

**What's in a Name? From Social Organization to Merit Society: Understanding the  
Change in Buddhist Charities in China Since the Beginning of the Reform Period**

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## **Abstract**

After the Chinese Communist Party (CCP) abolished its total ban on religious activities in 1982, a Buddhist revival has taken place in the People's Republic of China (PRC). Decades later, after the state gradually opened the public welfare sector to non-state actors, Buddhist charities have grown into important social service providers in the country. However, Buddhist charities do not constitute a homogenous category, nor is the emergence of Buddhist charities without direction and monitoring by the Chinese state. This thesis answers the question of why there are different types of Buddhist charities, namely Buddhist merit societies, Buddhist charity foundations and Buddhist charity federations by examining the PRC's institutions of religions, social organizations and charitable NGOs in the past decades.

I have divided the timeline since 1982 into three major time periods and examine the interaction between various levels of government and Buddhist charities. This thesis has demonstrated that the existence of different types of Buddhist charities is the result of inconsistency and fragmentation of these interactions. While the central-led institutionalization of social organizations is creating more obstacles for Buddhist charities to survive, local governments have more interest in their usefulness to the local development. The reason to the question that why Buddhist charities have different identities such as Buddhist merit society, Buddhist charity foundation and Buddhist charity federation has a close link to whether Buddhist groups or sites have sufficient financial resources and well-established government connections.

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## Chapter 1 Introduction

On 2018 January 13<sup>th</sup>, another branch of Qiming Academy [启明书院 qiming shuyuan] was opened in the prison of Cangzhou city in Hebei Province (Ven. Xuecheng, 2018). Qiming Academy is one of the most famous charity projects of Beijing Ren'ai Charity Foundation [北京仁爱慈善基金会], which was initially launched in October 2014 (Ren'ai, 2016). According to the Foundation, the Academy aims to promote reading and education among underprivileged populations in China. By the end of 2016, more than 100 Qiming Academies have been established in different temples, communities, prisons and rehabilitation centers around China ("How to Join Qiming Academy", 2016). It is noteworthy that Ren'ai Charity Foundation is a foundation that has religious background. It is affiliated with Longquan Monastery [龙泉寺], a Buddhist temple in Beijing. While being the president of the Buddhist Association of China (BAC), the temple's abbot Venerable Xuecheng is also one of the initiators of the foundation. In fact, it is not uncommon for religious charities to initiate or participate in similar activities that aim to tackle development issues in China related to fields such as poverty-reduction or education. In the decades following China's Economic Reform and Opening-up [改革开放 gaige kaifang] in 1978, the revival of religion in China has caught the attention of many social scientists. Religious charity has become one of the important subjects when studying state-religion relationship in China. Thirty years after the initial proclamation on "religious freedom", also known as Document 19, a more open political environment for religious groups to participate in charitable works publicly is observed through the State Administration for Religious Affairs (SARA) issuance of a legal opinion, *Advice on Encouraging and Regulating the Religion Sector's Participation in Public Welfare and Charitable Activities* [关于鼓励和规

范宗教界从事公益慈善活动的意见 *guanyu guli he guifan zongjiaojie congshi gongyi cishan huodong de yijian*] in 2012 (Wu, 2017). Yet, the state's encouragement of religious charities does not signify a change of attitude on religion itself. A paradox that well demonstrates state-religion relationship in China is that while the state is expecting religious groups to actively participate in charitable works outside of religious sites, registered religious sites remains the only legal space for religious groups to practice religion. Therefore, though many scholars argue that charity allows religion to expand room for its practices (Laliberté 2009, 2011, 2012; Wank, 2009; McCarthy, 2013; McCarthy, 2017; Wu, 2013; Wu, 2015), this kind of expansion could be limited and varies among different types of Buddhist charities. The objective of my research is to explore this difference.

### **Research Question and Significance**

Many scholars have recognized that the term Buddhist charity represents a heterogeneous group and they have used different means of classification. Two most used classifications of Buddhist charities among many Chinese scholars are based on what organization the charity is affiliated with and who the charity is serving (Wang, J, 2010; Yuan and Guo, 2014). According to the publication of Buddhist Association of China's Committee on Charity and the Public Interest [中国佛教协会慈善公益委员会 *zhongguo fojiaoxiehui cishan gongyi weiyuanhui*], Buddhist charities can affiliate with temples, Buddhist associations or lay Buddhists, and they can work in disaster-relief, and in a variety of social service provision. Others have also classified Buddhist charities based on how close the relationship is between a Buddhist charity and the state. For example, there can be a three-tier institutionalized structure that attracts social resources from Buddhists: government organized organizations, Buddhist associations, NGOs

and independent charities that could have connections with Hong Kong and Taiwan and other countries (Laliberté, 2009) or a dichotomy of state-led and community based religious charities (Wu, 2015). Some consider Buddhist foundations to be the contemporary form of Buddhist charities because the donors' action is based on obligation and responsibility as opposed to personal fulfillment (Deng, 2015; Wang. S, 2010; Wei, 2015), while some consider temple-affiliated charity centers to be a new model of Buddhist charity (Wu, Palmer and Laliberté, 2011). Yet none of the existing research I know of has distinguished Buddhist charities in China based on their nomenclatures. Since Buddhist charities with different names can be subjected to different government legislation, distinguishing them will help to understand the complexity and diversity of the relationship between the state and Buddhist charities. The research question of this thesis is simply why there are different types of Buddhist charities in China?

### **Organization of Thesis**

Chapter 2 aims to clarify the research scope and presents a list of 46 Buddhist charities in mainland China. Firstly, I will classify them into four categories: charity foundations, merit societies, charity federations, as well as a smaller residual category comprising charities that do not fit neatly in any of the three other categories. Then, because of a Buddhist charity's dual identity as a religious organization and as a social organization, I will explain what types of social organizations there are within China's legal framework and look into the state's control over Buddhism by presenting the regulatory structure, which consists of Buddhist associations, the Communist Party's United Front Work Departments (UFWD) and the Religious Affairs Bureaus. Below the national level, each of these three structures are reproduced at the level of provinces, prefecture, district, and canton. In this chapter, I will do an initial navigation and

interpretation of the list of Buddhist charities. Limitations of the data and outstanding trends will be presented.

Chapter three, four and five will represent three time periods respectively: preparatory, emergence, and growth. This divide is based on three major periods of the evolution of charity in China (Zheng, 2010) as one of the concepts that this thesis seeks to demonstrate is that the transformation of Buddhist charities is not determined by a religion-specific institutional framework. My examination of legislation regarding religious affairs and social organizations from 1978 to the present suggests that, the development of Buddhist charities is not determined by a religious-charity-specific institutional framework. Buddhist charity is only one of the many organs that constitute the body of NGOs in China. The dual identity of being both a charitable organization and a religious organization does not create any fundamental differences between religious charities and non-religious charities; however, it does increase religious charities' likelihood to attract negative attention from the state, due to the sensitivity of religious affairs in China. Like many other NGOs, religious charities are changing along with the whole legislative framework of NGOs that is modified periodically by the Chinese government.

In the preparatory period which is from 1982 to 1993, though the slogan "unite and guide Buddhists of all ethnic groups to take an active part in the work of serving the people and organizing and sponsoring social welfare works" was written into BAC's charter in 1987, there was still a vacuum for legally recognized Buddhist charities. I would like to argue that this vacuum results from combination of factors of state domination of the social welfare sector, strict state control over social organizations and demonization of the concept of *cishan*.

In the period of emergence which is from 1994 to 2003, as the state began to accept charitable works, 13 Buddhist charities were established. Despite the continuous deepening of China's

economic reform and rapid social transformation, the state faced many development challenges. Its lack of financial resources and the dismantling of traditional social welfare providers, such as working units required help from social organizations. We can see in the emergence of Buddhist charities the result or reflection of a greater acceptance of the concept of *cishan*. I will identify the difference between different types of Buddhist charity at this time by introducing two state-created identities for NGOs: social organization and public welfare organization.

In the period of growth which is from 2004 to the present, as the state begins to encourage charitable works, 33 Buddhist charities were established. I provide an explanation for the fact that Buddhist charity foundations are able to gain more legitimacy than other types of Buddhist charities. In this time period, one more new identity for social organization called “*cishan* organization” [慈善组织 *cishan zuzhi*] has been created by the state. Though more Buddhist charities are able to be established, it also becomes apparent that as more and more identities are imposed on charitable NGOs, privileges are only given to state accredited ones. Merit society, charity foundation and charity federation as three different types of Buddhist charities do not have equal chance of being accredited by the government to participate in many charitable works without barrier. Though technically Buddhist groups or sites should choose to establish the type of Buddhist charities that is most favoured by the government, sufficient financial resources, well established government connections and the trade-off between legitimacy and flexibility often limit their options.

## **Chapter 2 Literature review, Methodology and the Presentation of Data**

It is widely recognized by scholars that religions have revived and grown since the “economic reform and opening-up” in 1978, particularly after 1982 (Ashiwa and Wank, 2006; Laliberté, 2012; Ji, 2013). However, such revival is closely monitored by the state. Only five religions are allowed to practice in China: Buddhism, Taoism, Islam, Protestantism and Catholicism. The party-state maintains close monitoring of these religions through a process of institutionalization, which includes but is not limited to developing a modern definition of religion, creating an administrative bureaucracy for religious affairs and initiating the establishment of representative associations for each religion (Ashiwa and Wank, 2009). The setup of religious associations is an effective means to closely monitor religious activities, as Laliberté states that “through the creation of these associations, the party sought to use the United Front Work Department to enforce compliance with its directives (Laliberté, 2011, p4).” The UFWD is a party branch that manages the relationship between CCP and key individuals and groups---including ethnic and religious groups--- that are non-CCP members. It aims to ensure that these individuals and groups accept and support the rule and legitimacy of the CCP. These religious associations are considered a hybrid of the “secular socialist work unit” (Goossaert and Palmer, 2011, p318) and NGOs. This means that they are extensions of state authority and in fact carry out the task of performing political or public functions. For Buddhist associations in particular, several province and city level Buddhist associations have posted job opportunities online, looking for potential candidates without the requirement of being Buddhists. Some of the staff members within the association even count as civil servants. However, even under state monitoring, religion is not left without agency. For example, Zhao Puchu, the former chairman of the BAC proposed a new version of Renjian Buddhism [人间佛教]. Originally coined by Taixu [太虚] in the 1900s,

Renjian Buddhism was created to be the modern Buddhism which aimed at teaching Buddhists to focus on human life, instead of deities and ghosts (Ji Zhe, 2013). Though Zhao's Renjian Buddhism is often considered a "Buddhist translation of the Party's demand on religions" (Ji Zhe, 2013, p41) that is deviated from Taixu's Renjian Buddhism, it is a successful action taken by Buddhism in order to link the religion with CCP's ideology and to gain legitimacy (Ji Zhe, 2013, p40). Ashiwa and Wank also express disagreements toward the simple conclusion that state maintains total control over religion (2006). They argue that other than reactively conforming to the orders of the party state, there is ongoing interaction between state and religion. This interaction between state and religion can also be described as a relationship which facilitates the state while helping religion to seek legitimacy. Religious groups or organizations always find a way to bridge religious practice and ideas with government ordered "tasks" (Ji. Z, 2013a; Ji. Z, 2013b; Laliberté, 2009; McCarthy, 2013; Wank, 2012; Wu, 2017).

The economic system and structural reforms since 1978 have brought comprehensive and profound social changes to Chinese society. With the import of market mechanisms and the reform of a highly centralized administrative system, organizations in Chinese society have become more plural. Private enterprises, semi-governmental and non-governmental organizations begin to gradually emerge in an organizational system that was once dominated by mass organizations (Wang, She and Sun, 1993). It is important to note that since the 1950s, the Chinese state had been fully in charge of the social welfare system. As the sole provider for social welfare, it had no tolerance for competitors or facilitators (Wu, 2015). That changed, however, in the 1990s, when alternative social service deliverers such as charities began to emerge (Wang, She and Sun, 1993). This turn has created a new channel for religion to interact with the state.

The emergence of religious charities in 1990s signifies a change in the state-religion relationship because since then, the government began to recognize religious institutions as a facilitator in the delivery of social services since then (Laliberté, 2012). The issuance of *Advice* (2012) further signified a more open political environment for religious groups to participate publicly in philanthropy (Wu, 2017). For some scholars, religious charity is a medium which helps religion to go beyond its designated boundaries (Wank, 2009; Wu, 2015; McCarthy, 2017). In his study of Nanputuo Charity Federation, Wank (2009) has recognized the different local actors and argued that by registering as a charity, the organization was under the administration of the Ministry for Civil Affairs, rather than the SARA. Nanputuo Charity Federation is also called “The Charity of Nanputuo Temple Xiamen” [南普陀慈善会 nanputuo cishanhui]. Established in 1994, it is widely recognized as the first Buddhist charity in mainland China and one of the most important Buddhist charities to study (Wank, 2009; Deng and Wang, 2012). However, more recent data shows that Nanputuo Charity Federation is now under the supervision of both local civil affairs department and religious affairs bureau as a result of the double registration system [双重登记管理制度 shuangchong dengji guanli zhidu], which requires all legitimate social organization to have two supervising units upon registration. All social organizations in China are subjected to the double registration system, which requires them to register with two supervising units [单位 danwei], one operational supervisor [业务主管单位 yewu zhuguan danwei] and one administrative supervisor [行政主管单位 xingzheng zhuguan danwei]. Typically, since a social organization has to register at the local civil affairs department, its administrative supervisor is the department and the operational supervisor is a government agency whose work matches the organization’s field of work. Nanputuo Charity Federation’s website clearly indicates that its supervisors are Xiamen Municipal Department of

Civil Affairs and Xiamen Religious Affairs Bureau. Therefore, Nanputuo Charity Federation is actually unable to escape from the supervision of religious affairs bureau. Yet, since China's legal system is constantly evolving and provincial level regulations are quite diverse, Buddhist charities are able to enjoy certain levels of flexibility. McCarthy and Wu both mention that the "blind-eye governance" (Weller, 2012, p82) of local UFWD and Religious Affairs Bureaus has created a "grey zone" (Wu, 2015, p129), which contributes to the experimentation and innovation of religious charities. The "grey zone" is a political space between legality and illegality that is fully sanctioned by the state but not closely monitored, in which religious groups or organizations experiment with innovations in philanthropic activities. Furthermore, McCarthy and Wu both recognized the geographical variability of regulations on religious affairs and the regulators' unpredictable attitude towards religious organizations. McCarthy wrote that "an organization may be treated favorably in one period and harshly repressed in another even though its focus, activities, and capacity to mobilize supporters have not changed (2017, p69). Wu (2017) has identified the differences between state-led and community based religious charities. While the work of state-led religious charities is closely aligned with state agenda, community-based religious charities are more vulnerable to the changing attitudes of local religious affair regulators and have to operate within the "grey zone". It is worth noting that state-led religious charities are able to enter the public sphere not because they are encouraged, but because the projects they operate are not closely monitored by the state. In other words, even state-led religious charities have to operate within the grey zone to a certain extent. A study done by scholar James Tong (2014) also confirms the variation among provincial religious policies and their deviance from the central policy by comparing the *Regulation on Religious Affairs* issued by the central government and 20 provincial issued ones.

## **Theoretical Framework**

### *Historical Neo-Institutionalist Approach*

Hall and Taylor defines institutions as “formal or informal procedures, routines, norms and conventions embedded in the organizational structure of the polity or political economy” (Hall and Taylor, 1996, p938). Compared to other approaches, institutionalist approaches are best in understanding political behaviours and outcomes through the study of rules and practices that characterize institutions (Lowndes and Roberts, 2013). One of the important features of the historical neo-institutionalist approach is that institutions can influence and shape actions. Therefore, when we consider Buddhist charities as actors, their motives and actions of taking different identities as either merit society, charity foundation or charity federation are influenced by institutions. For this research, two sets of legislation are relevant: one for religious organizations and the other for non-governmental organizations. On one hand, Buddhist charities are religious organizations or at least part of a religious organization as they are often affiliated with temples or Buddhist associations. On the other hand, they are also charitable organizations that have to fit themselves into China’s legislative system for non-governmental organizations, as do other non-religious charitable organizations.

In order to legally operate in China, non-governmental organizations have to register as social organizations [社会组织 shehui zuzhi]. Three types of social organizations are currently recognized by China’s legal framework: social groups [社会团体 shehui tuanti], foundations [基金会 jijinhui] and social service agencies [社会服务机构 shehui fuwu jigou]. In this research, all fund-raising Buddhist charities either belong to the category of social group or foundation. This means that while being either a merit society, a Buddhist charity foundation or a Buddhist

charity federation, a Buddhist charity is also recognized as a social group or a foundation. It is hard to define what exactly a social group or a foundation is because the definitions are not fixed. As seen in Table 1 and Table 2 below, the regulations for both social group and foundation have been revised several times since 1978. Yet, the fundamental difference between the definition for social groups and for foundations remains unchanged. A social group can be seen as a compilation of individuals since it is constituted by individual citizens; while a foundation is essentially a compilation of financial capital because it is an entity that deals with donated money.

Recognizing the dual identity of each Buddhist charity, the historical neo-institutionalist approach is helpful in examining the continuities and changes of the legislative frameworks for social organizations and religious organizations in China in the past decades.

Table 1

*The evolution of the definition of social group since 1978*

	<i>Regulation on Registration and Administration of Social Groups (1989)</i>	<i>Regulation on Registration and Administration of Social Groups (1998)</i>
<b>Social Group</b>	N/A (not defined)	<ul style="list-style-type: none"> <li>✓ “The ‘social group’ as mentioned in this <i>Regulation</i> refers to not for profit social organizations that are voluntarily formed by Chinese citizens in order to realize a shared objective, and conduct activities according to their charters.</li> <li>✓ All groups other than state organs may also join social groups as members.</li> </ul>

		✓ Social groups must have the legal person status.”  <i>Article 2 and 3</i>
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Table 2

*The evolution of the definition of foundation since 1978*

	<i>Administrative Measures of Foundations (1988)</i>	<i>Regulation on Foundation Administration (2004)</i>
<b>Foundation</b>	✓ “The ‘foundation’ as mentioned in this <i>Regulation</i> refers to the civil [民间的 minjiande], not for profit organizations with legal personal status [法人资格 faren zige] that manage the willing donations from domestic and foreign social groups, other organizations and individuals.  ✓ The purpose of foundation is to advance the development of scientific research, culture, education, social welfare and other public purposes through financial assistance.”  <i>Article 2</i>	✓ “The ‘foundation’ as mentioned in this <i>Regulation</i> refers to the not for profit legal person established in accordance with this <i>Regulation</i> by making use of the property donated by natural persons, legal persons, or other organizations with the purpose of engaging in public welfare endeavours.”  <i>Article 2</i>

Another important feature of the historical-institutionalist approach is path dependency. During the three-decade-long time span from 1982 to 2012, a continuous revival of religions is observed. In exploring how does the state’s attitude towards religion develops from abolishing the total ban of religions in 1982 to explicitly encouraging religious charities in official documents in 2012, the path dependency of historical neo-institutionalist approach is well-suited

to explain such persistence of policies (Peters, 2005). Historical institutionalists believe that “past lines of policy condition subsequent policy by encouraging societal forces to organize along some lines rather than others, to adopt particular identities, or to develop interests in policies that are costly to shift” (Hall and Taylor, 1996, p941). Corresponding to the fact that Buddhist charity is a religious organization as well as a non-governmental organization, there are also two paths. While the CCP’s attitude towards religion passes from Deng Xiaoping to Xi Jinping, the state’s strict control over non-governmental organizations and domination in welfare-related also continues.

