

Regulation of Tibetan Buddhism in Contemporary China¹

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This article examines regulations of Tibetan Buddhism locally and nationwide, especially focusing on regulations pertinent to Tibetan lamas/monks. Based on fieldwork and studies of contemporary materials, the article demonstrates regulations of Tibetan Buddhism in contemporary China derive from two religious management systems: the state management system of religion and the monastic management system. Then it discusses the intersection of these regulations of Tibetan Buddhism in China, and it argues further that the changing balance between state power and religion throughout the intersectional regulations in practice, despite the religion under the leadership of the Communist Party of China.

Keywords: Tibetan Buddhism, state management, monastic regulations, intersectional regulations

Introduction

With the widespread revival of different religions in China since the 1980s, Tibetan Buddhism has become one of the fastest growing religions both in Tibetan regions as well as urban China (Smyer Yü, 2012; Zhang, 2012; Khyentse, 2018; Wang, 2018a). Since the Chinese political relaxation in the 1980s, China has initially established various levels of regulations toward religious affairs (Shen, 2017; Wang & Long, 2009; Lai, 2003; MacInnis, 1989). The present-day policy and regulation of Tibetan Buddhism not only follows the state law (MacInnis, 1989; Potter, 2003), but, in practice, also inevitably involves the traditional monastic regulations related to transregional religious organizations and various sectarian affiliations (Kalsang Gyal, 2007; Jansen, 2018).

Normally, religious policies in China mainly refers to the state management of religion, which contains pertinent laws and regulations issued by the Chinese Communist Party (CCP) and government. As MacInnis (1989) stated, China has a religious policy and a hierarchy of State and Party organs for implementing that policy. Regarding the implementation of religious regulation within the system of state management, there are two main ways to analyze in the current academic field. One is to examine the religious regulations of the state and other relevant official organizations, and this approach tends to longitudinal studies. In this case, the practice of religious policies is described as a sort of one-way practice, which more emphasizes the perspective of policymakers and executors (MacInnis, 1989; Wang & Long, 2009). Another is to look at the specific religious regulations based on particular religious affairs, comprising religious economy, religious education and the spread of religion in cyberspace (Possamai & Turner, 2012; Li, 2016).

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Central to Tibetan Buddhism in Chinese society, it is noteworthy that the monastic management system plays a vital role in Tibetan society, which is viewed as the internal management institution of religious organizations in China (Kalsang Gyal, 2007; Zhu, 2009; Dan, 2018). Yet there has been a limited number of studies on monastic regulations within the context of religious regulations in contemporary China (Ren, 2019; Jansen, 2018). The relevant studies tend to focus on Tibetan Buddhism theories and sects historically and religious figure's biography (Shen, 2010; Xu & Kong & Dong, 2011), the monastic regulations are discussed by researchers as a part of textual institutions historically (Jansen, 2018; Daowei, 2016) or as one of internal regulations within the current religious circle (Dan, 2018; Kalsang Gyal, 2007). In practice, the role of monastic management system extends to the Tibetan Buddhist monks/lamas directly and trans-regional lay believers indirectly (Smyer Yü, 2012).

Hence, this article proposes that the existing regulations of Tibetan Buddhism derive from the Party-State's management system and the monastic management system. As Yang (2006) delineates that regulation needs clarification concerning religious economy, the above two systems are intertwined in many aspects of Tibetan Buddhism in contemporary China. This article seeks to offer a broad overview of the complex religious regulations including the state regulations on Tibetan Buddhism and the monastic regulations, and it explores the interplay of these two in various aspects of Tibetan Buddhism in contemporary China by examining the intersectional regulations in practice.

The Party-State's Management of Tibetan Buddhism

As one of the five officially recognized religions in China, Buddhism enjoys the relatively well-demarcated places of worship and open and publicized nationwide associations (Lai, 2003). In terms of national level, the basic policy is respecting and protecting freedom of religious belief, which means that every citizen has the freedom to believe in religion and also the freedom not to believe in religion (MacInnis, 1989; Shen, 2017; Wang & Long, 2009). This basic policy is enshrined in the Constitution of the People's Republic of China remarked as Article 36, which stipulates that "Citizens of the People's Republic of China enjoy freedom of religious belief".

