

Linda H. Chiang, Professor Emeritus, Azusa Pacific University

Title: Religious diversity: Is there a need to have religious legislation in Taiwan?

Abstract: In Taiwan, most people practice folk religion which is heavily influenced by Confucianism, Buddhism and Daoism. There is not much organization nor any centralized authority of religion. When Chinese people encounter foreign religions, the tendency is to not to compete but to borrow this god and that ritual if they conclude it seems to be powerful. Recently, some religious groups involved in the process of political democratization in Taiwan along with the impact of the Tzu Chi Foundation and its economic power, influenced policies that capture the public attention. This paper will describe the political and economic involvements of religious groups, the state regulations of religion, and discuss whether there is a need to establish religious legislation in Taiwan.

Key Words: Religion Regulations, Taiwan, Religious diversity, Political involvement

Religious diversity: Is there a need to have religious legislation in Taiwan?

Introduction

Religion is an important part of most known human cultures. In Taiwan most people practice folk religion. A folk religion is characterized by: 1) not being centralized; 2) no person or office has authority to create a formal canon, and, 3) its followers vary in their choice of beliefs and practices (Tamney & Chiang, 2002). People in Taiwan have personal preferences as to the gods they worship and the temples they visit (Wee, 1977). However, religious behaviors are shaped by social norms and economic system in sinic societies (White, 2010).

When Chinese people encounter foreign religions, the tendency is to not compete but to borrow. They accept or borrow the god or rituals if they think their god seems powerful. The Chinese rarely feel the need to exclude aspects of other faiths in their personal or collective religious portfolio because religion is not the core of personal identity. Even so, Laliberte (2009) points out that the foreign religious associations have impacted Taiwan, such as the political involvement of the Presbyterian church in Taiwan. Madsen (2007) also stated the moderating influence of Buddhist and Daoist association during the process of democratization.

The Constitution provides for freedom of religion and authorities, in general, respect this right. The State does not intervene in religious affairs, and religion does not seek to control the State. This paper will discuss the political and social involvement of religious groups and the set of constraints in which policy makers are struggling to seek an adequate way in dealing with how religions might operate best.

Political and economic involvement of religious groups

Historically, the Chinese believed that human and the heaven are one (天人合一). Some thousand years ago, The Duke of Zhou announced Di, to mean "Heaven" (Tian, 天). From then on, the ruler was the "Son of Heaven", and Heaven could take its mandate away from any ruler who oppressed his subjects. The mandate of Heaven was an important religious and political development in Chinese society beliefs (Armstrong, 2015, 83). In a Chinese ideal state, Heaven has a higher power than the rulers and holds them responsible and morally accountable. However, Heaven would never give commandment nor intervene in human lives. Heaven was not supernatural but inseparable from the force of nature and active in the royal morality, who ruled as Heaven's Son. When natural disasters occurred, it was considered the problem of the rulers.

The transformation from a multistate system to a united empire contributed to the mythology in early Chinese history. This mythology endorses the idea that civilization could not survive without violence (Armstrong, 2015). This happened because the rulers wanted to "sanctify" the society that they ruled. In Warring States, philosopher Mencius expressed the longing to have a king who would rule "all under Heaven" to bring peace to the country.

Among foreign religions in the world, Christianity may be the most visible in Chinese societies. Chinese Christian communities, however, are the least understood topic in modern China even among Chinese in Taiwan. During the expansion of Christianity, most of the Christians played an active role in advancing and transforming the church into a native institution in local towns. Many of the rigid religious regulations that had been endorsed by the

missionaries were ignored. The Western church model was skillfully integrated with traditional networks to construct religious practice (Lee, 2003, 170). According to Swanson's (1986) study about 50% of Protestants whose membership is largely Taiwanese, belonged to the Taiwan Presbyterian Church in the early 1980s, while the Baptists have mostly Mandarin-speaking members (Rubinstein, 1991).

