

## Peaceful steps despite political pressure: The challenges of Chinese House Churches

**Editors' note:** The IJRF is publishing this documentation by multiple authors in the knowledge that no single statement on China is true for the whole country. We also point to the Zurich Statement on the Church in China by the Religious Liberty Partnership in 2008 which includes a differentiated acknowledgement of advances regarding religious freedom in China over the past decades (<http://tinyurl.com/zurich08>). Regretfully the situation reported in this documentation must equally be noted. Also see recommendations for background reading at the end.

### 1. Introduction (Bob Fu\*)

Only 400 kilometers<sup>1</sup> from the famed Terracotta Army in Xi'an, China, there are brave "Christian soldiers" in the Fushan county, Linfen City Church. Their aim is not political control, their "struggle is not against flesh and blood"<sup>2</sup>; yet, bruised and bloodied, with their leaders sentenced in November 2009 to prison and labor camps, they stand with faithful Christian witness before their countrymen and before leaders positioned in China's government and worldwide.

The religious freedom situation in China continues to be a complex challenge for those seeking to worship freely. How can those who are daily faced with illegitimate requirements restricting their God-given right to religious freedom obey God first, and also give appropriate respect due to their law and officials?

The recent testimony of the Linfen Church demonstrates well, I believe, a church which is faithfully following the "obey and respect" charge. This church's situation, though unique in the level of repression it experienced, reflects challenges and risks common to house church Christians across China (the total number of house

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<sup>1</sup> Approximately equivalent to 250 miles.

<sup>2</sup> Ephesians 6:12 NIV.

church Christians is over 80 million<sup>3</sup> by some estimates). This church's Christian witness is emboldened and strengthened by the servanthood of a brave team of Christian lawyers and legal researchers who represented the cases of the accused 10 church leaders. Despite their remarkable defense work, in November, 5 leaders were sentenced to 2 years in "Re-education through Labor camp", and another 5 leaders were sent to prison with sentences of 3½ years up to 7 years.

The situation for the Linfen Church is described below by several Christians on-the-ground who are supporting this church especially with legal defense. Presented first is a succinct overview of the legal context in which the church is operating, with an introduction to the harsh crackdown the members experienced in September 2009. Presented second is an in-depth discussion analyzing the cultural and political context the church faces and the faithful position and response of Christians in this situation.

Please join us in prayer for strength for the church in China, and for those in government to pursue justice.

## 2. The legal backdrop and the case of Linfen Church (Dai Jinbo<sup>4</sup>)

Since the release of the *Regulations on Religious Affairs* (hereafter abbreviated as *Regulations*) by China's State Council in 2004, house

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<sup>3</sup> It is extremely difficult to get an accurate estimate given the information censorship and lack of official structure in the house church movement. It was estimated by Professor Yu Jianrong from the Chinese Academy of Social Sciences after several years' studies as an official scholar on Chinese churches that the number of Christians could reach to more than 90 million (about 16-20 million Christians associated with the Three-Self Patriotic Movement Churches and 70-80 million Christians in the house church movement). Also, a recent surprising article in the official English language China Daily openly admitted for the first time that there are over 50 million unregistered Protestant house-church Christians in China. (*China Daily* 2010-03-17, p. 28. <http://tinyurl.com/Daily10-03>).

<sup>4</sup> Dai Jinbo is a Chinese lawyer and a member of the Linfen Church's legal defense team. The text is Mr. Jinbo's statement on record to the U.S. Tom Lantos Human Rights Commission on 29 October 2009; his recommendations are unedited, but the footnotes are provided by ChinaAid for the reader's convenience.

churches<sup>5</sup> and other unregistered religious organizations have all been regarded as illegal by the ruling administration. House churches that do not want to join TSPM (Three-Self Patriotic Movement)<sup>6</sup> churches, due to disagreement concerning their beliefs, have become targeted because they refuse to acquire administrative approval by registering their house church as a religious organization. The *Regulations* have become the basis for government departments to carry out selective law enforcement on unregistered religious organizations including house churches. This is also a result of China's institutionalization of religious issues.

