

## Of Rules and Regulations

### *Governing Mourning*

Grief involves the loss of a social relationship that had served as an anchor. This loss disorients. Not knowing what to do, the grief-stricken want to be showed what to do, told what to do. A standardized ritual to follow step by step and a person to guide one through it can help. In the language of “governmentality” theorists, grief is a time to be governed, whether this governing is to be done by familial elders, religious specialists, secular ritual practitioners, or government employees.<sup>1</sup>

In this regard, the funeral of Mr. Wang was typical. Mr. Wang’s children, especially his younger daughter, were exhausted from the extra work of caring for their father during his dying days. In this period, the children avoided discussing death. While they told the middle daughter to return from England, too much talk of dying and funerals would have made it seem like they had abandoned all hope of a cure and were wishing their father dead. Mr. Wang himself was never directly told of his prognosis. When death occurred, the children were exhausted, bereaved, and unprepared. They needed someone to tell them how to proceed. A little nudge from their helper led them to Mr. Chen. They were more than happy to have him to guide them through the process.

While all rituals might involve standardized procedure, funerals especially are times for limiting choice. Here a contrast with weddings illuminates. In modern marriages, choice is a necessary component. When the Communist Party came to power in 1949, it banned purely arranged marriages. To legally register a marriage, those involved must explicitly declare their desire to marry their partners. Contemporary weddings provide an opportunity for the ritual expression of this desire, of the act of choosing, through a celebration of romance. Many couples exert considerable effort to arrange a “perfect” wedding. But choosing death is illegal; it would mean murder or suicide. Funerals do not celebrate the “choices” involved in their construction. In the last chapter, we saw how Love Convergence

found that providing too many options on their website proved counterproductive. Even when purchasing a funeral in advance, that is to say, when one is not faced with the pressure of a stay at a hospital and a sudden, regrettable outcome, many people shy away from being too active in their choice-making about death. The fear of death, reinforced in the urbanization process, makes any act of choosing in relation to death feel inappropriate.

But if funerals are a time to be governed, not just any governing will do. Mourning also involves respect for the dead, for their memories, for the way they lived their lives. This respect can lead to cultural conservatism. To respect the dead, many feel, we should carry out funerals in the ways that they have always been conducted. To respect the old, we should continue the old-fashioned ways. What constitutes the “old-fashioned” ways, however, depends upon the social identity of the deceased. Devout Christians or Muslims want to be led through rituals in ways that are appropriate to their religion. Herein lies the first dilemma of governing funerals. While the grieving need to be told what to do, they want to be told what to do by a culturally appropriate person. If there are deep religious or cultural divisions within a single family, conflicts over ritual format can arise. Moreover, even though most urban people do not know exactly how to conduct a funeral, they do have vague ideas about what a proper funeral entails. The funeral needs to resonate with these ideas. Abrupt cultural changes in the ways of governing mourning leads to conflict and failed rituals.

One example of conflict stemming from funerary reform is the relatively recent introduction of mandatory cremation to many rural areas. Cremation has been unevenly mandated over much of the Chinese countryside, as local governments have gradually built crematoriums and related infrastructure. When I did research in rural Shandong during the 1980s, in an area where mandatory cremation had recently been introduced, many old people asked me whether cremation would be painful. In 2010 to 2011, Hu Yanhua (2013) did research in a rural part of Hubei province where mandatory cremation was just being introduced. She interviewed many older people about the change in policy, and most had strenuous objections. These elderly had attended many funerals during the course of their lives in which the body was buried. They felt that replacing burial with cremation was at the least disrespectful and could possibly destroy their souls and their souls’ ability to bring good fortune to their descendants. Many pressured their younger family members to find ways to illegally circumvent the policy, and one man even committed suicide in an attempt to die before the policy was fully implemented.

As we have seen in previous chapters, urbanization leads to many changes in the organization of funerary ritual. The spaces of the living and dead separate; the role of strangers in conducting the ritual increase; the conduct of the ritual commercializes. This reorganization alters the governing of funerals. The state becomes more involved, though depending on national context, religious organizations and private businesses may also play major roles. In China, the state

demands and takes the central role. Though religious and commercial actors may also be involved, most of these actors are also related to the state.

Governing funerals involve many practicalities. The dead body needs to be disposed of. People need to congregate at particular places at particular times. Land is required for burials and other resources must be amassed for the ritual itself. Shifting from rural to urban ways of living usually involves transformations in the ways these practicalities can be addressed. Most generally, land is usually more expensive in urban settings and economic pressures to curtail its use arise. In addition, people's lives become busier, and those who might attend a ritual often do not live near to one another. Consequently, ritual procedures tend to simplify. Ritual activities that previously lasted several days are reduced to a few hours. Such has been the case in Hong Kong, mainland China, and most of the world.<sup>2</sup>

From the perspective of the Chinese Communist Party, governing mourning involves multiple contradictory pressures. While many advocate funerary reform, exactly which reforms to take and how to enact them are matters of debate, conflict, and compromise. The practicalities of urban living and a desire to reduce conflict shape the pace of reforms, while contradictions among the goals and priorities of different levels and sectors within the government itself complicate the policy process. Exploring the labyrinth of Chinese funerary policy and the ways in which this policy gets interpreted in particular urban contexts reveals much about processes of governing in urban China, the transformations associated with urbanization, and the dynamics of funerary ritual itself.

