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CHINA: Changing climate for religious NGOs?

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Religious non-governmental organisations (RNGOs) in China face many challenges. They mainly support people such as migrant workers and their families, orphans, and victims of natural disasters, Forum 18 News Service notes. The government encourages this, but also places many restrictions on NGOs gaining legal registration. It also bans RNGOs from overtly religious activity, such as the Theological Education Society raided in June 2012. This has led many groups engaged in charitable activity - like those associated with illegal Protestant house churches - either to not seek registration, or to register as commercial organisations. Despite these challenges, RNGO leaders remain cautiously optimistic about the future.

Religious non-governmental organisations (RNGOs), both local and international, exist in China – but those that are legally registered as non-profit organisations are often linked to either the representative bodies of the five state-approved religions or other state organisations. Both the legally allowed and other RNGOs have mainly devoted their efforts and resources to supporting the neediest people in China, especially migrant workers and their families, orphans and victims of natural disasters, Forum 18 News Service notes.

Most of China's existing religious NGOs have been able to carry out the activities they have been set up to do. Yet the state does not allow them to conduct religious activities, such as overt sharing beliefs. Activities that can be described as political – such as lobbying to change laws – are also not allowed. Many secular and religious NGOs involved in development work worldwide often see encouraging legislative change as a mainstream part of their work.

So, despite RNGOs often operating quite successfully in China, like all NGOs they face an uncertain legal environment, a generally hostile political environment, and an apathetic social environment.

The numbers of RNGOs are increasing, and their activities and geographic reach are expanding. For example, since the 1990s rising numbers of Chinese Buddhist RNGOs at all administrative levels have provided scholarships to impoverished children, managed orphanages and provided disaster relief. Dr Andre Laliberte of Ottawa University also noted in his essay "The institutionalization of Buddhist philanthropy in China", which appeared in the 2009 edited volume "State and Society Responses to Social Welfare Needs in China" that Buddhist RNGOs have operated beyond their immediate geographical confines.

China's RNGO landscape

Many of the known domestic RNGOs are affiliated with one of the five state-approved religions - Buddhism, Daoism, Islam, Catholic Christianity or Protestant Christianity. These religions are formally represented by seven national state-controlled organisations, but the reality of Chinese religious life is far more diverse than the state-imposed religious monopolies (see F18News 5 December 2006 http://www.forum18.org/Archive.php?article_id=883).

- GONGOs

Many RNGOs linked to state-approved religions can be identified as government-organised NGOs (GONGOs), due to their extensive political, legal, personnel, and financial connections to the state. We can therefore expect GONGOs to be susceptible to state control to a great extent. Nonetheless, as scholars have noted, GONGOs have in recent years tried to push for more autonomy vis-a-vis the state. One way is to seek non-state funding sources so as to reduce their dependence on the state. Perhaps the most internationally well-known example of this NGO type is the Amity Foundation, which is affiliated with the two state-approved Protestant Christian organisations: the Three-Self Patriotic Movement (TSPM) and the China Christian Council (CCC). And like many GONGOs, Amity has established partnerships with non-state entities, including international RNGOs, partly as a means to achieve greater independence from the state.

However, not all domestic RNGOs affiliated with local state-approved churches, temples and other religious sites are necessarily GONGOs, in the sense that they are susceptible to extensive state control. Examples of such RNGOs include an orphanage operated by a local Patriotic Catholic church in Hebei Province, which surrounds the capital Beijing, and a "Signpost Youth Club" affiliated with the Patriotic Catholic Ningbo Diocese in Zhejiang Province, which was reported by Dr Carol Lee Hamrin of George Mason

University in a 2007 online essay entitled "Faith-Based Organizations: Invisible Partners in Development Chinese Society" that was published by the Global China Center. These groups might be affiliated with state-permitted religious bodies, but the extent of their state ties is unlike that for many GONGOs. For one, they may not have official non-profit registration status, as is the case with the aforementioned Hebei orphanage.

- Hybrid NGOs

Indeed, many domestic RNGOs exist which were created by neither the state nor the state-approved religious institutions, but whose leadership has connections to state-approved religious institutions. Researchers on Chinese NGOs have referred to this type of NGO as "hybrid" NGOs.