Tibetan Buddhism is viewed as a branch of Buddhism (Dorzhi, 2015; Shen, 2010), and it is directly protected and respected in accordance with the basic policy the Constitution recorded. The religious laws and regulations related to Tibetan Buddhism is always emphasized in official reports and news with two major dimensions: national and local levels. At the national level, respecting and protecting freedom of religious belief is a basic policy of CPC and the Chinese government, which is utilized to respect and protect individual right to free religious belief, including believers and non-believers. However, as MacInnis (1989:14) argued, we must understand that it will be fruitless to use simple coercion in dealing with the complex religious affairs in reality. The present-day China thus release various national regulations concerning different aspects of religions. The paramount one is *Regulations on Religious Affairs*, which is revised in June 2017.² The revised regulations prescribe the rights and responsibilities of religious organizations as well as religious believers, which covering religious groups, religious activities, religious educations, religious property, and so forth.

² The updated version of *Regulations on Religious Affairs* is issued on the official website of the National Religious Affairs Administration, see the link for details: <http://www.sara.gov.cn/flfg/316122.jhtml> [Accessed January 14, 2020].

Equally, it is worth noting that particular conditional limitations within the context of the basic principle. First of all, “religious beliefs” here refers to officially recognized religions, Buddhism, Daoism, Islam, Catholicism and Protestantism, which do not cover unofficial religions existed in China (Lai, 2003; MacInnis, 1989). Second, this long-term basic policy is not applicable to Party members (MacInnis, 1989; Wang & Long, 2009). Communist Party members are forbidden to emerge in religious places of worship, and they are also “told to remove any signs of religion from their homes” (Karmel, 1995, p. 504). For this reason, Tibetans worked in the public departments are not allowed to go to temples in Tibet (Tsering Thar, 2013). Additionally, it is a complicated situation toward religious organizations and religious figures given various regulations interwoven with different levels of administrative districts and different religious affairs.

It is clear that these regulations are applicable to all religions, while there are certain explicit regulations centering to the unique character of Tibetan Buddhism (Table 1-1). The pertinent regulations are listed as the following Table 1-1, and attaches the effective date here, which reflects the increasing attention from official towards Tibetan Buddhism in the decade, in particular with eminent Tibetan Buddhist monks/lamas.

Table 1-1

State Regulations of Tibetan Buddhism in China

| Title in English | Title in Chinese | Effective Date |
|---|-------------------------|-----------------------|
| the Rule on the Management of Reincarnations of Tibetan Living Buddhas | 《藏传佛教活佛转世管理办法》 | 9/1/2007 |
| Measures for the Administration of Tibetan Buddhism Temples | 《藏传佛教寺庙管理办法》 | 11/1/2010 |
| Measures for the Conferment of Academic Ranks on Tibetan Buddhism (trial) | 《藏传佛教学衔授予办法(试行)》 | 6/1/2015 |

Specifically, in terms of distinct regional situations, national laws and regulations are supported by series localized specific policies. For instance, Sichuan Province has its own provincial policies concerning Tibetan Buddhism, since there are Tibetan autonomous prefectures in Sichuan. In light of various administrative districts and cultural factors, the regulations are divided into different levels, such as provincial regulations on religious affairs and autonomous regional regulations on religious affairs, which these are implemented by corresponding governments and relevant departments.

Monastic Management Regulations

Central to the management system of Tibetan Buddhism itself, Tibetan Buddhism has its own integral theories and corresponding training system with series rules and aims, according to Dorzhi (2015), a well-known Tibetan scholar and a Rinpoche. Among which, the monastery, as one of three major pillars of Tibetan Buddhism, is the core of Tibetan Buddhism to perform religious functions (Kalsang Gyal, 2007, p. 59). As religious organizations, monasteries are defined as the sites for religious activities as well as grassroots social units (Zhu, 2009). In that sense, every monastery has their own regulations to deal with internal religious affairs according to the principle of independence and self-management³.

³ See the full text of *China's Policies and Practices on Protecting Freedom of Religious Belief*, 2018-4-4, http://english.www.gov.cn/archive/white_paper/2018/04/04/content_281476100999028.htm [Accessed on January 14, 2020].