The longevity and complexity of religion has been recognized by the CCP since the early 1980s. The general direction of the CCP policy towards religion made by Deng Xiaoping is then passed to his successor Jiang Zemin, Hu Jintao and now Xi Jinping (Laliberté, 2016). A continuing revival of religion and continuous incorporation and utilization of religion as social and economic resource is observed.

Decades into the Reform era, the state dominated social welfare sector has transformed into a charity sector because of its gradual opening to non-governmental actors. While substantial institutional changes have taken place, continuity can also be observed. More than 1,000 public foundations [公募基金会 gongmu jijinhui], thousands of charity federations [慈善总会 cishan zonghui] and more than 2,000 Red Cross Societies are founded by state and local governments. Not only do these dominating actors in public welfare and charity activities remain to be semi-governmental, but many non-governmental actors’ degree of autonomy also remains low as the system of legal registration is established by the state to maintain a monopoly over these organizations (Hildebrandt, 2011). Within this asymmetric power structure, many non-

governmental organizations have to actively acquire government connections, facing the fact that preference and convenience are often given to those with strong government background.

### *Fragmented Authoritarianism*

This thesis focuses on analyzing the legislative framework that is established by central government, but I am fully aware of the fragmentation between central and local authorities. The “fragmented authoritarianism” model of Kenneth Lieberthal perfectly described the phenomenon of fragmentation between local and central government by arguing that the “authority below the very peak of the Chinese political system is fragmented and disjointed (Lieberthal, 1992, p8)” and that the decision-making power is often decentralized and assigned to lower level actors. Before entering the Reform era, power and resources were concentrated in the central government in a planned economic system, scattered among various ministries and commissions. They may work independently but are mutually restrained. As a result of the Economic Reform and Opening-up in 1978, central government delegated a considerable part of the power and the responsibilities of promoting economic development to local governments, thereby power and resources began to be clustered geographically (Ye, Li, & Yang, 2011).

According to the Constitution of the People’s Republic of China, the country’s administrative organs are currently based on a three-tier system. The first tier contains three main administrative divisions: provinces, autonomous regions and municipalities, which are directly under the Central Government; Provinces and autonomous regions are divided into second-tier administrative divisions: autonomous prefectures [自治州 *zizhi zhou*], and cities [市 *shi*]<sup>1</sup>. In the last tier, prefectures are further divided into counties [县 *xian*], autonomous counties [自治县 *zizhi xian*], and county-level cities, while the lowest tier are further divided into townships [乡

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<sup>1</sup> The same *shi* used for different levels of municipalities.

xiang], ethnic minority townships [民族乡 minzu xiang], and towns [镇 zhen]. At the moment, China has 22 provinces, 5 autonomous regions and 4 municipalities directly under the Central Government (excluding the Hong Kong Special Administrative Region, the Macao Special Administrative Region and Taiwan). Autonomous regions, autonomous prefectures and autonomous counties are all nominally ethnic minority areas. Key regulators of religious affairs: UFD, branches of the Religious Affairs Bureau and religious associations are all set up based on this tiered system. The fragmentation between each tier of government leads to the creation of a grey zone that in fact helps the emergence and development of Buddhist charities. For example, since central policies are often localized differently by local governments based on their own regional situations, the absence of explanation of Buddhist charities in central policies gives local governments full authority in regulating Buddhist charities. If Buddhist charities appear to be beneficial to local governments, then they are very likely to be welcomed. This point will be elaborated in the following chapters.

Since religious affairs remain to be a sensitive matter in China that is regulated more rigorously, religious groups count as special organizations that have to meet more requirements in order to register (Wang, X, 2016). Not until 2012 was establishing religious charities officially recognized by the central government through an issued document as a legitimate means for religious groups and sites to participate in charitable works. Therefore, the fact that many Buddhist charities have been established long before 2012 suggests the important role of local authorities. I will use the term “grey zone” to describe a habitable space for Buddhist charities that are not fully sanctioned by the central authority, but that have gained a certain level of legitimacy at the local level. The grey zone can be created by the vagueness of central legislation and the fragmentation between the central and local governments, meaning when a document or

regulation is issued by the central governments, the ambiguous terms in it are open to different interpretation and ways of implementation by local governments (Wu, 2015). For most cases, the central authority remains powerful in setting up the initial qualifications but loses its power in controlling the implementation process. Yet sometimes local governments even have the authority to develop local-specific measurements and qualifications according to a central document. Therefore, though a mutually beneficial relationship between local governments and Buddhist charities allows Buddhist charities to survive, Buddhist charities within the grey zone are also vulnerable to the subjectivity of local governments.

However, in this thesis, I will not go further into looking at provincial or even lower levels of legislation, not only because of the length limitation but also because I am fully aware that there is great disparity within lower level legislation due to variation in each province's situation and further disaggregation into them may lead to the loss of sight of larger patterns (Perry, 1994).

### **Analytical Framework**

The analytical framework of this thesis is designed to divide the four decades after 1978 into three major periods. In authoritarian China, political factors have decisive influence on the evolution of charitable organizations. Therefore, the division of periods is based on the state's legislation and the evolution of charitable organizations in the PRC (Zheng, 2010). In Zheng's framework, the evolution spans from 1949 to 2010 and is divided into four periods: 1949 to 1956, 1957 to 1993, 1994 to 2004, and 2005 to 2010; and each period corresponds with state's restriction, rejection [排斥], acceptance and encouragement of charitable works. Since the research scope of this thesis is limited to the Reform era after 1978, the first year of the timeline is set to be 1982--- the year that *The Basic Viewpoint and Policy on the Religious Question*

*during Our Country's Socialist Period [关于我国社会主义时期宗教问题的基本观点和基本政策 guanyu woguo shehuizhuyi shiqi zongjiao wenti de jiben guandian he jiben zhengce]* (known as Document 19) was issued, and the time span will be extended from 2010 to 2018. Therefore, the evolution of Buddhist charities in China will be divided into three periods: 1982 to 1993, 1994 to 2004, and 2005 to the present. Each time period represents the preparatory, emergence and growth period of Buddhist charities.

## **Methodology**

This research focuses on studying Buddhist charities that were established in the People's Republic of China with the development of the Economic Reform and Opening-up policy from 1978 onwards. Though Buddhism flourished in imperial China, it was almost destroyed during the Cultural Revolution. So the revival of Buddhism since the Reform era should be distinguished from Buddhism in the past and requires separate research. Therefore, I set the timeline of my research to post-1978. The term "Buddhist charity" in this thesis refers to all fund-raising Han-Buddhist charitable organizations that are mostly using names: charity foundation, merit society and charity federation. A few fund-raising Buddhist charitable organizations that use other names will also be included in the research and will be referred as "other". The term does not include charitable organizations that are considered social service agencies, such as orphanages, senior homes and hospitals that have a Buddhist background.

This research is heavily based on the analysis of sources that are available online, particularly policy documents in Chinese that are related to social organizations and religious affairs. These policy documents are able to reflect the evolution of state's priorities regarding the two matters chronologically, which allows me to trace back how current institutions depend on past ones.

The analysis of policy changes could help me to identify a useful timeline and key periods. Relevant policy documents are published between 1982 and present and are varying in types, which include Law [法fa], Regulations [条例 tiaoli], Measures [办法 banfa], Notices [通知 tongzhi] and Opinions [意见 yijian]. The difference between them is that Measures are often issued to further explain the specifications of laws and regulations; Notices are often issued to notify lower levels of authorities about laws or order them to execute certain matters; and Opinions aim at providing understandings [见解 jianjie] and solutions for important issues (State Council, 2013). Since this is a qualitative research project, I have conducted content analysis of collected data. The main sources of information include abovementioned policy documents in Chinese, publications of the BAC, academic journals and books in both English and Chinese language, newspaper reports in Chinese, government database, Buddhist charities' own social media platform and audit reports, and information gathered by my thesis director (Laliberté, unpubl.). Two important government websites are used to check the registration status of Buddhist charities. One is titled "China Social Organizations" [中国社会组织 zhongguo shehui zuzhi], the other one is titled "Charity in China" [慈善中国 cishan Zhongguo]. The former was created in 2003 and the latter was created after 2016. These two websites are created by the Chinese government as databases which include all the information of currently registered social organizations, public interest organizations and *cishan* organizations. A limitation of these databases is that though they are both up-to-date, they are unable to reflect past changes. An organization that is not included in database now could have been included in the past. It is also possible that once one Buddhist charity is registered as social organization it can later be de-registered due to some reasons. Yet this potential bias is unavoidable due to the lack of official archives.

Since there is considerable variance between different Buddhist charities across province or even within a province, it would be biased to use the case of one single Buddhist charity to represent all. Instead of focusing on any specific Buddhist charity, this thesis will present a relatively panoramic picture of the landscape of Buddhist charities in China, in order to avoid overgeneralization. Instead of implying that every merit society or charity foundation share certain characteristics, I will use the term “majority” to avoid bias.

### Strategies of Data Analysis

Two of the important strategies of data analysis that are used in this thesis are making comparisons and thinking about different meanings of a word.

I obtained the list of Buddhist charities even before I formulated the research question. Therefore, in order to find a pattern that could help formulate the research question, data analysis and interpretation were necessary. The first strategy I used was making constant comparisons, which is defined as “act of taking one piece of datum and examining against another piece of datum both within and between documents” (Corbin & Strauss, 2008, p70). The list of Buddhist Charities was originally organized based on their geographical locations. I compared all the available information of Buddhist charities in one province against other Buddhist charities in another province, yet I then found the categorization that was based on geography unhelpful. Not only because there were too many provinces, but also because each province had different numbers of Buddhist charities and there were not many patterns to be found. For example, there were no clear patterns to be observed among charities that belong to the same category. While some provinces had all types of Buddhist charities, such as Jiangsu, Zhejiang and Henan provinces, some provinces only had one or two and some provinces did not have Buddhist charities at all. Also, some merit societies were members of local charity federation and some

were managed by a Buddhist charity foundation. However, after the examination, I did find that though Buddhist charities tend to have different names, there were three main types of nomenclatures that they used. Therefore, I reorganized the list and categorized them into different groups based on nomenclatures.

Legislation documents posed as another important source of data for this research. It is a common sense to many that government revises old legislation and develops new legislation periodically. Being aware of this fact, I collected legislation documents that were relevant to religious affairs and social organizations from 1982 to 2018. I also used the comparison technique in examining these documents, but in addition to that, I constantly thought about different meanings of words. It was helpful to compare revised legislation to the original legislation article by article because the wording difference could indicate something important. For this research I wanted to find all articles that were concerning about charity in both legislation relating to religious affairs and social organizations. What I found was that in 1990s, the word “social welfare” was used a lot but later disappeared and replaced by the word “public welfare” since the 21<sup>st</sup> century. Later the phrase “public welfare and charity (*cishan*)” began to be used extensively in replacing the word “public welfare” since around 2010. The changed wording choice caught my attention and I decided to link it with development of Buddhist charities since I had knowledge about the historical linkage between the term *cishan* and religion before the PRC was founded.

### **Data and Limitations**

The list of Buddhist charities that is studied in this research is obtained from the first volume of *Buddhist Charity of China* [中国佛教慈善 *zhongguo fojiao cishan*], a three-volume book

published by the Charity-public welfare Association of Buddhist Association of China in 2013. The original dataset has 59 Buddhist charitable organizations, among which, 46 are fund-raising charities that are relevant to this research. The name and year of founding of all 46 Buddhist charities are indicated in Table 3, which clearly shows that there is no Buddhist charity in China prior to 1994. They are organized by types and each one is assigned a unique code for convenience.

Table 3

*List of Buddhist charities in China prior to 2013*

	<b>Merit Society 功德会</b>	<b>Foundation 基金会</b>	<b>Charity Federation 慈善会</b>	<b>Other</b>
<b>Affiliating with Buddhist Associations</b>	<p><b>MA1:</b> Sichuan Province Buddhist Charity Merit Society 四川佛教慈善功德会 1994</p> <p><b>MA2:</b> Hebei Province Buddhist Association Charity Merit Specialized Committee (prior to 2005: Hebei Province Buddhist Charity Merit Society) 河北省佛教协会慈善功德专业委员会 1995</p> <p><b>MA3:</b> Xuzhou Preach Charity Merit Society 徐州弘法慈善功德会 1998</p> <p><b>MA4:</b> Chongqing Buddhist Association Charity Merit Society 重庆佛教协会慈善功德会 1998</p> <p><b>MA5:</b> Miaoshanwenjiao Charity Merit Society</p>	<p><b>FA1:</b> Guangdong Province Buddhist Association Charity Foundation 广东省佛教协会慈善基金会 1994</p> <p><b>FA2:</b> Yingkou City Buddhist Association Foguang Preach Foundation 营口市佛教协会佛光弘法基金会 1995</p> <p><b>FA3:</b> Hebei Province Buddhist Charity Foundation 河北省佛教慈善基金会 1996</p> <p><b>FA4:</b> Tianjin Buddhist Charity Merit Foundation 天津市佛教慈善功德基金会 2005</p> <p><b>FA5:</b> Shanxi Province Jincheng</p>	<p><b>C1:</b> Nanputuo Charity Federation 南普陀慈善会 1994</p> <p><b>C2:</b> Yilan Ciyun Temple Charity Federation 依兰慈云寺慈善会 2004</p> <p><b>C3:</b> Harbin Jile Temple Charity Federation 哈尔滨极乐寺慈善会 2005</p> <p><b>C4:</b> Hangzhou City Charity Federation Ciyuan branch 杭州市慈善总会慈缘分会 2009</p> <p><b>C5:</b> Jinzhou Charity Federation-Affiliated Buddhist Charity Federation 锦州慈善总会佛教慈善会 2009</p>	<p><b>OA1:</b> Inner Mongolia Autonomous Region Buddhist Association Charity-public welfare Office 内蒙古自治区佛教协会慈善公益事业办公室 2011</p>

	<p>妙善文教慈善功德会 2000</p> <p><b>MA6:</b> Taizhou City Buddhist Association Charity Merit Society 台州市佛教协会护法慈善功德会 2000</p> <p><b>MA7:</b> Zigong City Buddhist Association Charity Merit Society 自贡市佛教协会慈善功德会 2005</p> <p><b>MA8:</b> Puyang City Buddhist Charity Merit Society 濮阳市佛教慈善功德会 2006</p> <p><b>MA9:</b> Ningbo Buddhist Charity Merit Society 宁波佛教慈善功德会 2012</p>	<p>City Buddhist Charity Foundation 山西省晋城市佛教慈善基金会 2006</p> <p><b>FA6:</b> Hunan Province Buddhist Charity Foundation 湖南佛慈基金会 2006</p>	
<b>Affiliating with Temples</b>	<p><b>MT1:</b> Xichang City Guangfu Temple Charity Relief Merit Society 西昌(市)光福寺慈善救济功德会 1997</p> <p><b>MT2:</b> Juequn Ciai Merit Society 觉群慈爱功德会 2005</p> <p><b>MT3:</b> Nanjing City Huiji Charity Merit Society 南京市惠济慈善功德会 2005</p> <p><b>MT4:</b> Liaoning Province Dalian City Guanhai Temple Xingyuan Merit Society</p>	<p><b>FT1:</b> Shaolin Temple Shaolin Charity Welfare Foundation 少林寺少林慈善福利基金会 1994</p> <p><b>FT2:</b> Wuxi Lingshan Charity Foundation 无锡灵山慈善基金会 2004</p> <p><b>FT3:</b> Beijing Ren'ai Charity Foundation 北京仁爱慈善基金会 2006</p> <p><b>FT4:</b> Donglin Jingtū Culture Foundation 东林净土文化基金会</p>	<p><b>OT1:</b> Jiangxi Province Fuzhou City Linchuan District Dajinshan Temple Charity Association) 江西抚州市临川区大金山寺慈善事业协会 1999</p> <p><b>OT2:</b> Liuzu Temple Puji Charity 六祖慈善普济会 2005</p> <p><b>OT3:</b> Jing'an Temple Charity Fund 静安寺慈善基金 2006</p> <p><b>OT4:</b> Quanzhou Dakaiyuan Temple Poverty Alleviation and Disaster Relief</p>

<p>辽宁大连观海寺行愿功德会 2006</p> <p><b>MT5:</b> Wenfeng Temple Charity Merit Society 文峰寺慈善功德会 2007</p> <p><b>MT6:</b> Dabei Charity Merit Society 大悲慈善功德会 2007</p> <p><b>MT7:</b> Lanzhou City Bao'en Temple Charity Merit Society 兰州报恩寺慈善功德会 2007</p> <p><b>MT8:</b> Donglin Charity Merit Society 东林慈善功德会 2008</p> <p><b>MT9:</b> Taiping Chan Temple Charity Merit Society 太平禅寺慈善功德会 2009</p> <p><b>MT10:</b> Chengdu City Wenshu Monastery Fuhui Merit Society 成都文殊院福慧功德会 2011</p> <p><b>MT11:</b> Changchun City Husheng Merit Society 长春护生功德会 2012</p> <p><b>MT12:</b> Leshan Buddha Lingyun Temple &amp; Wuyou Temple Charity Merit Society 乐山大佛凌云寺, 乌尤寺慈善功德会 2012</p>	<p>2006</p> <p><b>FT5:</b> Huayan Foundation for Culture and Education 华岩文教基金会 2006</p> <p><b>FT6:</b> Suzhou Hehe Culture Foundation 苏州和合文化基金会 2011</p> <p><b>FT7:</b> Shandong Province Pujue Public Welfare Foundation 山东普觉公益基金会 2012</p> <p><b>FT8:</b> Xuedou Ciguang Charity Foudnation 雪窦慈光慈善基金会 2012</p> <p><b>FT9:</b> Lanzhou City Bao'en Temple Charity Foudnation 兰州报恩寺慈善基金会 2012</p>		<p>Public Welfare Association 泉州大开元寺扶贫救灾公益协会 2008</p>
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Data retrieved from *Buddhist Charity of China*

Due to constant institutional change, there are three main limitations of data that may cause potential bias. One limitation is that the dataset is incomplete. The first evidence is that this dataset does not include the famous Nanputuo Charity Federation. It is not clear why this charity is not included in the original dataset, but because of its significance, Nanputuo will be included in this research. Therefore, this research shall include 46 Buddhist charities in total. Buddhist charities are categorized into four different categories: merit society, foundation, charity federation and other. There are 21 merit societies, 15 foundations, five charity federations and five other Buddhist charities that use different names. Among 46 Buddhist charities, some are affiliated with Buddhist charities and some are affiliated to temples. As a matter of convenience, each Buddhist charity is assigned with a unique code that consists of one or two letters and a number, which reflects its identity. MA1 to MA9 represent merit societies that are affiliated with Buddhist Associations, MT1 to MT12 represent merit societies that are affiliated with temples, FA1 to FA6 represent foundations that are affiliated with Buddhist Associations, FT1 to FT9 represent foundations that are affiliated with temples, C1 to C5 represent Buddhist charity federations, OA1 represents other Buddhist charities that are affiliated with Buddhist Associations and OT1 to OT4 represent other Buddhist charities that are affiliated with temples. Another evidence for the incompleteness is that there is no information for seven provinces and autonomous regions in the original dataset: the provinces of Anhui, Hainan, and Guizhou, and the Autonomous Regions of Xinjiang, Ningxia, Guangxi and Tibet (Xizang). This should not lead to the conclusion that there are no Buddhist charities in these seven provinces or regions. For example, a merit society affiliated with Sanzu Monastery was established in 2006 in Anhui

province (Sanzu Monastery, 2015). For unknown reasons, this merit society is not included in the original dataset, which suggest that some other Buddhist charities in these seven provinces may be neglected as well. This may lead to inaccuracy in terms of the total number of Buddhist charities, but will not cause significant bias because this research does not involve distinguishing different types of Buddhist charities based on province.