The Jinde Charities, China's first Catholic NGO, is an example of a hybrid RNGO. Its founder-leader is a state-approved priest, Fr John Baptist Zhang Shijiang. But the organisation was neither explicitly created nor did it receive significant funding from either the state or the state-approved Catholic Patriotic Association. Jinde was founded in 1998 in Hebei Province's capital city of Shijiazhuang and is legally registered with the government.

Hebei has long been the centre of Catholicism in China and is home to about a quarter of China's Catholic population. Many of the most prominent cases of violations of religious freedom have also taken place there. Bishops Su Zhimin (last arrested in 1997) and Shi Enxiang (last arrested in 2001), two prominent Chinese Catholic dissidents whose whereabouts have remained unknown since their last arrest, were Catholic leaders in Hebei.

- Unofficial RNGOs

Despite the increasing prevalence and prominence of RNGOs, Forum 18 is only aware of one incidence of a RNGO that is affiliated with a house church. Ray Wang of the University of California, Riverside, informed Forum 18 in June 2012 that a group of house church Christians based in the Shanghai area has been attempting since 2010 to register their group as a non-profit organisation. However, this case appears to be an anomaly since Wang told Forum 18 that the great majority of house churches have engaged in charitable activities, without formal organisation and registration.

Similarly, individual religious adherents have formed groups to engage in charitable activities without registering as non-profit organisations. Dr Hamrin of George Mason University wrote in the aforementioned 2007 essay about a school established by a young Christian couple in Chengdu, Sichuan Province for local handicapped youth. She also reported that a group of Christian businesspeople in Zhejiang Province's Wenzhou City, which is known for its long history of Christianity, established a "fellowship" to provide flood relief and community service. It is not clear whether and how the fellowship's founders were affiliated to the officially-approved Protestant Christian church.

The legal connection between non-profit registration and a religious body's certification as a religious meeting place is not obvious, in part because each is governed by a different legal document. Therefore, even if a house church group can achieve non-profit registration, which seems highly unlikely given the present political environment, the house church to which it is affiliated may not be certified as a legal site for religious meetings. Moreover, the same house church-affiliated RNGO in all likelihood would not reveal its religious identity, which seems to be the case with the aforementioned Shanghai-based group.

Co-operation also occurs between registered and unregistered RNGOs. Some non-registered Chinese NGOs and foreign donors have arranged to supply funds via Jinde for activities. These are used to support the construction of buildings for local churches, and to train nuns and priests in different Chinese regions. In all likelihood, these activities are conducted with the approval of the local state-approved Catholic Church and the local government.

- International RNGOs based outside China

International RNGOs in China vary in terms of legal status and organisational size and reach. The American Christian NGO World Vision does not have an "independent" legal status in China even though it has been operating in the country since 1982. Based on the group's 2011 annual report, its China operations appear to be an extension of its Hong Kong office. Put simply, like many international RNGOs, World Vision in China has been operating as a representative office of its Hong Kong operations.

The Chinese government has allowed international RNGOs like World Vision to operate in China because these organisations provide valuable financial and technical services to address important developmental issues like poverty alleviation and the needs of the marginalised groups, such as the education of the children of migrant workers. In these cases, the state's political support is even more important than legal certification. In this respect, it is interesting to note that the list of state partners on World Vision's website does not include any representative bodies of the five state-permitted religions.

However, the Taiwan-based Buddhist Tzu Chi Foundation - active in China since helping with flood relief in 1991 – obtained official Chinese government approval in 2010 as an RNGO. Tzu Chi's case, however, may also be unique given its Taiwan origins and the Chinese state's interest in establishing positive relations with prominent Taiwan groups as a means to support the Chinese

state's overall policy of reunification with Taiwan. Tzu Chi has also made it very clear that it does not engage in any over religious activities and activities that violate state policies and regulations.

Smaller international RNGOs include Hong Kong's Christian Action, founded in the early 1950s to work with refugees in Hong Kong. It has been active in rural and urban social development projects in the mainland since 1996.

Although both Taiwan and Hong Kong are considered territories of the People's Republic of China, both politically and legally, organisations and residents from those regions are treated de facto as foreigners. For example, both Hong Kong and Taiwan residents are issued travel and residence permits that are separate from those of mainland Chinese residents.

An important point to highlight here is that most of these international RNGOs have made it a policy not to engage in explicitly religious activities. This does not necessarily mean that they do not conduct religious activities at all; instead, they do not advertise them and make sure that they are known in general as charities rather than as religious groups.