Therefore, with the official implementation of the *Regulations* in 2005, house churches in various places have all faced or have experienced being banned, fined and/or requested to suspend their religious activities by the government. This can cause such administrative sanctions against them on the grounds that they are not registered. In terms of banning, there are various kinds of different rulings authorizing the ban. These rulings include administrative penalties meted out by the religion management departments to ban illegal religious organizations, ban illegal venues for religious activities and ban illegal Bible training workshops. The religious affairs departments also manage civil affairs departments and use their capacity as a governing entity for social organizations and religious organizations to ban and crack down on house churches on grounds that they are illegal social organizations. An example is the persecution experienced by the Autumn Rain Church in Chengdu in June 2009.<sup>7</sup> Even public security agencies would also interfere in the internal affairs of religious organizations and prevent them from making progress towards autonomy. Further evidence of this type of religious persecution is the case in Baixiang, Wenzhou, in March 2009.<sup>8</sup>

While the Chinese government was attempting to control and crack down on unregistered religious organizations, including house

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<sup>5</sup> House churches are Christian fellowships which are independent of Chinese government control.

<sup>6</sup> The TSPM is the government-controlled Protestant Church in China.

<sup>7</sup> See case #7 at ChinaAid (Online), "Top 10 Chinese Christian Persecution Cases of 2009 Report," 19 January 2010.

<sup>8</sup> ChinaAid (Online), "Authorities Continue to Detain Christian Huang Lemin," 02 August 2009.

churches, these unregistered religious organizations did not succumb. Instead, they took the path of defending their rights in accordance with Chinese law. By defending their rights, they have exposed the Chinese government's violation of the rule of law and the principle of human rights. While cracking down on unregistered religious organizations on grounds that they are not registered, it is a violation of the international convention<sup>9</sup> and the relevant provisions concerning religious freedom in China's constitution.<sup>10</sup> This has also made more religious organizations reach a consensus, that is, whether being registered or unregistered is not a criterion for defining a religious organization as legal or illegal. [Even] [i]f they are not legally registered, this should not deprive the citizens of their right to religious freedom.

An excessive number of cases involving violations of citizens' religious freedom would negatively affect China's international image. Controlling unregistered religious organizations by banning them could not achieve the desired effect. Some local governments have changed their strategies of cracking down on the unregistered religious organizations and turned religious issues into non-religious issues, thus, trying to control unregistered religious organizations by means of limiting their access to venues. This is mainly reflected in two approaches. One approach is targeted at urban religious organizations that primarily rent their venues. The government departments often secretly force the landlords to cancel the lease or not to renew their lease so that the religious organizations will not have stable venues for religious activities. The second approach is to forcefully demolish unregistered facilities for religious activities on grounds that they were illegally built. The religious case in Xiaoshan in 2006<sup>11</sup> was evidence, as was the case in 2009 where the Land and Resources Bureau in Jinghai County, Tianjin, ordered the party concerned to demolish their newly-built church facilities.<sup>12</sup> They also fined the church in excess of

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<sup>9</sup> China is a signatory to the Universal Declaration on Human Rights and the International Covenant on Civil and Political Rights, both of which acknowledge, among other rights, the right to religious freedom in Article 18.

<sup>10</sup> *Constitution of the People's Republic of China*, Article 36.

<sup>11</sup> ChinaAid (Online) "Large House Church Destroyed in Zhejiang," 31 January 2006.

<sup>12</sup> ChinaAid (Online) "Korean Pastor Files Lawsuit Against Government Agency in Tianjin..." 6 August 2009.

10,000 Yuan<sup>13</sup> on grounds that they had violated the law of land management. Therefore, the unregistered religious organizations in China cannot obtain legal church assets. This has caused a breakdown in achieving religious freedom in China.

The recent case in Linfen, Shanxi,<sup>14</sup> will produce a profound impact on China's religious freedom; this is also an issue of church assets. Since according to the current *Law of Land Management* and the relevant provisions in the *Urban Planning Law*, a construction project not only requires a certificate of land use but also requires a planning permit for the construction project. However, the government departments would absolutely not want to process these procedures for houses that may be used for gatherings of house churches. Churches are often unable to obtain approval when they are trying to resolve the problem of meeting venues by building new houses, this includes some TSPM churches. Some registered legitimate historical facilities, used for religious activities, also found it very hard to obtain approval for construction of new churches. If houses are built without approval, they would be considered "illegal constructions" and would face the risk of being demolished at any time.<sup>15</sup>

At dawn, on September 13, 2009, more than three hundred police officers, without producing any legal paperwork, stormed into "Gospel Shoes Factory," a gathering venue for house churches in Fushan County, Linfen, Shanxi. The government broke into the gathering place of the church members and used military weapons, wood sticks, bricks, iron hooks and other sharp instruments to beat the people, while smashing and looting the property. They severely beat more than one hundred Christians who were caught entirely off guard. Many lost consciousness and many more collapsed in pools of their own blood. At the same time, bulldozers and other heavy machinery were dispatched to destroy and demolish many buildings. All this had occurred because the government departments deemed their meeting venue as "illegal buildings" for the sake of cracking down and oppressing house churches.<sup>16</sup>

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<sup>13</sup> Approximately equivalent to 1,100 Euro or 1,450 USD.