### CHINESE FUNERARY POLICY

Funerals are primarily governed through the Ministry of Civil Affairs. Because funerals involve land use, religious beliefs, ethnic minorities, overseas Chinese, and Party members (among other things), the Ministries charged with governing these areas of life in China can also become involved in designing policies regarding funerals. Incompatible impulses emerge. At least in its own propaganda, the Party considers itself to be a secular, scientific, materialist organization. It views religions somewhat suspiciously, allowing some government-controlled religious organizations, but often acting to curtail their influence. It also seeks to restrict or outlaw everything it labels as "superstition." It wishes to promote loyalty to the Party, which implies that people should trust Party-appointed officials rather than religious specialists to be the ones to direct their funerals. It also vigorously polices the public sphere to inhibit the organization of protests against the government. All of these impulses suggest that funerals should be limited as much as possible. Funerals are occasions when people get together to express their grief. Grief can easily become grievance. If mourners believe that the deceased was wronged by the government or killed by government agents or because of government neglect, they might be motivated to protest. Funerals can become occasions for

the expression of religious identity or beliefs, and often involve actions that seem “superstitious.”

But a purely restrictive approach has its limits. Many in government also want the Party to be seen as an organization that respects the wishes of the people. Religious belief is officially tolerated by Chinese law, and banning it would be a foreign relations disaster. Imposing too many restrictions on funerals could itself lead to protest. Even bans on “superstitious” activities can have unforeseen consequences. For example, at the same time that many cities in China have banned the burning of spirit money, other cities promote its manufacture. Outside of China, the burning of spirit money is often seen as a marker of Chinese ethnic identity, and the Chinese government wishes those who it labels as “overseas Chinese” to identify with China (Zhifen Chen 2012). Burning spirit money is legal and commonplace in Hong Kong and Taiwan, and many in the Party also want people in Hong Kong and Taiwan to identify with China. Moreover, manufacturing spirit money and exporting it overseas earns money, and boosting the economy is always a government concern. If there were no domestic market for spirit money, could the manufacture of spirit money still thrive in China? For these reasons, many large cities (like Nanjing, at least as of 2016, as we saw with Mr. Wang’s funeral) allow the burning of spirit money, even as others have banned it, in the name of preventing environmental pollution and discouraging superstition.

The major policy document guiding funerary regulation across China is called the “The Ministry of Civil Affairs of the People’s Republic of China Regulations for Funerary Management” (中华人民共和国民政部殡葬管理条例).<sup>3</sup> Originally issued in 1997, these regulations were revised in 2012, and efforts have been made to upgrade them into a formal law, though none has been issued as of this writing. The regulations demand the efficient use of land, the implementation of cremation where possible, thrift in conducting funerals, and the elimination of “evil customs” and “superstitions,” but leave it to local governments to decide exactly how to achieve these goals. The regulations specify that provincial governments have the right to determine which parts of their provinces should implement mandatory cremation and which areas may still carry out burials. Private entities are forbidden from establishing funerary facilities, including cemeteries, crematoriums, and funeral homes, and villages are not allowed to open their cemeteries to non-village members. Funerary activities are not allowed to disrupt public order. Finally, graves are not to take up agricultural or forest land, or to be placed in parks, official scenic areas, or near reservoirs, rail lines or roadways. The design of concrete regulations for particular areas and the implementation and enforcement of these is up to governments at the city and county levels.

Most provinces and many city and county governments have issued their own regulations for funerary management in relation to these rules. Some of the strictest of these have been issued by the city of Guangzhou. Those regulations specify the appropriate ways of disposing of ashes after cremation. To save land, they insist

that people use columbaria instead of cemeteries, and have banned the building of new cemeteries within city limits. They also prevent outside cemeteries from setting up sales offices within the city, but nevertheless many outside cemeteries do advertise within the city and some people have the ashes of their loved ones buried at cemeteries outside of the city limits.

Overall, the national regulations set a relatively flexible framework for governing funerary activities. How the definitions of various terms are interpreted and how strictly the regulations have been implemented varies even more widely than the provincial regulations themselves. As suggested above, local governments are free to decide whether burning spirit money constitutes an “evil custom,” or whether saving land requires replacing cemeteries with columbaria. Some of the regulations are directly violated. Travelling China by rail or road, one can often see graves on the land near the transport lines. But that such rules are sometimes ignored does not imply that they are never enforced. The setting of regulations that may be interpreted loosely or strictly grants considerable power to local governments.

#### THE POLITICS OF LAND FOR BURIALS

Throughout East Asia, the use of land for burials is a vexing issue. It is not difficult to see why. If memorials to a deceased loved one are truly to last forever (as phrases often carved onto tombstones imply), and everyone is to get a place in a cemetery after she or he dies, then the entire earth is destined to become one huge cemetery! Indeed, if such memorial practices had been in place for all of human history, then the world would already be one big cemetery. In the course of human history, almost all of the dead must eventually be forgotten. In different East Asian contexts, various measures have been taken to prevent the endless expansion of cemetery space. In some places, contracts at cemeteries are for fixed periods: ten, fifteen, or twenty years. At the end of a contract period, the coffin is to be dug up and the space in the cemetery is to be offered to someone else. In other places, cremation followed by a niche in a columbarium are offered instead of cemetery space. As columbaria may be built like high-rises, and niches for cinerary caskets are smaller than gravesites, considerable land can be saved. Even so, some columbaria, like cemeteries, demand fixed contract periods for their niches. Using even less land than columbaria are vast underground vaults for burying boxes of ashes. On top of the vaults is a tall tower to which tiny nameplates of those buried underneath can be attached. The “greenest” of all are options that use no land: scattering the ashes at sea or in a river, or mixing them in the soil of a garden where grass, trees, or flowers are grown.

