the CCRAC was merged into the *Catholic Bishops' Conference*. See Carlson and Chan 2005: 14.

<sup>45</sup> People's Republic of China 1989: 19.

<sup>46</sup> Jiang Zemin stood as the 5th President of the Peoples Republic of China from 1993-2003.

<sup>47</sup> These observation processes are laid out in the *Order of the State Council of the People's Republic of China No.144 'Regulations on the Supervision of the Religious Activities of Foreigners in China'*, No.145 *'Regulations Regarding the Management of Places of Religious Activates'*, the *'Registration Procedures for Venues for Religious Activates'* and the *'Method for the Annual Inspection of Places of Religious Activity'*. These documents have been translated and republished in the appendix found in *China: State Control of Religion* compiled by Human Rights Watch. See Human Rights Watch 1997: 106-115.

<sup>48</sup> On 30 October, 1999 the Supreme People's Court and the Supreme People's Procuratorate issued a document titled *Judicial Explanations on Crimes by Cults*. This document is explored in detail in Chapter 5

members in excess of three must be register or they are considered illegal (Carlson and Chan 2005: 14) and can be prosecuted under article 300 of the Criminal Code of the People's Republic of China. The third category is labeled 'Folk Religions and 'Feudal Superstitions'. The aggression and suppression of these identities has lessened since 2002, but this category includes all public expression of the sycretic domestic practices considered native to China<sup>49</sup> and included an assortment of mourning rituals, funeral rites and ancestor veneration practices. This category also includes the practice of things such as palm reading, fortune telling, or shamanism.

For the overseeing of these matters, the CCP developed the *State Administration for Religious Affairs* (SARA) and, at the provincial and municipal levels, the *Religious Affairs Bureaus* (RABs). It is the mandate of these departments to ensure that religious groups are registered with their corresponding *Patriotic Religious Association*, remain within the bounds of 'normal' and do not manifest in other ways that are potentially harmful to the socialist state (Carlson and Chan 2005: 6).

The exception to the rules laid out in the constitution comes in the fourth category of *National Minority Groups*. The religious identity of these groups is tolerated because their religious association is a part of their cultural heritage. The governing of these groups falls under the Nationality Affairs Committee (NAC), and not the normal regulatory boards of the SARA/RABs. Some groups that fall in this category are the Muslim Tajiks and Shamanistic Olongcuns in the north. These groups are seen by some as tolerated because their religious practices usually do not spread beyond their ethnic boundaries (13-14).

---

of this thesis.

<sup>49</sup> As discussed previously, China possesses a historical religious identity that is somewhat ambiguous in the light of Western categorical constructs of religion. The majority of spiritual affairs in China remained very much embedded in Chinese life and were integral parts of society and culture. See Yang 1967: 1-27.

In these strict regulations of control, China makes itself aware of all religious practices within its borders, and can insure that they are not acting against the state, or against communism. In reviewing the situation in China, Beatrice Leung correctly observes, "the interpretation and implementation of China's religious freedom depends on the CCP's attitude on ideological matters" (1995: 3). The focus now becomes these very ideological matters. Why does China feel it has to regulate religion so aggressively? What does it have to protect its atheist/communist identity against? The answer to this question lies with how it is that China sees religion.

#### MAKING 'USE' OF RELIGION: PROTECTING AGAINST COUNTER-REVOLUTION

The second statement made in the latter half of Article 36 is that "no one may make use of religion to engage in activities that disrupt public order, impair the health of citizens or interfere with the educational system of the state". This portion of the constitution is laid out primarily to protect the dominance of socialism and Marxist-Leninism against competing ideologies, as China recognizes its own power as a result of individuals rallied around a common idea.

In exploring Document No.19, it is understood that it sees religion as a potential enemy to its identity and control, as this concern is explicitly expressed in section ten of Document no.19. This section holds that "the resolute protection of all normal religious activity suggests, at the same time, a determined crackdown on all criminal and anti-revolutionary activities which hide behind the facade of religion" (People's Republic of China 1989: 22). An example of the manifestation of this ruling and fear can be seen in the actions of the CCP against Falungong, which has been seen as disrupting public

order through protests and threats to the national unity of the Chinese people<sup>50</sup>. Because of this perception they have been categorized as an 'Unregistered Organization', and later as an 'evil cult'.

## FOREIGN SUBJECTS: PROTECTING AGAINST COLONIZATION AND COLONIALISM

The final section of Article 36 dictates, "religious bodies and religious affairs are not subject to any foreign domination". In this the CCP acknowledges that religion has a history as a tool of colonialism. The state reminds its party members of this possibility constantly with internally circulated documents which insist that; "we must be vigilant against hostile international forces using religion in trying to 'Westernize' and 'divide' our country"<sup>51</sup>. This fear of religion as a counter-revolutionary tool is verified for China both as a part of its internal history, as well as a piece of the global international narrative.

Within its own borders China marks several instances of Christian religion as a tool of colonialism, most frequently in reference to the Opium Wars. This specific identification of Christianity as a colonizing force is not surprising given the historical relationship between the two<sup>52</sup>. A report issued in 1997 by the *Information Office of the State Council of the People's Republic of China* titled *White Paper: Freedom of Religious Belief in China*, which is discussed in detail below, contains a section titled *The Role of*

---

<sup>50</sup> See Ownby 2008; Ching 2008.

<sup>51</sup> This statement is a heading in the document *Some Hot Issues in our Work on Religion* written by Party member Luo Shuze. This is a restricted internal Party document published in 1996 in volume 5 of the internal theoretical journal of the Chinese Communist Party called *Qiushi*. For a translation of this document see Human Rights Watch 1997: Appendix I.

<sup>52</sup> In characterizing this relationship, popular Chinese writer and former President of Peking University, Jiang Menglin, is quoted as saying "Lord Buddha came to China riding the back of an elephant whereas Jesus Christ flew in on cannon shells" (Xiaowen 2005: 3).

*Western Missionaries in the Historical Colonialist and Imperialist Aggression Against China*. In this section, the CCP names specific Christian missionaries as colonial agents in the Opium War. This section states

They (Christian missionaries) participated in the opium trade and in plotting the Opium War unleashed by Britain against China. In the nineteenth century Robert Morrison, a British missionary, and Karl Friedrich August Gutz, a German missionary, both working for the East India Trading Company, participated in dumping opium in China

1997: 14.

Also commonly cited is the apparent support from the Vatican for all reactionary regimes in China and specifically the *Church National Salvation Youth Corps*. China claims that this group, established by a Belgian Catholic priest, organized more than five hundred Catholics into local units that proceed to rape and loot in the northern countryside (Zhufeng 1991: 45).

These suspicions continued into modern China's vision, as Chinese Sociologist Beatrice Leung points out "evidence reveals that the Chinese authorities in the 1990's continued to associate Christian activities with undesirable western influence" (1995: 19). This imperial influence of religion was confirmed externally for China with the fall of communism in Eastern Europe and in the former Soviet Union. After the defeat of communism in 1989, China sent social scientists to Eastern Europe who concluded that the USSR fell through a process of 'peaceful evolution' where in the west eroded the pillars of communism mainly through the institution of Christian religion (Carlson and Chan 2005: 20). In this light Leung notes "The Party (CCP) believed that one of the means employed by the capitalist West to topple socialist States was to link religious questions with internal dissent or underground forces " (Leung 2005: 23).

## EXPOSING THE DISPARITY: THE 1997 WHITE PAPER REPORT AND THE 'INTERNATIONAL' DISCOURSE ON RELIGION.

Despite its own development and conceptualization of the nature of religion and of religions position in society, the international community at large charged China with a disregard of the fundamental right to religious freedom. This condemnation has been explored in regards to Human Rights Watch, but is also contained in documentation issued by other groups including the United Nations, and the United States Commission for International Religious Freedom.

Given the exploration presented thus far, it can be understood how that for China, the charge that it does not protect the freedom of religion is confusing, because for China, 'religion' is a term that refers, in its totality to the five systems outlined in its various policies. According to its understanding of 'religion' China can be seen as upholding this right.

In response to the onslaught of criticisms concerning its human rights record regarding the protection of the freedom of religion, the *Information Office of the State Council of the People's Republic of China* published the *White Paper on Freedom of Religious Belief in China* in 1997<sup>53</sup>. This report was targeted at presenting the policy of religious freedom and the position on religion by the Chinese government to the international community. In doing this, the document restates much of what was communicated internally through Document No.19 and Article 36 of the Constitution. In doing this the *White Paper Report* restates, almost

---

<sup>53</sup> The English language translation of this document is provided by the People's Republic of China and is published in *Chinese Law and Government*, 36 (3): 7-20. See Information Office of the State Council of the People's Republic of China 1997.

verbatim; the numbers of religious adherents<sup>54</sup>, the failures of the previous administrations, the outlining of the *Patriotic Religious Associations*, the legal protection of religious freedom (Article 36), the role of the Government, and the role of colonialism and counter-revolution in religion in China's history.