The rule of internal management within temples attracts more and more attentions and made numerous works in the present-day China. Representatives of the comprehensive works include *the Development of the Internal Management System of Tibetan Buddhist Temples* by Kalsang Gyal (2007) and *Constructing a Long-term Mechanism for the Management of Tibetan Buddhist Temples in Practice* by Zhu Xiaoming (2009). Kalsang Gyal put that the internal management system of monasteries is adjusted with the ongoing social change in Tibet Autonomous Regions, and he delineates this updated management model as “democratic management (民主管理)” within the context of the organizational structure of monasteries. While Zhu (2009) places the monastic management mechanism in the wider social context and stresses the twofold aspects of this issue, the social aspect and the religious aspect, have to be discussed further. Yet, both these studies do not pay sufficient emphasis on certain regulations and rules behind despite some monasteries analyzed in part. In addition, the educational regulations and the economic regulations from the monastic management system are discussed by scholars in part. To be specific, the economic support structure of Tibetan Buddhism temple (Chen & Tsering, 2014), and the traditional institution of sutra learning and visiting learning in Tibetan Buddhism (Tsering Thar, 2013). The above aspects are discussed in the monastic management system, but fail to refer the “bcavyig” (བཅའ་ཡིག་ the traditional monastic regulations).

Generally, “bcavyig” (བཅའ་ཡིག་) do underpin the series democratic regulations of monastery grounded in different sub-fields. Traditionally, the most powerful rule of internal management within temples is “bcavyig” (བཅའ་ཡིག་), which equals to the monastic official regulations in the past (Daowei, 2016). Plus, the “bcavyig” (བཅའ་ཡིག་) is created by the living buddha or other senior lamas of temples in general (Wan, 2015, p. 102).

With the growing spread of Tibetan Buddhism in local and global, the structure of the monastic management regulations has been adjusted to a different extent. Yet Tibetan scholars noticed that the original version of “bcavyig” is still the primary portion of monastic regulations in Amdo Tibetan region (Wan, 2015), this phenomenon mentioned coincides with my observation in the Amdo Ngawa (ཨ་མདོ་ངག་ཤར་གླིང་). The bcavyig of local monastery, as the internal regulation, is viewed as the internal document. In this light, it is only available to monks who stayed in temples. The copy of the existing monastic regulations is collected from monks interviewed during the field study, and it is common that the host of temples (དགོན་པ་གྲྀ་པ་) set the “bcavyig” of monasteries located in Amdo Ngawa⁴.

In terms of the content of the traditional monastic regulation, “bcavyig” not only covers various rules of monks’ religious practice and the monastic events, but also introduces the brief history of the temple and main lineages of lamas of the temple. The first part of “bcavyig” involves the brief history of monasteries including the introduction of the main lineages of lamas within temples. This part emphasizes the fundamental value of regulations rooted in Tibetan Buddhism, which made it more effective in regulating monastic affairs. Concerning the specific rules, it contains primarily the schedule of series Dharma assemblies (fahui 法会), the requirements of the regular practice by monks, and the relevant penalties for non-compliance with the monastic regulations.

⁴ Ngawa is located in the eastern Tibetan region Amdo, there are forty-two Tibetan Buddhist temples in Amdo Ngawa, and thereby Ngawa is known as Tibetan Buddhist Culture Expo Park. See the official website of the Government of Aba County, <http://www.abaxian.gov.cn/abxrmzf/>, [Accessed February 9, 2020].

Focusing on the empirical influences, the individual monastic regulations based on “*bcavyig*” play a vital role in the monastic management system. There are different scales Tibetan monasteries and various religious sects of Tibetan Buddhism with varied practices in detailed religious rituals and activities involving the social public, thus, adhering to the principle of independence and self-management, every temple has their own specific rules to manage religious affairs themselves in accordance with the Constitution and law. Specifically, the “*bcavyig*” covers regular aspects of the monastic management, namely, the basic organizational structure of temples, series dharma assemblies, the identification of monks, the religious training system, and the qualifications of monks with various ranks, etc. Meanwhile, it cannot be ignored that the above aspects of religious affairs have been guided by the Party-State’s Management of Tibetan Buddhism in the past decade. In this light, the empirical analysis of the relevant management issues is associated with the intersectional regulations involving the monastic management system and the state management system of religion.

The Intersectional Regulations of Tibetan Buddhism

Regulations of Tibetan Buddhism in contemporary China are divided into two main management systems of religion as mentioned, and the intersection of regulations are discussed further in this section by examining the hybrid sub-fields of regulations from two systems and the corresponding implement situations. To be specific, the following four main aspects are discussed to argue how State and Monastery interplay in practice. Namely, the identification of monk, education within temples, qualification regulations of high-ranking monks, and the organizational management issue.