As described above, in rural China there can be some resistance to shifting from burial of the body to cremation. But in most urban contexts, cremation itself is already well-accepted. In Hong Kong and Taiwan, where there are no laws mandating cremation, over 95 percent of people choose cremation as the method to

dispose of the body of a deceased relative. In the urban Chinese contexts where I did research, I never heard any complaints about cremation itself. In most parts of urban China I visited, there was a preference for burying the ashes in a small cemetery plot. In Hong Kong and Taiwan, most people place the ashes in a columbarium niche. But in all three of these Chinese contexts, there is a strong preference for giving the ashes some sort of home. Columbaria offer a place to visit on Qing Ming and other occasions, a place to perform sacrifices, burn spirit money, and offer respects. Though options for scattering ashes are available in all three of these places, they are not popular.

Three cultural logics inform these preferences. First is the notion that every person or soul should have a home. Someone who does not have a home is neglected. Moreover, you cannot visit them. Insofar as the ethic of filial piety requires both visiting your loved ones and ensuring that they have a place to live (as well as food to eat, brought in sacrifices, and money to spend, burnt before their homes), then not giving your deceased loved one a final resting place feels like neglecting one's filial duties. Second, scattering the ashes of a loved one furthers the disintegration of the body begun in the process of cremation. Like the rural people who object to cremation, urban people can feel that this aspect of maintaining the integrity of the body is a crucial aspect of caring for its soul. Finally, when ashes are buried in a garden or scattered at sea, they are necessarily intermingled with and polluted by the ashes of other dead people. In mainland China, fear of ghosts has made it extremely difficult for cemeteries to resell plots where someone had once been buried. Though most cemeteries have fixed-term contract periods, I never heard of a case where a cinerary casket had actually been dug up and the gravesite resold. As suggested in chapter 4, fear of ghosts and fear of strangers are closely related phenomena. This fear also affects the idea of mingling the ashes of one's deceased relative with those of other people.

One way that scattering ashes at sea is promoted in Hong Kong is by pointing out how difficult it is for people who migrate halfway around the world to visit the original homes where their parents' ashes are located. Hong Kong is one of the most mobile societies in the world, with high rates of immigration from China and high rates of emigration to England, Canada, the United States, Australia, and New Zealand. If ashes are scattered at sea, then descendants may visit them and pay respect to them anywhere in the world where there is access to the ocean. Hong Kong also arranges special boats to go out during Qing Ming for people who wish to conduct ceremonies for their ancestors. Nonetheless, scattering ashes at sea remains a difficult option to sell, and the vast majority of people with a deceased relative choose cremation followed by a place in a columbarium.

In mainland China, since the eighteenth party congress in 2012 (when Xi Jinping assumed leadership), rhetoric of promoting "ecological civilization" (生态文明) has been used to promote reducing the amount of land used for funerary activities. In 2016, the Ministry of Civil Affairs, in conjunction with eight other

Ministries, issued a “Guiding Opinion Regarding the Promotion of Land Saving and Ecological Burials” (关于推行节地生态安葬的指导思想). Though not quite having the force of a law, such “guiding opinions,” especially when jointly issued by nine ministries, can exert considerable influence on the regulatory decisions of local bureaucrats. Some legal scholars I spoke to suggested that official consensus around the issue of saving land in burials is consolidating and a new formal law is imminent. While the document does not advocate the use of force in promoting the saving of land, it suggests five types of measures local governments should take. First, local governments are required to develop plans for promoting ecological and land-saving burials. Second, Party members are to set an example for the general public by selecting the most ecological form of burial available. Third, significant propaganda work is to be devoted to popularize the idea of ecological burials. Fourth, economic incentives are to be used to promote ecological burials, and, fifth, local governments are to make sure that the infrastructure and facilities for ecological burials are readily available.

Since 2016, the Ministry of Civil Affairs has published a “Green Book on Funerals” (殡葬绿皮书) each year, in which various local governments describe what they have done in reaction to the “Guiding Opinion.” In Nanjing, since 2016, the Garden of Merit has put even greater efforts into promoting “wall burials” (a form of columbarium) and garden burials. For the garden burials, there is a type of biodegradable cinerary casket that dissolves into the soil within three months. Another newer option developed by the Garden of Merit is a family-style tomb in which eight or more family members can be buried under one small tombstone by stacking the cinerary caskets vertically (Wang et al. 2017). But, as described in chapter 3, the Garden of Merit has limited space for regular burials anyway, so “ecological” burials have been a profit-making strategy for a while.

In Wuhan, the group charged with promoting green funerals noted the obstacles to preventing widespread acceptance of such funerals and argued that money was needed to promote new policies.<sup>4</sup> In rural areas where crematoriums are lacking, they argued, most people bury their dead in private graves that are scattered across a village’s land, rather than in orderly designated cemeteries. In urban districts, cemeteries make their money from selling gravesites, and “green” burials, particularly if they are to be offered for discounts, lose money. How can cemeteries be given the responsibility of promoting green burials if they do not make money? How can governments pay for new equipment, subsidies for ecological burials, and free funerals for impoverished people if the central government does not allocate funds? As is often the case in China, the “Guiding Opinion” implies a sort of unfunded mandate. A policy is suggested, but no funds are allocated to support its implementation. While elite cemeteries in Wuhan (and elsewhere) are able to make money from services as well as gravesites, non-elite cemeteries make almost all of their money from selling gravesites. Most non-elite families will pay for a visible piece of property like a tomb, but find services too ethereal.



