

VIEWS OF THE VIETNAMESE COMMUNIST PARTY ON RELIGION THROUGH THE 12TH CONGRESS' DOCUMENTS

***Abstract:** The 12th National Congress of the Communist Party of Vietnam was held from 21st to the 28th January 2016 in Hanoi. Delegates discussed in a candid and democratic manner and unanimously passed important documents, including the political report and a report evaluating the implementation of socio-economic tasks between 2011 and 2015 and orientations and tasks for the 2016-2020 period. The Congress' Documents not only provide the assessment of achievement, results and limitation of the implementation of the 11th Congress' limitation, but also makes important decisions towards a comprehensive development of the country in the next stage. The Documents simultaneously propose new awareness, views, and theoretical and practical issues in many domains of social life, including religion. This article reviews and analyses the Communist Party of Vietnam's view of religion as seen in the Documents of the 12th Congress in terms of the main contents and the new points in comparison with the previous Congresses' Documents.*

***Keywords:** View, policy, freedom of religion and beliefs, documents, Communist Party of Vietnam.*

Introduction

Since its establishment, the Communist Party of Vietnam (CPV) has paid much attention to religious affairs and to relationship with religious organizations. Religious work is considered a top priority because it is “the task of the whole political system”. In the Documents of the National Party Congresses from the establishment up to now, the CPV has also issued views, guidelines, and policies on beliefs and religion. In the Documents of the 12th Congress, in

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addition to the points of inheritance, supplement, and development of the views of the previous Congresses, the CPV also made some new views, assessments and remarks on beliefs, religion, and the State management of beliefs and religion as follows:

1. Viewpoints to respect and guarantee the freedom right of beliefs and religion

First of all, it is necessary to affirm that respecting and guaranteeing the freedom right of beliefs and religion is a consistent policy of the CPV. Since its founding, the views and cognition of the CPV on beliefs and religion have always been supplemented and developed in accordance with the circumstances and reality of Vietnam, as well as the practice of building and developing the country. However, the point of view and the policy of “respecting and guaranteeing the freedom right of beliefs and religion” is always “unchanged”, affirmed, and is a core content in the CPV’s viewpoints and policies on beliefs and religion.

This does not mean that the connotation of views of respecting and guaranteeing the freedom right of beliefs and religion is unchanged. At every stage of the country’s development, the CPV has new cognition of the connotation. Now, there is a significant change in the CPV’s cognition. In previous important documents of the CPV and the State, the freedom right of beliefs and religion was recorded as the right of citizen, but in the 2013 Constitution, it was amended as the fundamental right of everyone. Article 24 provides that “Everyone has the right to freedom of beliefs and religion”¹.

In particular, the change in the cognition of the CPV on the freedom right of beliefs and religion is reflected in the Documents of the 10th, 11th, and 12th Congresses as follows:

The Document of the 10th Congress pointed out that it should carry out consistently the policy of respecting and guaranteeing the freedom right of beliefs; the right to follow or not follow any religion of citizens, and the right of practicing beliefs in accordance with the law. The Document of the 11th Congress confirmed that it should “respect and guarantee the freedom right of beliefs, religion, and non-beliefs

and non-religion of the people in accordance with the law. It should struggle and strictly correct all acts of violating the freedom right of beliefs and religion, and taking advantage of beliefs and religions to harm the interests of the motherland and the people”². The difference between the word “citizen” in the Document of the 10th Congress and the word “people” in the Document of the 11th Congress shows a great change in the CPV’s cognition of the connotation of the freedom right of beliefs and religion. Therefore, the word “people” was expressed consistent with the sense that they are holders of the religious freedom right rather than citizens in the important Documents of the CPV and the State after the 11th Congress. As you know, “respecting the freedom right of beliefs and religion” is considered as the right of everyone by the 2013 Constitution. In my opinion, this is another change and a new development in the CPV’s cognition of human rights, that compared to the 11th Congress Documents. The freedom right of beliefs and religion is recognized as a natural right of human - means that everyone is gained, that is the innate right of humanity; the human was born with that right.

