



INTERNATIONAL CAMPAIGN FOR TIBET

Tibetan monasteries face tighter control under new religious financial management measures

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Controls on Tibetan Buddhist monasteries look set to tighten with the coming into force of China’s “Measures for the Financial Management of Religious Activity Sites.” The measures jointly formulated by China’s National Administration for Religious Affairs and Ministry of Finance come into effect today, June 1, 2022.

This latest legal instrument—in accordance with the Religious Affairs Regulation promulgated in 2017—to control the finances of religious activity sites replaces the “Measures on the Supervision and Management of Financial Affairs for Religious Activities (Trial)” promulgated in 2010.

Over the years, the Chinese state has promulgated various regulations to bring Tibetan monasteries and monastics under tighter control of the state, including oversight of financial affairs of monasteries. These are the second measures related to religion that have come into effect in the first half of this year after the “Measures on the Administration of Internet Religious Information Service” in March 2022.

The measures apply to all religious venues in the People’s Republic of China, but the effect will be more intense in Tibet owing to the crucial role monasteries and nunneries play as the cultural and social hub in Tibetan society. Seemingly like regulations on religious sites across the world, the measures in Tibet are in alignment with the purpose of accelerating the Communist Party of China’s “Sinicization” of Tibetan Buddhism and its institutions.

Tighter control

In contrast to the traditional Tibetan management model of monasteries, which gives significant autonomy to the administrators to run the monasteries according to the needs of society and the religious and academic priorities of the monastery, provisions in the new measures are geared toward bringing the religious sites under tighter control of the state and its institutions.

To date, the Communist Party and the government of China have been relatively unsuccessful in controlling the financial affairs of Tibetan monasteries. Although the trial version of the measures has been in effect for the past 12 years, the monastics have resisted official attempts to enforce the measures. The latest measures aim to remove legal grey areas and have a higher chance of enforcement in the wake of Chinese President Xi Jinping’s emphasis on “law-based” governance.

Unlike the trial measures promulgated in 2010 (which had nine chapters and 40 articles), the new measures with 10 chapters and 55 articles are elaborate. State oversight has been strengthened purportedly for “internal management mechanisms” by adding a chapter on “Financial Management Institutions and Personnel” and tightening the “supervision mechanism” by adding the financial department’s “guidance and supervision duties.”

Increased role

The role of the finance ministry in the financial management of religious activity sites has been significantly increased by the new measures. In the 2010 trial measures, the Finance Ministry's role was not specified. The new measures reflect closer coordination between the Finance Ministry and the Religious Affairs Department in the financial management of religious sites.

Although in Tibet, it is understood that the Religious Affairs Department requires registration of monasteries, the International Campaign for Tibet believes it has not been stipulated in any of the regulations prior to the new measures. While the measures stipulate the Religious Affairs Department as the registration management authority (Article 4), the Regulation Governing Venues for Religious Activities promulgated in 1994 only stipulate that “Registration is required for the establishment of a venue for religious activities. The registration procedure will be decided by the Religious Affairs Bureau of the State Council” (Article 2).

Similarly, the new measures specify that the religious affairs department and financial departments shall “guide” and “supervise” the financial management of monasteries (Article 7). In comparison, the 2010 trial measures ambiguously state that “the registration and management organs of religious sites shall guide and supervise the financial management of religious activity sites” (Article 7).

Breaking social influence

While the 2010 trial measures provide for monasteries to generate income from engaging in social welfare charities and other social services (Article 14.4), such a source of income has been removed in the new measures (Article 23). This comports with the Chinese government's insistence that only the government can engage in social services with the goal to enforce loyalty of the masses. To break their social influence, monasteries and Tibetan religious figures are already prohibited from mediating social conflicts. Local Tibetans, especially pastoral communities, generally prefer the Tibetan religious figures and monasteries to resolve conflicts in their society. With the individual religious leaders' influence curbed, the monasteries' various social welfare charities and social services are also curbed to control the monasteries' social influence through their social services.

For the state to vigorously monitor the flow of income to the monasteries, the new measures require monasteries to issue to donors receipts printed by the religious affairs department of the provincial government (Article 26). In the trial measures, a receipt printed by the monasteries themselves was acceptable and legally valid (Article 16).

While the religious affairs department and the financial department have been put in charge of the financial management of monasteries, other “relevant government departments” have been empowered to inspect and audit monasteries (Article 46). The phrase “relevant government department” is problematic for its broadness to provide for controlling the monasteries by any entity under the label of “government department.”

Coming into force

Unlike the trial measures in 2010, the new measures provide for punishment of public officials with management responsibilities and staff of the religious affairs department and the financial department if they are found abusing their powers, neglecting their duties or engaging in malpractice for personal gain in the financial management of religious activity sites (Article 51). This new provision is welcome only if implemented in good faith.

At the provincial level, the “Financial Management Measures for Tibetan Buddhist Temples in Sichuan Province,” promulgated in 2020, are all that seem to exist that is related to Tibetan Buddhist venues in accordance with the trial measures promulgated in 2010. It is likely that there would be the promulgation of region- or province-specific measures following the coming into force of the new measures in all Tibetan areas. The variations or commonality in the regional-level measures will indicate the nature of the Chinese government's policy implementation and legal enforcement in the different areas.



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