The second limitation is that the dataset is not up-to-date. The original dataset was produced five years ago in 2013. As it shows in Table 4, the number of Buddhist charities began to grow since 1994 and the number grew more quickly in the recent decade. More Buddhist charities could have emerged in the five-year gap and they are not included in this research. No one has yet been able to answer how many Buddhist charities there are in China and there are many reasons for this. Since the revival of Buddhism, Buddhist charities have continued to emerge. It is difficult to keep information up-to-date even for the government, especially considering many of the Buddhist charities are operating within the grey zone. Yet as the research explores how legislation and institutional changes impact Buddhist charities over time, it is more important to make sure that information regarding legislation rather than Buddhist charities is up-to-date. Since Buddhist charities that were established prior to and after 2013 should be impacted by legislation in the same way, the sample of 46 Buddhist charities is enough to demonstrate the impact of policies.

Table 4

*Number of Buddhist Charities Established Each Year*

<b>Year of Establishment</b>	<b>Frequency</b>	<b>Total</b>
<b>1982</b>	0	0
<b>1983</b>	0	
<b>1984</b>	0	
<b>1985</b>	0	
<b>1986</b>	0	

1987	0	
1988	0	
1989	0	
1990	0	
1991	0	
1992	0	
1993	0	
1994	4	13
1995	2	
1996	1	
1997	1	
1998	2	
1999	1	
2000	2	
2001	0	
2002	0	
2003	0	
2004	2	33
2005	6	
2006	8	
2007	3	
2008	2	
2009	3	
2010	0	
2011	3	
2012	6	

The third limitation is that some information provided by the original dataset is inaccurate because some charities no longer exist or have changed names. For example, no information of Yingkou City Buddhist Association Foguang Preach Foundation (FA2) can be found online or in other documents. Also, the original name of Taizhou City Buddhist Association Charity Merit Society (MA6) in the dataset is Taizhou City Buddhist Association Dhammapala Charity Merit Society [台州市佛教协会护法慈善功德会 taizhoushi fojiaoxiehui hufa cishan gongdehui]. In this research an information retrieval system called “Social Organization Query System V1.0” on the website of “China Civil Society Organizations” will be used to verify the status of different Buddhist charities. The system was developed by the Ministry of Civil Affairs and it contains a database of social organizations that are registered with the Ministry. In order to check whether an organization is registered, the system requires inquirers to type in the exact name of the

organization. The name needs to be identical with the name in the system's database, in terms of the characters it uses and even the order of characters. Therefore, the name-change may cause problems with research and researcher should verify whether a Buddhist charity has changed names before checking with the system, in order to avoid bias.

Overall, these limitations do not reduce the significance and value of the dataset. The data provided by BAC is relatively more complete and legitimate compared to data from other sources. These limitations suggest that there are continuous institutional changes in China, which force some organizations to dissolve and force others to make changes in order to be compatible with the new institution. For example, every time the regulation for social group changes, not only new social groups need to be compatible with the new regulation, but all registered groups also need to re-register. Failure to do so causes de-legitimization.

### Chapter 3 Preparatory Period (1982 - 1993)

According to the Table 4, there were no Buddhist charities in China between 1982 and 1993. Therefore, in this chapter I ask the questions that was there actually a vacuum of Buddhist charities in this time period and if so, then what caused the vacuum?

Though Document 19 is often seen as the first statement that signified the CCP's change of attitude towards religion and religious freedom in China, it had not yet recognized religion's potential in assisting the state in providing social services. In responding to the change of attitude of the CCP and to consolidate the legitimacy of Buddhism, the former president of BAC Zhao Puchu has proposed Renjian Buddhism as a link between Buddhism and the CCP's ideology (Ji Z., 2013). Realizing that the legitimacy of Buddhism depends on its utility to the CCP, Zhao has also proposed "three excellent traditions" in 1983. The six paramitas [六度 liudu] in Mahayana [大乘佛教 dacheng fojiao] are: generosity or charity [布施 bushi], ethics [持戒 chijie], forbearance [忍辱 renru], diligence [精进 jingjin], meditative concentration [禅定 chanding], and wisdom [般若 bore]. In the first paramita, there are three forms of generosity: giving material things [财布施 cai bushi], giving loving protection [无畏布施 wuwei bushi] and giving Dharma to others [法布施 fa bushi]. All three forms of generosity are closely linked with caring and helping others in society without selfishness. Charity being a part of the first paramita is also a sign of its importance in Mahayana. However, generosity or charity is nowhere to be seen in the "three excellent traditions". The reason is that the ideas of the Traditions are originated from state issued Document 19 (Ji Z., 2017), which means that these traditions ought to be closely aligned with the tasks that CCP wants religions to do. The "three excellent traditions" are: "Combine Buddhism with agricultural labour" [农禅并重 nongchan bingzhong], academic

study, and friendly international exchange. The lack of anything related to charitable works in the “three excellent traditions” already suggests the CCP’s lack of interest of religion in charity. Not until 1987, when Renjian Buddhism was written into the revised version of the BAC’s charter, was Buddhism’s task to contribute to social welfare endeavors [社会福利事业 shehui fuli shiye] mentioned for the first time. Article three of 1987’s BAC charter states five major tasks of the BAC and the third one is to “unite and guide Buddhists of all ethnic groups to take an active part in the work of serving the people and organizing and sponsoring social welfare works”. However, despite this statement, the first Buddhist charity was not established until seven years later in 1994. Therefore, this chapter responds to the question of why Buddhist charities were not officially recognized prior to 1994, while first looking at whether there were Buddhist charities established prior to 1994.

Nanputuo Charity Federation (C1) is often recognized as the first Buddhist charity in China (Wank and Ashiwa, 2006), but the phrasing of the description of Nanputuo suggests something else. On the website of the UFWD, Nanputuo is described as the “first Buddhist charity that is established with legal person status and with the approval of the civil affairs department (UFWD, 2011)”. This statement suggests that Nanputuo was the first Buddhist charity that was recognized by the state rather than the first one that was ever established in the PRC. There is no information available for this research on which Buddhist charity was the actual first one to be established after the Cultural Revolution, but one source points out that Chongqing Buddhist Association [重庆佛教协会 Chongqing fojiao xiehui] had already established a Buddhist charity in 1993 in order to participate in Project Hope (Ven. Weixian, 2009). Prior to the establishment of Chongqing Buddhist Association Charity Merit Society (FA1) in 1998, a Buddhist charity called Chongqing Buddhism Project Hope Commission [重庆佛教希望工程委员会 Chongqing

xiwanggongcheng weiyuanhui] was established on June, 15<sup>th</sup>, 1993 (Ven. Weixian, 2015).

Therefore, between 1982 and 1993, it is not accurate to say that there was a vacuum of Buddhist charities because there was only a vacuum of state-recognized Buddhist charities. This begs the question of why had no Buddhist charity gained legitimacy during that time. Arguably the vacuum was the result of the state at that time acting as the sole or main actor in the social welfare endeavors, possessing strict control over all social organizations and rejecting the idea of charity.

### **State-dominated Social Welfare Sector**

The acceptance of the so-called religious freedom starts with the issuance of Document 19, which signified that the CCP had officially recognized religion as an important component of Chinese society. The document ideologically justified the restoration of religion in China, stating the party's policy of ensuring religious freedom of the five recognized religions and calling for the incorporation of religion into the state's construction of a socialist society. When justifying the importance of religion in Chinese society, the document also included the following statement in its fifth section:

Many religious practitioners not only have close ties with religious believers in spirit and have important influence on the spiritual life of the masses; but they also carry out service type labour [服务性劳动 fuwuxing laodong] and their endeavors relate to social public welfare [社会公益 shehui gongyi], in the form of fulfilling religious duties. For example, maintaining and protecting temples, churches and religious relics, engaging in agricultural cultivation and afforestation and conducting religious studies. (Central Committee of CCP, 1982)

The term “public welfare” [公益 gongyi] and “public welfare endeavors” [公益事业 gongyi shiye] which were later defined to include “activities that contribute to disaster relief, poverty alleviation and help groups and individuals that are in need, such as disabled persons” in 1999, seems to mean something different in Document 19. The examples provided in the statement show that religion had no role to play in public welfare endeavors that are related to providing social services or helping people in need. According to official statistics, there were more than four thousand non-governmental organizations in China by 1988 (Wei, 2008), so in order to find out whether it was religious charities in particular or charities in general that were not recognized in this time period, it is necessary to find out whether there were any social organizations that provide social services.

Prior to the reform in the late 1970s, Chinese society showed a high degree of unification [同一性 tongyixing]. The urgent pursuit of socialist ideals enabled China to quickly establish a national collective economic system in the 1950s, and caused individual interest to be replaced by collective interests (Cao, 2008). Therefore, prior to the reform period, China’s political system, its economy and its social structure were all very centralized. After 1978, the market-oriented reforms have led to a mixed economic structure which consists of state-owned, collective, individual and private enterprises (Keane, 2007). As the economic system and social structure began to reform after 1978, non-governmental organizations began to emerge. Yet non-governmental organizations that aimed to support people in needs remained underdeveloped in general. According to a research that was conducted in the early 1990s, they were underdeveloped because of the persistence of three types of organizations, which were the three main actors in the state-led social welfare sector: socialist working units [事业单位 shiye danwei], basic level political organizations [基层政权组织 jiceng zhengquan zuzhi], such as

sub-district offices [街道办事处 jiedao banshichu] and village committees [村民委员会 cunmin weiyuanhui], and other organizations that were mainly state led or state sponsored (Wang, Y, She and Sun, 1993). These three types of organizations acted extensions of state authorities and were the main actors in providing social services.

After the 1950s, China began to implement a planned economic system and the state controlled almost all available resources. From 1949 to 1957, the state's share of gross industrial output value by ownership increased from 26% to 54% (Bramall, 2009). The state's control and allocation of resources was carried out through various levels of working units. Also based on the tier system, the unit system [单位制 danweizhi] built a network in which lower level units were subordinated to their superior units, and superior units were subordinated to central and provincial administrative departments. Therefore, the party and the government were able to assign tasks to lower-level units through higher-level units and to allocate human resources, material resources, and financial resources accordingly. Under the unit system, workers were assigned to a unit for a lifetime and thus had developed a high degree of attachment to their unit. Through resource monopoly and the creation of an immobilized labour force, the units met the basic needs of their workers by providing work, housing and various welfare facilities such as schools, hospitals, canteens, and bathhouses (Goossaert and Palmer, 2011: 319). For many workers, the unit was also the sole provider of their livelihood benefits such as pensions, medical insurance, etc. and because there was no free flow of resources outside the system, leaving the unit was tantamount to losing everything (He, 2003).

In assisting the unit system, the street-resident system [街居制 jiejuzhi] had also been created to regulate and support unemployed populations (Xia, 2008). The Great Leap Forward and the People's Commune Movement led to the rapid expansion of state functions at basic level

political organizations such as the sub-district [街道 jiedao]. After the Third Plenary Session in 1978, the street-resident system enjoyed rapid development. For example, in rural areas, people's communes had the responsibility to support people who were eligible to have the "five guarantees" [五保 wubao]. "Five guarantees" refers to guarantee for food, clothes, housing, medical care, and burial services for the old and the weak who have no labour ability, no income and no family support (Song, 2007). These guarantees remain part of the Chinese social welfare lexicon today.

Another important type of actor back then were organizations that were considered an extension of state authority and the semi-governmental organizations that derived from them, which still exist today. This type of organization includes organizations like the CCP Communist Youth League [共青团 gongqingtuan] and the All-China Women's Federation [全国妇女联合会 quanguo funü lianhehui]--- a women's interests organization that was established under the guidance of the CCP. Established in July 1981, the China Children and Teenager's Fund [中国少年儿童基金会 zhongguo shaonian ertong jijinhui] is not only the first non-profit social organization in China, but also the first one that gained independent legal person status. As a national public foundation, the Fund is initiated and supported by the All-China Women's Federation (Ji and Zhao, 2007). Over the next few years, organizations such as the China Foundation for Disabled Persons [中国残疾人福利基金会 zhongguo canjiren fuli jijinhui] and the China Green Foundation [中国绿化基金会 zhongguo lühua jijinhui] were also set up under the leadership of government officials (Zheng, 2010). More foundations were established after the 1988 regulation, but all of them had government background. In December 1988, the All-China Women's Federation established another foundation called the China Women's

Development Foundation [中国妇女发展基金会 zhongguo funü fazhan jijinhui]. In March 1989, the China Foundation for Poverty Alleviation [中国扶贫基金会 zhongguo fupin jijinhui] was established with the support from Ministry of Agriculture and the China Youth Development Foundation [中国青少年发展基金会 zhongguo qingshaonian fazhan jijinhui] , which had also been established by the Central Committee of the Communist Youth League of China (Ji and Zhao, 2007).

Therefore, one of the reasons that could explain the underdevelopment of Buddhist charities from 1982 to 1993, arguably was not because the state wanted to segregate religion from participating in charitable works in particular, but because there was a continuation of state domination over the public welfare sector in general. Providing social services remained the sole responsibility of the state and no any other actors were allowed to join the social welfare sector (Wu, 2015, p149; Zheng, 2010).

### **Strict Control over NGOs**

The second reason for Buddhist charities to be inadmissible to develop was that following the Democracy Movement in 1989, the state had tightened its policy on social organizations. In the circumstances that social organizations in general were considered threatening to the state, it became even more difficult for new religious social organizations to register.

After 1956, regulating social organizations was no longer the sole responsibility of a single government department. In fact, many government agencies participated in the management of social groups such as the Ministry of Culture, the General Administration of Sport of China, the National Science and Technology Commission and the Chinese Academy of Sciences (Wang and He, 2004). Each department or agency was responsible for regulating social organizations

whose activities are relevant to their own field of expertise. Not until 1989 was there a legislation that applied to social organizations universally and forced them to register.

The situation completely changed after the Tiananmen Square protests of 1989, which ended with a bloody crackdown on June 4<sup>th</sup>, 1989. An official death toll has never been released, but the estimated deaths in Beijing were more than 1,000 (Cheng, 1990). Many student leaders and dissenters were forced into exile and this movement became a taboo subject in mainland China even to this day. The movement reminded the government of the far-reaching influence of non-governmental organizations and the urgency to reform the management system of them. On October 25<sup>th</sup>, 1989, the State Council promulgated the *Regulation (1989)*, which was not revised until later in 1998. According to Article 6 and 7, civil affairs department was entrusted as the only registration authority (State Council, 1989). With very few exceptions, all social groups had to be registered at all levels of civil affairs departments and all existing social groups were required to re-register. One of the most important changes was the establishment of the double registration system, which is still in effect today. In order to register or re-register, a social organization must find a government agency as the operational supervising unit; otherwise, it cannot be registered or has to be disbanded. Therefore, the double registration system poses a major obstacle to the registration of social organizations, especially those that are grassroots initiated.

Though this is a regulation for social groups, it also applies to foundations. In Article 2, the Regulation states that:

Associations [协会 xiehui], association for studies [学会 xuehui], joint associations [联合会 lianhehui], research associations [研究会 yanjiu hui], **foundations**, friendship association [联谊会 lianyihui], promotion councils [促进会 cujinhui], business

associations [商会 shanghai] and other social groups that are organized within the People's Republic of China shall register in accordance with this Regulation. (State Council, 1989)

It is important to note that in 1988, *Regulations for the Management of Foundations* was already issued as the first regulation specifically for foundations. The overlapping of regulations does not only suggest the blurry boundary between social groups and foundations in this time period, but it also suggests that the state has attempted to impose legislative control over all sorts of organizations in response to the crisis.

The difficulty of finding an operational supervisor led to the disbanding of many existing social organizations after the General Office of the State Council approved the Ministry of Civil Affairs' *Request on Clearing up and Rectifying Social Organizations* [关于清理整顿社会团体的请示 *guanyu qingli zhengdun shehuituanti de qingshi*] in 1990, one year after *Regulation (1989)*. During this year-long purge of social organizations, a large number of social organizations could not find an operational supervising unit and as a result, the total number of registered social organizations fell from 200,000 in 1989 to 110,000 in 1991 (Wang. S and He J., 2004).