In the Document of the 12th Congress, although it was not mentioned the clause “respecting and guaranteeing the freedom right of beliefs and religion of all people”, *the Report Evaluating the Results of the Implementation of the Tasks of Socio-economic Development in the 2011-2015 period and the Direction and Tasks of Socio-economic Development in the 2016-2020* affirmed that “the freedom of beliefs and religion are guaranteed”³. The Report emphasized: “Should implement the policies on ethnic group, religion and guarantee the freedom right of beliefs and religion well”⁴. This affirms the consistent view of the CPV on the respecting and guaranteeing of the freedom right of beliefs and religion which was confirmed on the date of its establishment.

It can be said that the respect and guarantee of freedom of beliefs and religion in Vietnam have achieved many important results and outperformed the previous period in recent years. Now, a Law on Beliefs and Religion has been drafted in order to institutionalize the

CPV's views and policies on it more sufficiently. In other words, the law-making is about ensuring the best possible freedom right of beliefs and religion for everyone. The drafting Law on Beliefs and Religion is expected to overcome the limitations and inadequacies of the issued legal documents on religion, which are causing difficulties and inadequacies in the state management of religious activities and beliefs, and not showing the full policy of respecting and guaranteeing the freedom right of beliefs and religion of all people as well.

The drafting Law on Beliefs and Religion could be considered as an important result in recent years. In addition to the institutionalization of religious views and policies, the CPV, the State, and the entire political system has paid greater attention to respect for and guarantee of the freedom right of beliefs and religion in practice. The fact that religious organizations have participated sufficiently in healthcare, education, and charity activities. Recently, the establishment of the Catholic Academy, the construction of the Khmer Theravada Buddhist Institute, religious activities inside and outside worship facilities, and the recognition of religious organizations have been more evident. By 2015, the Church of Jesus Christ of Latter-day Saints had been registered as the 14th religious organization in Vietnam, and some other religious organizations have also been recognized by the State in cases they satisfy fully-requirements in accordance with the law.

Another point to further affirm the policy of respecting and guaranteeing the freedom right of beliefs and religion is that there are more religious followers admitted to the Communist Party of Vietnam. "The number of newly-admitted members who are members of the Ho Chi Minh Communist Youth Union, women, intellectuals, students, ethnic minorities, *religious followers* (CVT - stressed), employees in the economic sectors and private business owners increased more than in the previous period"⁵. This is a new feature compared to the previous CPV's Congressional Documents, which affirmed the policy of adapting the Party members to religious followers.

2. Viewpoints to promoting the moral and cultural values of the religions

The views on the promotion of religious values derived from the well-known standpoint of the Politburo's Resolution No. 24-NQ/TW issued Oct. 16th, 1990 on Strengthening Religious Work in the New Situation that mentioned in the CPV's Congress Documents is that "religious ethics have many things in accordance with the construction of new society". As an inheriting and developing of Resolution 24-NQ/TW, Directive No. 37-CT/TW issued July 2nd, 1998 put forward the viewpoint "The moral and cultural values of religions are honored and promoted" for the first time. This view was inherited and developed by the following Congresses. For example, the Document of the 11th Congress indicated that "should respect for the good morals and cultural values of the religions; Should encourage dignitaries, followers, religious organizations to live a good secular and religious life to contribute actively to the cause of national construction and defense"⁶. At the same time, the recognized religious organizations should practice in accordance with their charter, regulations, and the provisions of the law. Besides, it should actively prevent and resolutely fight with acts of taking advantage of beliefs and religion to fascinate, divide and undermine the great national unity bloc⁷. Meanwhile, the Document of the 12th Congress not only requires the promotion of *religious values*, but also raised the requirement to "... Promote the culture of ethnic minorities, *religious culture*,..."⁸.