Regarding the content of religious policies, both the state religious regulation and the monastic regulation cover the basic regulations on temples and auxiliary regulations on monks with various ranks. First, in terms of regulations on temples, both, *Measures for the Administration of Tibetan Buddhism Temples* and the traditional monastic regulation *bcavyig*, are the basic regulations toward religious affairs of temples. In order to guide Tibetan Buddhism to adapt the socialism with Chinese characteristics, the state released *Measures for the Administration of Tibetan Buddhism Temples* as the official monastic regulation under the rule of law. Whereas, the traditional *bcavyig* is created initially based on the fundamental rules of Tibetan Buddhism and also updated according to actual long-term practices individually. In so doing, the governance logic of regulations on temples manifests that the autonomy of monastic management works under the guidance of the Party-state.

Secondly, considering the regulations on monks with various ranks, there are two levels related to specific regulations. One is concerned with *heshangzheng* (和尚证, a state-issued monk certificate), which is pertinent to individual monks’ basic right as a Chinese citizen. For instance, *heshangzheng* is not only the necessary identification to receive social welfare, but also is the integral data if a monk wants to get his personal passport in Tibetan regions today. Plus, Tibetan Buddhists lamas/monks are welcomed and accommodated for free in most Buddhist temples nationwide with *heshangzheng*, since this certificate is the only official way to prove their monk’s identity in inland China (Zhang, 2012). Another level is associated with the specific requirements of high degree of Tibetan monks, which is connected to the professional training system towards eminent monks. According to the Article 13 and Article 14 of *Measures for the Conferment of Academic Ranks on Tibetan Buddhism (trial)* (the State Administration for Religious Affairs, 2015), we can see that monks who apply for the degree of *Zhiranba* (智然巴 འཕྲིང་རམས་པ།) and *Tuoranba* (拓然巴 མཚོ་རམས་པ།) are required to be fluent in

Chinese besides meet the requirements on the religious academic degree. Furthermore, it needs to note that the skill of speaking and writing in Chinese is required to be stronger when the monks apply for higher academic degrees of Tibetan Buddhism, which is a new system of academic degrees on Tibetan Buddhism issued in the trial version measures issued in June 2015. Considering this point, here I employ the pinyin of Chinese of these two degrees rather than their respective Tibetan.

Meanwhile, it is common to see that the cooperation between official departments and religious organizations when it comes to the intersection of various regulations. Specifically, the regulations concerning the basic period training is more associated with the monastic regulations, while the high professional training system is more guided by pertinent official departments via policies (Tuttle, 2005), especially the conferment of academic degrees with high levels as well as the approve of Tulku (ལུ་ཁྱེ) System (Smyer Yü, 2012). According to *Measures for the Conferment of Academic Ranks on Tibetan Buddhism (trial)*, the steering committee comprised of eminent Tibetan lamas with various sects is established to undertake the examination process, and to confer the academic degrees on monks graduated from Buddhist institutes as well as monks from Sutra Learning Classes (学经班) of individual temples. One Tulku interviewed in my field research is a member of this steering committee, he shared how he got the position, the temple elected him as a candidate to recommend first, and then he was required to take the particular exams held by High-Level Tibetan Buddhism College of China.⁵ It is interesting that the content of examination contains two sections: religion and politics. In terms of religious part, as long as one gets the recommendation from his temple, he is qualified to be the high ranking. Yet the political part is one of the greatest challenges faced by the senior Tibetan lama/monk, since that is beyond the range of the monastic education.

Unlike the academic degrees awarded after passing the particular examinations, Tulku system, as a unique system of Tibetan Buddhism, is another intersection of regulations derive from various religious management systems. Most of existing studies focus on the spiritual aspect of tulku (reincarnation lama), thus they fail to take account of the growing external policy set by government and Buddhism associations over the past two decades. Besides the internal regulation and process of tulku system within the context of Tibetan Buddhism, *the Rule on the Management of Reincarnations of Tibetan Living Buddhas* issued by the State Administration for Religious Affairs (hereinafter referred to as SARA) provides general principles for some specific affairs. In terms of the detailed situation of living buddha reincarnation, the approval authority for the reincarnation is divided into four ranks, namely, the religious affairs department of provinces and autonomous regions, the government of the province and the autonomous region, SARA, and the State Council. In so doing, it is clear that various level administrations concerned can frame detailed regulations based on the rule. As Karmel (1995, p. 503) stated, the government began its efforts to dictate the selection process for replacements of high-level lamas.

