

29 September 2004

CHINA: How the Public Security system controls religious affairs

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The Chinese police, or Public Security Bureau, is responsible for persecuting religious communities, arresting and detaining in the first half of 2004 hundreds of religious believers. It is also responsible for such normal police activities as apprehending drug traffickers and other criminals, directing traffic and patrolling the streets. But despite its very prominent role in state control of religious affairs, little is understood outside China about the massive monitoring and control system maintained by the Public Security Bureau, its very significant impact on religious affairs in China, and the nature of the discussions on religion and "cults" by members of the public security system. Forum 18 News Service here explains the system and its importance, as well as outlining ongoing discussions of reform amongst Chinese officials and scholars. But despite these discussions, the public security system is highly likely to remain an instrument of state repression.

Among the most shocking television images in recent years are those of Chinese police – more commonly known as "public security officers" – beating Falun Gong protestors in Beijing's Tiananmen Square before dragging them into waiting vans to be taken to detention centres. Several years after the height of the state repression of the Falun Gong movement and its practitioners, religious believers in China continue to suffer at the hands of public security officers.

In the first half of 2004 alone, hundreds of believers have been arrested and detained. In recent incidents, more than 100 house church leaders were arrested by public security officers and military police on 6 August in Tongxu County, Kaifeng City, Henan Province. The same day, police arrested eight Roman Catholic priests and seminarians in Quyang County, Shijiazhuang Village, Hebei Province.

Meanwhile, public security agents throughout China maintain active surveillance over Falun Gong practitioners, punctuated by periodic crackdowns. According to the Falun Gong, over 100,000 practitioners have been sent to reeducation-through-labour (laojiao) camps operated by the public security system. In Xinjiang and Tibet, public security officers work against individual believers and organisations in the name of countering "terrorism", "splittism" and "extremism".

Despite the public security system's prominent role in the state's "management" of religious affairs, little is understood outside China about this massive system of state control, its significant impact on how religious affairs in China are managed, and the nature of the discussions on religion and "cults" by members of this community.

As its name implies, the public security system – the police – is directly responsible for maintaining public order and internal security. Public security officers are involved in apprehending drug traffickers, corrupt officials and petty criminals. They also guard government and commercial office buildings, direct traffic and patrol the streets.

Yet these visible functions only scratch the surface of the public security system's immense powers and jurisdictional responsibilities. In effect, the men and women of the public security system are the Communist regime's eyes and ears to ensure the state's control over all aspects of China's political life, society and economy. Public security agencies hold extraordinarily detailed information about their objects of interest. For example, they maintain data on the size of each "cultic" group and its membership, the extent of its geographical influence and its foreign connections.

Public security agents oversee internal as well as external security. To maintain external security, public security agents oversee the foreign travel of Chinese citizens and foreigners' entry into the country. The People's Armed Police – made up of former People's Liberation Army officers and soldiers and managed jointly by the Ministry of Public Security and the Central Military Commission – maintain border security. Public security agents also have counter-intelligence responsibilities.

Internally, in addition to preventing and cracking down on major and petty crimes, public security officers provide protection for senior Communist and government officials. They also manage the household registration system (hukou), which maintains an individual file on every citizen. Moreover, they regularly police the Internet for undesirable materials. The public security system also operates the appeals office (xingfang), which is where citizens can file grievances against state officials. Furthermore, the public security bureaucracy operates the notorious reeducation-through-labour system that imprisons many dissidents, including religious believers, without due process.

The public security system is a massive bureaucracy that extends from the Ministry of Public Security – led by a member of the powerful Communist Party Politburo – in the central government in Beijing down to police stations in the townships and villages of the hinterland. Like other government agencies, a public security organ functions at each level of government.

At the level of province or "autonomous region" – such as Tibet and Xinjiang – the public security department oversees the entire province, most of which have populations numbering in the tens of millions. Henan, for example, home to most of China's underground Protestant house churches, has over 90 million people, making it the country's most populated province. According to the 2000 "Chinese Public Security Encyclopaedia", among the chief responsibilities of these provincial public security departments are researching and analysing social conditions in their provinces or regions; drawing up policies and countermeasures to maintain public security; and guiding and coordinating sub-provincial public security authorities.