### **Demonization of *Cishan***

The third reason for the unrecognition of Buddhist charities is that the idea of *cishan* is deemed superstitious and hypocritical, and thereby rejected by the state. In English, 'charity' is from the Latin word 'caritas' and it is associated with Christianity. 'Philanthropy' is from ancient Greek and it is from 'philos', meaning "to love or to like", and 'anthropos', meaning "people". The term "charity", "philanthropy" or "benevolence" can all correspond to the Chinese word *cishan*. Though a religious dimension is attached to the concept of *cishan*, the term itself seems

to be modern as it does not have a presence in China's long history of religious charities (Laliberté, Palmer and Wu, 2011). In terms of the etymology of *cishan* and public welfare in modern China, they were translated from Japanese scholar Kosuke Tomeoka's work in 1898 (Qin, 1999). In his book *Jizen mondai*, which means "The charity problem" in English, Tomeoka translates the English words "charity" and "philanthropy" with the kanji "慈善" and "public welfare" as "公益" (Zhao and Xu, 2017). The terms are then adopted in Chinese. When used as a noun, the word *cishan* means benevolent and virtuous [仁慈善良 *renci shanliang*] and as a verb, it can represent the action of "helping people in needs out of benevolence." (Zhao and Xu, 2017)

In the time period considered in this chapter, the term *cishan* seems absent from public view in China. It has not appeared in the names of the first several government-sponsored charitable organizations and has not been used in the name of any governmental, non-governmental groups or in any official documents prior to 1994 (Zheng, 2010). The Chongqing Buddhism Project Hope Commission that was established in 1993 seems to intentionally avoid using the term *cishan* in its name. In fact, the term's use has been discouraged since the 1950s and there are two reasons for this.<sup>2</sup>

The first reason is that the term *cishan* is contradictory to the image of a successful socialist society and can be linked with Western imperialism (Zheng, 2010). The CCP has tried to create the image of an ultimate utopia in which the state provides everything including social welfare, and there should be no people in need that could not get support from the state. To the state, the idea of helping others out of personal benevolence is unnecessary. At the same time, the term is also linked with western imperialism for being hypocritical and being a rival to socialism,

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<sup>2</sup> I prefer to use Chinese pinyin of *cishan* instead of its English translation due to the term's polysemy in all occasions except in the nomenclatures of Buddhist charities.

according to CCP propaganda. Since the 1950s, there have been very few articles that have discussed the concept of *cishan* in People's Daily, which is the biggest newspaper group in China and the official newspaper of CCP. All articles that have mentioned *cishan* gave negative comments to it. They condemned *cishan* as a hypocritical concept that was used by American charities to do harm in China (Zheng, 2010).

The second reason is that the concept is linked with superstitions, something that the CCP has always struggled against to eliminate. In the *Encyclopedia of China* [中国大百科全书 *zhongguo dabaike quanshu*] --- a 75-volume encyclopedia that took 15 years to compile and edit under the supervision of the State Council--- the official definition of *cishan* is

A social endeavor [社会事业 *shehui shiye*] that starts with sympathy, compassion, or religious belief, helps the poor and the weak with money or material goods, or provides other forms of aid... it is highly religious and heavily superstitious, and its purpose is to get virtuous reward [善报 *shanbao*] by doing good deeds; People who participate in such endeavor usually consider it a kind of alms-giving [施舍 *shishe*]... it is only a temporary, passive relief to the few... its social effects are controversial. (1993)

It can be clearly seen that this definition emphasizes the term's religious significance in a derogatory way and deemphasizes the action of helping others and the action's possible positive contributions to the society. The phrasing of this definition signifies the state's disapproval of the term, which could contribute to its absence in the public sphere.

While the term *cishan* is not used in a positive connotation by the state, social welfare endeavour is the term that is often used in policy documents. Social welfare refers to policies and social services of the state that aim to improve the living standards of the general public, and particularly groups such as elders, children, women and disabled persons (Zheng, 2013). Today,

the term continues to be used in China's social security system [社会保障体系 shehui baozhang tixi] and has parallels with social assistance [社会救助 shehui jiuzhu] and social insurance (Zheng, 2011, 2013).

## **Conclusion**

Before 1994, though more than one Buddhist charity could have been established, none of them were recognized by the state. However, it was not the case that Buddhist charities were targeted by the state in particular because non-governmental charitable organizations were actually underdeveloped in China in general. The state's domination over social welfare sector, its strict control over non-governmental organizations and its rejection of the word *cishan* could all contribute to the absence of non-governmental charitable organizations in the public sphere.

## **Chapter 4 Emergence of Buddhist Charities (1994 - 2003)**

While no Buddhist charity had been officially recognized in the preparatory period according to my collected data, 13 Buddhist charities were established in the emergence period (Table 2). This is also a period when the state's attitude towards charitable works transformed from rejection to acceptance (Zheng, 2010). The acceptance started with the state media's first positive connotation of *cishan*. Such acceptance evolved in a context when China had experienced various developmental challenges and an increasingly weakened public welfare sector needed more assistance from social organizations in providing social services. Therefore, in addition to illustrating the background of the emergence of Buddhist charities and exploring what factors can potentially contribute to such emergence, I will identify the key differences between Buddhist merit society, Buddhist charity foundation and Buddhist charity federation in this time period and attempt to provide an explanation.

### **Challenges and Tactics**

Entering the 1990s, China faced various development challenges, with poverty being a profound one among them. The resources that were needed to tackle poverty and other challenges were beyond the affording capacity of the state, while at the same time growing inequalities required collective efforts from various non-governmental actors.

Poverty is usually defined by development scholars as “an extremely low level of income” (Haslam, Schafer and Beaudet, 2009, p10). From the 1950s to 1980s, China's level of growth has been doubled the rate of all other larger developing regions (Haslam, Schafer and Beaudet, 2009), but poverty remained a huge challenge to the country. In 1990, 29% of world's impoverished population lived in China and one fifth of China's total population, 280 million

persons, were considered rural poor (Hu. A, Hu. L and Chang, 2013). On top of that, in the 1990s, China had 117 million people over 60 years of age, among which 8 million were living alone; there were more than 200 thousand homeless children, among which half were orphans (He. Z, 2007), not to mention the prevalence of major natural disasters such as drought and flood (Laliberté, 2009). These developmental challenges became a heavy burden to both local and central governments, which led them to vindicate the importance of *cishan* and to seek assistance from non-governmental actors.

### Failed Strategy

Due to the large size of the impoverished population, the state's capacity of poverty-reduction was limited. An important strategy of the CCP into the Reform era for poverty alleviation was based on Deng Xiaoping's theory of "helping some people get rich and then help the rest" [先富后富 Xianfu Houfu], which Deng himself had explained on several different occasions. Originated from the trickle down economic theory, Deng's theory stated that instead of developing as a commune, some regions and some people can become well-off first, in order to lead and help people in other (backward) regions to get rich. This was a shortcut to efficiently accelerate development and achieve common prosperity (Deng. X, 1993). The theory emphasized the idea of getting rich together, so that even though there will be inequality between people who get rich first and those who remain poor at the beginning, eventually there would be an egalitarian society. However, the goal of getting rich together had not been realized.

The theory itself derived from the conditions of structural changes observed in the Chinese economy. Since 1978, the ownership structure of enterprises had undergone a series of change and was no longer composed of only state-owned enterprises (Wei and Rowley, 2009). Different forms of ownership were granted legal status in 1988. Though considered as agents of the global

capitalist system, multinational corporations and foreign direct investment (FDI) entered and began to develop in China. China became the second largest FDI recipient in 1990s, behind only the United States (Huang, 2003). In 1997, the private sector was officially included in the institutional framework of the economy for the first time during the fifteenth National Congress. By then, several reforms had helped create a new generation of capitalists (Yang K., 2013). The owners of domestic enterprises, especially those who lived in coastal areas, rapidly increased their wealth. In Deng's strategy, the region that were going to become well-off first were the Special Economic Zones and coastal regions. According to statistics, from 1985 to 1990, coastal regions had received 80% of China's total inward FDI, of which 30% went to Guangdong province, a province located in China's Southeastern coast (Hao and Wei, 2010).

The goal of achieving common prosperity had not been realized because mechanisms of how to lead and help the others get rich were never made clear and no policies were put in place to control raising inequalities (Yang. K, 2013). Raising inequalities between regions, caused by uneven development, constrained China's ability to reduce poverty and it seemed to suggest that the new rich were not been sufficiently involved in leading and helping the backward others. It is in that context that the state justified and secularized the concept of *cishan*.

As mentioned before, when providing social services was a sector of activity monopolized by the state, public welfare was a broad term that even included the concept of social welfare, but that was not linked with the idea of helping others. Yet since more actors were getting involved in helping the state with the provision of social services, the term public welfare began to have more meanings to non-governmental organizations, including Buddhist groups and appeared more often in various documents. For example, unlike the charter it had issued in 1987, and which had asked Buddhist groups to sponsor social welfare endeavors, the BAC's charter of

1993 made no mention of the term social welfare. Instead, in Article 3, it stated that one of the important tasks was to “...support and participate in public welfare endeavors, benefit the society [造福社会 *zaofu shehui*] and benefit the people [利益人群 *liyi renqun*].” Also, Article 14 of *Regulations on the Administration of Religious Activity Venues* in 1994 [宗教场所管理条例 *zongjiao changsuo guanli tiaoli*] stated that “religious groups (including religious sites) ... can organize society-benefiting public welfare endeavors”. Despite its increasing appearance in documents, the term public welfare was not officially defined until 1999. In 1999, the *Law of the People's Republic of China on Donations for Public Welfare* [中华人民共和国公益事业捐赠法 *gongyi shiye juanzengfa*] was issued to regulate social organizations that were participating in public welfare works and it was only after this that helping vulnerable groups became officially stated as part of public welfare endeavour. Therefore, prior to 1999, the meaning of the term in official policies and documents remained ambiguous. What is clear, however, is that the term itself did not embody an incentive that was strong enough to persuade the new rich to help others.

In Chinese, the word public welfare, *gongyi*, consists of two characters: *gong* [公] and *yi* [益]. *Gong* stands for “state-owned, collective, public” while *yi* is standing for “benefit, profit, advantage”. Therefore, the term itself separates personal and public sphere and gives an impression that participating in public welfare endeavours is to benefit the public only. For the new generation of capitalists who just began to enjoy a relatively wealthier life, benefiting other people was neither a binding nor attractive concept as it compromised their own benefit. Under such circumstances, the state could be in desperate need of a new word that can frame the action of helping others as a moral obligation. With a strong ethical and religious overtone attached to it, the term *cishan* emphasized the idea of virtue, which made it a perfect match.

### Secularizing cishan

Because the term had been demonized previously, the state had to justify its use of the term anew, while avoiding promoting and supporting religious overtones directly. Therefore, the acceptance of *cishan* signified a more open atmosphere for charitable works, but not for the religious aspect of it. At that time, one important task for the state was to increase the term's visibility, which, officials hoped, would then increase people's likelihood to donate (Shi, 2008). Taking advantage of the voice and power of the mainstream media, an editorial called *Rectification of Cishan* [为慈善正名 *wei cishan zhengming*] was published on the February 24<sup>th</sup>, 1994, edition of the People's Daily. This was the first time that the term *cishan* burst into public view with a positive connotation and the first time that People's Daily gave positive comments to the word since 1949 (Zheng, 2010). The editorial first criticized the indifference of the society towards people in need and criticized some people in the society for being "irresponsible to society and indifferent to others, seeking profit and pleasure". It then delinked *cishan* with the idea of helping disadvantaged groups, stressed the importance of *cishan* by saying that "socialism needs its own philanthropy and needs its own philanthropist." (Sun, 1994) No longer considered as a temporary relief, the positivity of *cishan* was portrayed as "...not only bringing love, warmth and comfort to others, but also bringing help and support... and bringing the action of relieving difficulties and suffering, as well as lending help to those in distress or in need" (Sun, 1994). It could be seen that at that time, though *cishan* was no longer associated with superstition or imperialism, it was a quite narrow definition that only referred to helping people in need. Therefore, instead of accepting the religious dimension of *cishan*, the state sought to secularize and instrumentalize it through redefinition and this editorial was only the beginning of such a process. The positive comment from state media gave a certain legitimacy to charitable

work and later in 1994 the China Charity Federation (CCF) [中华慈善总会 *zhonghua cishan zonghui*] was established as the first social organization to use the term *cishan* in its name (Li, B, 2014). In 1999, the CCF published the first issue of *China Charity Yearbook* [中国慈善年鉴 *zhongguo cishan nianjian*] and made it into an annual publication. The term also became popular in the nomenclature of Buddhist charities: of 46 Buddhist charities in this research, 35 use the term “*cishan*” in their names.

### **Remaining Restrictions over *Cishan* and Social Organizations**

The acceptance of the term *cishan* and the idea associated with it had helped with the emergence of charities in general and Buddhist charities in particular. However, the term *cishan* was never officially used in documents or policies until 2005 while public welfare remained as the most used term. During that period, though Buddhist charities began to develop, comparing to the time period between 2005 and 2013, the growth rate of Buddhist charity was relatively low. On one hand *cishan* had only been just accepted instead of explicitly encouraged; on the other hand, the state had tightened up its policy towards certain types of social organization between late 1990s and early 2000s by putting them through another purge and raising again the threshold for registration.

The unit system gradually dissolved in the late 1990s due to the development of a market economy, the reform of state-owned enterprises and the increase in labour mobility. Official statistics indicate that the number of laid-off workers increased from 7 million to 17 million from 1993 to 1998 (Cai, 2002). Facing a massive number of unemployed workers who needed social support and other development issues, basic level political organizations were unable to meet the demand for social services. Then semi-governmental organizations that derived from the state

began to play a more important role in assisting the state with social and public welfare. As indicated above, most of the semi-governmental charitable organizations were established as foundations and the state had more tolerance towards them than other types of social organizations such as social groups and non-enterprise units. In 1996, the CCP Central Committee General Office and the Office of the State Council issued a “*Notice On Strengthening the Management of Social Groups and Private Non-Enterprise Units*. This was the beginning of the second purge of social organizations and then a sharp decrease was seen in the number of social organizations starting from 1996 (Wang and He, 2004). Despite a more positive attitude towards *cishan*, the state maintained its vigilant attitude towards social organizations, especially those with religious background. The second section of *Notice (1996)* stressed that along with social organizations that are related to ethnic minorities, or doing research on fringe science and children, youth and women’s issues, religious organizations are among the few priorities in the purge. Furthermore, the *Notice (1996)* not only suggested that CCP branches should be established within social groups and non-enterprise units, but also stipulated that during the purge, no new social groups or non-enterprise units should be registered and in the future, their number should be restricted.

In 1998, almost 10 years after the issuance of the *Registration (1989)*, an updated version was issued. There were two major changes in the new regulation. First of all, the threshold for registration was raised. Upon registration, all social organizations were required to prove that they have sufficient start-up funds. The funds required for national level social groups were set at 100 thousand RMB, and 30 thousand RMB for local level social groups. The second change was that the role of operational supervising units became more critical. They now bore more responsibilities than administrative supervising units in monitoring the behavior of social

organizations and in guiding them to obey the law. The requirements for funding and the increased difficulty to find an operational supervising unit certainly had a negative impact on social organizations. Stated in the *Notice on Further Strengthening the Management of Social Groups and Private Non-Enterprise Units (1999)*, the number of social organizations was reduced from 200 thousand to just over 160 thousand from 1996 to the end of 1998. Also as a result of the purge, non-governmental organizations in general were discouraged to develop. From 1999 to 2003, there were no newly established foundations.

### Registered vs. Unregistered Buddhist Charities

Table 5

#### *Buddhist Charities in 1994*

Merit Society	Charity Foundation	Charity Federation	Other	Total
MA1	FA1, FT1	C1	/	4

Table 6

#### *Buddhist Charities in the Emergence Period*

Merit society	Charity Foundation	Charity Federation	Other	Total
MA1, MA2, MA3, MA4, MA5, MA6, MT1	FA1, FA2, FA3, FT1	C1	OT1	13

As seen in Table 5, the first merit society, charity foundation and charity federation were all established in 1994. There was not a big disparity between the numbers for each type: there was one merit society, two charity foundations and one charity federation. Among the four, three Buddhist charities were either Buddhist associations based on the CCF, or part of it. MA1 and FA1 were both initiated by provincial level Buddhist associations, while C1 was affiliated to the CCF. As many important non-religious charities in the emergence period were semi-governmental, many Buddhist charities had also apparent close relation with the state. Among all

13 Buddhist charities that were established in the emergence period, nine were affiliated with local level Buddhist associations and one was affiliated with the CCF.

CCF is one of the largest state-run charities in China. Currently, it has more than 60 charitable projects and special funds covering 8 major areas: disaster relief, poverty alleviation, elderly care, assisting orphans, supporting education, helping students, assisting the disabled, and medical assistance. Under the lead of the CCF, many provincial, district, city-level charities and county-level charity federations were established. (Wu. H, 2016) Although officially registered as social groups, these local charity federations were also considered socialist working units as they had close ties with local civil affairs department. At the beginning, charity federations were operating either as an office or a sub-department of the civil affairs department (Yang R., 2015). Now though most of the charity federations have developed into relatively independent branches under the civil affairs department, they still receive financial grants from local government and their personnel include civil servants and retired or in-service cadres (Yang H. and Zhou, 2014; Yang. R, 2015; Yang L., 2016). While being able to maximize and exploit the benefits of being social groups and socialist working units at the same time, these charity federations also have formed a network that monopolized 90% of the charitable resources in China (Xu, 2011). Therefore, being part of the charity federation network meant that C1 could enjoy privilege in terms of mobilizing resources and getting permissions from the government greater than other non-charity federation Buddhist charities. When C1 was established, it was named Nanputuo charity foundation. In 2003 it changed its name to Nanputuo Charity Federation. However, it does not signify a fundamental identity change from foundation to charity federation because Nanputuo had been a permanent and primary member of CCF since its establishment in 1994. The name change was more likely to show conformity with the charity federation network.