<sup>14</sup> See [www.HelpLinfen.com](http://www.HelpLinfen.com).

<sup>15</sup> See U.S. Congressional-Executive Commission on China (CECC), *Annual Report 2009*, p. 137.

<sup>16</sup> See the CECC report regarding Linfen Church, <http://tinyurl.com/2w2egjk>

The local government has tried to negotiate with local church leaders since this religious incident. The negotiations between the government departments and the church failed. On September 23, Yang Rongli of Linfen Church and six other church members decided to report the situation to the provincial government. On their way to the province capital they were stopped by the local government. A large number of PAP<sup>17</sup> officers were stationed at the Cathedral in Linfen city, blocking the entrance to the church and confiscated important items in the church. They also prohibited believers from going to meet there. Many church members, including the pastor of the Linfen Church, Huang Xiaoguang, were detained illegally, put under house arrest, or closely monitored. It seemed that the local government wanted to completely destroy the house churches in Linfen. At present, the situation is still developing yet the media has not reported any incidences on this case.

[...] Mr. Fan Yafeng, who is rather familiar with the situation, states that house churches in Linfen, Shanxi, are one of China's ten major house church systems<sup>18</sup> in China. If house churches in Linfen were destroyed by the government through the use of illegal force, this would be the ultimate invasion in the Chinese government's crackdown on house churches and persecution of citizens. According to Professor Li Fan's research at the World and China Institute, a non-governmental think tank, house churches in China make up at least half of China's NGO resources. If such respectful and honorable house churches are destroyed, this will be a major regression of China's religious freedom and a serious violation of citizens' religious freedom. This would cause a massive blow to China's non-governmental forces of freedom and would seriously hinder China from making any progression toward religious freedom and the rule of law.

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<sup>17</sup> People's Armed Police.

<sup>18</sup> A house church "system" is a network of house churches; some are more closely affiliated than others.

### 3. The cultural and political context and a faithful response (Fan Yafeng and Xia Kejun<sup>19</sup>)

#### 3.1 Three crackdowns on Chinese civil society since the Olympic Games

Dr. Fan Yafeng sees that the three crackdowns on civil society by the Chinese Communist Party and State after the 2008 Olympic Games are as follows. The first crackdown was the pressure on the Charter 08 Movement, which was represented by the arrest of Liu Xiaobo.<sup>20</sup> The second crackdown was the law license revocation of rights defense lawyers and shuttering of the Open Constitution Initiative.<sup>21</sup> The third crackdown was to pressure the house churches: in this third crackdown, the first stage was the Linfen Church Case<sup>22</sup> and the second stage was the outdoor assembly of Beijing's Shouwang Church,<sup>23</sup> followed by the eviction and banning of Shanghai's Wanbang Church.<sup>24</sup> Currently, this stage is under development.

Regarding Charter 08, Mr. Liu Junning observed that someone said it was a dangerous embryonic formation of a party program. After the 2008 Olympic Games, in response to toxic milk powder crises,<sup>25</sup> the Open Constitution Initiative formed an attorney group of more

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<sup>19</sup> The observations were primarily made by Dr. Fan Yafeng, former legal researcher at the Chinese Academy of Social Sciences and member of the Linfen church's legal defense team, and by Professor Xia Kejun. This text is an abbreviated review of their 21 November 2009 discussion with other legal scholars; the full text is available at <http://tinyurl.com/Linfen09>. Footnotes are provided by ChinaAid.

<sup>20</sup> U.S. CECC, *Annual Report 2009*, p. 48.

<sup>21</sup> CECC, *Report*, pp. 203, 205.

<sup>22</sup> See [www.HelpLinfen.com](http://www.HelpLinfen.com).

<sup>23</sup> The Shouwang Church is a major house church, primarily composed of intellectuals, which was refused continued rental by the apartment complex due to political pressure; hence the members were forced to meet for worship outdoors; see the U.S. Commission on International Religious Freedom *Annual Report 2010*, p 112. See also case #3 at ChinaAid (Online) "Top 10 Chinese Christian Persecution Cases of 2009 Report," 19 January 2010.