They would rather provide the services for themselves. Though implicitly criticizing the unfunded mandate aspect of the “Guiding Opinion,” the Wuhan group suggests that it will use propaganda to promote ecological burials, thus abiding by at least part of the guidelines. It emphasizes the theme of “thick care, thin burials” (厚养薄葬), implying that a family should lavish “thick,” resource-consuming care on the elderly in their families while they are alive and then spend their money, time, and effort “thinly” (frugally) when approaching the funeral and burial.

In the directly administered city of Tianjin, there are no rural areas and cremation rates are already nearly universal, so efforts have focused on promoting the ecological disposal of cremains, as well as civilized, orderly, and non-superstitious funerals. Grave-sweeping, especially during Qing Ming, is taken as the key to promoting these practices (Qi and Zhu 2017). Having a place to visit on Qing Ming is a concern in all culturally Chinese urban areas. The Tianjin Ministry of Civil Affairs began organizing collective grave-sweeping as early as 2005, with the goal of displacing “superstitious” practices like burning spirit money and setting off firecrackers. On Qing Ming, the city funeral home organized space and transportation for several hundred people to collectively bow in honor of their ancestors, light candles, and present flowers. They have gradually expanded this activity, and, in 2016, 30,000 people participated at sixteen different sites, beautifully decorated with flowers and resonant with solemn music. Since the publishing of the “Guiding Opinion,” the Tianjin Ministry has used collective grave-sweeping as a way of promoting ecological burials, particularly the disposal of ashes in the sea. With collective grave-sweeping, Tianjin residents can be filial to their relatives even without a gravesite. Moreover, the grave-sweeping is done in a civilized, collective, Party-organized manner.

While I am in favor of promoting green, eco-friendly practices, I am somewhat worried about the types of policies that local governments could be tempted to implement in reaction to the “Guiding Opinion,” as well as any future legal changes that may occur. First of all, while the conservation of land is an important principle, China is a large country and not a single, relatively small urban area like Hong Kong or Singapore. There are many spaces where land could be used for burials without disrupting agricultural production.

Second, the politics of land use in China have more to do with the profits to be made from re-zoning land than ecological conservation per se. In China, urbanization is proceeding rapidly and city governments make considerable money from land sales. They requisition land from surrounding villages, provide some compensation to the former villagers, re-zone the land from agricultural to urban, and sell it at immensely higher prices to real estate developers. Many city governments rely on income from land sales to fund their regular activities. To prevent this process from eating up too much agricultural land, the central government requires land-requisitioning local governments to open up new agricultural land every time they re-zone land at the outskirts of cities from agricultural to urban.



In theory, no net loss of agricultural land is permitted. In practice, the ways that local governments are able to open up new agricultural land sometimes rely on the unjust usurping of village land and sometimes do not really result in the ability to increase agricultural production. For example, one way of increasing agricultural land is to requisition the land where villagers have built their houses or graves, force the villagers to move into high-rise apartment buildings somewhere in the vicinity of their original homes, and declare the land with now-abandoned houses or graves on it to be “agricultural.” By replacing single-story family homes with apartments, relatively large numbers of people can be housed on relatively small parcels of land. But often the areas originally containing graves and houses were not suitable for agriculture to begin with, the investment needed to turn the former house- or grave-land into productive fields is not forthcoming, the relocation of villagers actually hinders their ability to farm the land efficiently, and the compensation offered to villagers in the process is not adequate.<sup>5</sup>

Chapter 3 has already described some of the processes related to relocating cemeteries as urban areas expand. But under the rules requiring no net land loss, the relocation of rural graves far away from urban centers might also enable urban governments to expand the amount of land they zone as urban. It is in the context of this land-use policy that legislation promoting ecological burials has been gaining support among the actors who have a voice in legislative reform.

The contradictory relationship between funerary reform and saving land can also be seen in the use of flowers at funerals. At many moments in funerary ritual and practices of memorialization, the government promotes giving or displaying flowers as a civilized alternative to burning spirit money or incense. The idea that giving flowers is less superstitious and more civilized than burning sacrificial paper objects predates Party policy on the matter. It can be traced back to the liberal intellectual Hu Shih and the funeral he conducted for his mother in 1919 (Whyte 1988). But it is really only during the post-Mao era that this idea has informed funerary practice in most parts of China. The collective grave-sweeping activities organized by the Ministry of Civil Affairs in Tianjin, for example, use large amounts of flowers but burn no spirit money. Though some urban jurisdictions still allow the burning of spirit money, the giving of flowers has become much more important to the funerary sector. State-run funeral homes make most of their profits from the fees charged for decorating memorial halls with flowers and selling flowers to those attending funerals as gifts for mourning families. Profits from selling spirit money pale in comparison, and, at best, support a few very small, often illegal, vendors. To supply all of these flowers, large areas of agricultural land, formerly devoted to growing crops, are now used to grow flowers. The Dounan flower market, for example, located in the rural areas just outside of Kunming, has grown into the largest wholesale flower market in all of Asia. Scores of villages in the area of the market devote their agricultural land to flowers. The rise of the flower industry in China has probably done more to take land away

from the growth of crops than the cemetery industry, which typically utilizes land that was not being farmed to begin with.