The analysis of this document here, however, is not so much concerned with the restating of the Chinese official policy the religious question, as this has already been addressed and does not need repeating. The analysis is more focused on the fluidity that China assumes between the understanding of the category and characteristics of religion that it holds, with that of the international community. This shows that China's understanding of what 'religion' is, is developed from a response to the particular socio-cultural and global context in which China has found itself. In their interaction with, and researching of, religion, China is trying to maintain its sovereignty as a nation-state both working to define itself, and respond to global pressure.

This document marks an attempt by China to position itself in the international conversation on religion and religious freedom. Viewed in this light, the White Paper Report concretely highlights the disparity that exists between the definition of religion held by the Chinese Government, and that of the international community, which includes HRW. This can be seen concretely in China's unproblematic comparison between its positions on the freedom of 'religion' with that of the international community, as it is expressed through various International Declarations. The report declares that,

---

<sup>54</sup> Human Rights Watch notes "the Chinese government acknowledges 100 million believers of all faiths out of a population of 1.2 billion, but is has been using the 100 million figure since the mid-1950's" (Human Rights Watch 1997: 2).



The legal protection of citizens' right to the freedom of religious belief in China is basically in accordance with the main contents of the concerned international documents and conventions in this respect. The following stipulations in the United Nations Charter; the Universal Declaration of Human Rights; the International Covenant on Economic, Social, and Cultural Rights; the International Covenant on Civil and Political Rights; the United Nations Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief; and the Vienna Declaration and Action Program are all included in China's laws and legislation in explicit terms and are being put into practice: that freedom of religion or belief is a basic human right; people should enjoy freedom of religion or belief; no one should be discriminated against because of religious affiliation or belief; people should enjoy freedom of religious service and assembly and the freedom to set up and maintain places of worship; people should have the freedom to compile and distribute printed materials pertaining to religion or belief; they should have the freedom to celebrate religious festivals and hold religious rites based on their faiths and morals; and they should have the right to promote and protect the rights pertaining to only a small number of people ethnically, racially, religiously, and linguistically

1997: 11.

The report shows this same definitional disjunction throughout the entirety of the document. Concerning the five religions as being the totality of the category of religion it is stated that, "the various religions all (emphasis added) advocate serving the society and promoting people's well-being, such as the Buddhists... the Catholics and the Protestants... the Taoists... and the Islam's" (9). In this statement it is assumed that all religions are the ones mentioned. This assumption is not qualified in any way to indicate that this is a categorization exclusive to China.

Again this sentiment is expressed concerning the relationship between religions in China. The document communicates to the international community that "in China all

religions have equal status and coexist in tranquility. Religious disputes are unknown in China" (9). Again, there is no clarification regarding the linking between 'all' and 'religions'. This communicates that any issues that might exist in China, are not issues of 'religion', but fall out of that category and into the realm of political concern and criminal activity. In solidifying the distinction between religious activities and criminal activities, the document notes that

Nevertheless, since the 1980s some pernicious organizations have sprung up in certain areas of China, which engage in illegal and even criminal activities under the signboard of religion. Some of the heads of these pseudo-religions distort religious doctrines, create heresies, deceive the masses, refuse to obey the state's laws and decrees, and incite people to overthrow the government

12.

This once more clearly shows that China understands a complete and finite definition of religion, and assumes that the international community does so as well.

## CONCLUSION

The detailing of these documents concerning the status of religion in China collectively show the specifics and uniqueness of China's definition of religion. It has been shown that the rigor with which China defines religion, and the parameters of its contents, through the Patriotic Religious Associations, comes from its reflection of its own history with religion, and its desire to protect its Marxist-Leninist political ideology. The analysis of the discourse on religion developed by the Chinese government yielded a clear picture of what the term 'religion' refers to in China, and therefore what the constitutional promise of religious freedom concerns. Namely 'religion' refers only to the registered traditions of Taoism, Buddhism, Catholicism, Protestantism, and Islam. The analysis above has made clear that in Chinese legal

context, anything outside of these approved traditions is markedly not religion.

The space that exists between the explicit and detailed definition of religion in China, with the ambiguous and undefined understanding of 'religion' deployed by Human Rights Watch, has now been made clear. This outlines the categorical issues regarding the freedom of religion in the discussion between China's actions and Human Rights Watch's criticisms. The reality that is being highlighted in this disjunction is that the Western social construction of 'religion', can really only be understood in a context specific way, that this term does not extend the boundaries of socio-cultural and political realities, it is instead defined by them.

This chapter has also highlighted that China, as well as Human Rights Watch, does not acknowledge this, and that in and of itself is potentially the root of the issue being discussed. China's response to international criticisms, in the form of restating its understanding and position regarding religion in the *White Paper Report*, shows that it does not acknowledge a disparity between its understanding of religion and the international community's. This is evidence alone that the continual charge that China does not uphold the freedom of 'religion' by Human Rights Watch is fundamentally confusing in the Chinese legal and cultural environment.

It should not be surprising that China assumes a common, trans-cultural understanding of 'religion'. This shows its adherence to the Christian centered definition of religion, which it consciously adopted from the Western world through the processes described in chapters 2 and 3. In exploring the precision of this category to the Christian model, the *White Paper Report* even gives examples of what it understands as 'normal' religious activities,

such as worshipping Buddha, reciting scriptures, going to church, praying, preaching, observing Mass, baptizing, monkshood initiation, fasting, celebrating religious festivals, observing extreme unction, and holding memorial ceremonies, are protected by laws

1997: 9.

All of these activities are a part of the Western category of religion, outlined in Chapter One.

The final chapter of this thesis will look at the implications of the distance shown between Human Rights Watch and the People's Republic of China's understandings of 'religion'. This will be done by exploring cases studies that illustrate the extremes of the parameters of the definition of religion in China.

---

## CHAPTER FIVE

# EXPLORING THE IMPLICATIONS: UNDERSTANDING ‘RELIGION’ IN CHINA

So far this thesis has examined the uniqueness of China’s understanding of the term ‘religion’, and the reasons for this understanding, in contrast to that of Human Rights Watch. However, when trying to understand the reality of the disparity I am highlighting, it is important to look not only at the development of China’s understanding of ‘religion’, but also the deployment of that definition within society.

In the multitude of documents, white papers, reports, and laws, it is easy to become confused as to what exactly the current Chinese government allows under the definition of religion, and what it does not. Most of the documentation that has been reviewed thus far concerns primarily the policy and official position of the CCP on religion. Admittedly the space that exists between theoretical and conceptual positioning and real world effects must be addressed. In this final chapter an exploration of the legal manifestation of China's understanding of 'religion', primarily through the *National Regulations on Religious Affairs*, and Article 300 of the *Criminal Code of the People's Republic of China*. The implications of these documents, in conjunction with their theoretical predecessors, is illustrated through case studies concerning the current crackdown by the government on the 'evil cult' Falungong, and the prosperous state-favored Bailin Buddhist Temple.

This examination demonstrates the disparity in definitions between the Chinese government and HRW, as well as the ways in which the definition of religion translates into state policy in relation to specific religious groups.

#### CONFIRMING THE LIMITS OF RELIGIONS AND RELIGIOUS ACTIVITY: THE NRRA.

The most recent implementation of the understanding of ‘religion’ espoused in both Document No .19 and Article 36 of the Constitution, came in the twenty first century with the drafting and implementation of the *National Regulations on Religious Affairs* [NRRA]. Enacted in 2005 and slightly revised in 2008, the NRRA is essentially the legalization of Document No .19, moving the theoretical outlining of China's understanding and approach to religion, into enacted laws<sup>55</sup>.

The articles contained in the NRRA outline the guidelines for the local, provincial, and national management of religious groups. In doing this, the NRRA does not restate the discourse concerning the official definition of 'religion'. As has been explored, the understanding of ‘religion’ that the Chinese government holds is stated and explained Document No .19, the standing constitution, and the *White Paper Report*. This document was drafted with the assumption that this is understood, for this is the only major treatise on religion from the PRC that does not detail this definition.

For this reason, the laws and policies enacted through the adoption of the NRRA cannot be examined nor understood separately from Document No.19, the Constitution, or the *White Paper Report*. It must be understood by all persons and bodies examining and interpreting the NRRA, that it speaks of 'religion' with the understanding that is outlined in these other documents. This definition has been discussed at length

---

<sup>55</sup> It is this document that is now most cited by international human rights groups and the root of China's restrictions on religious freedom. See United States Commission on International Religious Freedom 2009.

throughout this thesis.