- International RNGOs based inside China

Lastly, there are international RNGOs that are based in China with a focus on addressing very specific needs in China. One organisational attribute that is often shared among these groups is that they have operated in China largely as legal representative offices of Hong Kong-registered organisations. Yet, despite this foreign connection, for all intent and purposes these groups are working strictly in China and were established with the sole purpose of serving the needs specific to China. This characteristic distinguishes these international RNGOs from World Vision and Tzu Chi, which have global reach and for which China is only one area of that global reach.

An example of this type of international RNGO is the Beijing-based New Hope Foundation. Its founders are a Christian British and Australian couple, one of whom is a physician who had previously worked with SOS International, an international medical organisation with a presence in China. The RNGO has been in operation since 2000 and has focused on providing care, including medical procedures, to abandoned Chinese babies who are either terminally ill or who have surgically correctable deformities.

RNGOs as social welfare providers

RNGOs working in China have served mainly as providers of social welfare (shehui fuli). They have also been involved in disaster relief. The government has actively encouraged this. In a February 2012 policy "opinion" issued by the State Administration for Religious Affairs, the United Front Department of the Communist Party of China, the State Council's National Development and Reform Commission, the Ministry of Civil Affairs, the Ministry of Finance and the State Administration of Taxation, RNGOs are explicitly encouraged to engage in disaster relief, provide support to disabled persons, service the elderly and toddlers, conduct poverty alleviation, offer tuition support to needy students, participate in environmental protection efforts, and build public facilities (see F18News 20 March 2012 http://www.forum18.org/Archive.php?article_id=1681).

According to the 2011 annual report of Jinde Charities, the RNGO spent over 15 Million Yuan (14,372,215 Norwegian Kroner, 1,919,260 Euros, or 2,355,500 US Dollars) to sponsor a wide range of activities. Based on the distribution of organisational expenditures in 2011, emergency aid has been the RNGO's most important task. In 2011, Jinde spent over 8.5 Million Yuan (8,145,410 Norwegian Kroner, 1,088,000 Euros, or 1,334,475 US Dollars) to support disaster relief effort in Sichuan, Qinghai, Yunnan and Hunan Provinces. Jinde claimed that its funds and efforts helped over 30,000 residents in these provinces.

Jinde also sponsored a wide range of activities in addition to disaster relief. Its annual report recorded that it had spent nearly 2 Million Yuan (1,916,935 Norwegian Kroner, 256,080 Euros, or 313,990 US Dollars) to support orphans and disabled children, rural development, and improving medical and sanitation facilities in impoverished Chinese regions. The Catholic RNGO had also spent nearly 700,000 Yuan (670,910 Norwegian Kroner, 89,620 Euros, or 109,900 US Dollars) to support Aids patients and Aids prevention campaigns. Jinde also provided scholarships to students in China's impoverished regions, monetary and volunteer support to the elderly in those regions, and held volunteer training programmes for college students with the aim of sending the trained volunteers to local communities to serve pre-school children and disabled children in different provinces and cities.

Registration

Like non-religious NGOs, a continuing challenge is the difficulty of obtaining legal, non-profit registration status. Several legal documents, notably the "Regulations for the Registration and Management of Social Organisations," lay down the registration criteria for religious and non-religious NGOs. Additional registration criteria for RNGOs - notably the submission of information about the religious organisation's historical background, doctrines and key publications - are spelled out in the "Implementing Measures for the Registration and Management of Religious Social Organisations". The legal requirements, particularly funding requirements and the ability to obtain a state sponsor, have proved to be insurmountable challenges to the great majority of Chinese NGOs.

As a result, many either remain unregistered or register as commercial enterprises. This is a less cumbersome process, but does not

necessarily grant NGOs a secure future. For example, the Beijing-based Gongmeng NGO was closed down in 2009 by the municipal authorities, on the charge of operating as a non-profit entity with a commercial business licence. Its founders were also arrested. Gongmeng had attracted official hostility – which found its form of registration an easy excuse for closure – as a group of Chinese lawyers campaigning for the rule of law in China.

Although establishing an NGO without state affiliation is not impossible, doing so often means that the NGO will not obtain state approval as a legally-registered non-profit organisation. Without this legal certification, the group will always be vulnerable to crackdowns by government agencies without legal recourse.