Table 7

*Registered Buddhist Charities in the Emergence Period*

	<b>Merit Society</b>	<b>Charity Foundation</b>	<b>Charity Federation</b>	<b>Other</b>	<b>Total</b>
	MA1, MA2, MA3, MA4, MA5, MA6, MT1	FA1, FA2, FA3, FT1	C1	OT1	13
<b>Registered as social organization</b>	MA6, MT1	FA1, FA3	C1	OT1	6

Research on China's civil society tend to focus on registered social organizations, and excessively emphasized the importance of registered NGOs (Young and Woo, 2000). In fact, the registered social organizations can only reflect a small part of the whole picture. Many NGOs are not registered with the civil affairs department, but it does not mean that they do not exist (Wang and He, 2004). It is the exact situation faced by many Buddhist charities. As seen in Table 7, less than half of the Buddhist charities are registered. However, many Buddhist charities that are disqualified as social organizations don't seem to be de-legitimized. For example, the Merit Society of the Hebei Province Buddhist Association (MA2) was not a registered social organization, but it was not hard to find online that the Society had participated in charitable works as of 2012 and even set up its own affiliated orphanage named Hong De Home [弘德家园 hongde jiayuan].

*Inconsistency in the Number of Merit Societies*

Among the 13 established Buddhist charities, six were registered as social organizations, which included two merit societies, two foundations, one charity federation and one other Buddhist charity. Two observations can be made from Table 7: first, there was diversity among registered Buddhist charities. Registered Buddhist charities originated from different provinces

and there was no apparent privilege for a single type over others, because each type had registered ones. Second, established merit society outnumbered other types of Buddhist charities.

Since a main purpose of Buddhist charity is to assist the state with provision of social services, its motivations, strategies and goals should be closely aligned with the state’s assigned tasks. Misalignment can lead to disqualification. Yet, if there was no significant misalignment that occurred in unregistered Buddhist charities’ charter, comparing to registered ones, then the diversity of registered Buddhist charities should be more likely due to the variation of local governments. The list of the Buddhist charities selected for the comparison in Table 8 below only includes those whose charters were available: I could not find the charter for many other ones. The issuance date of each charter also varies, as shown in Table 8. Though these Buddhist charities were established in late 1990s and early 2000s, some of the charters that could be found online were issued much later. Some of these charters are considered updated versions of older ones, and in many cases I could not find the original version drafted upon establishment. Unregistered social organizations were not required by regulation to have a charter; and for registered Buddhist charities, their charters did not follow a prescribed format until they were asked to in 2004. Social groups were only required to submit a draft charter upon registration, which could be further modified after the registration. Therefore, the charter of both registered and unregistered Buddhist charities that were established in that emergence period can be particularly difficult to trace.

Table 8

*Objective of selected Buddhist charities [1]*

	<b>Merit Society</b>	<b>Charity Foundation</b>
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<p><b>Unregistered</b></p>	<p><b>MA1 Sichuan Province Buddhist Charity Merit Society</b></p> <p>We will launch activities to help young people in impoverished areas that are deprived of education; carry out a wide range of social welfare programs such as medical care, elderly care, poverty alleviation and salvation of orphans; and other undertakings designated by the Sichuan Buddhist Association.</p> <p><i>(Charter 1994)</i></p>	<p><b>FA2 Yingkou City Buddhist Association Foguang Preach Foundation</b></p> <p>Helping with disaster relief; participating in charitable activities; donating to Hope Project and assisting children with financial difficulties to attend school.</p> <p>Conducting other activities that are beneficial to public and cultural endeavours.</p> <p><i>(Charter 1995)</i></p>
<p><b>Registered</b></p>	<p><b>MA6 Taizhou City Buddhist Association Charity Merit Society</b></p> <p>Actively carrying out public welfare endeavours such as: disaster relief and disaster rescue, helping the elderly and the young, contributing to medical care and helping disabled people; constructing bridges and roads, supporting education endeavours, etc.</p> <p><i>(Charter 2000)</i></p>	<p><b>FA3 Hebei Province Buddhist Charity Foundation</b></p> <p>Poverty alleviation, poverty relief, disability assistance, teaching assistants and other charitable careers are provided to help congenital heart disease children, deaf-mute children, and severely ill patients, to fund brave men and women, hundreds of temples to help hundreds of villages, earthquake relief, and major landslide disasters and other major natural disasters.</p> <p><i>(Charter 2004)</i></p>

Data retrieved from *Buddhist Charity of China*

From the above table, it could be seen that all four Buddhist charities take a supportive role in facilitating the state with social welfare endeavours such as disaster relief, poverty alleviation or helping marginalized groups. Vertical comparison shows that for the same type of Buddhist charity that are both affiliated with local Buddhist associations, there is no significant difference between the types of social welfare endeavours of the one that is registered and the one that is unregistered. Furthermore, a horizontal comparison for different types of Buddhist charities

shows similar pattern. As Table 6 shows, though not completely identical, merit society and foundation generally took part in very similar social welfare endeavours. Though only selected Buddhist charities are compared against each other in Table 8, it is already clear that the qualification of Buddhist charities as social organizations was not due to their compatibility with the state but was most likely caused by local authority's preferences.

The other pattern seen in Table 7 is that merit societies seemed to be a more popular identity because among all 13 established Buddhist charities, seven of them were merit societies. The reason for this greater number of merit societies relative to other types of Buddhist charities could be two-fold. First of all, it could be a tactic of Buddhist groups. Unregistered Buddhist social groups have more legitimacy than unregistered Buddhist foundations because the former can operate as an internal branch of a temple or a Buddhist association as a result of ambiguous legislation. Yet, it could also be a reluctant action of Buddhist groups that were unable to attain the higher threshold necessary to qualify as a foundation rather than as a social group. In the emergence period, both registered and unregistered Buddhist charities were operating within a grey zone with low levels of legitimacy. The grey zone existed because of the lack of central legislation over religious charities, but Buddhist charities were able to survive due to the fragmentation between central and local authorities and a mutually beneficial relationship established with the local authority.

### Tactic

Prior to 2012, no policies or documents ever acknowledged that establishing a charitable organization was a legitimate way for religious groups to participate in charitable works, though they had long been encouraged to make contribution in public welfare works. For Buddhism, contributing to public welfare endeavours had been mentioned several times from 1982 to 2012

in official regulations and charters of BAC, but *Advice (2012)* was the first document that explicitly confirmed the legitimacy of Buddhist charities. The lack of legislation over Buddhist charities prior to 2012, on one hand signified that the central government had a relatively neutral attitude towards Buddhist charities, neither encouraging nor banning them. On the other hand, it granted provincial and lower level governments more authority in dealing with them.

*Regulation (1988)*, *Regulation (1998)* and even *Regulation on Foundation Administration (2004)* stipulated that local civil affairs departments were the regulators for provincial and lower level social organizations. This meant that the authority of qualifying social organizations, including social groups and foundations, was decentralized to lower levels of governments, and local civil affairs departments became the sole authority in determining the qualification of potential social groups and foundations. Therefore, the emergence and survival of Buddhist charities largely depended on these local authorities. More specifically, it depended on the way that local authorities interpreted and implemented central legislation and on the measures that local authorities have developed in order to make a central policy practicable and compatible to the interest of the region. In the emergence period, the central government had provided no specific guidelines for regulating Buddhist charities, so the existence of all Buddhist charities, was arguably in a grey zone created under the permission of local governments. However, it would have been impossible for local governments to register any Buddhist charity when there were more risks than benefits. The choice that was made by local governments was likely to be a rational one. Indeed, there were benefits for local government to permit the operation of Buddhist charities, and there was a mutually beneficial relationship between local governments and Buddhist charities.

This relationship was possible because various central documents had linked self-sufficiency with public welfare endeavours. As socialist working units were required to be more self-subsisting in the market economy since 1990s, self-sufficiency had become an important task for religions as well (Goossaert and Palmer, 2011). For Buddhism, since 1990s, public welfare endeavors were encouraged and often associated with self-sufficiency. Such encouragement can be seen in state issued policies and BAC's charters. For example, section 3 of Document 6 [中共中央, 国务院关于进一步做好宗教工作若干问题的通知 *zhonggongzhongyang, guowuyuan guanyu jinyibu zuohao zongjiaogongzuo ruogan wenti de tongzhi*] stipulated that patriotic religious groups should “be encouraged and supported to carry out production, service and public welfare endeavors for the purpose of self-efficiency (1991)”. Furthermore, the link between public welfare and self-sufficiency can be also observed in both 1993 and 2002 version of BAC's charter. The tasks of BAC included “guiding Buddhism to set up appropriate self-sufficient service works, support and participate into public interest works, benefit society and the people.” Therefore, if Buddhist charities can carry out public welfare works and help religious groups (in this case, both temples and Buddhist associations) to be self-sufficient, they should be thereby supported by the government.

So how can public welfare endeavour and self-sufficiency be linked? The term “public welfare” is a broad term that means more than helping others. There are four major fields of public welfare activities according to the *Law* (1999): the first field is disaster relief, poverty alleviation and helping particularly vulnerable groups; the second field is to support education, science, culture, health and sports endeavours; the third field is to protect environment and contribute to the construction of public facilities; and the last field is a general category of

everything that is not included in the other fields but can contribute to the well-being and development of the society.

A chain that leads to positive contribution to the society can be observed starting with the establishment of a Buddhist charity. As seen in Table 8, Buddhist charities were able to assist local government in helping vulnerable groups and could ease the local government's burden. At the same time, Buddhist charities were also able to collect membership fees. An important characteristic that was shared by many Buddhist charities across different types during the emergence period was that they were membership based and the members were mainly individuals instead of groups. This meant that people who paid certain amount of annual fee to the Buddhist charity could become its members and receive various privileges according to the charity's charter. The collected annual fee and other donations of members can contribute to public welfare endeavours. For example, the bimonthly magazine *Miaolianhua* [妙莲华], published by Hebei Province Buddhist Charity Merit Society (MA2) has a charity merit list [慈善功德榜 *cishan gongde bang*] in its appendix. In the list, name of all donors, including members and non-members, and their donated amount are specified. The donations go to two projects: helping orphans and impoverished students and helping with the print and publication of *Miaolianhua*. The revenue is not required by any legislation to be fully put into public welfare work, so they can be used by temples for printing publications as well as repairing, renovating and compensating operational costs. Since 1990s, religious groups had been pressured to begin repairing and renovating temples (Laliberté, 2009) and there is fiscal support coming from local government. After the tax reform in 1994, the way that revenues were shared between the central and local governments was fundamentally changed according to a new scheme. The reform has significantly increased the tax share for central government, which puts fiscal burden on local

governments (Ma, 2000). By using the revenue that is generated through Buddhist charities, Buddhist groups and sites are able to support their own repair and renovation works and therefore help local government reduce fiscal pressure. Furthermore, the repaired and renovated temples will then attract more tourism, which will not only increase the temples' income of admission fees, but also contribute to local economic development. Therefore, both membership fees and increased admission income will help temple to be self-sufficient and all the mentioned benefits can count toward contributing to the well-being and development of local region. In this case, compared to the benefits that local government will gain, the risks that they will face is minimum. The possible risk is to be warned by the central government for mistakenly interpreting the central policy, which is also unlikely to happen due to the clear "don't ask, don't tell" attitude adapted by the state since 1989 (Weller, 2012; Wu, 2015).

Members of Buddhist charities can be either believers or non-believers, but they all have a privilege in receiving services that are provided by different Buddhist charities, and it is typical for such services to be Buddhism-related. For example, as a registered Buddhist charity, Nanputuo Charity Federation (C1) stated in its charter that its members had privilege in participating in Nanputuo Temple's Dharma assembly that was organized only for members three times a month and in another Dharma assembly that was hold every year on Lunar February 21<sup>st</sup> and September 30<sup>th</sup>, which aims to wipe out misfortune and pray for good fortune [消灾祈福大法会 xiaozai qifu dafahui]. As an unregistered charity, Shaolin Charity Welfare Foundation (FT1) had a similar statement in its charter: it allowed members to participate in activities and meetings that were held for members only. The specific content of activities and meetings were not specified. For other Buddhist charities that were established in the emergence period, many had similar statements in their charters (BAC, 2013). It could be seen as an

opportunity for Buddhist charities to further preach Dharma. Therefore, the mutually beneficial relationship is that for local governments, Buddhist charities can help reduce their financial burden by being self-sufficient in renovating, repairing temples and by actively contributing to local public welfare endeavours. For Buddhist charities, arguably, membership is a sign of flexibility. By walking on the fine line, public welfare can be linked with religious activities and preaching Dharma.

Within the grey zone, unregistered Buddhist charities are residing in an even darker area nonetheless tolerated. Ambiguous articles in *Regulation (1998)* gave a certain legitimacy to non-foundation Buddhist charities to survive without registration. Article 3 of *Regulation (1998)* stipulated that there are few exceptional social organizations that do not need to register, which include “internal organizations that are established and operating within state organs [机关 jiguan], groups [团体 tuanti], enterprises and socialist working units.” It also stressed that these internal organizations do not need to register as long as they operate within the boundary of their base organization. The regulation did not clearly define what exactly is a “group”, and whether religious groups or even religious sites are included in the “group” category. Yet, it is exactly the ambiguity of this term that allowed different local governments to interpret it differently. The sole authority that local governments had for qualifying social groups then allowed them to localize such policy based on their interpretation. Since this article was stipulated in a regulation that was designed specifically for social groups, the waiver was not applicable for Buddhist charity foundations. Therefore, it could have been a tactic for Buddhist groups and sites to establish a social group, which is a merit society in this case, rather than a foundation. The reason is that Buddhist charitable social groups that were affiliated with temple or Buddhist association could have been both loosely counted as an internal organization and thereby

considered somewhat legitimate without registration. Buddhist associations were officially registered as social groups and their affiliated Buddhist charities were counted as internal. If a Buddhist charity was managed by a temple's temple affairs office [寺务处 siwu chu], then technically it was also an internally managed organization because it was operating within the boundary of its base organization. However, that boundary was not clearly defined in the Article either. For Buddhist charities, the nature of doing public welfare and charity works meant that they could not avoid contacting people outside of the temple or a Buddhist association. Therefore, though they may physically locate within the temple, they were able to conduct activities outside the temple, along with registered Buddhist charities. Furthermore, as an internal branch, unregistered Buddhist charities were led directly by a temple or a Buddhist association. They could avoid any interaction with local civil affairs department and would not have direct interaction with local religious affairs bureau or the UFWD either. It helped them to avoid interference of local authorities and in certain way granted them more flexibility.

However, it is not suggesting that the grey zone is a safe haven for unregistered Buddhist charities nor even registered charities. Operating in the grey zone made them vulnerable to local government's subjectivity and preference. For example, as mentioned before, Hebei Province Buddhist Association Charity Merit Specialized Committee (MA2) and its affiliated organization Hong De Home were able to operate and participated in charitable works though they were not registered. Yet, in early 2017, the Buddhist Association of Hebei province had announced that both organizations were disbanded along with two other organizations that were originally affiliated with the Association. There were no specific explanations provided and it is not made clear whose decision it was (Hebei Buddhist Association, 2017).

### Reluctant Choice

It can be a tactic for Buddhist groups and sites to establish a merit society, but they may also not have a choice. It is much more difficult to register a foundation than a social group and unregistered foundations are less legitimate and much riskier than unregistered social groups. It wouldn't be the best choice of Buddhist groups to form a foundation without registration. There is no information that indicates whether the two unregistered foundations FA2 and FT1 are still active. FT1 has not updated its charter since 1994 and other than the information provided in the BAC publication, no information about FA2 can be found online. If Buddhist groups want to register a foundation, they face two major thresholds. The first threshold is that there is a difference between the requirements for start-up funds for different types of social organizations. The requirement is much higher for foundation than for social group. While according to *Regulation* (1988), local level foundations were required to have 100 thousand RMB as start-up fund upon registration; *Regulation* (1998) stipulated that local level social groups were only required to have 30 thousand RMB upon registration and prior to 1998, there was even no requirement for social groups to have start-up funds. For temples or Buddhist associations that did not have sufficient financial resources, this could be a major obstacle.

Table 9

*Requirement for social organizations' start-up funds*

<b>Year</b>	<b>Legislation</b>	<b>Social groups</b>	<b>Foundations</b>
<b>1988</b>	<i>Administrative Measures of Foundations</i>	N/A	At least RMB 100,000 (or foreign exchange equivalent to RMB 100,000)  <i>Article 3</i>
<b>1989</b>	<i>Regulation on Registration and Administration of Social Groups</i>	No requirement	N/A

1998	<i>Regulation on Registration and Administration of Social Groups</i>	At least RMB 100,000 for national level social groups and at least RMB 30,000 for local level social groups  <i>Article 10</i>	N/A
2004	<i>Regulation on Foundation Administration</i>	N/A	At least RMB 8,000,000 for national level public foundations, at least RMB 4,000,000 for local level public foundations and at least RMB 2,000,000 for non-public foundations.  <i>Article 8</i>

The second threshold is that registering a foundation requires Buddhist groups to have more connections with the government than registering a social group. For a long period of time, registering a foundation required the approval of a third supervisor. Prior to the issuance of *Regulation (1998)*, foundations were regulated by both *Regulation (1988)* and *Regulation (1989)*. These two regulations together required foundations to not only have two supervising units but also to be approved by the People’s Bank of China (PBC). Therefore, before 1998, Buddhist foundations were legally supervised and regulated by three units: the local civil affairs department, the local religious affairs bureau and the provincial, autonomous region or municipal level branches of PBC. The issuance of *Regulation (1998)* signified the official separation of social groups and foundations in China’s legislative framework as it was no longer applicable to foundations. Therefore, between 1998 and 2004, Buddhist charity foundations were only regulated by *Regulation (1988)*. They did not need to obtain approval from local religious affairs bureau anymore, but remained to be regulated by local civil affairs departments and local PBC branches. According to Article 7 of *Law of the People's Republic of China On the People's Bank of China (1995)*, PBC is a completely independent system that is “under the leadership of the State Council and subject to no interference of local government, different level of government

departments, social groups or individuals.” Thus, in order to register as a foundation, Buddhist groups not only needed to have well-established networks with local authorities but also needed to have good connections with local or higher level PBC branches. Though it was common for leaders of Buddhism to have official ties and hold positions in various levels of the government (Wu, 2015), it was not common for them to have strong ties with PBC. The difficulty to establish such connection could be an obstacle for Buddhist groups to register a foundation.