The first chapter of the NRRA is concerned with outlining the laws regarding the existence of religion. This outlines the larger themes in China's dealings with religion such as, the freedom of religious belief (Article Two), the protection of normal religious activities (Article Three), the requirement of self-governance (Article Four), and the role of the government in the registration and administration of religions and their interactions with the state (Article Five) (State Council of the People's Republic of China 2005)<sup>56</sup>.

Chapters two through five of the NRRA establish the laws governing the management of religious bodies, sites for religious activities, religious personnel, and religious property. These chapters focus on the strict outlining of what religious groups can do regarding their physical presence in society, and what processes are involved in ensuring the acceptance of this presence by the government. In these four chapters, there is nothing that explicitly concerns China's conceptualization of 'religion'. However, there are implicit expressions of this understanding throughout these sections, as 'religion' is used without constantly qualifying it by listing Buddhism, Taoism, Protestantism, Catholicism, and Islam.

The final chapter of the NRRA goes to lengths defining the repercussions of a failure to abide by the laws outlined in the first five chapters. In doing this, these regulations clarify the distinction between 'normal religion' and 'illegal religion'. For example, Article 40 states,

---

<sup>56</sup> The translation of this document used here is presented in Carlson and Chan 2005: 79-89.

Where anyone makes use of religion to engage in such illegal activities as endanger State or public security, infringe upon citizens' right of the person and democratic rights, obstruct the administration of public order, or encroach upon public or private property, a crime is thus constituted.

The above statement dictates that when any religious body or person commits one or more of these actions, they cease to be considered religious groups or single members and are strictly considered 'criminal'. This maintains that a 'normal religion' is one, which abides with regulations and does not commit the above stated acts. Should any of these acts be committed, the group in question is no longer understood as a 'religion'. The NRRA explains that such groups are considered criminal organizations, and will be persecuted under the *Criminal Code of the People's Republic of China*. Of the laws contained in the Criminal Code, the most often used one in situations regarding illegal religions and 'evil cults' is Article 300.

#### ARTICLE 300, CULTS, AND THE 6-10 OFFICE

In article 300 of the *Criminal Code of the People's Republic of China* is outlined the governing law for 'superstitions' within China. This loosely worded article has been used to crack down on several groups perceived as threats to the Chinese government.

The article states that,

Whoever organizes and utilizes superstitious sects, secret societies, and evil religious organizations or sabotages the implementation of the state's laws and executive regulations by utilizing superstition is to be sentenced to not less than three years and not more than seven years of fixed-term imprisonment; when circumstances are particularly serious, to not less than seven years of fixed-term imprisonment.

Whoever organizes and utilizes superstitious sects, secret societies, and evil religious organizations or cheats others



by utilizing superstition, thereby giving rise to the death of people is to be punished in accordance with the previous paragraph

Luo 1998.

Notice how the article details that it targets persons and groups who use superstition outside of the states laws and regulations. In stating this, the Article moves all of those tried under it to a realm distinctly separate from China's explicit category of 'religions'.

In a detailed analysis of the legality of the crack-down on Falungong, to be discussed in detail below, Bryan Edelman and James T. Richardson argue that, "Article 300 of the Criminal Code... stipulates that central authorities have the right to delegitimize any belief system they deem to be superstitious or a so-called evil religious organization" (Edelman and Richardson 2003: 321-322). The delegitimizing that Edelman and Richardson are talking about is the categorical shift of the group/person in question from the protected realm of 'religion' to persecuted realm of 'superstition'. The furthest extent of the realm of 'superstition', to which the Chinese government exercises the full strength of its control, are those traditions that bear the label 'evil cult'. Edelman and Richardson explain that, "groups that are labeled "evil cults" may be officially disbanded, and members of the groups may be persecuted if they persist. Moreover, these groups have no objective legal basis to refute the "evil cult" label." (322).

Prior to the enacting of the NRRA, and as a direct response to the governments confrontation with Falungong, the *Supreme People's Court* and the *Supreme People's Procuratorate* issued a document titled *Judicial Explanation on Crimes by Cults*, in 2003. Distributed during the nationwide crackdown on Falungong, it is an explanation and clarification of the distinction between 'religion' and 'evil cult'.

The report establishes that "cult groups" in law refers to,

those illegal groups that have been found using religions... or other things as a camouflage, deifying their leading members, recruiting and controlling their members and deceiving people by molding and spreading superstitious ideas, and endangering the society

2003: 87.

In response to a perceived growth in cult activity, on 10 June 1999, the Chinese government established the 6-10 Office, also known as the *Leading Bureau for the Prevention and Procession of Evil Cults*. This office was originally established to coordinate the crackdown on Falungong, and was responsible only to the acting head of the Politburo (Ownby 2008: 175). Almost nothing is documented regarding the actions or the jurisdiction of the 6-10 office by the Chinese government, as it was established in secret. However, the effects of the naming of groups as 'evil cults' can be seen through the suppression of them.

## CASE STUDY I: FALUNGONG AND THE LAW.

To understand the realm that exists outside of China's strict definition of religion, there is perhaps no better case study than the recent nation-wide crack down of the group Falungong. By examining the relationship between Falungong and the Chinese government, through the understanding of China's historical relationship with 'religion', it is seen how China's strict definition of 'religion' influences religious freedom in China, and how that definition is distant from that of Human Rights Watch.

It is important from the outset of this case study to explain that Falungong does not claim to be a religion itself. This thesis does not attempt to verify or deny this claim because, as it has been expressed, there is no universal, trans-historical definition of religion to which Falungong can be measured. However, Falungong's location culturally

and geographically within China, makes it fully subject to China's own discourse and definition of religion.

It can be understood that Falungong employed the strategy of not defining itself as a religion, as a way to avoid becoming embroiled in the state monitoring mechanisms associated with religion. The group states that it "does not have any religious formality, cult or worship' (Leung 2002: 764). Due to this self-definition, for a long time Falungong was able to escape the government's evaluation of it as a spiritual movement because "it fell outside the realm of responsibility of the state's traditional apparatus used to scrutinize religious organizations" (774).

Falungong was introduced to the Chinese public by its developer Li Hongzhi in 1992. It is explained in the central document of Falungong, *Zhuan Falun*, that the movement is a hybrid of the religious concepts and the meditative tradition of Buddhism and Taoism, together with ancient Chinese breathing exercises known as qigong (Hongzi 1998: 21-2). After its wide acceptance within Chinese society, the movement was approved by the government and registered with China's Qigong Scientific Research Society in 1992 (Leung 2003: 767). The group's leader, Li Hongzhi, later de-registered the movement from the Research Society in 1996 to the growing criticism of qi-gong movements by several sectors of the government. Following this, in an attempt to provide an organizational base for the movement, Li's assistants in Beijing applied for registration as a social organization, and following that to the Buddhist Patriotic Association and the United Front Department (Ownby 2008: 167). All applications were denied, and Falungong was ordered by authorities to cease all further efforts for application (167).

The line that Falungong balanced on, between the recognized religious associations of Buddhism and Taoism, and the widely endorsed, but separate, qigong movements, placed Falungong in a precarious situation as far as its legitimate existence as a group in China. Its failure to gain recognition as an organization in China placed it in a dangerous and vulnerable situation regarding its legitimacy according to the government.

In response to this denial of registration, Falungong members began a campaign to have the movement regain its status with the Qigong Scientific Research Society. However, as Falungong members continually pushed for re-registration, through organized protests and literature campaigns, they provoked a government inquiry into their practice and organization. This examination proved to the government that Falungong was "a quasi-religious movement with its doctrinal structure and liturgy ... which bears the characteristics of a religion" (Leung 2002: 774). This entered Falungong into China's discourse on religion, and more specifically its rhetoric of the religion/superstition dichotomy. With its ambiguous theological and structural organization, Falungong does not, and cannot, fit into China's definition of religion, and thus ended up on the wrong end of this dichotomy.

On 25 April 1999, over ten thousand Falungong members staged a protest outside of the home of several government leaders, in a push for the recognizing of Falungong as a legitimate organization, and worthy of inclusion under the rights and protections that this carries (Richardson and Edleman 2003: 312). Following this event, on 22 July 1999, the executive branch of the central government banned Falungong, issuing that the group was an 'evil cult'. Noting not only its illegitimate structure, but also its considerable presence in Chinese society, and international society, the Chinese government issued a

nationwide crackdown on its existence under the pretense of Article 300, and began an aggressive campaign to eliminate the group from Chinese society.