Each provincial public security department contains numerous offices, each of which has clearly delineated responsibilities. These range from directing traffic and firefighting to maintaining political and economic security. In some cases, religion offices are established within the provincial departments to meet the needs of local conditions. Major municipalities such as Beijing, Shanghai, and Chongqing – which are equivalent to provinces in their status within the administrative system – possess public security bureaus that possess similar functional offices as their provincial counterparts. For example, a list of the major responsibilities for Beijing's Public Security Bureau is given on its website http://www.ebeijing.gov.cn/Government/Organizations/t20030924_1528.htm.

Subordinate to the provincial public security departments are a myriad of public security branches and police stations at the levels of prefecture, county, township and village. At each level, the public security offices are accountable to the public security offices of the level immediately above them, creating a firm chain of command. At the same time, public security offices at each administrative level are also subordinated to the Communist Party headquarters and the government at that level of administration.

One major effect of this "vertical and horizontal accountability" is that public security offices at every level of the administrative hierarchy are held liable by their superiors – those within the public security system and non-public security officials at their corresponding levels of administration – should they fail to maintain effective control over their respective areas of responsibilities. This system thereby puts great pressure on public security offices at each level to "perform". This system can be seen in action simply by examining the state's repression of the Falun Gong movement.

When the central government in Beijing became annoyed with the regular influx of Falun Gong protestors from areas outside the capital, it threatened provincial governments with punishment if they were unable to control their respective populations from making their way to Beijing. This threat was then relayed from the provincial governments to their respective subordinates at the prefecture, county, township and even village levels. These government leaders naturally turned to public security officials at corresponding administrative levels for the execution of these directives. At the same time, it is clear that public security officials also received similar orders from their superiors within the public security system. In addition to directives issued within the public security system, public security officials were also pressured by government leaders at corresponding administrative levels to ensure the effectiveness of enforcement. This "systemic" factor partly explains some of the most egregious abuses against Falun Gong practitioners as well as adherents of other religions and beliefs.

In theory, the central government's State Administration for Religious Affairs (SARA) oversees religious affairs in China. A key function of SARA and its subordinate offices is registering religious groups and venues. In general, these offices are tasked with ensuring that individual believers and groups comply with state regulations. To meet this objective, like most Chinese bureaucracies, there are provincial and local SARA offices, allowing the agency to keep an eye on all religious organisations, individuals and activities throughout the country.

However, it is important to note that SARA lacks enforcement powers. Once SARA has determined that religious groups are either illegal – meaning unregistered – or that they or individual believers are conducting illegal activities, the matter would then be turned over to the law enforcement agency – namely, the Public Security Ministry and its subordinate offices.

Widely held is the view that the Chinese Communist state is deeply suspicious of religion and its impact on political life and society. It maintains an ambiguous position that religion is likely to endure for a long time, but still needs to be closely controlled.

This ambiguous stance can also be seen in the analysis of religion within the Chinese public security community. An entry entitled "religion and crime" in the "Chinese Encyclopaedia of Public Security" states that on the one hand, "religion has a preventive function with regard to crimes; it can reduce crimes." Moreover, "there is no connection between religion and criminal behaviour." Religion "can neither reduce crimes nor produce crimes." Yet, on the other hand, "under certain conditions, religion can cause crimes – for example, crimes caused by religious fanaticism and religious wars."

The encyclopaedia entry concludes that "religious activity can exceed a country's legally permissible boundary, such as disrupting public order, harm the health of the citizens, obstruct state education system, etc. [It can] even be used by political enemy forces to engage in activities that counter the current socialist system. This causes the use of religious beliefs to commit crimes that possess strong political colourings, and generates a stark contrast with using superstitious activity to commit financial and sex crimes."