### **Non-binding Identity**

*Law (1999)* was issued to not only officially define what public welfare is, but also created a new status that could be applied on registered social organizations. This new status was named “public welfare organization” and was used specifically for qualified social organizations that were doing or would be doing public welfare works. *Law (1999)* stipulated that only donations to qualified public welfare organizations can be tax-exempt and it would later restrict the size of many Buddhist charities. There were two types of public welfare organization and both should be voluntary and not-for-profit. One type of public welfare organization was called public welfare social groups [公益性社会团体 gongyixing shehui tuanti] which was defined as “foundations, charitable organizations and other social groups that are formed in accordance with law and for the purposes of promoting public welfare services” (National People's Congress Standing Committee, 1999). The other type of public welfare organization was called non-profit public interest working unit [公益性非营利事业单位 gongyixing feiyingli shiye danwei], which refers to “institutions of education, scientific research, medicine and public health, public culture, public sports and public welfare services, etc., that are formed in accordance with law and engaged in public welfare services with no profit-making purposes” (National People's Congress

Standing Committee, 1999). All organizations that wanted to be recognized as public welfare organization had to be registered as social organizations first. Therefore, unregistered Buddhist charities were automatically disqualified for this status. Though there is a centrally created database for all qualified public welfare organizations, Article 6 of *Notice on Issues Concerning the Pre-tax Deduction of Public Welfare Donations (2008)* [关于公益性捐赠税前扣除有关问题的通知 *guanyu gongyixing juanzeng shuiqian kouchu youguan wenti de tongzhi*] stipulated it was each provincial level government's responsibility to release a list of public welfare organizations that are registered in the region every year. Since none of the Buddhist charities in this research registered directly at Ministry of Civil Affairs, local level authorities played the most important role in the qualification process. For example, in a list that was released by Beijing authorities in 2016, 385 organizations were qualified as public welfare social groups in 2015 and Ren'ai Charity Foundation was one of them (Beijing Civil Affairs Department, 2017).

### Tax Exemption

The significance of the creation of public welfare organizations as a new identity for social organizations is that it granted all accredited organizations the authority to issue tax-exemption receipts (Wu. K, 2015). The process to apply for tax-exempt was very complex and all public welfare organizations needed to go through this process after they were qualified. They had to file an application to three different local departments: civil affairs, department of finance, and tax bureau (Ministry of Finance, 2008). When enterprises donated to public welfare organizations that were able to issue such receipt, they could receive pre-tax deduction for a portion that accounts for up to 12% of the total annual profits. (Ministry of Finance, 2008)" In the emergence period, however, the new identity did not have any influence on Buddhist charities because though the law was issued in 1999, the details of tax exemption had not been

specified until 2007. Prior to 2007, the newly created status posed no obstacle for Buddhist charities. Specifications of tax-exemption were clarified in *Notice on Pre-tax Deduction Policy for Public Welfare Relief Donations and Related Management Issues (2007)* [关于公益救济性捐赠税前扣除政策及相关管理问题的通知 *guanyu gongyi jiujixing juanzeng shuiqian kouchu zhengce xiangguan guanli wenti de tongzhi*] that was issued by Ministry of Finance and State Administration of Taxation. In December 2008, another document called *Notice (2008)* was issued to replace *Notice (2007)*. Social organizations that had already qualified to be public welfare organization would need to be re-evaluated and requalified. Therefore, in the emergence period, which identity would enable a Buddhist charity to register as a social organization would be mostly preferred. While it was easier to register a merit society, both registered and unregistered merit society were able to gain legitimacy, though the situation has changed in the next few years.

## **Conclusion**

In conclusion, between 1994 and 2003, the emergence of various development issues had helped non-governmental charitable organizations, including Buddhist charities to develop. It could be seen in this chapter that the method I used to identify the key differences between Buddhist charities was to determine whether the Buddhist charity was a social group or a foundation, and whether it was registered or unregistered. For both registered and unregistered Buddhist charities, a grey zone that was created by the fragmentation between central and local government was critical for their survival. Within this grey zone, though unregistered Buddhist merit societies were able to enjoy more flexibility, they were generally vulnerable to local authority's subjectivity. For Buddhist groups and sites that wanted to establish Buddhist

charities, they encountered much higher thresholds when registering for foundations than as social groups. Therefore, though Buddhist merit societies were often unable to register with local civil affairs departments, they were nonetheless established by Buddhist groups and sites.

## **Chapter 5 Growth of Buddhist Charities (2004 - present)**

As seen in Table 4, 33 Buddhist charities have been established from 2004 to 2012, which more than doubled the number of the previous decade. This phenomenon was clearly linked with the change of the state's attitude towards charitable works. During this period, the state began to encourage charitable organizations instead of having a neutral attitude towards them (Zheng, 2010). Therefore, in this chapter, I again ask the questions of what factors have caused the growth of Buddhist charities in number, what were the key differences between Buddhist charities in this specific time period and what was the logic behind those differences.

### **Reasons to Growth: Challenges and the Redefinition of *Cishan***

Two decades into the Reform and Opening-up, China faced both continuous and emerging development challenges. The rapid economic development helped the country make great progress in poverty alleviation. According to statistics, from 1981 to 2004, 500 million people had been lifted above the poverty line, which counted for 70% of the total population that were lifted above the poverty line in the world (Yan, 2015). However, poverty alleviation was still and would be one of the most important tasks not only because the absolute number of people in poverty remained huge, but also because rising inequality hindered the progress achieved on this. Regional disparity was worsened as the proportion of poor had increased in Western regions (Yan, 2015). Meanwhile, unprecedented yet unsustainable economic development has led to severe environmental degradation. Eight cities in China ranked in the chart of the world's ten most polluted cities (Day, 2005). Demographic issues, such as aging, remained serious: by 2013, China had over 202 million elderly people (Wang, X and Chen, 2014) and the number is still growing fast. In this period, in order to better tackle these challenges, the state began to

encourage non-governmental actors to conduct charitable works (Zheng, 2010). An indication that shows the government's encouragement of such charitable works and charitable organizations is the redefinition of *cishan*.

The term *cishan* did not appear in *Regulation of Religious Affairs (2004)* at all but in the revised *Regulation of Religious Affairs (2017)*, the term appeared four times. In fact, though *cishan* had its first positive appearance on People's Daily in 1994, it had never appeared in any central government issued document since then. In 2005, the term *cishan* appeared on the annual government work report for the first time and on every annual report since then. What was previously termed public welfare endeavor was then termed public welfare charity endeavor. In this time period, the term public welfare charity endeavour began to be used as a replacement for the term public welfare in all related regulations, opinions, notices and laws. The new term was also seen in religious affairs' related *Measures (2010)*, *Opinion (2012)* and in BAC's charter of 2010, which is a revised version of the 2002 charter. Along with this turn, the idea of "great *cishan*" [大慈善 da cishan] was constructed by the state which led to the diminishment of the moral and religious significance of the term.

A document published by Civil Affairs Department of Beijing in 2008 had pointed out that *cishan* could be defined either in a narrow sense [狭义的慈善 xiayi de cishan] or in a broad sense [广义的慈善 guangyi de cishan]. According to the document, in a narrow sense, *cishan* means "voluntary and non-profit salvation and help to vulnerable groups" (Ministry of Civil Affairs, 2008), in particular, providing help, giving alms and relieving the poor. This definition of *cishan* was largely employed and remained the only interpretation of the word during the emergence period. On the other hand, *cishan* in a broad sense includes *cishan* in a narrow sense. The document also stressed that "*cishan* in a broad sense is public welfare endeavor and

therefore it can also be called public welfare charity endeavors” (Ministry of Civil Affairs, 2008). The term public welfare charity endeavour had not yet appeared in *Regulation of religious affairs (2004)* but appeared in both *Measures (2010)* and *Opinion (2012)*. In both 2010 and 2015 charters of BAC, “carrying out public welfare charity endeavours and benefiting the society and humankind” is indicated as an important task. The *Charity Law (2016)* also echoes and strengthens the new definition of *cishan*. The law states that the term *cishan* can stand for both great *cishan* and also for petty *cishan* [小慈善 xiao cishan], which is an alternative term used for “*cishan* in a narrow sense”. This is the first time that *cishan* is defined by a law and it signifies the definition of *cishan* has officially transformed from petty *cishan* to great *cishan* in China’s legislation.

As mentioned previously, in *Law (1999)*, there are four fields of public welfare activities. The first field includes poverty alleviation, disaster relief and helping vulnerable groups, which corresponds to the idea of petty *cishan*. Therefore, at that time public welfare was a broader concept that includes *cishan*. Then the relationship between the two was reversed after the concept of great *cishan* is proposed. Article 3 of the *Law (2016)* specifies that there are six fields of charitable activities: helping the poor and those that are in need; giving relief to vulnerable groups; natural disaster and major incident relief; promoting education, science, culture, health, sports and other endeavours; environmental protection; and other lawful public welfare activities (2016). It could be seen that activities that were previously defined as public welfare activities now counted as part of *cishan* activities. This change suggests that after the concept of great *cishan* has been officially adapted and emphasized by the state, *cishan* has transformed into a broader concept that includes public welfare.

The reversal might be confusing but the two laws and their definition about charity and public welfare are not conflicting nor contradictory to each other. The reversal is caused by the extended scope of the definition of *cishan*. *Cishan* now refers as great *cishan* which includes helping vulnerable groups and other public welfare activities. The fundamental changes that are caused by the extended scope of *cishan* include that the moral and religious significance of the term is de-emphasized and charitable organizations are now expected to assist the state in more fields. During the emergence period, the term *cishan* embodies a strong notion of virtuous and the moral and religious significance is still attached to the term. Now, helping the vulnerable is just one small part of *cishan*, so the notion of virtuous that is embodied in *cishan* is weakened. Therefore, it is arguable that the religious significance is detached from the term. However, the secularization of *cishan* does not necessarily mean that this is an intentional act by the state to restrict the presence of religious notions in public. The redefinition of *cishan* could make the government less worried about promoting concepts that are closely related to religion, but a seemingly more important objective is to qualify more activities as charitable activities and qualify more organizations as charitable organizations. As more organizations are counted towards charitable organizations, they are able to support the state in tackling newly emerging development issues. Thus, the redefinition of *cishan* shows that the government requires more assistance in public welfare endeavours. The *Law (2016)* implies that “salvaging the vulnerable is just one dimension of charity, a more important dimension is to be beneficial to the public [公益性 *gongyixing*] (Wei, 2016)”. Other than helping the poor, organizations and individuals are expected to contribute to public welfare endeavours such as environmental protection that are not previously included in *cishan*. This change is also reflected in the updated charter of many Buddhist charities. For example, compared to the tasks that were indicated in Hebei Province

Buddhist Charity Foundation’s charter of 2004, as seen in Table 8, the foundation’s new charter that was updated in 2011 added “protecting ecological balance, afforestation, protecting animals and freeing captive animals” as important tasks as well (BAC, 2011, p56).

### Registered vs. Unregistered Buddhist Charities

Table 10

*All Buddhist charities established after 2004 and registered ones*

	<b>Merit society</b>	<b>Charity Foundation</b>	<b>Charity Federation</b>	<b>Other</b>	<b>Total</b>
<b>Buddhist charities established after 2004</b>	MA7, MA8, MA9, MT2, MT3, MT4, MT5, MT6, MT7, MT8, MT9, MT10, MT11, MT12	FA4, FA5, FA6, FT2, FT3, FT4, FT5, FT6, FT7, FT8, FT9	C2, C3, C4, C5	OA1, OT2, OT3, OT4	33
<b>Social organization (Registered Buddhist charities)</b>	MT4	FA4, FA6, FT2, FT3, FT4, FT5, FT6, FT7, FT8, FT9	/	OT4	12

In the growth period, 33 Buddhist charities were established, including 14 merit societies, 11 charity foundations, four charity federations and four others. Comparing Table 10 with Table 7, two similar patterns be observed: first, diverse types of Buddhist charities were qualified as social groups: It could be seen in Table 10 that among 33 established Buddhist charities only 12 were registered, which include one merit society, ten charity foundations, zero charity federation and one Buddhist charity using another name; second, the total number of established merit society still outnumbered other types of Buddhist charity. Yet, nuances also exist. It could also be observed that in this time period, Buddhist charity foundations were obviously given more preference in qualifying as social organizations and there was a growth of Buddhist charity foundations. Though the numbers of charity federations and Buddhist charities using other names had also increased, these two types remained the minority.

The identity of Buddhist charity federations remained ambiguous. For example, names such as Jinzhou Charity Federation-Affiliated Buddhist Charity Federation (C5) and Hangzhou City Charity Federation Ciyuan branch (C4) were clearly linked with city level charity federations, but none of the newly established Buddhist charity federation was recognized by the CCF on its website and publications. Both of them even did not register as social organizations. A possible explanation is that similar to unregistered merit society that are considered internal branches of a temple or a Buddhist association, these organizations are subordinated to local level Charity Federations. Although official information by the CCF shows that it had more than 350 member units by 2016, studies show that the actual number of charity federations that constitute this large network far exceeds 350. According to studies, by 2007 there were more than 700 charity federations in China, the number had skyrocketed to 1600 in 2010 and then further increased to 2400 in 2014 (Yang H. and Zhou, 2014; Yang. R, 2015; Yang L., 2016). The data suggests that other than the primary member units that are certified by the CCF, such as Nanputuo Charity Federation and local level charity federations, some CCF members have developed their own subordinated charity federations. It is not uncommon for organizations that are unable to register with civil affairs department to become subordinate organizations [挂靠机构 guakao jigou] of legally recognized superior organizations, preferably the CCF or the Red Cross Society (RCS) (Wang. S, 2012).

Though subordinate organizations can gain legitimacy and have the same privilege that their superior organizations are able to enjoy, they do not have legal person status and have to follow the charter of their superior organizations (Li H., 2010). Three of the four Buddhist charity federations do not have their own charters. As the only one that has a charter, C5 specifically indicated that its supervising units were Jinzhou City Charity Federation, a local level CCF

member and the local religious affairs bureau. There was no mention of relation with local civil affairs department in the charter. Subordinate organizations are subject to the supervision of superior organizations in terms of activities, personnel and finance. Every year the subordinate organization must pay a certain percentage of its revenue as management fees to the superior organization (Wang S., 2010). For local level charity federations, subordinated Buddhist charities can provide a stable source of income; for Buddhist charities that are unable to register with local civil affairs department, becoming a subordinate member of local level charity federations can help them gain legitimacy. Yet, the lack of independence and decision-making ability did not make it a popular choice of identity among Buddhist charities.

Table 11

*Objective of selected Buddhist charities [2]*

	<b>Merit society</b>	<b>Charity foundation</b>	<b>Other</b>
<b>Registered</b>	<p><b>MT4 Liaoning Province Dalian City Guanhai Temple Xingyuan Merit Society</b></p> <p>Promoting traditional Chinese culture, donating to Hope Project, assisting disaster-affected and impoverished areas, establishing Buddhist nursing home [安养院 anyangyuan] and medical clinics, assisting nursing homes and orphanages, helping the poor and the disabled and supporting education endeavours. Protecting ecological</p>	<p><b>FT3 Beijing Ren'ai Charity Foundation</b></p> <p>Engaging in social assistance, helping elderly and children that are in need, environmental protection, donating to education and related public welfare and charity activities.</p> <p><i>(Charter 2013)</i></p>	<p><b>OT4 Quanzhou Dakaiyuan Temple Poverty Alleviation and Disaster Relief Public Welfare Association</b></p> <p>Poverty alleviation, disaster relief, assisting elderly, supporting education endeavour and medical care; supporting disabled people.</p> <p><i>(Charter 2008)</i></p>

	balance, afforestation, protecting animals and freeing captive animals. <i>(Charter 2006)</i>		
<b>Unregistered</b>	<b>MT8 Donglin Charity Merit Society</b>  Conducting charitable activities such as providing assistance to impoverished population, providing medical care, disaster relief, assisting elderly and orphans, supporting education. <i>(Charter 2008)</i>	<b>FA5 Shanxi Province Jincheng City Buddhist Charity Foundation</b>  Participating in Hope Project, providing financial assistance to impoverished or disabled people, helping the elderly and orphans, protecting animals and freeing captive animals, disaster-relief, etc. <i>(Charter 2006)</i>	<b>OT3 Jing'an Temple Charity Fund</b>  Providing assistance to education endeavours, people with disabilities, and the elderly, assisting medical care, disaster-relief, protecting animals and the environment. <i>(Charter 2006)</i>

Data retrieved from *Buddhist Charity of China*

It could be seen from the comparison in Table 11, just like in the emergence period, all Buddhist charities are still assisting the state with similar public welfare endeavours and provision of similar types of social services. Compared with Table 8, in which there is no mention of environmental and animal protection, the change of government's priorities in tackling development challenges can be seen clearly in Table 11. The results of both vertical and horizontal comparison is similar to the results after evaluating Table 8 that was previously discussed in the last chapter. The same type of Buddhist charities participates in almost identical kinds of social welfare endeavours regardless of their registration status and so do different types of Buddhist charities. Therefore, in the growth period, the qualification of Buddhist charities as social organizations still largely depends on local authorities' subjectivity. Yet, it could be clearly seen in Table 10 that unlike the previous periods, in which each type of Buddhist charity

has similar number of registered ones, among 12 registered Buddhist charities in this period, ten are charity foundations. The first observation from Table 10 is then that preference is clearly given to foundations.

The second observation from Table 10 is that there are still more merit societies than any other types of Buddhist charities, but the number of Buddhist charity foundations has increased quickly. The explanations can be found in *Regulation on Foundation Administration (2004)*, an updated version of *Regulation (1988)*. The new regulation signified official acceptance of non-public foundations, which had resulted in the growth of foundations, though at the same time it also set much higher thresholds of start-up funds and annual expenses for foundations.

#### *Emergence of Non-public Foundations*

Many would regard 2008 as the Year One [元年 *yuannian*] of *cishan* in China not only because charitable donations reached 100 billion RMB for the first time, but also because charities began to increase rapidly (Tian, 2009). This number tripled the total donation in 2007 and 60% of it were donations to the population affected by the Wenchuan Earthquake alone (Tian, 2009). Yet, as the data shows in Table 4, the total number of newly established Buddhist charities does not peak in 2008 nor in 2009. The first peak appeared prior to 2008 at around 2005-2006. Among all eight Buddhist charities that were registered at the peak in 2006, five were foundations. Or put it in another way, among the total 11 foundations that were established from 2004 to 2013, nearly half of them were established in 2006. It seems that the rapid growth of charities that was caused by Wenchuan Earthquake in 2008 was not reflected among Buddhist charities.