It can be seen that the above contents of the Document of the 12th Congress are the inheritance and development of the Document of the 11th Congress, as well as the previous Documents. While the Document of the 11th Congress emphasizes "respect", the Document of the 12th Congress focuses on "promotion". In my opinion, "promoting religious values" is an important thought, a "highlight" in the CPV's view of religion in the 12th Congress. It can be said that the idea of upholding the moral and cultural values of religions is expressed fully and clearly in the Document of the 12th Congress. Those ideas come from the fact that religions have been actively contributing to the activities of education, health care, charity, and relief, etc. The effectiveness of

these activities has been recognized by society. They have contributed sharing with the State in ensuring social security, helping the poor, the disabled, the ethnic minorities, the vulnerable, etc. for reducing the difficulties in life. On the other hand, the reality is that in areas where there is a large number of believers, the situation of social order and safety is guaranteed well, less social evils, and people comply with laws and policies of the Party and State. The reality also sets a requirement of a full and proper cognition of religious values. This cognition must highlight the moral and cultural values and the effectiveness of religious activities in education, healthcare, and charity.

Pressing to promoting the religious values shows all-sided views of religion and the role of religion by the CPV. Those views make a strong change in cognition because there is part of official or member of the Party, even those working for religious affairs that keep un-proper, one-sided, and negative attitude when speaking about religion and the religious role. The viewpoint of promoting the religious values also demonstrates that the CPV accepts the good values of religions as a social value system and those values enrich the social value system in general.

The view of promoting the religious culture and the moral and cultural values of religions recorded in the Document of the 12th Congress raises requirements for clarification, for example, what are the moral and cultural values, and the other value of religions, how to uphold the religious values, and how to change the religious values into social resources serving the cause of constructing and developing the country. In my opinion, it is necessary to research the positive role of religions in social life.

3. Viewpoints on the completion of policies and laws on religion

The completion of the policies and laws of religion was not a new point until the 12th Congress but mentioned at the previous Congresses. However, the 12th Congress stressed this point. The Document stated clearly: “Should continue completing the policies and laws of beliefs, religion...; Should show excessive interest in the

recognized religious organizations' practice in accordance with their charter, regulation, and the law so that they can take an active part in the cause of national defense and construction"⁹.

Up to now, the highest legal document in the field of religion is the Ordinance on Belief and Religion issued by the Standing Committee of the National Assembly of the Socialist Republic of Vietnam in 2004. Over 12 years of implementation, many points in the Ordinance are no longer suitable and unreasonable because of causing difficulties for the state management of religious activities.

The policies of the freedom right of beliefs and religion have not been fully expressed, so they did not bring into play the positive elements in the religion. Some new issues arising in the real life have not been regulated by the Ordinance, such as the ordination, appointment, election, and foreigners practicing at religious facilities in Vietnam¹⁰. That calls for a draft of the Law on Beliefs and Religion. At present, the Law on Beliefs and Religion is being built and expected to be submitted to the National Assembly in October 2016.

It can be seen that the view of "continuing to complete the policies and laws on beliefs and religion" proposed in the Document of the 12th Congress is the institutionalization of the CPV's guidelines and policies on beliefs and religion more and more adequate. On the other hand, this requirement also aims to synchronize with the State's policy and law system and in accordance with international law. Article 24 of the 2013 Constitution (Amended) providing the freedom right of beliefs and religion has made important changes to the content of this right. Article 14 of the 2013 Constitution also provides the principle of restricting human rights in necessary cases for reasons of national defense and security, social order, social morality, and public health¹¹, etc. In addition to the Constitution, other laws and regulations also were amended; Therefore, it can not help supplementing, amending and completing policies and laws in the field of religion.

The view of the CPV on the completion of the law on beliefs and religion indicated that many legal gaps in Vietnam and the social relationship in the religious life are not still be adjusted, for example, the issues of the legal status of religious organizations and the

ownership of land and property. In Vietnam's Civil Code there are no regulations on the dignities' property ownership. A nun's relatives v. Thien Chanh pagoda's Representative Board in Ho Chi Minh City in 2011 was an example for the need of the religious legal finish.

Conclusion

Through the contents of religion presented in the Document of the 12th Congress, it can be seen that the view of respecting and guaranteeing the freedom right of beliefs and religion is still the unchanged viewpoint of the CPV. In addition, we suppose that the view of promoting the moral and cultural values of religion is a "highlight" of the CPV's views on beliefs and religion. This is a correct and suitable view of the situation and trend of building and developing the country when the CPV lay down as a policy the promotion all resources for the development of the country.