The preference for flowers over spirit money reflects a complex dynamic of cultural politics under Chinese authoritarian rule. Describing what one does as “civilized” or “science” instead of “superstition” aligns one’s actions with the rhetoric of the Party. Whether presenting flowers is actually less superstitious than burning incense matters little. Once the Party’s rhetoric has been firmly aligned with this claim, presenting flowers instead of burning incense proclaims one’s intentions to be loyal to the Party. The government’s attachment to large-scale, well-ordered forms of ritual display is another aspect of this political culture. Regularity and order fulfill desires for society to appear as if every aspect of social life has been planned out by the central government.<sup>6</sup> Such appearances inform both the Tianjin government’s organization of collective grave-sweeping rituals and the Wuhan working group’s dislike of “disorderly” graves scattered across the countryside. These appearances suggest loyalty to the central government, as regularity indicates government organization. But these appearances have little to do with saving land. In fact, graves that are placed on bits of unused land scattered here and there may be quite an efficient way of accommodating burials while causing minimal disturbance to agriculture. Finally, while cemeteries with gravesites laid out in even rows might be more desirable than graves scattered across the countryside from the government’s point of view, even cemeteries have the undesirable side effect of giving all those buried there their own memorialized history. Such multiple histories go against the grain of the Propaganda Department’s desire to narrate a single, Party-glorifying history for the nation as a whole. In short, while I can see a need for promoting land-saving, ecological burials, I fear that much of this promotion could get caught up in the politics of professing loyalty to the Party, making the nation appear more singular and orderly than it actually is, fighting “superstition,” and funding local governments’ hunger for re-zone-able land. The political pressures reinforcing these tendencies have only become more intense during the Xi Jinping era. While the huge size and diversity of the Chinese countryside allows some areas to implement policies that are considerably less restrictive than those outlined above, the authoritarian style of Chinese governance often leads to cases in which mandatory cremation, grave relocation, or restrictions on memorial activities are enforced even when such policies offend large numbers of people.

#### GOVERNING DOUBLE BURIAL IN GUANGZHOU AND HONG KONG

In Hong Kong the government has also taken measures to reduce the amount of land devoted to memorialization. Beginning in the 1970s, shortages of burial plots occurred, their price soared, and the government actively promoted (but never

legally demanded) cremation followed by a niche in a columbarium as an alternative. Most people also lacked the space in their tiny apartments to carry out traditional funerary rituals, and the percentage of families accepting cremation of their loved ones rose rapidly, reaching 90 percent in 2012 and continuing to rise (Y. Chan 2019, 61). As most people live in apartments, “high-rise” burial niches in columbaria do not seem un-home-like. But recently the Hong Kong government has become alarmed by the amount of land taken up by private columbaria. At the same time that government-run columbaria have filled and started waiting lists (niches are allocated for fixed-period contracts and re-allocated when families fail to renew their contracts), the government has limited the issuing of licences to new private columbaria. The Hong Kong government actively encourages families to dispose of ashes by scattering them at sea or in remembrance gardens, but, to date, most families refuse these options. As described above, most Hong Kong people prefer to give the ashes of their departed loved ones a private home. Unfortunately, as a result of the government’s policies, a large number of families are forced to store their relatives’ ashes in temporary storage facilities where it is not possible to sweep the graves during Qing Ming (Y. Chan 2019).

While efforts to save land by restricting the availability and terms of licenses for funerary businesses have perhaps been even more vigorous in Hong Kong than in mainland China, they have been less shaped by opposition to “superstition” and the politics of displaying loyalty. In Hong Kong, during Qing Ming, the air around columbaria is so thick with smoke that it can be difficult to breathe. Regulation in Hong Kong more often involves licensing procedures for different types of businesses than direct bans. The licensing restrictions make certain activities prohibitively expensive for the majority of people, but do not outlaw anything entirely. Those with money to spend, or connections to institutions like churches and temples, often legally carry out funerary and memorial activities in ways that the government does not encourage.

The difference in regulatory approaches is particularly apparent with regards to the practice of double burial. During the nineteenth and early twentieth centuries, in the southern parts of China, double burial was common. Most villages in this part of China, including the rural parts of Hong Kong, were single lineage villages, in which almost all the families shared a surname. Adults who had given birth to descendants would be buried twice. The first time they would be buried in a full coffin. After a period of time during which the flesh would decompose, the body would be exhumed and the bones cleaned and then placed into an urn. The urn would then be buried in a gravesite either determined by village lineage elders or selected by a particular family after advice from an expert in geomancy. In the traditional thought of these areas of China, bones were considered a Yang, or male substance, while flesh was considered a Yin, or female substance. Since the families were patrilineal, consisting of descendants from a male ancestor, burying urns that only had bones in them was thought to be a ritually pure and powerful way of bringing good fortune to descendants.<sup>7</sup>