The Criminal Law has already bestowed on the public security bureaucracy the power to crack down on "cults" and "heresies" (see F18News 28 April 2004 http://www.forum18.org/Archive.php?article_id=309). Indeed, the public security system gains legal entry into the realm of religious affairs by virtue of its legal responsibility to eliminate "cults", which are considered socially deviant, anti-Communist, and therefore to be eradicated.

Article 300 of the Criminal Law provides punishments for those who "organise or make use of superstitious sects, secret societies or heretical organisations, or utilise superstition to disrupt the implementation of state laws and administrative rules and regulations". The "Chinese Public Security Encyclopaedia" also includes entries about the prohibition of "feudal superstitions," "cults," and "secret societies". In addition, the state has apparently adopted an unwritten policy that "illegality" is synonymous with "cults", providing the public security system with even greater latitude to arrest, detain and imprison religious believers without due process.

A review of recent Chinese public security journals reveals a significant interest in the issue of religion and "cults" among researchers in the public security community. A key theme of these analyses is the alarmist emphasis on the rapid growth of "cults" worldwide. Moreover, these analyses often go to great lengths to distinguish "cults" from orthodox religions. For example, in one article written by a faculty member of the People's Public Security University in Beijing, published in the June 2003 issue of the Journal of Shanxi Police Academy, "cults" are distinguished from religions in the following areas.

First, whereas religions establish "superhuman" deities as the objects of their beliefs, "cults" establish human leaders as deities. Second, whereas religions emphasise helping their adherents to focus on the here and now – even though religions also possess apocalyptic visions – "cults" advocate the impending destruction of the current world. Third, whereas religions are organised and possess well-defined rules to regulate the behaviour of their adherents, "cults" use deception and other means to force their adherents to engage in immoral behaviour, disobey laws and regulations, and engage in violence. Fourth, whereas most religions do not advocate the overthrow of governments, "cults" see governments as the personification of evil and advocate their overthrow. Given this perception of the nature of "cults", the writer argued that the state must establish effective countermeasures to contain their growth.

In the June 2003 of the Journal of Hunan Public Security College, a faculty member of the college wrote that the state must take six steps to achieve this objective. First, various state agencies, including public security and religious affairs organs, must cooperate to actively "elevate ideological understanding". Second, propaganda and intelligence work must be strengthened. Third, the state must accelerate the "construction" of "spiritual" and "materialist" "civilisations." In other words, economic development must be broadened and accelerated and more people educated.

Fourth, public security officers need to be careful in their use of weapons in their crackdowns against "cults" so as to prevent others from accusing the state of using inappropriate force to enforce the law. Fifth, during the enforcement of the law, public security officers need to distinguish between the criminals and the victims and must follow legal procedures. Finally, the writer recommended that the Chinese government increase its cooperation with foreign governments, with particular emphasis on adopting the procedures and institutions of foreign states, such as France, Malaysia and Japan.

In looking at this list of countermeasures, the lack of imagination is striking. The repeated emphasis on improving "ideological understanding" and strengthening propaganda smack of Communist thinking. Related to this point is the fact that some of the proposed countermeasures reveal a basic lack of understanding of the factors that contribute to individuals having a religious belief. By suggesting that economic development and high educational standards would lead to greater secularisation and thus the demise of "cults" (and religions, of course), the writer maintains the Marxist materialist position and is thus blind to the fact that many religious adherents and "cult" followers are well-educated and economically well-off. Indeed in major urban areas in recent years, Christianity has grown tremendously among college-educated young professionals.

However, perhaps the most troubling aspect of this list is its recommendation that China follow the examples of foreign states such as France and Malaysia. The article made direct reference to the anti-cult commission recently set up by the French government and its usefulness in controlling the growth of "cults". The article conveniently overlooks the many criticisms that were levelled against the French government for establishing a mechanism that essentially provides the state with power to define what constitutes an orthodox religion and "cult" and the capacity to prosecute any groups that are determined to be "cults".