Religious activities banned for RNGOs

On 28 June the China Aid Association reported that the Chinese Theological Society, a Hong Kong-registered RNGO founded by a group mainland Chinese and Hong Kong theological educators, was forced by officials of the Ministry of State Security (MSS) to halt a scheduled training camp for mainland Chinese students. The camp was in Guangdong Province, which lies across from Hong Kong. According to the China Aid Association, the Theological Society has applied for non-profit certification on mainland China, and the society's mission was to develop theological education there.

Like the unregistered Chinese Theological Society, registered RNGOs are prohibited from engaging in explicitly religious activities. The February 2012 policy opinion gave details about activities RNGOs are encouraged to undertake, but it also listed activities that RNGOs are prohibited from undertaking (see F18News 20 March 2012 http://www.forum18.org/Archive.php?article_id=1681).

For example, they must not "destroy social order, harm the physical health of Chinese citizens, obstruct the state's educational system, as well as other behaviours that harm the national interest of the state [and] the public interest of the society, and the legal rights of the citizens". This wide ranging and unclear ban allows officials to arbitrarily impose restrictions for almost any reason.

RNGOs are also barred from sharing their beliefs as they conduct charitable activities. Many RNGOs worldwide see sharing beliefs while doing charitable activity as unethical, and so would themselves – independent of any government regulation – ban those who work for them from doing this. This is also the case for Chinese RNGOs. For example, Ray Wang told Form 18 that international Christian RNGOs did not advertise their religious affiliation when they took part in disaster relief efforts, such as those that took place in the aftermath of the 2008 Wenchuan Earthquake in Sichuan Province.

While these RNGOs do not share their beliefs with those they try to help, this does not mean that they try to conceal their religious affiliations. Jinde's founder Fr Zhang, for example, told the New York Times in 2002 it does not engage in sharing beliefs, but local officials have noticed its religious affiliation. Similarly, the foreign leaders of the New Hope Foundation do not hide their Christian beliefs.

Influence of international RNGOs

The February 2012 policy opinion states that RNGOs "must not be controlled by foreign forces and must not receive foreign aid, contributions, and offers of collaboration that involve [pre-determined] political and religious conditions" (see F18News 20 March 2012 http://www.forum18.org/Archive.php?article_id=1681). But this has not stopped international RNGOs from being models for domestic Chinese RNGOs.

Taiwan's Tzu Chi Foundation and Hong Kong-based Buddhist associations have influenced mainland Chinese Buddhist RNGOs with the former's successful approach of combining "involvement in the provision of social service with avoidance of any political advocacy", as Dr Laliberte has noted. A further influence on these mainland Chinese Buddhist organisations has been the former's "theological innovations".

The most significant impact that international RNGOs have had is in the area of funding. The Patriotic Catholic Jinde, for example, has received support from the Holy See-controlled Catholic charity Caritas Internationalis and its various members. This is a little-noticed point of contact between the Holy See and China. Chinese Buddhist RNGOs have been financed by Hong Kong-based RNGOs, such as the Cihui Foundation. The Protestant charity World Vision in China has provided funds to local non-state schools for the children of migrant workers in major Chinese cities, such as Beijing.

The significance of international funding for domestic RNGOs cannot be overestimated. Raising money in China is difficult. The state provides little money, and only to those RNGOs with state connections. Corporate donations are also limited by legal provisions that make it difficult for corporations to gain tax credits even when they contribute to registered organisations, including GONGOS.

Furthermore, most of the population has limited financial means and many think that NGOs are non-profit organisations and hence should not solicit funds. This perspective stems from the fact that non-profit institutions such as hospitals and schools were subsidised by the state before 1978. So many Chinese citizens believe – wrongly – that today's Chinese NGOs are also subsidised by the state.

As a result of this shortage of Chinese funders, even Chinese GONGOs and others with strong state affiliations have been "encouraged" to seek international donors. For example, the Amity Foundation, which claims to be China's largest charity, has relied a great deal on foreign money to operate its many projects. It has established a Hong Kong office as a means to improve its international fundraising capacity. For GONGOs like Amity, establishing international funding relations is not only practical, but as mentioned earlier it is also a political means to secure greater organisational autonomy vis-a-vis the state.