In Hong Kong the practice remains legal. Some of the villages in the outer reaches of Hong Kong have their own cemeteries to carry out such burials, but members of the general public can also do so at the Wo Hop Shek cemetery, the largest public cemetery in Hong Kong. One section is reserved for first burials. The bodies are buried in biodegradable coffins so that the bones may be easily exhumed seven years later. Another section of cemetery is reserved for the second burials. The urns for these burials are known as “Golden Towers” (金塔) and this section of the graveyard is called the “Golden Tower Section.” The second burials are permanent. One of the great ironies of burial governance in Hong Kong is that at a time when private columbarium niches are extremely expensive and waiting lists for public columbarium niches are long, space for a double burial in the public cemetery is both readily available and inexpensive. According to those working at the cemetery, several factors account for the lack of popularity of double burial. First, the Golden Tower Section of the cemetery is relatively inaccessible by public transportation, making visits during Qing Ming more difficult; because of overcrowding, private cars are banned from the cemetery during the period around Qing Ming, and the Golden Tower section is about a 2 kilometer walk from the cemetery bus stop. Second, the ritual procedures for a double burial are much more complicated than for a cremation and subsequent placement in a columbarium niche; they involve exhumation, the cleaning of the bones, the placing of the bones in a golden tower, and the burial of the golden tower. Finally, the Hong Kong’s government campaign to promote cremation was so successful that most Hong Kong residents consider cremation “normal” and would not even consider doing something else.

I visited the Golden Tower section of the Wo Hop Shek cemetery, and was surprised by its relative disorderliness. The graves are not laid out in a regular pattern, many of the graves are old and have obviously been neglected for a long time, and some sections are overgrown and full of weeds. The cemetery office eventually digs up graves that have been neglected, but only after a lengthy process of trying to contact the descendants of the deceased person. While the Hong Kong government’s manipulation of licenses has had a forceful effect on funerary practice, its tolerance for practices that would be labeled as superstitious or disorderly in mainland China, and even practices that it openly discourages, makes it quite different from the more direct authoritarianism of the mainland.

In Guangzhou, the practice of double burial has also left a trace, but it operates in a grey area somewhere between the legal and the illegal. In some rural areas of Guangdong province, double burial has continued to be practiced (perhaps after a period of disruption during the Cultural Revolution decade, 1966–76). But even in the most urban of funeral homes in the province, the Guangzhou city funeral home, golden tower urns are sold. After seeing the urns in a shop, and asking a friend to make some inquiries, I learned that some urban people in Guangzhou pay an extra fee to the crematorium to have a partial cremation (烧全骨). While a full cremation turns most of the bones into ash, and, often, is followed by

having the remaining bits of bone smashed into a fine powder, a partial cremation burns away the flesh, but leaves the bones intact. The bones can then be placed in a golden tower in a traditional ceremony and the golden tower can be buried in a cemetery. The entire procedure resembles a traditional double burial, with the cremation replacing the first burial.<sup>8</sup> This form of “double burial” is particularly curious from the point of view of land conservation. Because golden towers are bigger than regular cinerary caskets, they require a larger-sized cemetery plot. These plots are technically illegal, as the government regulations prohibit plots larger than one meter square per burial, but, in practice, they are readily available in the cemeteries around Guangzhou.

At least on paper, the city of Guangzhou has some of the tightest regulations in China regarding land use at funerals. Like Hong Kong, it also uses licensing, or land use restriction, to prevent the opening up of new spaces for burial within the city limits. But the law on paper is not a good guideline for understanding actual practice there. In addition to allowing the burial of golden tower urns, several aspects of common burial practice violate the letter of the law. First, the existing cemeteries are mostly full, and it is illegal to sell plots before they are available. But several existing cemeteries within the city limits sell plots in anticipation of being allowed to expand their cemeteries in the future. In addition, some of the cemeteries outside of the city limits sell cemetery plots to people with Guangzhou city household registrations, though cinerary remains are not supposed to be transported outside of the city. Finally, I have heard stories of some wealthy Guangzhou people buying a house in a rural area and then using the house as a secret, private family cemetery, where the golden tower urns of lineage members may be buried with large tombs. In addition to the laws regarding land use for burials is the problem of “superstition.” At the most visible cemeteries in the relatively central districts of Guangzhou, rules against burning spirit money and other “superstitious” activities are strictly enforced. But in the less prestigious cemeteries, let alone in places like secret family cemeteries, the burning of spirit money can be observed.

The Guangzhou method of governing involves strict laws that are not always strictly enforced. This method has its advantages. Loyalty to the central government is demonstrated both by publishing laws that sound strict and by enforcing them at the sites that are most visible to prominent visitors. At the same time, flexibility is shown towards Guangzhou citizens who might otherwise loudly object. But the dangers of such an approach are also noteworthy. When there is a real material advantage to local cadres for confiscating land or making a show of their loyalty to the center, the law on paper makes a handy tool for pushing through seemingly arbitrary forms of enforcement.

So while both Guangzhou and Hong Kong regulate to prevent the expansion of space for burial, and both places face problems with shortages of final resting places, in Hong Kong there is actually more space available for double burial than people interested in doing it. Instead of a shortage of burial space, there is a shortage of columbarium space. While the government attempts to pressure

people into ecological burial practices through a combination of propaganda and licensing procedures, the law on paper provides a fairly accurate description of what goes on. In Guangzhou, there is no double burial *per se*, but there is a surprising continuation of the use of golden towers for burial. Many technically illegal practices emerge. The politics of burial involve appearing to be loyal to the central government by publishing strict rules, enforcing these regulations in highly visible and centrally located cemeteries, but allowing practices that seemingly violate the spirit and the letter of the law in peripheral sites.

### THE VAGARIES OF SUPERSTITION

In my travels to mainland Chinese cities during 2018 and 2019, including Guangzhou, Shenzhen, Changsha, Wuhan, Jingzhou, Taiyuan, Shijiazhuang, Tianjin, and Shanghai, I was shocked by both the increase in severity of anti-superstition rhetoric and the blatant logical contradictions in the official uses of the word. Different activities could be labeled superstitious in different places; a given activity might be “superstitious” in one place and supported by the local government in another; closely related activities could be split into permissible activities and illegal superstitions in seemingly arbitrary ways.