The Document of the 12th Congress also emphasized the improvement of religious policies and laws as a major requirement and direction for religious affairs in the coming time. Continuing to complete policies and laws on beliefs and religion not only overcome the legal gaps, limitations, and inadequacies of the existing legal system, but also contribute to institutionalizing the CPV's views and cognition on religion that reflected in the Constitution and other legal documents more adequately. Besides, the completion of religious law also aims to synchronize with other Codes, laws and legal documents, which avoid overlapping, even conflicting among laws, and orient to comply with the international law.

Another viewpoint in the Document of the 12th Congress often referred to in most of the documents of the CPV and the State is the view against the abuse of religion or beliefs. Taking advantage of beliefs and religions to undermine stability, social solidarity, and to violate the fine customs and traditions, good cultural traditions, or for personal interests is strictly prohibited and severely punished according to the provisions of law.

New points in the CPV's awareness and views on religion are reflected in a statement that the State management of religion and beliefs are sometimes limited. It is the first time that CPV's Document

has referred to the limitations of State administration of religion and beliefs. The Document of the 12th Congress also mentioned for the first time that the number of religious believers admitted to the Party increased compared to previous periods. This shows the policy of respecting and guaranteeing the freedom right of beliefs and religion by the CPV and the State.

The basic contents mentioned above should be fully reflected in a Law on Beliefs and Religion proposed to the Standing Committee of the National Assembly in October 2016.

I think that these views raise some theoretical and practical issues as follows:

Firstly, respecting and guarantee the freedom right of beliefs and religion is a matter of theoretical and practical. The respect and guarantee of this right depend very much on the awareness of the content and the scope of the right, of one come in for the right, and of the means of the implementation of rights in reality, etc.

Secondly, the view of continuing to complete the religious policies and laws is not only aimed at better institutionalizing the CPV's policies on religion and beliefs and guaranteeing the freedom right to beliefs and religion but also an alignment itself with international law. This is not only a matter of theory and practice in terms of the legal amendment, but also of many different aspects of social life that relate to the relationship between the State and the religious organizations, between religious organizations and social organizations, and between religious activities and social activities.

Thirdly, the viewpoint of upholding religious culture and religious values poses a need for theoretical research. It is necessary to continue to study and clarify religious values, religious culture, the active role of religion, the ways and mechanisms to promote religious values. It also is necessary to see and learn about how to exploit the positive elements and the contribution of religion to social development and to avoid the extreme and one-sided awareness, especially the view of all-sided negating for the religion. /.

NOTE:

- 1 *The 2013 Constitution of the Socialist Republic of Vietnam*, Labour Publisher, Hanoi, 2014: 20.
- 2 The Communist Party of Vietnam (2011), *The Document of the 11th National Congress*, National Politics Publisher, Hanoi: 81.
- 3 The Communist Party of Vietnam (2016), *The Document of the 12th National Congress*, the CPV's Centre Office Secretariat: 240.
- 4 The Communist Party of Vietnam (2016), *The Document of the 12th National Congress*, *ibid*: 304.
- 5 The Communist Party of Vietnam (2016), *The Document of the 12th National Congress*, *ibid*: 188.
- 6 The Communist Party of Vietnam (2011), *The Document of the 11th National Congress*, National Politics Publisher, Hanoi: 51.
- 7 The Communist Party of Vietnam (2011), *The Document of the 11th National Congress*, *ibid*: 245.
- 8 The Communist Party of Vietnam (2016), *The Document of the 12th National Congress*, National Politics Publisher, Hanoi: 29.
- 9 The Communist Party of Vietnam (2016), *The Document of the 12th National Congress*, *ibid*: 165.
- 10 Trần Quốc Huy (2016), "Suggestions for the Completion of the Drafting Law on Beliefs and Religion", *Religious Studies Review*, №. 1: 118.
- 11 *The Socialist Republic of Vietnam's Constitution*, Labour Publisher, Hanoi, 2014.

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4. Constitution of the Socialist Republic of Vietnam, Publishing House. Labor, Hanoi, 2014.
5. Tran Quoc Huy (2016), "Suggestions to complete the draft of Law on Religion and Religion", *Religious Studies Review*, No. 1.