Admittedly, the government's decision to crackdown on Falungong cannot be solely attributed to China's strict understanding of religion. Many political issues, separate from China's complex relationship with religion, were factors that informed this decision. As David Ownby discusses, China reacted to the protests of 25 April 1999 in large because "the Chinese state is authoritarian, insecure, and concerned about its popular image" (2008: 174). He notes that the Chinese government was growing worried about the large sector of its population that did not benefit from its massive economic growth, and that these people, numbering in the hundreds of millions, were beginning to mobilize behind charismatic leaders, many from qi-gong movements (174). Though China's position on religion and superstition might not have been the primary cause for the suppression campaign, there can be no doubt that it became the justification.

Initially the government focused on the movement's challenge to state orthodoxy as the main grounds for the suppression. In a statement released by the government on 22 July 1999 it was explained that Falungong, "had been engaged in illegal activities, advocating superstition and spreading fallacies, hoodwinking people, inciting and creating disturbances, and jeopardizing social stability." (People's Daily Online, 1999). Following this, the discourse regarding Falungong was strictly aimed at establishing that it was a movement that used superstition to trick and con people. An editorial in the People's Daily on 28 October 1999 shows this shift in rhetoric by espousing that

"Falun Gong practitioners seem to be possessed by "black magic"...by demons, who refuse heartfelt advice, who refuse to

see the bloody facts of the matter, and who continue to obey the distant commands of Li Hongzhi, and to sacrifice themselves in order to protect the Law. What kind of illegal organization can possess this great an evil power, this great power of mind control? The only possible answer is: Heterodox Cults"

Quoted in Ownby 2008: 178.

As Ownby points out, this same editorial makes a point to connect the structure and actions of Falungong with issues regarding 'cults' in the West, noting that "No responsible government will permit cults to injure people's lives, damage social order and suability" (179).

In aggressively separating Falungong from the category of religion, defining it as a superstition and an 'evil cult', the Chinese government is ensuring that it cannot seek refuge under the constitutional protection of religious freedom, declared in Article 36. In doing this, the government is stating that Falungong's structure, on every level, flies in the face of the requirements of a 'religion' as outlined by the state. When looking at Falungong through the filter of Article 36 of the constitution and the NRRA, it can be seen that Falungong as an association and a system of belief falls outside of China's definition of religion.

First, Article 6 of the NRRA states that all groups with religious teachings must be register with a Patriotic Religious Association. Doing this places these groups safely under the blanket of 'normal religion', which is protected by Article 36 of the Constitution. Given Falungong's hybrid theology of Buddhism, Taoism, and qi-gong exercises, it cannot successfully register under any of the PRA's. This was confirmed in the group's attempts to register with the Buddhist Patriotic Association in 1996. By using religious teachings outside of the state regulation system, Falungong is technically an illegal religion association.

Secondly, Article 4 of the NRRA and Article 36 of the Constitution declare that all associations must be free from foreign dominance. In 1997, Falungong's founder Li Hongzhi moved to the United States and continued to exercise control of the group from there. Under him exist 39 Arch-instruction Centers, 1,900 Instruction Centers, 28,000 Practice Points, and more than 200 contact points around the world (Leung 2002: 765). For the Chinese government, the fact that Li Hongzhi resides outside of Mainland China, means that Falungong is lead and controlled by a foreign citizen. This analysis is further solidified for the government with Falungong's international presence and its interactions with foreign governments and Human Rights interest groups.

Finally, the government has produced the argument that Falungong engages in activities that disrupt public order, through various protests and demonstrations, as well as impaired the health of citizens through its use of qi-gong as a replacement for medical treatment. In several published works the government has produced 'evidence' and case studies<sup>57</sup> of Falungong practitioners who abandoned their families and developed mental illnesses and/or died after taking up membership. One such case was detailed in a publication titled *The Lair and Cheat Li Hongzhi and His "Falungong"*. This document tells the story of Wu Ziming, a mother and a wife in rural China who followed Li Hongzhi's teachings. After becoming 'hooked' on Falungong "she became less and less talkative" and in April of 1999 began to "spit up blood, refused treatment and soon died" (Ownby 2008: 177). For the Chinese government, these facts position Falungong not only as an institution that misleads a mass of people and challenges the state authority

---

<sup>57</sup> The discussion regarding the validity of facts produced by both the Chinese government and the Falungong organization have undergone serious scrutiny. The extremes to which each side claims foul on the other, and the aggression with which evidence supporting these claims are presented, brings the question of validity and objectivity to the fore. For a discussion of this see Ownby 2008: 170-80.

internally, but also positions it as a potential tool for colonialism, subjecting China to infiltration from foreign nations.

This examination has shown how Falungong's history in China and its internal structure and teachings positioned it in the conversation on religion undertaken by the state. Regardless of the conscious effort of Falungong to remove itself from this conversation, its structure and teachings dictate that it is a part of it. This exploration has also shown how the structure of Falungong as an institution is fundamentally incompatible with the state understanding of religion. For this reason, when raising concerns regarding the situation of Falungong's persecution, groups like Human Rights Watch cannot invoke China's promise of the freedom of religion, because in a very real way for China, Falungong is not a religion.

#### CASE STUDY II: THE BAILIN TEMPLE AND A MARKETABLE BRAND OF BUDDHISM.

Falungong effectively represents what the PRC decisively considers not religion. In the discourse regarding religion and superstition, Falungong stands on the far side of 'superstition'. To illustrate what China regards as legitimate religion, that which fits its definition, there is no better example than community of the Bailin Temple.

The Bailin Temple is a Buddhist temple located roughly three hundred kilometers south of Beijing. In the wake of the Cultural Revolution this temple was completely destroyed. It laid in ruin, nothing more than a single Stupa housing the ashes of old monks, until 1989 with the arrival of Jing Hui and his new brand of “Buddhism with Chinese cultural characteristics” (Yang and Wei 2005: 70) called *Life Chan (sheng huo chan)*.



Over the next fifteen years, the Bailin Temple, and its community grew exponentially to become centre of the most active Buddhist region in China, Hebei Province (64). In light of China's history with religion, and its controlling state policies' regarding religion, the question often is raised, how did the Bailin Temple and its community grow so quickly? The reason is that, for all intents and purposes, the Bailin Temple and the Buddhism it espoused, perfectly fits China's description of what a religion should be. The temple gained the support of local, provincial, and national government bodies, and became the national example of what religion within China should look like.

The Bailin Temple gained the support of all levels of government because it developed and employed what Fenggang Yang has referred to as "a marketable brand of Buddhism" (2007: 642). The *Life Chan* form of Buddhism developed by Jing Hui fit precisely into the requirements of 'religion' set forth in the previously discussed PRC documentation. The temple and its community stand not only registered and in line with laws and regulations outlined in the NRRA, but fulfill completely the role of religion in socialist society, according to Document No. 19. On this, the leader of the Bailin Temple, Jing Hui, has commented,

It is totally possible to make Buddhism accommodate socialist society. The Buddha has told us, the most fundamental principle of spreading the dharma is 'the proper theory for the right moment'. The proper theory for the right moment requires us to combine the Buddhist dharma with the particular social reality and mental reality, to serve the fundamental goal of purifying human hearts, and solemnizing the nation

Quoted in Yang and Wei 2005: 82.

Jing Hui worked for a time immediately following the Cultural Revolution for the newly revived Patriotic Association for Buddhism, as the chief editor of the Association's

official magazine *Fa Yin (Voice of Dharma)* (66). While in this position, Hui experienced first-hand the importance of the relationship between the Buddhist community,

Buddhism, and the Socialist political ideologies of the state. As Yang and Wei note,

the chief editor of the official magazine is the ultimate gatekeeper of the information flow within the Chinese Buddhist community. He [Hui] was responsible for publishing articles that were both appealing to Buddhist believers and also acceptable to the CCP authorities

66.

Due to international attention to the Bailin Temple, the Chinese government granted that it was to be restored (72). Jing Hui, who had been serving as a guide to Japanese Buddhist pilgrims who wished to see the site of the Bailin Temple, was co-opted by the *Religious Affairs Bureau* in charge of the province of Hebei, to establish a regional Patriotic Buddhist Association and revitalize the Bailin Temple (72).

The success of *Life Chan* and the Bailin Sangha, or community, is due to the fact that it effectively follows the outline of laws and regulations concerning the conduct of religions issued by the Chinese government. This can be seen in key areas regarding the adherence to the laws of self-governance, its ability to infuse its teachings with sufficient amounts of patriotism and its observing of the rules in the planning and execution of large events.