Perhaps the most obvious example is that of burning spirit money and other sacrificial items. In some of the larger cities that I visited, including Shanghai and Tianjin, the burning of spirit money has effectively been banned. Large signs proclaiming the ban are displayed at cemeteries and I saw no place to purchase spirit money near cemeteries, nor any evidentiary trace of burning. In many other cities, I saw signs posted discouraging the practice (labeling it a feudal superstition), but still saw the items to be burned for sale near cemeteries and funeral homes. I also saw people burning them. In one or two smaller cities I visited, there was no propaganda banning the practice. This variation in itself is not so shocking. What really startled me was that at many state-run funeral homes, at the same time that they had instituted bans on burning spirit money, it was permitted to burn the clothes of the deceased, flower wreaths given as gifts during or before the farewell meeting, and sometimes even the picture of the deceased. These contradictions are particularly sharp because the ban on burning spirit money is often justified in terms of preventing air pollution. Moreover, as the funeral of Mr. Wang demonstrated, the burning of clothes involves exactly the same type of “superstitious” beliefs as the burning of spirit money. Both practices imply that burning enables one to give something to the deceased’s soul wherever it is imagined to exist; the burning of clothes is further linked to ideas that reutilizing the clothes of the deceased is inauspicious. How is the burning of the clothes of the deceased in any sense less superstitious or less polluting than the burning of spirit money?

Even in the Fu Shou Yuan, where bans on burning “superstitious items” have long been upheld, it is permitted to burn incense, either in front of a grave or at the





FIGURE 15. Sign near Tianjin graveyard, reading “Destroy Outmoded Customs, Oppose Superstition, Root Out Obnoxious Practices, and Advocate Scientific Thinking. It is Prohibited to Set Off Firecrackers, Burn Spirit Money or Other Paper Paraphernalia.” Photo: Andrew B. Kipnis.

Buddhist temple on the grounds. At the Shijiazhuang funeral home, posted regulations detail how the burning of superstitious items was prohibited, but that up to ten kilos of clothes and five flower wreaths can be burned for free. Fees would be charged for burning more than those amounts. Most tense of all was the atmosphere around the number one funeral home in Tianjin and the attached (state-run) cemetery. The cemetery and grounds were covered with signs announcing the ban on the burning of spirit money and other superstitious items. Many of these signs further detailed how one would be fined 2,000 yuan for carrying out any of wide range of funerary activities that were labeled as superstitious, including the burning of spirit money. The cemetery itself was tightly guarded with a fence, surveillance cameras, and a guardhouse at the entrance with gates to prevent anyone from entering without gaining permission from the guards. The place seemed more like a military installation than a business attempting to earn money by selling cemetery plots. The adjacent funeral home was also covered with signs announcing the bans on burning superstitious items and potential fines for doing so. But at the entrance to the funeral home grounds, on a plot of dirt-covered ground, a group of elderly people dressed like local peasants was supervising the burning of flower wreaths, clothes and various other items (though I saw no spirit money). When I walked over for a closer look, one of the elderly women supervising the burning rushed up to me and asked me if I had any sacrificial items that needed burning.



In addition to the burning of paper offerings, many other practices have been labeled superstitious in a self-contradictory and inconsistent manner. In Jingzhou, for example, signs at the state-run funeral home quote the twenty-sixth article of the Hubei province funerary management regulations: "Carrying out funerals should be done in a civilized, frugal manner without any form of feudal superstition, ostentatious waste, or other corrupting practices. It is not permitted to consult geomancy masters, Daoist or Buddhist priests, or to hire drum and music groups. . . ." In practice, people regularly did all of these things, but they could not arrange them through the funeral home itself. Officials I spoke to in the funeral home said that such practices disrupted other people in the city, even though the funeral home itself was not located near to any apartment complexes and was in the process of being moved to a location far from the city center. But in many other cities, including Taiyuan and Shijiazhuang, state-run funeral homes were in the business of supplying groups of musicians for hire during various points of the ritual process. In Shanghai, at the partially state-run Fu Shou Yuan cemetery, an on-site Buddhist temple offered priests to supply ritual services. In many cities, the setting up of tents for performances near apartment blocks was banned, and some, such as Tianjin, even banned the erecting of home altars as a form of superstitious practice. Many of the cities that banned or discouraged home altars, however, had funeral homes that offered rooms for rents where altars could be established. The Taiyuan funeral home offered both the option of renting a room and that of assistance in setting up a home altar, as Mr. Chen had done in the case of Mr. Wang's funeral.

There is no simple way to explain this variation in funerary regulation and what gets labeled as superstition, though a few general trends can be hypothetically proposed. Most obviously, cities with high land costs tend to regulate land use more strictly than cities where land prices are lower. Second, cities with high land prices tend also to have taller buildings and more densely populated urban centers, reducing the sense of local community and making officials less likely to tolerate practices like setting up tents for performances and home altars. Third, cities that are highly visible to top-level officials, domestic media, and foreigners make greater efforts to appear "civilized" to the central political leaders in Beijing. Fourth, local city governments that have tense relations with nearby rural people (usually over land-use issues) tend to label a large variety of rural funerary practices as superstition, but allow these practices to persist. Disputes over land-use issues are more important to local governments than the funerary practices themselves, and local governments prefer to threaten but not to expend resources and goodwill on funerary practices. Finally, city governments want to make use of the funerary facilities they have. If they have altar rooms for rent they want to promote their use; if they have excessive cemetery space they want to sell it; if they have musicians already employed by the state funeral home, they want them to earn money.