Chinese Christians did not make a complete break from their cultural tradition and social practice. Instead, they used their knowledge, networks, and kinship to form large numbers of congregations. As a result, through church membership, Christian education and ministry network connection, Chinese Christians obtain additional sources of support, protection and other advantages in the competitive arena of local politics and justice (Lee, 2003, 165). In most Chinese societies, religious differences were not the major sources of tension and conflict. The collective violence between Christians and non-Christians or between different Christian denominations, were not outbursts of hatred, but tended to be well-organized tactics in local power struggles (166).

In recent decades, Buddhist groups dominated religious organizations in Taiwan. They are actively involved in humanistic activities worldwide. For example, Tzu Chi Kung-teh-hui (慈濟功德會) and its foundation collected small donations from local people monthly, often, from working class females. This foundation became powerful and rich. Their members volunteered during natural crises, built schools and hospitals, and are involved in environmental protections. With this kind of influence and impact, they have gained bargaining power when needing to buy land for building offices and temples. A few years ago, the foundation lobbied to obtain a

piece of land in Nei Fu which was a national park reserve area. The public learned this fact and protested. The foundation was forced to give in. This incident led to questions as to whether the foundation abused their privileges and took advantage of public trust.

State Religious Regulations

At the turn of the 20th century government in Taiwan recognized thirteen religions: Buddhism, Daoism, Catholicism, Protestantism, Islam, Baha’l faith, Hsuan-yuan Cihiao, T’ien Te Chiao, I-kaun Tao, Jen Kuang Chiao, Liism, Tenrikyo, and T’ien Dih Chiao. Folk religion is not a recognized category (Tamney & Chiang, 2002, 164). In 2007 the American Institute in Taiwan (AIT) discussed religious freedom issues with the authorities and reported that there were 26 religious organizations registered with the Ministry of the Interior’s (MOI) Religious Affairs Section though the registration is not mandatory. Religious organizations may register with the central authorities under the Temple Management Law, the Civic Organizations Law, or the chapter of the Civil Code that governs foundations and associations. Registered religious organizations operate on a tax-free basis, therefore, need to submit annual reports of their financial operations (<http://www.state.gov/j/drl/rls/irf/2007/90134.htm> retrieved July 2017).

Despite greater diversity in religious practice and views, the Republic of China in Taiwan offers freedom of religion, with even lesser State interference in religious affairs. Article 13 of the Republic of China Constitution adopted in 1947, states: “people have freedom of religious beliefs.” When Taiwan entered the transition to democracy, its legislators found that previous rulings on religions affairs led to confusion at all levels. The Democratic Progressive Party (DPP, 民進黨) legislator, Chen Qimai (陳奇邁), notes that there were 330 articles of law that could

be used by the government to intervene in religious affairs (TR 1996a). Yet, no comprehensive legislation exists, despite the high number of regulations dealing with specific aspects of religious affairs (Laliberie, 2009).

In general, very few democratic states legislate religious affairs; thus, most countries have adopted laws which deal with specific cases affecting religious institutions and other institutions. For example, in Canada, there is no legislation for religion except some specific provisions on charities which they can register to benefit from tax privileges (USSD, 2007). In the United States and Japan, the states extract a significantly lower amount of resources through taxation and expect religious institutions to offer specific services. Such incentives offer religious institutions opportunities to intervene in public affairs, thus enabled them to gain power in local politics which can be seen in education, social welfare and political involvements in Taiwan. In the 2000 and 2004 Presidential elections, the abbot of the Chongtaichan temple (中台禪寺) supported the Chinese National Party (KMT, 國民黨) candidate. The pan-green group and the media were upset by the intervention into the political process by religious leaders. In the meantime, Taiwan Presbyterian Church also took sides with the pan-green party, claiming that the church supported the oppressed even though the green party has gained power in the central power. There were strong political elements which attracted people to affiliate with religion. Some Christians used missionary resources to gain power (Lee, 2003). As a result, many politicians are willing to play into the fusion of politics and religion. Therefore, during electoral campaigns, candidates from all parties are willingly to show up at public events at temples and churches, burning incense, and shaking hands with religious leaders and their members to gain their support. Consequently, there are debates about the call for legislating

religious affairs during electoral campaigns. However, after the election, the issue is quickly forgotten.