Relations with the state

In 2010 the Chinese government instituted a policy requiring Chinese NGOs to provide documentation about international donors' foreign registration status and notarised copies of grant agreements between the international NGOs and the domestic NGOs. The difficulty was that the government gave no indication of how and where the notarisation could take place. The problem was especially acute for NGOs without proper non-profit registration because they were unable to find state organisations, such as the civil affairs agencies that have the authority to register non-profit organisations, which were able and willing to notarise such agreements. The resulting concern was therefore no surprise.

Although the Chinese government has generally provided little money to the RNGOs, the state's influence should not be dismissed. In fact, the state is more significant for the RNGOs' survival than international donors for a number of reasons.

First, the state confers legitimacy on RNGOs. John Tai, who interviewed the leaders of approximately 40 Chinese NGOs for his recently-completed doctoral dissertation at the Washington, DC-based George Washington University, told Forum 18 that the state's ability to grant legitimacy to NGOs is one of the main reasons that Chinese NGOs want to establish state linkages.

In general, NGOs in China are not institutionalised, meaning that they are not recognised as legitimate social institutions. This is reflected in the fact that Chinese NGOs do not enjoy widespread public trust. Indeed, Tai pointed out that the results of the 2008 East Asia Barometer survey of the National Taiwan University showed that the great majority of Chinese survey respondents displayed little to no trust in NGOs. Yet, at the same time, the respondents expressed considerable trust in the central government. Even local governments, which have been the objects of public discontent in recent years, enjoyed greater public trust than NGOs. Therefore, state approval, whether in legal or political terms, can be a valuable asset for Chinese RNGOs.

This trust in state institutions – even heavily-criticised ones like the police and trade unions – and lack of trust in non-governmental institutions – such as churches – is reflected in other surveys (see F18News 21 May 2012 http://www.forum18.org/Archive.php?article_id=1704).

Second, the state provides the platform for RNGOs to conduct their work. For example, the New Hope Foundation's work on sick and physically deformed babies needs the goodwill of local social welfare institutes, which are run by the state. By law, only the government is permitted to operate orphanages in China. These orphanages are generally referred to as social welfare institutes. Without co-operation from these state-run institutes, the New Hope Foundation would have no hope of carrying out its work.

These and other reasons make it important for RNGOs to work with the state and avoid state hostility. One reason – but not necessarily the most powerful reason – for RNGOs to avoid sharing beliefs and other overtly religious activities is because this helps them to maintain their presence in China. RNGOs and all other non-state organisations know that they are closely watched by the Chinese government (see F18News 20 March 2012 http://www.forum18.org/Archive.php?article_id=1681).

Future of Chinese RNGOs

It is important not to dismiss the challenges that face RNGOs operating in China. Like non-religious NGOs operating in the country, the legal and political environment remains less than friendly. Existing legal stipulations on organisational registration and restrictions against certain activities are unlikely to be lifted in the foreseeable future. Raising money remains difficult, especially in light of the economic downturns in Western countries in recent years. On top of that, RNGOs are not allowed to openly share their religious values.

Not much has been written about the extent to which RNGOs, both domestic and international in origin, are already contributing to social welfare provision and disaster relief. Indeed, despite the presence of RNGOs in disaster relief efforts in mainland China in recent years, both international and Chinese media have virtually ignored the presence and contributions of the RNGOs. The rise of these organisations has important implications for possible future improvements in religious freedom on mainland China.

Also unexplored has been how far such RNGOs might wish to engage in other non-profit activity – especially that linked specifically to their religious inspiration – which is currently barred to them.

However, the future of RNGOs is not necessarily bleak. As they increase in number, and as they continue to demonstrate their positive contributions to social and political stability, the Chinese government at all levels and the general population are likely to regard them more favourably. Even though state policies have remained restrictive, the attitudes of individual state officials and the

viewpoints of individual state agencies do vary, with some more supportive of NGOs in general and RNGOs in particular than others, giving many hope for the future. Indeed, optimism in the future combined with caution has remained the attitude of leaders of RNGOs operating in China. Only time will tell whether their optimism will be rewarded. (END)

For analyses of other aspects of religious freedom in China, see <http://www.forum18.org/Analyses.php?region=3>

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<http://education.nationalgeographic.com/education/mapping/outline-map/?map=China>

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