Last but not least, two committees manifest the hybrid situation concerning regulations on Tibetan Buddhism today. One is *siyuanguanliwei yuanhui* (寺院管理委员会, the management committee of temples), *siguan hui* (寺管会, Management Committees) in short. *Siguan hui* is a committee consisting of staff from various government departments concerned, and, as a part of public departments, its office is settled in

⁵ The tulku accepted my formal in-depth interview in Amdo Ngawa and Chengdu, respectively. See the corresponding interview notes of the Tulku on June 14 and July 11 in 2018.

monasteries or the local police station nearby. Local government set up a *siguanhui* in Tibetan Buddhist temples registered for religious activities⁶, and the number of members depends on the actual scale of the respective temples. Another is *siyuanminzhuguanliweiweiyuanhui* (寺院民主管理委员会, the democratic management committee of temples), it is common to call it *minguan hui* (民管会, Democratic Management Committees) for short. *Minguan hui* is required to be set up in every temple in accordance with *Measures for the Administration of Tibetan Buddhism Temples*, and normally the member of this committee is Tibetan Buddhist clergy within the temple voted by monks in the present day, the list of members elected is required to report to the local relevant government department, yet that differs from the government appointed monks in the past (Karmel, 1995).

Both two committees engage in collective religious affairs and individual religious ones. First, the collective religious affair refers to religious activities and rituals open to lay Buddhists and tourists. *Minguan hui* has to report the basic information of religious activities or rituals to local government in advance, and all the process normally is supervised by *siguan hui* when *minguan hui* conducts religious activities or rituals. However, transregional religious activities are restricted rigidly by local government (Tsering Thar, 2013). *Minguan hui* hardly obtain the permission from government even though the transregional religious activity is a part of traditional culture of Tibetan Buddhism, because the state religious regulation is based on the administrative districts.

In addition, the individual religious affairs are associated with individual monks' basic right as a Chinese citizen. *Heshangzheng* is a typical case entangled with the above two committees. As analyzed in the previous part, *heshangzheng* is the identity of monks recognized by government, which is associated with sub social systems. *Minguan hui* is in charge of recording the existing numbers of monks in their monastery, and then report them to *siguan hui*. While *siguan hui* is responsible to check it according to the fixed quota of individual temples, then reports to the local Bureau of Ethnic and Religious Affairs (民族宗教事务局). Aside from the limited quota set by government, a member of *siguan hui* of G monastery shares that, as a part of the state religious management system, one main item of their job is scrutinizing the political qualification of monks before distributing *heshangzheng*.⁷ Yet the author fails to collect specific regulations concerning the political requirements about monks.

In brief, the intersectional regulation consists of two systems of religious management, the two systems are not only related to each other in various phases, but each also has a specific authority. In terms of collective religious affairs, the state management system pays high attention to the permission in advance and the phase of supervision later, while the monastic system concerns on the detail regulations related to conducting them. Equally, regarding the individual religious affairs, *siguan hui*, as the representative of state power at the local level, is in charge of clarifying and enforcing the regulations of religion concerning the political and social aspects. And it is noted that the basic data of individual religious affairs is collected by *minguan hui*, the

⁶ In order to provide legal protection and ensure that all activities are carried out in an orderly manner, the State requires the registration of places of worship for group religious activities in accordance with the law. But, during the fieldwork, I've found that there are a few small remote temples unregistered so far. There is no *siguanhui* in these temples but individual institutional management teams like *minguanhui*.

⁷ See the field notes on June 26, 2018. The member of *siguan hui* of G Monastery accepted my interview at his office near the monastery.

department of monastery. One more point here, the intersectional regulation of high-ranking religious figures maintains “the balance between autonomy and loyalty” (Potter, 2003, p. 318) to some degree. The relevant qualifications generated from regulations have twofold meanings corresponding to state and religious organizations. For state, it is an approach to guide the elite group from religion circle to close to the socialism, while, for monasteries, it is a professional way to develop the training system of Tibetan Buddhism with the ongoing social changes.

Conclusion

Regulations of Tibetan Buddhism in contemporary China are divided into two main management systems of religion as illustrated, and the intersection part of regulations includes two components of Tibetan Buddhism: religious organizations and religious believers. In other words, religious organizations and religious believers are required to follow dual regulations set by the relevant department of the state and individual monasteries in reality.

In terms of practice religious regulations, first, regulation on religion is influenced by the concerns and conflicts of the larger society, but there is a lack of systemic analyses backed by sound data on the local level religious policies in contemporary China. Second, by examining the intersectional regulations on Tibetan Buddhism, the traditional canon law and the modern law has specific “weight” with the ongoing social changes related to religion in society. Third, from the content analysis of regulations to the implement situation, it is clear to see the changing balance between state power and religion throughout the various hybrid subfields. At last but not least, the balance is ongoing in contemporary China under law-based governance, and the conception of law-based governance is put by the state.

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