*Regulation on Foundation Administration (2004)* officially categorized foundations into public foundation and non-public foundation for the first time, which signifies that non-public

foundations are officially recognized within the legislative framework. According to Article 3 of the *Regulation on Foundation Administration (2004)*, the fundamental difference between public and non-public foundations is that, public foundations can solicit from the general public and non-public foundations are prohibited from soliciting from the public. It means that only public foundations are allowed to set up donation boxes in public, hold campaigns in public places, advertise on media, or raise funds through the trading of virtual goods on online trading platforms (Sun J., 2015). Public foundations can be further divided into national public foundation and regional public foundation based on the geographical scope of fund-raising activities. National public foundations' fund-raising activities can be carried out nationwide, regional public foundations' fund-raising activities can only be carried out in its registered administrative regions. The registration and management authority of national public foundations is given to the Ministry of Civil Affairs. Local public foundations are registered and managed by the civil affairs departments of provinces, autonomous regions and municipalities. For private foundations on the other hand, there is no geographical restriction for them as they are not allowed to solicit in public. They are also managed by various levels of local civil affairs departments. Therefore, the privilege of public foundations which allows them to solicit from the public also provides them with more exposure and makes them more attractive to potential funding resources, thereby giving them an advantage in conducting charitable activities compared to non-public foundations. Yet, among eleven newly emerged Buddhist charity foundations in this period, only four were public foundations. On one hand, the fact that the majority of Buddhist charity foundations were non-public suggested that the reason to the peaking of Buddhist charity foundations in 2005-2006 owed credit to the state's acceptance of non-public foundations since 2004. On the other hand, the small number of Buddhist public

foundations signifies that the majority of Buddhist charity foundations were restricted from getting more public exposure, which is similar to the general trend: among China's more than 4000 foundations, only 1500 can solicit publicly (Jin, 2016).

### Higher Thresholds

The requirement of start-up fund for all foundations was 100 thousand RMB prior to 2004, and it was raised significantly according to the new *Regulation on Foundation Administration (2004)*. Now the requirement is two million RMB for non-public foundations; four million RMB for regional public foundation and eight million RMB for national public foundations. Even the lowest fund requirement for foundation is much higher than the requirement for social groups. The large amount of fund that is required upon registration for a foundation can be financially challenging for many Buddhist groups as they have not yet begun to recover from the Cultural Revolution until the 1980s. As the requirement of start-up fund is much higher for public foundation than other types of foundation, therefore it is even more difficult to register as a public foundation.

Other than public foundations, there are two major organizations that can also solicit publicly: the CCF and the RCS. As the only Buddhist charity that is registered as a primary member of CCF, Nanputuo Charity Federation (C1) has the same administrative level of provincial level CCF members, which means it is authorized to solicit publicly. Though it seems that all members of CCF and RCS should also have the same rights, I did not find any evidence of whether lower level Buddhist charity federations actually do so. Study also suggests that all state-sponsored charities in China have the privilege to solicit publicly (Yang R., 2015), but it is not specified by law that public foundations have to be state-sponsored or that soliciting publicly is an exclusive right for state sponsored organizations. However, due to the high threshold of

registering as a public foundation, it is almost impossible for non-governmental organizations to set up public foundations (Li H., 2010). Therefore, all public foundations in China can be somewhat considered state-sponsored.

Furthermore, the high requirement for annual expenses also makes it more difficult to register as a public foundation. Article 29 of *Regulation on Foundation Administration (2004)* stipulated that:

the amount of money spent annually by public fundraising foundations on the public benefit activities stipulated in their charter must not be less than 70% of the previous year's revenue; non-public fundraising foundations annual expenditure on the public benefit activities stipulated in their charter must not be less than 8% of the surplus from the previous year. (CECC, 2012)

It could be seen that this article puts more pressure on public foundations than non-public foundations on the amount of money that they should spend annually. For a public foundation whose start-up fund is four million RMB, it will face pressure to spend 70% of money by the year end in order to pass the annual inspection. It could be difficult for foundations to spend money on suitable charitable activities or projects without well-established connections (Jin, 2016). Public foundations also face more pressure to obtain funds in order to continue operating in the following year. Relying either on donations or investment, public foundations have to have the ability to quickly obtain funds after spending 70% of it in the previous year. Foundations that have not met the expense requirement will receive administrative penalty from the civil affairs department (Ministry of Civil Affairs, 2017). A common administrative penalty is to receive warnings but de-registration is also possible (Ministry of Civil Affairs, 2018). Due to the high threshold that is set by *Regulation on Foundation Administration (2004)* for the registration of

both public and non-public foundations, though the acceptance of private foundations has a positive impact on the growth of Buddhist charity foundations, most of Buddhist charities are in the form of social groups.

### **Public Welfare Organization**

During the growth period, *Law (1999)* began to be more effective and restrictive because specific measures were further clarified in follow-up documents. The importance of being a registered social organization has also increased because only registered Buddhist charities are eligible to be qualified as public welfare social groups and apply for the tax-exempt eligibility. In the emergence period, unregistered Buddhist charities, particularly those in the form of social groups, were tolerated to operate within a grey zone. Yet, as such new status was created by the state, unregistered Buddhist charities became more restricted. This section aims to compare different types of Buddhist charities and explain whether and why they are accredited as public welfare organizations.

Table 12

*Buddhist charities (established prior to 2004) accredited as public welfare organizations*

	<b>Merit society</b>	<b>Charity Foundation</b>	<b>Charity Federation</b>	<b>Other</b>	<b>Total</b>
<b>Buddhist charities established prior to 2004</b>	MA1, MA2, MA3, MA4, MA5, MA6, MT1	FA1, FA2, FA3, FT1	C1	OT1	13
<b>Registered social organization</b>	MA6, MT1	FA1, FA3	C1	OT1	6
<b>Public welfare organization</b>	/	FA1, FA3	C1	OT1	4

Table 13

*Buddhist charities (established after 2004) accredited as public welfare organizations*

	<b>Merit society</b>	<b>Charity Foundation</b>	<b>Charity Federation</b>	<b>Other</b>	<b>Total</b>

<b>Buddhist charities established after 2004</b>	MA7, MA8, MA9, MT2, MT3, MT4, MT5, MT6, MT7, MT8, MT9, MT10, MT11, MT12	FA4, FA5, FA6, FT2, FT3, FT4, FT5, FT6, FT7, FT8, FT9	C2, C3, C4, C5	OA1, OT2, OT3, OT4	33
<b>Registered social organization</b>	MT4	FA4, FA6, FT2, FT3, FT4, FT5, FT6, FT7, FT8, FT9	/	OT4	12
<b>Public welfare organization</b>	/	FA4, FA6, FT2, FT3, FT4, FT5, FT6, FT7, FT9	/	OT4	10

As seen in Table 12, for the 13 Buddhist charities that were established in the emergence period, less than one third were qualified to be public welfare organizations. While non-registered social organizations were not qualified, even some registered social organizations were eliminated. Only social organization FA1, FA3, C1 and OT1 were qualified as public welfare organizations. Though there is inconsistency for the qualification of Buddhist charities, it is obvious that merit societies were disadvantaged in particular. For the 33 newly established Buddhist charities, Table 13 shows similar patterns. The number of merit society in both the emergence and the growth periods were more than any other types of Buddhist charities, but no merit society in either period had been qualified as a public welfare organization.

When looking at Table 12 and Table 13 at the same time, it could be seen that among 14 public welfare organizations, there was zero merit society, 11 charity foundations, one charity federation and two others. In other words, of 14 accredited public welfare organizations, 11 were in the form of a foundation. There are two possible reasons to explain this greater number of Buddhist charity foundations relative to other types of Buddhist charity: first, there were simply far more registered foundations than other types of registered Buddhist charities. Being registered is the first step toward being qualified for any secondary identities, such as being qualified as a public welfare organization. Therefore, unregistered charities were previously tolerated and could operate in the grey zone, but now, though they were still tolerated to operate

as internal branches, they were unable to acquire any new status. The legitimacy of unregistered charities would decrease and their activities would be more restricted. The second reason is that Buddhist charity foundations in general were given particular preference because except one registered Buddhist charity foundation, others were all qualified as public welfare organizations.

The preference for Buddhist charity foundations was made clear by the higher threshold for social groups to be qualified as public welfare organizations, according to the measures specified in Article 4 of *Notice (2008)*. Article 4 stipulated the conditions for foundations and social groups to be qualified as public welfare organizations. The major requirement for all foundations is that they need to be certified as foundation at 3A level, based on the *Administrative Measures for the Assessment of Social Organizations (2010)* [社会组织评估管理办法 *shehuizuzhi pinggu guanli banfa*]. The highest level is 5A and the lowest is 1A. Similar to the assessment and qualification process of social groups, the specific measures on how to evaluate foundation was not specified in the *Administrative Measures (2010)* and the authority of developing such measures is given to various levels of local governments. There are more and stricter conditions for social groups to apply to be public welfare organizations. In order to register as a public welfare organization, a social group has to meet multiple conditions: it has to register at the civil affairs department for more than three years, its net assets should be no less than the amount of its start-up fund, it has to pass either two consecutive annual evaluations or one annual evaluation but being certified as 3A or higher in that evaluation and the amount of its annual expenditure for public welfare activities shall not be less than 70% of the total revenue of the previous year for three consecutive years, and shall also be no less than 50% of the total expenditure for that year. Therefore, compared with Buddhist charity foundations, it can be difficult for merit society and other types of Buddhist charities that are social groups to be

qualified as public welfare organizations. For Buddhist charities, the outcome of being qualified or disqualified as public welfare organization is that those that can issue tax-exempt receipts will be more likely to attract larger amounts of donations and be able to expand quickly. For the state, this new status helps to restrict the size of Buddhist charities.

### *Strategy of Buddhist Charity Foundations*

As the state seeks to maintain control over religion and expanding religious activities (Hunter and Chan, 1993; Potter, 2003), it also remains sensitive to any potential threats posed by religions, particularly their ability to mobilize a great number of people independently of state directives (Laliberté, 2009). Then the preference for Buddhist charity foundations seems contradictory to the fact that Buddhist charity foundations can mobilize the largest amount of financial resource comparing to other types of Buddhist charity. So why most of them can be qualified as public welfare organizations? Arguably, Buddhist charity foundations reduce the state's vigilance towards religious affairs and seek legitimacy by minimizing their religious dimension. One particular strategy is to not be membership-based nor provide religious services, as is the case with the Beijing-based Ren'ai Charity Foundation (FT3). This is not to suggest that all Buddhist charity foundations follow the same practice as Ren'ai Charity Foundation: there can be considerable differences between different Buddhist charity foundations. Yet, the case of Ren'ai could demonstrate one effective strategy of seeking tolerance and legitimacy from the local government. Also, though the strategy it uses makes Ren'ai seemingly less religious, the charity foundation is still led by the head abbot of Longquan Monastery and located just steps away from the temple's main entrance. In fact, the abbot became the Chair of the Buddhist Association of China a few years ago.

Longquan Monastery was officially reopened as a religious site on April 11th, 2005 and its affiliated Ren'ai Charity Foundation was registered in the following year. No annual fee is collected from its members by Ren'ai according to its charter. In fact, as many other Buddhist charity foundations, Ren'ai does not even have members because it is purely voluntary and projects based. In 2014, Ren'ai was operating nine charitable projects (Laliberté, unpublished) and by 2018, the number of projects increased to 14. These projects include disaster relief, donating books and clothes to the people in need, elderly care, environmental protection, etc. According to the foundation's website, there were more than 300 thousand people participating in various events in 2016, such as giving congees to people on the street (Ren'ai, 2016). Yet, though a large number of people can be organized, the population is scattered over different events across regions. The total headcount may be large but the actual number of volunteers that participate in each event is relatively small. A witness states that many events have not exceeded fifty volunteers as both volunteers and organizers are aware that an event that is too large in size may get them into trouble (Laliberté, unpublished). Furthermore, it is important to note that for Ren'ai Charity Foundation, there is a divide between volunteers and voluntary workers [义工 yigong]. While volunteers use their spare time to participate in different Ren'ai organized charitable events, voluntary workers work full-time for Ren'ai's various projects. Both are voluntary and unpaid and there is no restrictions for non-Buddhists to become participants in Ren'ai's activities. Instead of using religious ideas, an atheist discourse of devotion is used to bind volunteers together. On Ren'ai's web page for volunteers, the first sentence shown is the Chinese translation of a quote by Karl Marx, whose idea that "religion is the opium of the people" used to be adopted by the CCP for decades as its guiding ideology towards religion. The quote states that "...experience acclaims as happiest the man who has made the greatest number

of people happy” (Marx, 1835). Furthermore, Ren’ ai Charity Foundation has put “no proselytizing” into its four noes policy (Laliberté, unpublished) to indicate the minimum involvement of religion in its work.

Consequently, no member-specific religious activities such as Dharma assembly are held. Volunteers of a charity foundation can be distinguished from members of merit societies because volunteers do not have long term commitment to the organization. Their participation in one activity is based on volunteerism, which does not guarantee their participation in the next one. Though voluntary workers can be committed to the foundation for a longer period of time than volunteers, they often perform professional tasks such as bookkeeping, IT support, customer service, etc. (Ren’ ai, 2016). In contrast, membership-based Buddhist charities such as the majority of merit societies typically collect membership fees and bind people together using religious ideas such as merit-making. They are more likely to attract negative attention and receive disapproval from the government, as the government is more cautious towards organizations that can easily mobilize large numbers of people and use religious ideas to challenge the regime.

### *Encouragement of Buddhist Charities*

In the growth period, in addition to the acceptance of non-public foundations, another important factor that led to the growth of Buddhist charities was the issuance of *Advice on Encouraging and Regulating Religious Sector’s Participation in Philanthropic and Charitable Activities* in 2012. Issued after the religious sector [宗教界 zongjiaojie] has proved its fundraising ability by donating more than 200 million RMB during the Wenchuan Earthquake in 2008 (Wu, 2015 working paper), *Advice (2012)* has several significant implications: it encourages religious groups, religious sites and religious people to participate in charitable

works, officially recognizes the legitimacy of religious charities and signifies a more open political environment for the development of religious charities (Wu, 2015). The document has stipulated the types of charitable activities that religious charities should participate in. By comparing what was defined as public welfare endeavors in the *Law (1999)* to the fields into which religious groups were encouraged to conduct charitable activities by *Advice (2012)*, it could be seen that both documents stated the same four major fields of public welfare charitable activities, though they were not completely matching. Except scientific, culture and sports endeavours, religious groups and religious sites were encouraged to make contributions to all other kinds of public welfare works. Furthermore, *Advice (2012)* also stipulated the means for religious groups and sites to participate in charitable works, of which establishing charities is one. Among all types of Buddhist charities, only foundations received explicitly positive encouragement in writing. Section four stated that religious groups and sites can “follow the instruction of *Regulation on Foundation Administration (2004)* and they can apply for establishing a foundation”. However, section four also states that “religious groups and religious sites with sufficient conditions can internally set up a specific agency to conduct public welfare and charity activities”. This article can help unregistered Buddhist charities gain certain legitimacy by claiming themselves as internal branches of a temple or a Buddhist association.

In fact, looking into the growth period of Buddhist charities, not only did local governments continue to tolerate unregistered Buddhist charities, but the central government also became more tolerant. Two documents issued by the central government after 2004 further confirm that public welfare and charity works can contribute to the self-sufficiency of religious groups and religious sites. Specifically, both the *Regulation of Religious Affairs (2004)* and the *Measures for the Supervision and Administration of Financial Affairs of Religious Premises (2010)* [宗教活动

场所财务监督管理办法 *zongjiao huodong changsuo caiwu jiandu guanli banfa*] confirm that while participating in public welfare and charity works, religious charities can earn revenue and that this revenue can be used for self-sufficiency of their affiliated religious sites or groups. Article 14 of *Measures (2010)* stipulated that revenue from participating in public welfare and charity endeavours and other social services can be counted as the revenue of the religious sites. How such revenue should be used is also stipulated in both documents. Religious groups and sites are required to spend the revenue obtained from public welfare and charity endeavours and through other legitimate means on doing more public welfare and charity activities, as well as other activities that are compatible with the tenets of Buddhism. Expenditures can include expenses on religious affairs and construction, payment of salaries to religious personnel and other staff members, and daily expenses (Article 34 of *Regulation of Religious Affairs* and Article 20 of *Measures 2010*). Therefore, if an unregistered Buddhist charity is acting as the internal organ of religious sites or groups, then it can support the financial wellness of the religious sites and can be accepted by the government.

### ***Cishan Organization***

Since there are no data for Buddhist charities established after 2012, I was unable to know whether the number of newly established Buddhist charities has decreased or increased after 2012. Therefore, at this point, the research could only study how the post-2012 legislation impacts Buddhist charities that were established before 2012. Trends from old and new regulations both suggest an increased state control over social organizations in general and charitable organizations in particular. While all social organizations are expected to host an

internal CCP branch in the future, there is a consistent pattern of channeling of social resources towards state accredited charitable organizations.

The drafts of the new regulation on social groups and on foundations were both published by the Ministry of Civil Affairs in 2016, seeking public opinions. Though the official regulations have not yet been released by now, they are not expected to be much different from the drafts. A major sign of tightened state authority over social organizations is that both drafts contain an article which stipulates that all social organizations are expected to establish an internal CCP branch. In fact, the *Opinion on the Reform of the Social Organization Management System and Promotion of the Healthy and Orderly Development of Social Organizations (2016)* [关于改革社会组织管理制度促进社会组织健康有序发展的意见 *guanyu gaige shehuizuzhi guanli zhidu cujin shehuizuzhi jiankang youxu fazhan de yijian*] is published to specifically address this matter. In addition to the current supervising units, social organizations will have to follow the order of the CCP which means that in the future they are likely to enjoy less autonomy in the future.