In terms of self-governance, the Bailin community is completely governed under the authority of the established Hebei Buddhist Association, which functions under the Buddhist Association of China. Within this structure, the community is free from foreign influence regarding its doctrine and teachings (Yang 2007). Moreover, the teachings given within the community have been constantly in line with the government's demands to have religion cultivate patriotic believers. Yang witnessed while at the Bailin Temple,

the Bailin Temple Sangha has deliberately and frequently expressed patriotism. At major gatherings, the first item of the ritual procedure has always been to play the national anthem. The Bailin monks have also learned to repeat 'love the country' preceding 'love the religion'

Yang and Wei 2005: 85.

The Bailin Temple's adherence to government legislations can also be seen in its appropriate execution of large scale religious events. Most notably, the Bailin Temple is home to one of the most widely attended Buddhist events in China, the *Life Chan Summer Camp*. The *Life Chan Summer Camp* is a week-long event that includes chanting, meditation, lectures and discussion sessions with scholars and monks, as well as an option to take a conversion rite (71). The camp happens every year and sells out in advance, accommodating some five hundred participants from across China.

In Chapter three, article 22 of the NRRA, the specific regulations and lengthy bureaucratic process for the registering of large, cross-province, religious events, such as the *Life Chan Summer Camp*, is outlined. Hui comments on the registration process involved in organize this event,

Because the Life Chan Summer Camp is a cross-provincial activity, according to the state's regulations, each year we must send in advance an application to the provincial bureaus and departments in charge of religious affairs. Only after the application is approved can we proceed

77.

All official statements on religion from the PRC that have been analyzed in this thesis have acknowledged the necessity for religion to forward the cause of the socialist state. This requirement again is embraced by the *Life Chan* system in that Jing Hui believes that the ideal Socialist society, outlined by the Chinese government is the same as the 'Pure Land' in Buddhism (Yang 2007: 644).

As a result of the Bailin Community, and *Life Chan's*, theology and organization, it has become a showcase for the purpose of international public relations. During a recent visit, the Politburo member Li Changchun remarked “we should more often arrange for foreigners to come here to see, to let them know the real status of religion in China” (Quoted in Yang 2007: 644). In melding an adherence to laws and regulations regarding religious association and practice, the Bailin Temple has reaped the benefits of the call by the government to “Cheer the progress of Patriotic believers, as they are an equal force in the nation”.

As examined in the policy documentation stemming out of China's readdressing of the religious question, China has gone to lengths to develop religious communities that actively embrace socialism, uphold the bureaucratic processes of registration and share that embrace with their adherents. For this reason, it was to the delight of the government to see the growth of Bailin and its community, to become the ideal example of religion in China. There is no doubt that the CCP encourages the Bailin Temple's activities. This is so much so that the CCP has tried to get other Buddhist organizations to follow this model, as well as other religions. For example in August 2004, a group of over sixty Catholic leaders were brought to the Bailin Temple (Yang and Wei 2005: 81).

The Bailin Temple Sangha has developed and prospered into not only the largest Buddhist community in China, but has the continued support and encouragement from all levels of government. This positive coexistence extends into the Buddhist community locally and internationally, as the Bailin Temple has been "highly praised by the participants, top leaders of the Buddhist Association of China, overseas and domestic Buddhist clergy, and university scholars of Buddhist studies” (71).

## CONCLUSION

This chapter has shown two examples of organizations in China that fall under the discussion of 'religion'. In analyzing these cases China's understanding of the term 'religion' has been solidified. To look now at the conversation regarding the issues surrounding religious freedom in China between the Chinese government's actions and the criticisms of Human Rights Watch, it is clear that both parties in this conversation mean something quite different when they deploy the word 'religion'.

---

## CONCLUSION

This thesis has sought to explore the points of dissonance and resonance around the understanding and deployment of the term 'religion' between Human Rights Watch, and the government of the People's Republic of China. In doing this, it has highlighted that a fundamental disjunction exists in the meaning of, and the boundaries of, the word 'religion' between these two groups. The space that this difference creates makes discussions on religion and religious freedom between these two groups extremely problematic, primarily because HRW seeks to protect the right to religious freedom of groups and individuals that the Chinese government does not consider 'religion', but that HRW demands they should.

In committing to a protection of 'religious freedom', groups like Human Rights Watch are committing to a definition of religion. In order for parties, made up of multiple individuals, to begin to enact laws and reforms to protect this definition, there must be an understanding of what that definition is, and what it is, exactly, that is being protected. Human Rights Watch's accusation regarding its concern for the freedom of religion in China has been developed with the understanding that 'religion' is a universally understood and applicable term. This term has arisen in Western society as an organic response to the cultural and historical realities that have been at play there. Human Rights Watch falsely universalizes this concept, taking its cue from the largely influential Universal Declaration of Human Rights, which has been shown to possess the same assumption about the term religion.

Though this is problematic for its own reasons, what is more concerning is

Human Rights Watch's insistence on the correctness of its understanding of religion despite its acknowledgement of this disparity. In several documents, HRW expresses that 'religion' exists outside of the definition set by the Chinese government, which " has narrowed the criteria it uses for identifying "authentic" religious groups, distinguishing between the five officially-recognized religions - Buddhism, Daoism, Catholicism, Protestantism, and Islam - and cults or sects" (Human Rights Watch 1997:3). The emphasis here on the phrase "authentic religious groups" suggests that Human Rights Watch disregards China's understanding of 'religion', asserts its own, and condemns China for not adhering to its definition.

In the 1995 report form HRW discussed at the outset of this thesis, it is stated that "repression in China is directed against all religions, the five that are officially recognized and all allegedly aberrant and superstitious sects" (Human Rights Watch 1995: 2). The qualification of the phrase 'all religions' with the grouping together of the 'five officially recognized' groups and "all allegedly aberrant and superstitious sects" shows how HRW considers religion as basically an undefined category containing all practices that it understands as 'religious'. This broad approach to understanding religion, and religion's role in society presses questions into the often conflated rights of religion, conscious, and thought, and where, if at all, the lines between these are drawn.

The mentality of HRW regarding the unquestioned correctness of their universal understanding of 'religion' has remained unfettered since the time of these reports. In the Human Rights Watch World Report issued for the Year 2009, the section regarding religion in China comments, "the Chinese government considers all unregistered religious organizations... illegal" (Human Rights Watch 2010: 292). The linking here between

religious and unregistered organizations, is forcing Human Rights Watch's understanding of the situation within the framework of what they consider 'religion'.

The analysis conducted in this thesis regarding China's definition of 'religion', and its development from Sinological discourse in Europe, a struggle with its own interactions with 'religions', and the necessity to establish religion as a separate section of society, has shown the reality of China's understanding and subsequent defining of 'religion' within its own organic response to its cultural and historical realities. It has provided that China understands and thus defines 'religion' in relation exclusively to the five groups it mentions. Everything else that exists in China belongs in another category, be it superstition, 'evil cult', or political organization. Legally and politically, for China, 'religion' does not exist outside of this definition, despite what HRW and other groups determine. It is in this critical definition that China and Human Rights Watch find their disjunction, for a conversation has yet to be developed on a common understanding of what, exactly; the word 'religion' refers to.

Until such a conversation is held, the criticisms of the violation of religious freedom by China, and other nations, will go mostly unheard. As this thesis has shown, despite settling on a common word, a universal definition and understanding of religion does not exist. Settling on that common word might, in fact, be doing more harm than good. The undefined word religion does not leave room for the subjective interpretation of it that is a reality in diverse cultural interactions.

The conclusions of this research highlight effectively some larger question that need to be addressed in order to progress on the issue of religious freedom in China, and elsewhere. One of the primary questions illuminated is the question of the position and role of the global community in holding China, or any other group or nation accountable



for violating the rights of unrecognized persons and identities. Where it seems like it is the duty of the rest of the world to be a voice for those who do not have one, is it also the duty of the world to dictate to a nation or group where those voices are, and what their concerns are? Although this action is framed in Human Rights Watch's noble mission to protect the fundamental rights of all human beings, this type of rhetoric and action is resonant of what Said refers to as the most familiar of Orientalism's themes, that "they cannot represent themselves, they must therefore be represented by others" who know more about them than they know about themselves (Said 2000: 206). The fundamental issue centers on whether or not it is right to tell others how to define their social and political realities, and if so, whose social and political realities should be used as a base of comprehension?

Though I have suggested a potential step for resolution in the attempts to outline a common understanding of the components and characteristics of a shared, or mutually agreed upon definition of religion, this step also has the potential of exacerbating the situation. The question that is raised in this case is whether or not there is a definition, even if only a functional definition, of religion that would not exclude, to one extent or the other, the cultural sensitivities of some nations and groups. This issue highlights the often discussed chasm that exists between legal pronouncements and formulaic definitions, and lived experience realities. A conversation that would approach this type of resolution would require delicacy, tact, diplomacy, compassion, and a deeply rooted understanding of the relativistic nature of the social experience. If any agreement on a 'universal definition' of religion were to be reached, it must be aware of this or else it is doomed to repeat the same issues that have been highlighted here.