FRAGMENTED AUTHORITARIANISM  
AND TOTALITARIANISM

Political scientists often analyze Chinese governance through the lens of “fragmented authoritarianism.” While the government is authoritarian, organized as a Leninist Party-state along strict hierarchical lines, the many parts of the government (including state-owned firms, local governments, and various bureaus) often pursue their own interests in ways that cannot be understood as merely following the orders of the central government. Some political scientists temper this theory with arguments that the political center of the Party devises means to overcome this fragmentation of power. The result is more like “integrated authoritarianism” than fragmented authoritarianism. Both of these views are considered less extreme than simply seeing the Chinese state as “totalitarian,” a monster that can only focus on consolidating power and forcing everything in its realm to worship and obey the Party center.<sup>9</sup>

The struggles over governing funerary practice, and the word “superstition” in particular, reflect the degrees of truth contained in all of these theories. Local variation in the process of governing funerals and defining superstition involves both the place-specific interests of different local governments and variance in the physical, economic, and social circumstances in which these governments operate. Efforts to come up with singular funerary law, as well as the coordination of nine different bureaus in issuing the “Guiding Opinion Regarding the Promotion of Land Saving and Ecological Burials,” demonstrate the efforts of the center to overcome fragmentation in the regulation of funerary practice. Searching for points of agreement while accommodating regional variation demonstrates desires to integrate a relatively fragmented system of governance.

Because of the size and diversity of the country and the many levels and sections of the government itself, theories of totalitarianism could never accurately describe governing in China. But such theories do describe a sort of political ideal that is becoming more evident under Xi Jinping. The use of the word “unity” or “unify” (统一) often expresses this ideal. The preference for orderly cemeteries and large-scale, collectively-organized rituals are guided by this ideal. The denunciation of non-mainstream religious practice, especially in places like Tibet and Xinjiang, and a lack of tolerance for many forms of multiculturalism and diversity, are also justified by this ideal. So is the demand for displays of loyalty to Xi Jinping and the Party itself. Unity requires everyone to rally around a single person, ideal, or spirit. Almost any sort of violent crackdown on diverse interests can be justified through the ideal of unity. The ideal of unity might be considered to be the soul of the country’s Propaganda Department.

The word superstition is like a sledgehammer to be used in the pursuit of unity. Anything that one of the local branches of the Party dislikes can be labeled with it. While the flexibility of the term means that it can be used in a “fragmented” manner,

with different branches of the government interpreting the term differently, this same flexibility enables a totalitarian impulse. The Party center reserves the right to determine what should be labeled with the term, and to change its mind about the application of the term whenever it likes.

Party hostility towards funerary ritual likewise reflects its totalitarian impulses. While I certainly support ecological practices in all aspects of life, I am suspicious of attempts to impose ecological practice on the funerary industry more stringently than on the flower industry, or the automotive industry. While all sectors of the economy face some pressure to reduce pollution, in the case of cemeteries, some in the Party have suggested eliminating the industry entirely. One official involved in regulating funerary practice explained it to me this way:

The party advocates thick care and thin funerals. The ideal would be no funerals, no cemeteries, no memorials. When a person dies, their bodies would be donated to medical research or to medical schools as cadavers to be practiced on by medical students. Whatever parts were leftover when the medical personnel finished would be cremated together. The ashes would be used to make bricks that would then be used for constructing buildings. The families of the deceased would be content with this result as they will have already demonstrated their filial piety by taking excellent care of the deceased when alive. Proper communists are materialists and do not worry about souls or the afterlife.

This refusal to acknowledge the souls of the dead in China is to me the essence of totalitarianism. It does not reflect a simple “materialism,” as the cadre suggests, because the Propaganda Department of the Party cares very much about its own soul. It speaks of “the soul of the Party” (党的灵魂), and devotes considerable effort to memorializing its own martyrs and heroes, as the depictions of elite graveyards demonstrated. What the totalitarian parts of the Party dislike is for other people to memorialize their souls. Such memorialization can easily transform into anti-Party political forces. The deaths of political leaders who were seen as opposing the political center in both 1976 and 1989 became rallying points for major protests in Tiananmen Square. But even the deaths of more mundane individuals have led to relatively localized protests all over China—against corrupt and incompetent doctors; against employers who do not offer adequate compensation for workplace accidents; against decisions to limit the welfare or pension rights of various categories of people; against powerful people who cover up their liability in automobile accidents and the corruption that enables the cover-ups to proceed. Grief is a powerful emotion, and the memorialization of souls can easily give rise to a politicized spirit. Moreover, memorialization is also a mode of writing history, as the Cultural Revolution graveyard depicted in chapter 3 suggests. Carving historical memory into gravestones is inconvenient for a Party that desires the ability to rewrite its own history at any

moment. The totalitarian impulse in China leads to ideological claims that the only soul that should be celebrated is that of the Party itself. All must unify to defend its integrity. Because stating this proposition directly would be too confrontational, rhetoric emerges that celebrates Party-oriented memorialization as patriotism, but dismisses all other memorialization as polluting, land-wasting, feudal superstition.