Table 14

*Accredited Buddhist charities for each identity*

	<b>Merit society</b>	<b>Charity Foundation</b>	<b>Charity Federation</b>	<b>Other</b>	<b>Total</b>
<b>Buddhist charities established between 1994 and 2003</b>	MA1, MA2, MA3, MA4, MA5, MA6, MT1	FA1, FA2, FA3, FT1	C1	OT1	13
<b>Buddhist charities established between 2004 and 2012</b>	MA7, MA8, MA9, MT2, MT3, MT4, MT5, MT6, MT7, MT8, MT9, MT10, MT11, MT12	FA4, FA5, FA6, FT2, FT3, FT4, FT5, FT6, FT7, FT8, FT9	C2, C3, C4, C5	OA1, OT2, OT3, OT4	33
<b>Social organization</b>	MT4, MA6, MT1	FA1, FA3, FA4, FA6, FT2, FT3, FT4, FT5, FT6, FT7, FT8, FT9	C1	OT1, OT4	18
<b>Public welfare organization</b>	/	FA1, FA3, FA4, FA6, FT2, FT3, FT4, FT5, FT6, FT7, FT9	C1	OT1, OT4	14
<b>Cishan organization</b>	/	FA1, FA3, FA4, FA6, FT2, FT3, FT4, FT5, FT6, FT7, FT9	C1	/	12

<b>Cishan organization qualified for public soliciting</b>	/	FA4, FA6, FT2, FT5	C1	/	5
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Table 15

*Number of accredited Buddhist charities for each identity*

	<b>Merit society</b>	<b>Charity Foundation</b>	<b>Charity Federation</b>	<b>Other</b>	<b>Total</b>
<b>Total</b>	21	15	5	5	46
<b>Social organization</b>	3	12	1	2	18
<b>Public welfare organization</b>	0	11	1	2	14
<b>Charity organization</b>	0	11	1	0	12
<b>Charity organization qualified for public soliciting</b>	0	4	1	0	5

Through Table 12 and 13, it could already be seen that there is a preference for Buddhist charity foundations to be accredited as public welfare organizations. Such preference is more apparent in Table 14, when another new status was created in 2016 to further regulate social organizations participating in public welfare and charity activities: *cishan* organization. Civil affairs departments at the county level or above again have the authority of accrediting *cishan* organizations following *Measures for the Accreditation of Cishan Organizations (2016)* [慈善组织认定办法 *cishan zuzhi rending banfa*]. Though *Law (2016)* stipulates that all social organizations can apply to be *cishan* organizations, there are only 12 such organizations among the 18 Buddhist social organizations in the data set. Among these 12 *cishan* organizations, except Nanputuo Charity Federation, all others are foundations.

Since *cishan* organization is a newly created status, it remains unclear how this new status will influence unaccredited social organizations in the future, in terms of participating in public welfare and charity activities. For now, what is clear is that the *Law (2016)* bans organizations and individuals who do not have permission to solicit in public. In the past, though soliciting in public was a right limited to public foundations which have close ties with the government, no

laws or regulations had banned other types of social organization to solicit publicly. Now while public soliciting remains a privilege of public foundations, social groups or even individuals will break the law by even publishing information about donation on the internet. For organizations and individuals without qualification to solicit publicly, Article 29 of *Law (2016)* stipulates that they “may, for charitable purposes, cooperate with a *cishan* organization qualified for public soliciting, and the *cishan* organization shall organize the soliciting events and manage the raised money and other property” (National People's Congress, 2016). However, very few *cishan* organizations are able to enjoy this privilege because among 4,041 registered *cishan* organizations, only 1,072 can solicit publicly according Charity China’s website. For Buddhist charities, only four public Buddhist charity foundations and the Nanputuo Charity Federation have the right to solicit publicly. In fact, it could be seen from Table 15 that from 1994 to 2013, 46 Buddhist charities were established in total, 18 were registered social organizations, among which 14 were further qualified to be public welfare organizations and 12 were qualified to be *cishan* organizations. Now among these 12 *cishan* organizations, only four Buddhist charities are permitted to have a public presence. No matter if it is a social organization, a public welfare organization or a *cishan* organization, all of these different statuses that are imposed on Buddhist charities and other charitable organizations gradually force as many social resources as possible to flow to the organizations favoured by the state, rather than organizations that are not recognized (that is, in the grey zone). For the Buddhist charities that are operating in the grey zone, only the ones that best fit local authorities’ interests can survive. As seen in the example of the dissolved Hebei Province Buddhist Association Charity Merit Specialized Committee (MA2), when an unregistered Buddhist charity is no longer needed by local authorities, its operation will be immediately terminated with no need of legal explanations.

## **Conclusion**

After 2004, though more Buddhist charities have emerged, more legislation have been imposed on them as well. The number of Buddhist charity foundations has raised quickly, owing to the state's acceptance of non-public foundations and encouragement of religious charity foundations. In this time period, two new statuses were created and imposed on Buddhist charities: public welfare organization and *cishan* organization. The key differences between Buddhist charities was then whether they were qualified to be public welfare organizations and *cishan* organizations. Comparing to other types of Buddhist charities, Buddhist charity foundations were more likely to acquire these new statuses and at the same time became more legitimate. Yet, the dramatically raised requirements for registering foundations restricted many Buddhist groups and sites from establishing foundations and allowed only the resourceful ones to do so. Therefore, comparing to the previous time period, fewer and fewer Buddhist charities were able to fully participate in public welfare and charity works.

## Chapter 6 Conclusion

Table 16

*Summary of main characteristics of the organizational structure*

		<b>Main characteristics</b>
<b>Social organizations</b>	Social group	<p>Social groups represent one type of social organization in China, along with the other two types: foundations and social service agencies.</p> <p>Social groups are considered compilations of individuals and can be categorized into national level and local level ones.</p> <p>Required by law to have two supervising units since 1989.</p>
	(Charity Federation)	<p>Charity Federations are unique actors among social organizations in China.</p> <p>Though China Charity Federation (CCF) is registered as a social group, it has developed into a network which consists of hundreds of local level charity federations. These local level charity federations are known as CCF's member units.</p> <p>The fact that CCF is an organization that is closely tied to the central government enables it and its member units to act as public foundations and enjoy the privileges that are unique to foundations, such as pre-tax deduction.</p>
	Foundation	<p>Foundations are considered compilations of financial capitals.</p> <p>Foundations can be classified as either public or non-public foundations. Public foundations are those that can solicit publicly and are further classified as either national level or local level public foundations. Public foundations often have strong ties with the government and such ties including receiving subsidies and resources.</p> <p>Non-public foundations on the other hand, are unable to solicit publicly and most Buddhist charity foundations are in fact non-public foundations.</p> <p>According to the newest legislation, the start-up fund for registering a foundation ranges from RMB 2,000,000 to RMB 8,000,000.</p> <p>Required to have two supervising units.</p>
<b>Newly created statuses</b>	Public welfare organization	<p>Public welfare organizations can be further classified into public welfare social groups and non-profit public interest working unit.</p> <p>It is a status created specifically for social organizations since 1999, which means that unregistered non-governmental organizations cannot be recognized as public welfare organizations.</p> <p>Organizations that are qualified for this status are entitled to pre-tax deduction for their contributions to public welfare endeavours.</p>

	<i>Cishan</i> organization	<p>It is a status specifically for social organizations since 2016.</p> <p>It does not conflict with the public welfare organization status. Therefore, social organizations can be accredited as public welfare organizations and <i>cishan</i> organizations at the same time. However, it does not imply that once a social organization is accredited as a public welfare organization, it will be accredited as <i>cishan</i> organization as well.</p> <p>It is not clear yet that what are the special privileges that <i>cishan</i> organizations have, but the <i>Charity Law</i> has stipulated that social organizations that are disqualified as <i>cishan</i> organizations will have to partner with a qualified <i>cishan</i> organization when conducting charitable activities.</p>
<b>Buddhist charities</b>	Buddhist merit society	<p>Some of the Buddhist merit societies are registered, meaning they are recognized as social organizations in China, specifically as social groups. Non-registered Buddhist merit societies are not social organizations and therefore cannot be further accredited as either public welfare organizations or <i>cishan</i> organizations, according to legislation.</p> <p>Though non-registered Buddhist merit societies technically operate in the “grey zone”, they often act as internal branches of Buddhist groups or sites.</p>
	Buddhist charity foundation	<p>Buddhist charity foundations are typically registered foundations.</p> <p>Comparing to Buddhist merit societies and Buddhist charity federations, Buddhist charity foundations are more likely to be accredited as either public welfare organizations or <i>cishan</i> organizations.</p> <p>Yet comparing to the other two types of Buddhist charities, the threshold for Buddhist groups and sites to register a charity foundation is much higher.</p>
	Buddhist charity federation	<p>Buddhist charity federations are often part of the CCF system.</p> <p>Except Nanputuo Charity Federation, most Buddhist charities federations are internal branches of local level charity federations.</p> <p>Therefore, they have less autonomy to act by their own comparing to Buddhist charity foundations and registered Buddhist merit societies.</p>
	Other	<p>This category refers to very few Buddhist charities whose nomenclatures are different from above mentioned three. Their names vary: can be named as associations, funds or public welfare office.</p> <p>These Buddhist charities are not foundations since all foundations are required to disclose their identities in their nomenclatures.</p> <p>Most of the Buddhist charities in the “other” category are registered or unregistered social groups, therefore this category has not been analyzed separately.</p>

Table 17

*Summary of governance changes caused by main legislation*

Year	Main Legislation	Main Governance Changes
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<b>1982</b>	<i>The Basic Viewpoint and Policy on the Religious Question during Our Country's Socialist Period (Known as Document 19)</i>	The first statement that signifies the CCP's change of attitude towards religion and religious freedom in China.
<b>1988</b>	<i>Administrative Measures of Foundations</i>	First regulation of foundations in China since 1949.  Foundations were officially defined and various conditions required to establish foundations were made clearly.
<b>1989</b>	<i>Regulation on Registration and Administration of Social Groups</i>	First official regulation of social groups in China since 1949.  It did not make distinction between foundations and social groups which made foundations subjective to the supervision of three different state actors, including two supervising units and the People's Bank of China.
<b>1990</b>	<i>Request on Clearing up and Rectifying Social Organizations</i>	It was issued after Tiananmen Square protests in 1989 and it signified the start of the first purge of social organizations.
<b>1991</b>	<i>Notice by CCP Central Committee and the State Council on Further Dealing with Several Religious Issues (Known as Document 6)</i>	Religious groups and sites were encouraged in participating in public welfare works. The link between participating in public welfare works and the self-sufficiency of religious sites and groups is one of the reasons for such encouragement. However, it is notable that in 1990s, the term public welfare had a different meaning. Public welfare works did not include helping people in need.
<b>1996</b>	<i>Notice On Strengthening the Management of Social Groups and Private Non-Enterprise Units</i>	It signified the start of the second purge for social groups.  The number of social organizations was reduced from 200 thousand to just over 160 thousand RMB in the following two years. Non-governmental organizations in general were also discouraged to develop.
<b>1998</b>	<i>Regulation on Registration and Administration of Social Groups (Revised)</i>	Officially made distinction between foundations and social groups.  Both national level and local level social groups were then required to have start-up fund upon registration.  Ambiguous articles in this legislation gave flexibility to non-registered Buddhist charities to survive without registration.

<p><b>1999</b></p>	<p><i>Law of the People's Republic of China on Donations for Public Welfare</i></p>	<p>The term “public welfare” was officially defined for the first time.</p> <p>The “public welfare organization” status was created as a new classification for social organizations. Since no specific measures were mentioned in the legislation or developed later, this status remained vague for years.</p>
<p><b>2004</b></p>	<p><i>Regulation on Foundation Administration (Revised)</i></p>	<p>The requirement for start-up fund raised significantly.</p> <p>It officially categorized foundations into public foundation and non-public foundation for the first time.</p>
	<p><i>Regulation of Religious Affairs</i></p>	<p>The first regulation in China regarding religious affairs.</p> <p>It stated that religious sites or groups can participated in public welfare works.</p> <p>The term <i>cishan</i> did not appear in this legislation.</p>
<p><b>2008</b></p>	<p><i>Notice on Issues Concerning the Pre-tax Deduction of Public Welfare Donations</i></p>	<p>It specified the details about pre-tax deduction which made the <i>Law of the People's Republic of China on Donations for Public Welfare</i> more binding.</p> <p>It stipulated that provincial level government was in charge of releasing a list of public welfare organizations each year.</p>
<p><b>2010</b></p>	<p><i>Measures for the Supervision and Administration of Financial Affairs of Religious Premises</i></p>	<p>It confirmed that religious charities could earn revenue through participating in public welfare and charity works, and that this revenue could be used for self-sufficiency.</p>
	<p><i>Administrative Measures for the Assessment of Social Organizations</i></p>	<p>All social organizations are evaluated against these measures and are rated from 5A (highest rating) to 1A (lowest rating) based on evaluation results.</p> <p>Social organizations who receive low ratings are unable to be qualified as public welfare organizations.</p> <p>It stipulated that local government was in charge of the evaluation process.</p>
<p><b>2012</b></p>	<p><i>Advice on Encouraging and Regulating the Religion Sector's Participation in Public Welfare and Charitable Activities</i></p>	<p>It encouraged religious groups, religious sites and religious people to participate in public welfare works, which now included helping people in need.</p> <p>Religious charities were accepted as a legitimate mean for religious groups or sites to participate in public welfare works.</p>

		It encouraged the development of religious charity foundations in particular.
<b>2016</b>	<i>Opinion on the Reform of the Social Organization Management System and Promotion of the Healthy and Orderly Development of Social Organizations</i>	It stipulated that all social organizations were expected to establish internal CCP branches.  It signified the tightened state authority over social organizations.
	<i>Charity Law</i>	The term <i>cishan</i> (charity) was officially defined for the first time and the definition is broader than before.  The “ <i>cishan</i> organization” status was created as another new classification for social organizations.
	<i>Measures for the Accreditation of Cishan Organizations</i>	In this document, specific measures were developed by central government for accrediting <i>cishan</i> organizations.  Yet local governments were still fully in charge of the qualification process. Social organizations that want to apply for the new status need to submit applications to the local civil affairs departments.
<b>2017</b>	<i>Regulation of Religious Affairs (Revised)</i>	The term <i>cishan</i> was used in this updated regulation.

Only decades into the Reform era, China has already become one of the world’s largest economies. Yet, the rapid development has been accompanied by persistent issues such as poverty and illiteracy, as well as some increasingly severe challenges such as inequality. As the wording in legislation has changed from social welfare to public welfare to *cishan*, the evolution of the word has reflected that facing these challenges, the demand of non-governmental social service providers is also growing to face these challenges. From a state-dominated sector to a sector that now expects more diverse participants, it seems that religious charities have some good opportunities to gain more legitimacy in China.

Despite emerging challenges, the rapid development in China has also brought technological advancements. The prevalence of religious commodification and the propagation of religions through online platforms in recent decade has shown that religion in China is becoming more compatible with the modern trends. At the same time, we do see that the Chinese government has given mixed responses after seeing these innovative but potentially out-of-control actions taken by religious groups and sites. On one hand, new regulations have been passed by central government to ban religious commodification since 2012 and Internet monitoring and control is now stricter than ever. On the other hand, the government has given permissions to certain Buddhist sites and supports their innovative experiments of combining Buddhism and modern technology. For example, Beijing's Longquan Monastery is not only famous for its Ren'ai Charity Foundation but also for its technological makeover. Located in the capital region, the permission that Longquan Monastery has is likely to come down from the central government. Therefore, it could be seen that the Chinese government often has a mixed and somewhat unpredictable attitude towards religion which has caused different religious actors to be treated differently. In such circumstances, it is hard to develop a very definite answer for the research question. However, one of the contributions I hope to make is to present the readers with the complex structure of Buddhist charities in China and how they are influence by governments and different legislative frameworks over time.

The answer to the question about why there are multiple types of Buddhist charities is complex because it is a result of inconsistent and fragmented interaction between different levels of government and Buddhist charities. Even though among merit societies, charity foundations and charity federations, the identity that enables Buddhist charity to become accredited as social organizations, public welfare organizations or *cishan* organizations will be more attractive than

others, Buddhist groups and sites often cannot choose to establish certain type of Buddhist charities freely. Though Buddhist groups and sites seem to have agency in choosing to establish the type of Buddhist charity they want based on their preference of either gaining more legitimacy or enjoying more flexibility, it is impossible for such an agency to exist without sufficient financial resources and well established connections with local governments.

Under the direction of central government, the ongoing institutionalization of social organization has created multiple identities for charitable organizations in China and the term *cishan* has been redefined throughout the years. The accreditation of NGOs aims at maintaining the state's central authority over a growing number of charitable organizations and their social resources. Following the creation of more restrictive statuses, more resources goes to the organizations preferred by the central and local governments, that have close internal linkages with government. Therefore, though the political environment for Buddhist charities has become more open and the number of Buddhist charity is increasing over time, the importance of being registered and accredited has also increased. Due to high thresholds, increasing numbers of Buddhist charities become unaccredited and have to operate in a grey zone that is somewhat tolerated by local authorities.

As the direct regulator of Buddhist charities, local governments often have different interpretation of central documents, regulations and laws and they would represent their interest when making region-specific policies. All these factors will affect the result of accreditation of Buddhist charities. Local level authorities have more tolerance towards Buddhist charities as they tend to seek maximum benefit for themselves by exploiting ambiguous articles in centrally issued legislation, which allows Buddhist charities, particularly unregistered ones to survive.

Within this top-down legislative framework, whether the identities of Buddhist charities can be largely based on its available financial resources and government connections. When there are sufficient funds and well-established connections, Buddhist charities have to face trade-off between flexibility and legitimacy. Merit societies are less legitimate since the majority of them are not registered with the civil affairs department and remain in the grey zone. Yet, by establishing a mutually beneficial relation with local governments, unregistered merit societies can attach to temples or Buddhist associations as their internal branches. While not being strictly regulated by legislation, they are able to enjoy relatively more flexibility in conducting religious activities, such as linking public welfare charitable activities with religious ideas. Being a Buddhist charity foundation means that the organization is more likely to be accredited as a public welfare organization and *cishan* organization than other types of Buddhist charity. Yet, behind many privileges that they are able to enjoy, Buddhist charity foundations have to conform themselves with state legislation in order to avoid negative attention. As seen in the case of Ren'ai Charity Foundation, they have to intentionally demarcate themselves with Buddhism. Since compromise is often required, there is less flexibility for Buddhist charity foundations compared to merit societies. Being a subordinate organization to the CCF, Buddhist charity federations are more legitimate than unregistered merit societies but are the least independent ones of all.

Despite few peaking points over the decade, the number of Buddhist charities has increased on a relatively steady speed since the 1990s. However, as the registration requirements for foundations have raised dramatically over the years, Buddhist groups and sites are more and more struggling to set up foundations. Not to mention that newly created statuses have obstructed Buddhist charities, particularly those that are not foundations, from fully conducting

in charitable and public welfare activities. Therefore, though Buddhist groups and sites are encouraged to establish foundations, they face many unsolved barriers which the government was not willing to help with. It seems then, facing many pressing development challenges, Buddhist charities are still not the main actors that central and local governments want to rely on.

### **Future Research**

As seen in the thesis, legislation that are established by the central government often are just a guideline and the authority to set up specific measures is allocated to local governments. This thesis does not go into details by looking at each regulation of provincial or lower level government due to length limit, though those regulations are also very important. Instead, sometimes they can be more important or useful in explaining the behaviour of Buddhist charities than central regulations. Therefore, for future research, it would be necessary to look further into legislation issued by lower level and do a comparison between them.

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