## BIBLIOGRAPHY

- Anderson, Benedict. 1992. *Imagined Communities Reflections on the Origin and Spread of Nationalism*, New Edition. New York: Verso.
- Ashiwa, Yoshiko, and David L. Wank, eds. 2009. *Making Religion, Making State*. Stanford: Stanford University Press.
- Appiah, Kwame Anthony. 2005. *The Ethics of Identity*. Princeton: Princeton University Press.
- Asad, Talal. 2003. *Formations of the Secular: Christianity, Islam, Modernity*. Stanford: Stanford University Press.
- . 1993. *Genealogies of Religion: Discipline and Reasons of Power in Christianity and Islam*. Baltimore: Johns Hopkins University Press.
- Asad, Talal, and Owen, Roger. 1980. "The Critique of Orientalism: A Reply to Professor Dodd". *Bulletin (British Society for Middle Eastern Studies)* 7(1): 33-38.
- Bader, Veit. 2009. "Secularism, Public Reason or Moderately Agonistic Democracy?" In *Secularism, Religion, and Multicultural Citizenship*, ed. Geoffrey Brahm Levey and Tariq Modood, 110-135. Cambridge: Cambridge University Press.
- Bailey, Paul. 1992. "Voltaire and Confucius: French Attitudes Towards China in the Early Twentieth Century." *History of European Ideas* 14: 817-37.
- Bayart, Jean-Francois. 2005. *The Illusion of Cultural Identity*. Chicago: University of Chicago Press.
- Bayle, Pierre. 1697. *An Historical and Critical Dictionary*. 5 Vols. London: Printed for C. Harper et al. Accessed October 28, 2008.  
<http://galenet.galegroup.com.proxy.bib.uottawa.ca/servlet/ECCO?c=1&stp=Author&ste=11&af=BN&ae=T143095&tiPG=1&dd=0&dc=flc&docNum=CW114966965&vrsn=1.0&srchtp=a&d4=0.33&n=10&SU=0LRK&locID=otta77973>.
- Beaman, Lori G. 2008. *Defining Harm: Religious Freedoms and the Limits of the Law*. Vancouver: University of British Columbia Press.
- Beaman, Lori G., and Peter Beyer, ed. 2008. *Religion and Diversity in Canada*. Leiden: Brill.
- . 2007. *Religion, Globalization, and Culture*. International Studies in Religion and Society. Boston: Brill.

- Beckford, James A. 2003. *Social Theory and Religion*. New York: Cambridge University Press.
- , 2001. "The Construction and Analysis of Religion/Construction et analyse de la religion". *Social Compass* 48 (3): 316-329.
- Berger, Peter. 1967. *The Sacred Canopy*. New York: Anchor Books.
- , ed. 1999. *The Desecularization of the World: Resurgent Religion and World Politics*. Washington, D.C.: Ethics and Public Policy Center.
- Beyer, Peter. 2006. *Religions in Global Society*. London: Routledge.
- , 2003. "Constitutional Privilege and Constituting Pluralism: Religious Freedom in National, Global, and Legal Context". *Journal for the Scientific Study of Religion* 42 (3): 333-339.
- , 1999. "Secularization from the Perspective of Globalization: A Response to Dobbelaere". *Sociology of Religion* 60 (3): 289-301.
- , 1998. "The Religious System of Global Society: A Sociological Look at Contemporary Religion and Religions". *Numen* 45 (1): 1-29.
- Bhargava, Rajeev. 2009. "Political Secularism: Why it is Needed and What Can Be Learnt From Its Indian Version." In *Secularism, Religion, and Multicultural Citizenship*, ed. Geoffrey Brahm Levey and Tariq Modood, 82-109. Cambridge: Cambridge University Press.
- , 1994. "Giving Secularism It's Due". *Economic and Political Weekly* 29 (28): 1784-1791.
- , 1992. "Continuing Relevance of Socialism". *Economic and Political Weekly* 27 (40): 2161-2163 + 2166-2169.
- , 1992. "Socialism, Democracy and the Problem of Common Meanings". *Social Scientist* 20 (3/4): 23-34.
- Braun, Willi. 1999. "Religion." In *Guide to the Study of Religion*, ed. Willi Braun and Russell McCutcheon, 3-20. London: Burns & Oates.
- Brockey, Liam M. 2007. *Journey to the East: The Jesuit Mission to China*. New York: Belknap.
- Brown, Clayton D. 2006. "Fractured Narrative: Han Identity across Political Borders." *Proc. of Bridging Disciples, Spanning the World: Approaches to Identities, Institutions, and Inequalities*. Princeton: Princeton University.

- Brown, Wendy. 2008. *Regulating Aversion Tolerance in the Age of Identity and Empire*. New York: Princeton University Press.
- Bruce, Steve. 2002. *God is dead*. Oxford: Blackwell.
- Brugger, Bill. 1980. *China since the "Gang of Four"*. London: Croom Helm.
- Casanova, Jose. 2009. "Immigration and the New Religious Pluralism: a European Union-United States Comparison" In *Secularism, Religion, and Multicultural Citizenship*, ed. Geoffrey Brahm Levey and Tariq Modood, 139-163. Cambridge: Cambridge University Press.
- 2001. "Articles - 2000 Presidential Address - Religion, the New Millenium, and Globalization". *Sociology of Religion* 62 (4): 415.
- 2001. *Religion and Globalization at the Turn of the Millennium*. Holiday, FL: Association for the Sociology of Religion.
- Chan, Kim-Kwong, and Eric R. Carlson. 2005. *Religious Freedom in China Policy, Administration, and Regulation; a Research Handbook*. New York: Institute for the Study of American Religion.
- Chesneaux, Jean. 1987. *China in the Eyes of the French Intellectuals*. Cannberra: Australian National University.
- Ching, Frank. 2008. *China: The Truth about its Human Rights Record*. Berkshire: Rider.
- Clarke, J. J. 1997. *Oriental Enlightenment: The Encounter between Asian and Western Thought*. New York: Rutledge.
- Connolly, William E. 2005. *Pluralism*. New York: Duke University Press.
- 2004. "Europe: A Minor Tradition." In *Powers of the Secular Modern: Talal Asad and His Interlocutors*, ed. David Scott and Charles Hirschkind, 75-92. Stanford: Stanford University Press.
- 2002. *Neuropolitics : Thinking, Culture, Speed*. New York: University of Minnesota Press.
- Donnelly, Jack. 2002. *Universal Human Rights in Theory and Practice*. Ithaca: Cornell University Press.
- Duara, Prasenjit. 2009. "Disciplining the State: Virtue, Violence, and State-Making in Modern China - By Patricia M. Thornton." *The Historian* 71 (1): 144-145.

- , 2008. "History and Globalization in China's Long Twentieth Century." *Modern China* 34 (1): 152-164.
- , 2005. *Rescuing History from the Nation: Questioning Narratives of Modern China*. Chicago: University of Chicago Press.
- du Halde, Jean-Bapiste. 1775. *The General History of China*. 4 vols. London:
- Dunn, Emily. 2009. "Cult, Church, and the CCP." *Modern China* 35 (1): 96-119.
- Ebrey, Patricia Buckley. 1996. *Cambridge illustrated history of China*. Cambridge: Cambridge University Press.
- Edelman, Bryan, and Richardson, James T. 2003. "Falun Gong and the Law: Development of Legal Social Control in China." *Nova Religio* 6 (2): 312-331.
- Fenby, Jonathan. 2008. *Modern China 1850 to the Present*. Hopewell: Ecco.
- Fitzgerald, Timothy. 2007. *Discourse on Civility and Barbarity: a Critical History of Religion and Related Categories*. New York: Oxford University Press.
- Foucault, Michel. 1978. *The History of Sexuality Volume I: An Introduction*. New York: Vintage Books.
- , 1976. *The Archaeology of Knowledge and the Discourse on Language*. Trans. A.M. Sheridan Smith. New York: Harper and Row.
- Girardot, Norman J. 2002. *The Victorian Translation of China: James Legge's Oriental Pilgrimage*. New York: University of California Press.
- , 2005. "Chinese Religion: History of Study." *The Encyclopedia of Religion*. University of Ottawa. 10 Nov. <<http://go.galegroUniversityPress.com/ps/start.do?p=gvrl&u=otta77973>>.
- Gladney, Dru C. 2004. *Dislocating China Muslims, Minorities, and Other Subaltern Subjects*. New York: University Of Chicago Press.
- , 1998. *Ethnic Identity in China: The Making of a Muslim Minority Nationality*. Orlando: Harcourt Brace and Company.
- Goossaert, Vincent. 2006. "1898: The Beginning of the End for Chinese Religion?" *The Journal of Asian Studies* 65 (2): 307-335.
- , 2005a. "State and Religion in Modern China: Religious Policies and Scholarly Paradigms." *Proc. of Rethinking Modern Chinese History: An International*