As for the social involvement, churches and temples have been at the forefront of social services, such as health care, education, elderly care, child care, and care for the disabled. Through such services, religious institutions have gained huge influence in society and influence local policies.

Conclusion and Suggestions

Taiwan is an emerging society derived from the confusion and ambiguities caused by rapid transitions. In the past two decades, we have seen how religious groups affect social and political movements. Like many religions in the world, religions in Taiwan is divergent in conviction and with different dogma. These religious leaders attempt to lead their members not to accept the world as it appears but to judge for themselves and take actions to make their surrounding a better place by using their conscience, so they can be partial representatives of a higher moral order.

People believe the role of religion is to clean the human mind with spirituality. Studies also reported that religious attendance has positive relationships with happiness as well as domain satisfaction with personal financial status (Chang, 2009). Religious institutions have contributed to the social welfare and education in Taiwan. To legislate religion can be compelling. The government was caught in between whether to harness the resources of religious institutions to help the state achieve its policies, such as caring for the needed and responding to the natural disastrous, or to stem the influence of religious institutions whose

authority is empowered by international network, and may rival that of the government (Robertson, 1991). In mid-July 2017, many religious leaders and their members gathered in front of the President's office to protest the regulations of burning incense and paper money. They saw the regulations as a hindrance to religious freedom. Such behavior not only has challenged the state authority but also brought disturbance and discomfort to many citizens. With the religious movement and their organizations' involvement in politics in Taiwan from time to time has created somewhat chaotic situation by religious groups. It is hoped that a respectful and peaceful society can be achieved. Therefore, in Taiwan, some regulations of religion should be necessary for an ordered and stable nation. The government needs to acknowledge religious groups contribution to Taiwan. However, some guidelines of their involvement on politics and policy-making will be needed. Involving religious leaders and concerned citizens in hearings and discussions to reach some consensus in order to reduce confusion and anxiety before the rules were set will be an ideal way. After all, religions should teach followers to have mercy and love not violence or chaos.

References

- Armstrong, K. (2015). *Fields of blood: Religion and the history of violence*. NY.
- Chang, W-C (May 2009). Religious attendance subjective well-being in an Eastern-Culture country: Empirical evidence from Taiwan. *Marburg Journal of Religion*, 14(1), 1-30.
- Lee, J. (2003). *The bible and the gun: Christianity in south China, 1860-1900*. NY: Routledge.
- Laliberte, A. (2009). The regulation of religious affairs in Taiwan: From state control to laiser-faire? *Journal of Current Chinese Affairs*, 2, 53-83.
- Madsen, R. (2007). *Democracy's Dharma: Religious Renaissance & political development in Taiwan*. A Philip E. Lilienthal Book in Asian Studies: University of California Press.
- Robertson, R. (1991). Globalization, modernization, and post modernization: The ambiguous position of religion, in R. Robertson and W. R. Garrett (eds.), *Religion and global order*. NY: Paragon House, 281-292.
- Rubinstein, M. A. (1991). *The Protestant community on modern Taiwan*. Armonk, N.Y.: M. E. Sharpe.

Swanson, A. J. (1986). *Mending the nets: Taiwan church growth and loss in the 1980s.*

Pasadena, CA: William Carey Library.

Tamney, J. & Chiang, L. H. (2002). *Modernization, globalization, and Confucianism in Chinese societies.* Westport, CT: Praeger.

Taiwan Ribao 台灣日報 (Taiwan Daily) (1996a), Xinli 'Zongjiaofa:' hua sher tian zu 新立宗教法畫蛇添足 (Drafting a 'Law on Religion:' An Undesirable Addition), October 29.

United States State Department (2007), Canada. International Religious Freedom Report 2007, online: <<http://www.state.gov/g/drl/rls/irf/2007/90245.htm>>

Wee, V. (1977). *Religion and ritual among the Chinese Singapore: An ethnographic study.* Master's thesis, Sociology Department, National University of Singapore.

White, K. R. (2010). Asking sacred questions: Understanding religion's impact on teacher belief and action. *Religion and Education*, 37(1), 40-59.