<sup>24</sup> Re: initial 2009 pressure, see CECC's *Report* pg 137 (printed before the Nov 2009 developments); see also case #5 at ChinaAid (Online) "Top 10 Chinese Christian Persecution Cases of 2009 Report," 19 January 2010.

<sup>25</sup> See Reuters, "China toxic milk powder kills 3, thousands sick," 17 September 2008, <http://www.reuters.com/article/idUSPEK27908420080917> (accessed May 2010).

than 110 lawyers. In 2009, for the case of Deng Yujiao, two attorneys were assigned to his case in the name of Open Constitution Initiative. This case was extremely influential, which made the Party and State feel threatened by the Open Constitution Initiative. Therefore, after the case of Deng Yujiao and after the July 2009 unrest in Xinjiang, the two “spiritual control systems” of the Party and State in Tibet and Xinjiang have completely declined. The total solar eclipse, which happens once every five hundred years, also had a great psychological impact on government officials; on the surface, the members of the Party and State leadership are atheists, but on a deeper level they are superstitious and idolatrous. Afterwards they launched a large-scale suppression on these regions due to their “unsafe sense.” These developments are the cause of Open Constitution Initiative Event. Twenty days after this Event ended on August 23, the Linfen Church Case in Shanxi province happened (September 13). Therefore, the lead-up and context for the persecution on the Linfen Church is seen from Charter 08 to the Open Constitution Initiative Event and suppression of rights-defense lawyers to the crackdown on house churches.

### **3.2 The three stages of the crackdown on house churches**

The crackdown on house churches can be divided into three stages. The first stage was from September to early November 2009, during which the Party and State gained ground and seemed to have been totally won – except that in the late period of this stage, the witness of the rights-defense lawyers in U.S. Congress played a big role. Ten days after that, the situation changed sharply. In the second and third stage, the authorities made a mistake in assessing the situation, in overestimating their capacity and perceiving they had made a deal with President Obama, and they selected a wrong time to pressure the Beijing and Shanghai churches. During the period of these two stages, the Shouwang Church, the Wanbang Church, the Shengshan legal rights-defense team, and the Linfen Church overall responded properly. After President Obama’s departure, the situation may become even worse.<sup>26</sup>

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<sup>26</sup> President Obama had departed China only a few days before this meeting.

### 3.3 The five contradictions in understanding the house churches' situation

Dr. Fan highlighted five contradictions to provide better understanding of the position of house churches. The most important contradiction is the difference between spiritual and temporal. Both Dr. Fan and Pastor Tianming considered the current situation a spiritual struggle and an “Exodus” for the Chinese house churches. In view of the temporal dimension, Dr. Fan put forward four contradictions – the contradictions between the government and people, between the world and China, between the two cores, and between the central and local government. He said that the crackdown on Charter 08 stopped due to the internal conflict of the power system, which is now rather profound and has a tendency to intensify. Xu Zhiyong<sup>27</sup> was released mainly due to political pressure from the world and from within China. The strength of the crackdown on the house churches is much more powerful than that experienced in the first two crackdowns.

### 3.4 Comparison with other civil society sectors

Considering five sectors of civil society, the first sector is the Internet media, which is adequately mobilized to move toward more freedom. The second is the legal profession, which is also properly mobilized. The third is the house churches, which can be internally mobilized. The fourth is the basic rights-defense movement, which is mainly meant for appealing to the higher authority and community. The fifth is citizen diplomacy, in which the house churches are rather strong. We may observe that the neutral rights-defense route has primarily made certain achievements. We can see that it is hard for the party state to overpower the inward strength of the house churches: love among brothers will shake the world. We hope all the house churches, including Wanbang, Shouwang, Linfen and Autumn Rain (in Chengdu, Sichuan) and other house churches, will take the proper opportunity to integrate the urban churches and rural churches.

### 3.5 Connections between the space for civil society and the three crackdowns

Professor Xia Kejun analyzed the current situation in regard to timing and space<sup>28</sup>; in terms of space, he mentioned these three spaces: (1)

<sup>27</sup> A founder of the Open Constitution Initiative

<sup>28</sup> “Space” can be defined as *the typical or allowed sphere of operation*, e.g. in

The space under the total control of the party state's ideology; (2) The public space, which is not yet adequate and is a fuzzy zone; (3) The religious space, which is a space of belief.

From the three spaces listed above, we may look at the three events Dr. Fan discussed: (1) The crackdown on Charter 08, which is associated with the first space because only one ruling party is allowed: a second party is not allowed to "play the game" of politics; (2) The Open Constitution Initiative Event: an attempt to make the public space shrink; (3) The Linfen Church Case, which is a problem in the religious space of belief.