- Conference to Celebrate the 50th Anniversary of the Institute of Modern History,  
Academia Sinica, Taipei.*
- , 2005b. "The Concept of Religion in China and the West." *Diogenes* 52 (1): 13-20.
- Gregg, Samuel. 2007. "One more Christian, one fewer Chinese." *The Australian*, February 10. <http://www.theaustralian.com.au/news/opinion/samuel-gregg-one-more-christian-one-fewer-chinese-tenet-dyin/story-e6frg6zo-1111113069128>.
- Heelas, Paul, Linda Woodhead, Benjamin Seel, Bronislaw Szerszynski, and Karin Tusting. 2004. *Spiritual Revolution: Why Religion Is Giving Way to Spirituality*. Religion in the Modern World. Grand Rapids: Blackwell Limited.
- Hongzhi, Li. 1999. *Zhuan falun / English version*. New York: The Universe Publishing Company.
- Huanzhong, Chen. 2003. "A Brief Overview of Law and Religion in the People's Republic of China." *Brigham Young University Law Review* (2): 465.
- Human Rights Watch. 2010. "Human Rights Watch." Accessed March 27. <http://www.hrw.org>.
- Human Rights Watch (Organization). 2010. *2010 Human Rights Watch world report*. New York: Seven Stories.
- , 2005. *Devastating blows: religious repression of Uighurs in Xinjiang*. New York: Human Rights Watch.
- , 2004. "Trials of a Tibetan Monk: The Case of Tenzin Delek". Human Rights Watch 16(1): 1-105. New York: Human Rights Watch.
- , 2002. *Dangerous meditation: China's Campaign Against Falungong*. New York: Human Rights Watch.
- , 1993. *Continuing Religious Repression in China*. New York: Human Rights Watch.
- Human Rights Watch/Asia, and Human Rights Watch (Organization). 1999. "China and Tibet Profiles of Tibetan Exiles." *Human Rights Watch* 11(5). New York: Human Rights Watch.
- , 1997. *China: State Control of Religion*. New York: Human Rights Watch.
- , 1995. *China, Religious Persecution Persists*. New York: Human Rights Watch.
- , 1994. *China: Persecution of a Protestant Sect*. New York: Human Rights Watch/Asia.

- , 1992. *Religious Repression in China Persists*. New York: Human Rights Watch/Asia .
- Information Office of the State Council of the People's Republic of China. 1997. "White Paper Report: Freedom of Religious Belief in China." In *Chinese Law and Government* 2003 36: 7-20.
- Intorcetta, Prospero, ed. 1691. *The Morals of Confucius, a Chinese Philosopher who Flourished Above Five Hundred Years Before the Coming of our Lord and Saviour Jesus Christ: Bbeing one of the Most Choicest Pieces of Learning Remaining of that Nation*. London: Printed for Randall Taylor. Accessed November 19, 2008.  
[http://eebo.chadwyck.com.proxy.bib.uottawa.ca/search/full\\_rec?SOURCE=pgimages.cfg&ACTION=ByID&ID=V53303](http://eebo.chadwyck.com.proxy.bib.uottawa.ca/search/full_rec?SOURCE=pgimages.cfg&ACTION=ByID&ID=V53303).
- Jakobsen, Janet R., and Ann Pellegrini, ed. 2008. *Secularisms*. Durham: Duke University Press.
- , 2003. *Love the Sin: Sexual Regulation and the Limits of Religious Tolerance*. Sexual Cultures. New York: New York University Press.
- Jensen, Lionel M. 1997. *Manufacturing Confucianism: Chinese Traditions & Universal Civilization*. Durham: Duke University Press
- Kaltman, Blaine. 2007. *Under the Heel of the Dragon: Islam, Racism, Crime, and the Uighur in China*. Ohio Research in International Studies Global Series No. 7. New York: Ohio University Press.
- Katz, Paul. 2009. "Ritual? What Ritual? Secularization in the Study of Chinese Legal History, from Colonial Encounters to Modern Scholarship." *Social Compass* 56 (3): 328-344.
- Kernerman, Gerald. 2006. *Multicultural Nationalism Civilizing Difference, Constituting Community*. Law and Society. New York: University of British Columbia Press.
- King, Richard. 1999. *Orientalism and Religion*. New York: Routledge.
- Kipnis, Andrew. 2008. *China and Postsocialist Anthropology: Theorizing Power and Society after Communism*. Norwalk, Conn: EastBridge.
- , 2001. "The Flourishing of Religion in Post-Mao China and the Anthropological Category of Religion." *The Australian Journal of Anthropology* 21(1): 32-46.
- Kymlicka, Will. 2007. *Multicultural Odysseys Navigating the New International Politics of Diversity*. Oxford: Oxford University Press.
- Lach, Donald. 1965. *Asia in the Making of Europe*. 3 vols . Chicago: Chicago University

- Press.
- Lai, H. H. 2006. "Religious Policies in Post-Totalitarian China: Maintaining Political Monopoly over a Reviving Society." *Journal of Chinese Political Science* 11: 55-77.
- Lang, Graeme. 2004. "Challenges for the Sociology of Religion in Asia." *Social Compass* 51 (1): 99-110.
- Leung, Beatrice. 2009. "Religious Diversity and Public Religion in China." *Religion, State and Society* 37 (3): 333-335.
- , 2005. "China's Religious Freedom Policy: The Art of Managing Religious Activity." *The China Quarterly* 184 (1): 894-913.
- , 2002. "China and Falun Gong: Party and society relations in the modern era." *Journal of Contemporary China* 11 (33): 761-784.
- , 2001. "Church-State Relations in Hong Kong and Macau: From Colonial Rule to Chinese Rule." *Citizenship Studies* 5 (2): 203-219.
- , 1995. "Religious Freedom and the Constitution in the People's Republic of China: Interpretation and Implementation." *DISKUS* 3:1-18.
- Levitt, Peggy. 2007. *God Needs no Passport: Immigrants and the Changing American Religious Landscape*. New York: New Press.
- Luckmann, Thomas. 1967. *The Invisible Religion: the Problem of Religion in Modern Society*. New York: Macmillan.
- Lundbaek, K. 1983. "The Image of Neo-Confucianism in Confucius Sinarum Philosophus." *Journal of the History of Ideas* 44: 19-30.
- Luo, Wei. 1998. *The 1997 Criminal Code of the People's Republic of China*. Buffalo, N.Y.: W.S. Hein & Co.
- Macfie, A. L. 2002. *Orientalism*. London: Longman.
- MacInnis, Donald. 1989. *Religion in China Today: Policy and Practice*. Maryknoll N.Y.: Orbis Books.
- Malebranche, Nicholas. 1980. *Dialogue Between a Christian Philosopher and a Chinese Philosopher on the Existence and Nature of God*. Trans. Dominick A. Iorio. Washington, D.C: University Press of America.
- Markell, Patchen. 2003. *Bound by Recognition*. New York: Princeton University Press.



- Maspero, Henri. 1981. *Taoism and Chinese Religion*. Trans. Frank A. Kierman. Massachusetts: Massachusetts University Press.
- Millar, Ashley. 2007. "The Jesuits as Knowledge Brokers Between Europe and China (1582-1773): Shaping European views of the Middle Kingdom." *Economic History Working Paper Series* 105: 1-53.
- Mitter, Rana. 2008. *Modern China: A Short Introduction*. Oxford: Oxford University Press.
- Morsink, Johannes. 1999. *The Universal Declaration of Human Rights: origins, drafting, and intent*. Philadelphia: University of Pennsylvania Press.
- Mungello, David E. 1989. *Curious Land: Jesuit Accommodation and the Origins of Sinology*. Honolulu: Hawaii University Press.
- , 2005. *The Great Encounter of China and the West, 1500-1800*. New York: Rowman & Littlefield.
- Overmyer, Daniel L. 2003. *Religion in China Today*. The China Quarterly Special Issues. New York: Cambridge University Press.
- Ownby, David. 2008. *Falun Gong and the Future of China*. New York: Oxford University Press.
- People's Daily Online. 1999. "China Bans Falun Gong." *The People's Daily*, July 22, 1999. <http://english.people.com.cn/special/fagong/1999072200A101.html>
- People's Republic of China. 1989. "Document No. 19: The Basic Viewpoint on the Religious Question During Our Socialist Period." In *Religion in China Today*, ed. Donald .E MacInnis. Maryknoll, N.Y: Orbis Books.
- , 1982. *The Constitution of the Peoples Republic of China: (adopted on December 4, 1982 by the Fifth National People's Congress of the People's Republic of China at its fifth session)*. Oxford: Pergamon Press.
- Peräkylä, A. 2005. "Analyzing talk and text." In *The SAGE Handbook of Qualitative Research*, ed. N. K. Denzin and Y. S. Lincoln, 869-886. Thousand Oaks: Sage Publications.
- Potter, J. 1996. *Representing Rreality: Discourse, Rhetoric and Social Construction*. London: Sage Publications.
- Potter, Pitman. 2003. "Belief in Control: Regulation of Religion in China." *The China Quarterly* 174: 317-37.