At the same time, "unorthodox" views on the topic also get an airing within the Chinese public security community. For example, an article in the February 2003 issue of the Journal of Hunan Public Security College criticised Article 300 of the Criminal Law for its lack of "logic" and broad "generalisation". The author pointed out that Western countries, unlike China, do not have laws that apply specifically to "cults". These countries only prosecute adherents to "cults" for activities that violate "concrete" laws. He contended that Western practices are more "scientific" and more "rational" than their Chinese counterparts. The author concluded that it is useless to try to stem the tide of "cults" by prosecuting them through criminal laws and advocated either abolishing or significantly reforming Article 300.

Yet, lest we become too engrossed in this "unorthodox" thinking, the author of the article reminded us several times that he is not a "cult" sympathiser or even one who is agnostic about the nature of organisations that have been determined as "cults". He agreed

with his peers in the public security community on how far the proliferation of "cults" threatens Chinese society. He argued that "cults" endanger society because they hold beliefs that devalue human life, destroy the balance of social order, and endanger the "guiding role" of Marxism in China's "ideological realm" as well as the Communist Party's political leadership.

According to the author, his opposition to Article 300 of the Criminal Law and similar criminal laws against "cults" is based on his belief that such laws and practices only exacerbate the situation by forcing more "cultic" adherents to become martyrs while driving many "cultic" groups underground.

These are without doubt disturbing views, particularly given that public security officers are at the frontline of executing state laws and government policies. In this regard, Western observers broadly agree that the Chinese public security system must undergo serious reforms. Indeed, as seen above, many Chinese officials and scholars agree that reforms of the current police system are much needed, whatever their political or ideological motivations may be.

For these "reformers", changes must also take place in areas other than religion. For example, earlier this year, there were reports that China's senior policymakers were considering abolishing the infamous reeducation-through-labour system. Murray Scot Tanner, a noted American expert on the Chinese public security system, also observed that an intense debate has developed within the public security community about the need to abolish or reform the use of torture.

However, in the end, what is surely recognised is that reforming the public security system is insufficient to guarantee the protection of religious freedom or any other human right. The reason is simple. The public security system is merely an "instrument" of state repression. Views held by members of that community are simply extensions of those maintained by China's senior Communist leaders.

This is not to say that local officials do not take things into their own hands. They certainly do. However, for the most part, they have been able to escape prosecution. For example, Article 251 of the Criminal Law states that government officials who illegally deprive citizens of their religious freedom may be sentenced to up to two years in prison. However, no instance has become known of officials prosecuted for this type of violation. Without the sympathetic support of their superiors in higher levels of government, it is doubtful that these officials could have escaped prosecution.

Unfortunately, it is likely this trend will continue in the foreseeable future. In this regard, the arguments of the author of the article criticising Article 300 of the Criminal Law contain some truth. He argued that the key to resolve the "cult" problem is improving "the social structure" and raising the "quality of the principal participants of social activities". Similarly, the key to resolving the state's repression of "cults" and religious groups that the state deems to be "cultic" is to instil in the Chinese official culture – and the population at large – the perspective that no one, including the state, has a right to determine whether a religion is orthodox. This determination certainly cannot be made on political or ideological grounds.

Furthermore, for the "rule of law" to mean anything, laws must be created – to the extent possible – not as instruments of political, social or ideological interests. They must instead be "constructed", to use Communist parlance, on the understanding that individual rights must be protected even as the interests of the majority are respected.

For more background information see Forum 18's surveys of: the prospects for religious freedom in China at http://www.forum18.org/Archive.php?article_id=292 ; the blocking of religious websites at http://www.forum18.org/Archive.php?article_id=366 ; and of the Chinese legal system and religious freedom at http://www.forum18.org/Archive.php?article_id=309 .

For religious freedom in Xinjiang see Forum 18's religious freedom survey at http://www.forum18.org/Archive.php?article_id=414

A printer-friendly map of China is available from

<http://www.nationalgeographic.com/xpeditions/atlas/index.html?Parent=asia&Rootmap=china>

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