Professor Kejun said that regarding the evolution of churches in association with biblical theology there are two aspects we may discuss. One is the discussion strictly limited to political theology. The other is the discussion of such political theology placed in a public space, which is also a discussion of the social possibilities in China. House churches have expanded, in number of people, from the private space of the family to a public space. The additional increase of the number of people will naturally result in formation of its own new space; to some degree, the space will naturally grow. The problem with Chinese house churches is still a problem of the domain between families and the state, and thus it is rather difficult to acquire a public space. In practice, the public space in China is the court. It is hard for a public space, such as the court, to acknowledge the space of belief. The first step is for the house churches to exist by breaking through this illegitimate blockage by the state. With an increase in the number of people, a church will lease and even buy an office building as the second step towards the public space; such public space will accommodate more people (literally and figuratively). However, what is really critical is the third step of moving from the public space into the space of belief, before being released from being controlled by the state law and from being pressured at any time in the public space.

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regard to religious freedom, space is that sphere of invisible freedom – the realm in which certain components of fundamental freedoms are *allowed in fact* by the government; in China's situation, this is typically in contrast to those freedoms which are *protected by law* (hence highlighting the need for increased space for civil society).

Professor Xia Kejun emphasized further, “House churches failed to break away from the control of the state because the space of belief had not been established.”

### **3.6 Appropriate “space” for the house churches and their responsibility**

In conclusion, Dr. Fan remarked that what house churches should really possess is a free space of belief simultaneously with their construction of a hall and/or buying an office building. In this space of belief, the tangible religious assets and the intangible free space should be integrated. This is a question of developing a space of belief, and simultaneous construction of the public space and belief space is a theological problem for the Chinese churches. The current Party State, which will not tolerate coexistence with such a “mystic community,” will surely crack down on it. However, to “cross the Red Sea” (in the “Exodus” referred to earlier) is to actually walk from the public space controlled by the Party State to establish the self-owned space of belief.

While it is not necessary to literally move to the public area of the plaza or the street (nor should we fixate just on that), for the healthy existence of the church, it is essential to move from the “house structure” to that organized, corporate state under the Lord’s leadership. In a long-term view – for Chinese churches take homes as a temporary dwelling place – house churches must be really independent from the State: the church is a group of people called out by God and the place where the church worships is the holy mountain of God. The dwelling for the holy mountain involves the mysterious relationship between mountain and sea in the Chinese culture: in other words, to establish the holy mountain, it is necessary to “cross the Red Sea” of Communism. As of yet, we have no clear, full picture of the public space and the holistic perspective in regard to the belief space.

There are many complexities in the house churches’ situation. To look at one church’s example – the Shouwang Church did not respond in the mode of dialog, but in a typical rights-defense mode, e.g. interaction. At present, such a temporary balance point – even just for meeting indoors – is also interaction achieved through street-based action, and such interaction is achieved when both sides make a

concession. However, how can the problem of house churches be eventually resolved?

A rights-defense lawyer needs to play a double role: he is a defender for the house churches as well as a constitutionalist. The Cai Zhuohua Case<sup>29</sup> used the court as an approach to walk out from the house, while Shouwang Church took the plaza and square as an approach to walk out from the house. It may be hard for the two extremes of such dialog to create a new space. However, the group of Christian defense lawyers uses the move from the house to the court as the main line, and deems the integrated rights-defense mode including media network as another idea for the transformation of the political-religious relationship.

### **Editors' recommendations for background reading**

Lambert, Tony 2006. *China's Christian Millions*. Monarch.

Aikman, David 2006. *Jesus in Beijing*. Monarch.

Sung, Peter 2008. Time to Shine: The Chinese Church, Church Planting, and World Missions. *Lausanne World Pulse*, August 2008. Source: <http://tinyurl.com/Sung08>. [Comment by Bob Fu: Despite continuous attempts to register house churches independently according to the Chinese government regulations, so far these attempts had proven unsuccessful. Beijing Shouwang Church is a good example.]

Wu Yiyao and Cui Xiaohuo. House churches thrive in Beijing. *China Daily* 2010-03-17, p. 28. <http://tinyurl.com/Daily10-03>.

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<sup>29</sup> A high-profile case of an imprisoned house church pastor, see ChinaAid (Online), "Comment on a Case against Pastor Cai Zhuohua," 16 January 2006.