- Purchase, Samuel. 1625. *Purchas his Pilgrimes In Fiue Bookes*. London: Henry Fetherstone. Accessed November 15, 2008.  
[http://eebo.chadwyck.com.proxy.bib.uottawa.ca/search/fulltext?ACTION=ByID&ID=D0000000000290000&SOURCE=var\\_spell.cfg&WARN=N&FILE=../session/1283064617\\_6115](http://eebo.chadwyck.com.proxy.bib.uottawa.ca/search/fulltext?ACTION=ByID&ID=D0000000000290000&SOURCE=var_spell.cfg&WARN=N&FILE=../session/1283064617_6115).
- Razack, Sherene. 2007. *Casting Out: The Eviction of Muslims from Western Law and Politics*. Toronto: University of Toronto Press.
- Richardson, James T. 2004. "Regulating Religion: A Sociological and Historical Introduction." In *Regulating Religion: Case Studies from Around the Globe*, ed. James T. Richardson, 1-22. New York: Kluwer Academic/Plenum Publishers.
- Said, Edward W. 2000. *Reflections on Exile and Other Essays*. Cambridge, Mass.: Harvard University Press.
- , 1994. *Culture and Imperialism*. New York: Vintage Books.
- , 1986. "Intellectuals in the Post-Colonial World." *Salmagundi* 70: 44-64.
- , 1979. *Orientalism*. New York: Vintage Books.
- Semedo, Alvaro. 1655. *Imperio de la China*. Trans. NS. London: E. Tyler. Accessed November 19, 2008.  
[http://eebo.chadwyck.com.proxy.bib.uottawa.ca/search/full\\_rec?SOURCE=pgthumb.cfg&ACTION=ByID&ID=12619181&FILE=../session/1283033894\\_19878&SEARCHSCREEN=CITATIONS&SEARCHCONFIG=var\\_spell.cfg&DISPLAY=AUTHOR](http://eebo.chadwyck.com.proxy.bib.uottawa.ca/search/full_rec?SOURCE=pgthumb.cfg&ACTION=ByID&ID=12619181&FILE=../session/1283033894_19878&SEARCHSCREEN=CITATIONS&SEARCHCONFIG=var_spell.cfg&DISPLAY=AUTHOR)
- Stark, R. 1999. "Secularization, R.I.P.". *Sociology of Religion* 60 (3): 249-274.
- State Council of the People's Republic of China. 2005. National Regulations for Religious Affairs. In *Religious Freedom in China Policy, Administration, and Regulation; a Research Handbook*. ed, Chan, Kim-Kwong, and Eric R. Carlson, 79-89. New York: Institute for the Study of American Religion.
- Sullivan, Winnifred F. 2005. *The Impossibility of Religious Freedom*. Princeton: Princeton University Press.
- Supreme People's Court and the Supreme People's Procuratorate. 2003. "Judicial Explanations on Crimes by Cults." *Chinese Law and Government* 36 (3): 87.
- Swiderski, Richard M. 1981. "Bouvet and Leibniz: A Scholarly Correspondence". *Eighteenth Century Studies*. 14 (2): 135-150.
- Szonyi, Michael. 2009. "Secularization Theories and the Study of Chinese Religions." *Social Compass* 56 (3): 312-327.

- Taylor, Charles. 1994. *Multiculturalism: Examining the Politics of Recognition*. Princeton, N.J: Princeton University Press.
- Tindal, Matthew. 1731. *Christianity as Old as the Creation: Or, the Gospel, a Republication of the Religion of Nature*. London. Accessed November 2, 2008. <http://galenet.galegroup.com.proxy.bib.uottawa.ca/servlet/ECCO?dd=0&locID=otta77973&d1=0437901800&srchtp=b&c=7&SU=All&df=f&s1=Chrift+to+differ&d2=322&docNum=CW3319900197&b0=Tindal+Matthew&h2=1&vrsn=1.0&s2=3&b1=KE&d6=322&d3=322&ste=10&stp=Author&d4=0.33&n=10&d5=d6>.
- Tung, William. 1968. *The Political Institutions of Modern China*. New York: Springer.
- United Nations. 2010. "The Universal Declaration of Human Rights." Accessed February 23. <http://www.un.org/en/documents/udhr/>
- URI - Union Reseach Institute. 1968. *CCP Documents of the Great Proletarian Cultural Revolution: 1966-1967*. Hong Kong: Union Press Limited.
- United States Commission on International Religious Freedom. 2009. *Annual report of the United States Commission on International Religious Freedom*. Washington, DC: U.S. Commission on International Religious Freedom.
- Voltaire. 1759. *An Essay on Universal History, the Manners, and Spirit of Nations, from the Reign of Charlemaign to the Age of Lewis XIV*. Trans. Nugent. Dublin: Printed for S. Cotter. Accessed October 30, 2008 <http://galenet.galegroup.com.proxy.bib.uottawa.ca/servlet/ECCO?c=1&stp=Author&ste=11&af=BN&ae=T137637&tiPG=1&dd=0&dc=flc&docNum=CW100017581&vrsn=1.0&srchtp=a&d4=0.33&n=10&SU=0LRH&locID=otta77973>.
- Waley, Arthur. 1934. *The Way and its Power: The Tao Te Ching and its Place in Chinese Thought*. London: Unwin.
- , 1921. *The No plays of Japan: With letters by Oswald Sickert.*. London: Allen and Unwin.
- Wong, Elinor and Wong, Francis. 2005. "Just how many Christians and Communists are there in China?" *Ecumenical News International*, September 14. <http://www.eni.ch/articles/display.shtml?05-0691>.
- Xiaofei Kang. 2009. "Two Temples, Three Religions, and a Tourist Attraction." *Modern China* 35 (3): 227-255.
- Xiaoping, Deng. 1984. "Building a Socialism with a Specifically Chinese Character." *People's Daily Online*, June 30. <http://english.peopledaily.com.cn/dengxp/vol3/text/c1220.html>.

- , 1979. "We Can Develop A Market Economy under Socialism." *People's Daily Online*, November 26.  
<http://english.peopledaily.com.cn/dengxp/vol2/text/b1370.html>.
- Xiaowen, Ye. 2005. "China's Religions: Retrospect and Prospect." *Chinese Journal of International Law* 4: 441-53.
- Yang, Fenggang. 2007. "Oligopoly Dynamics: Official Religions in China." In *The Sage Handbook of the Sociology of Religion*, ed. James Beckford and Jay Demerath, 635-653. London: Sage.
- , 2007. "Cultural Dynamics in China: Today and in 2020." *Asia Policy* 4: 41-52.
- , 2006. "The Red, Black, and Gray Markets of Religion in China." *The Sociological Quarterly* 47: 93-122.
- , 2004. "Between Secularist Ideology and Desecularizing Reality: The Birth and Growth of Religious Research in Communist China." *Sociology of Religion* 65: 101-119.
- Yang, C. K. 1967. *Religion in Chinese Society*. Los Angeles: University of California Press.
- Young, John. 1980. *East-West Synthesis: Matteo Ricci and Confucianism*. Hong Kong: Center for Asian Studies Hong Kong University.
- , 1983. *Confucianism and Christianity: Their First Encounter*. New York: Hong Kong University Press.
- Yu, Anthony C. 2005. *State and Religion in China: Historical and Textual Perspectives*. Chicago: Open Court.
- , 2003. *On State and Religion in China: A Brief Historical Reflection*. Berkeley: Institute for World Religions.
- Zheng, Yongnian. 1999. *Discovering Chinese Nationalism in China: Modernization, Identity, and International Relations*. New York: Cambridge University Press.
- Zhufeng, Luo, ed. 1991. *Religion Under Socialism in China*. Armonk, N.Y: M.E. Sharpe.