

Building a Secular State Model in the Diversified Religious Environment: the Invariable and the Variable - The Case of Vietnam

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ABSTRACT: The paper deals with the adaptation and building of the secular state model in the case of Vietnam from the middle of the 20th century until recently both in theory and in practice. The author believes that the most important issue in the choice of the secular state model is how to find out a suitable model for recognition of religious organizations. Basing on the foremost principal of separation between church and the state, between religion and politics, Vietnam has had creative solutions for the building of a truly non-religious, atheist and Marxist state. There are, however, variable and invariable that Vietnam should always keep in mind as perfecting this model in the context of the diversified religious environment.

1. Introduction

In legal language as well as in the social life, the expression of the *secular state* hasn't been popular. Even on the mass media it is the same. However, in fact, in dealing with the relationship between the State and religious organizations as well as building a jurisdictional state in aspect of religion, the way of building a *secular state model* conforming to Vietnam has also been started since the middle of the 20th century. Collating with the reality of many Southeast Asian countries, we also find like that. The author of this paper clearly conceives that building the Secular State model in European – American countries has got a process of hundred years now, and is assessed as one of the achievements of philosophical thought, for the social and legal process in performing the process of *modernity*. The meaning of this fact is very important when we collate the building of a secularized institution in relation with the “*modernity*”. In the viewpoint of the circle of European – American researchers, initially secularization was just the transfer of property from the Church to the State, that means transfer to the hand of the secular

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power, gradually the concept of *secularization* is used for describing the autonomy in operations, in the forms of thought in comparison with the traditional culture based on values of Christianity.

Based on that secularization is relevant to effective liberation of the relationship between man and the world without restraint by religious traditions. Bringing about that is the establishment of the legal relationship in the State that is completely neutral in aspect of religion, at the same time it results in forming a civil society where the citizens enjoy the legal right and are relatively liberated in forming their religious life in comparison with doctrines, religious rules the Church has institutionalized. The above basic meanings of secularization may allow describing distinctive feature of the *modernity* of the outlook of the 21st century that has just started.¹

On the other hand, in the recent years European – American scholars also have got “reviews” of secular state models; it seems that French scholars have got distinct achievements and significant influence on many other countries.

Building secular State models in the recent decades increasingly becomes abundant, lively when the religious life of the world is in face of the tendency towards *religious pluralism*. This objective reality has created not small pressure in supplementing, improving secular State models conforming to each country, each region in the world.

However, we think that it is still possible to affirm that during the process of building this long standing secular State models, there are common points, *invariable principles*, and generally there are different points also, sometimes very different between different secular State models, and we can call this *the variable* during the process of building specific secular state models.

In this general thinking, through this paper, I want to survey a concrete case that is the building of a secular state model in Vietnam from the middle of the 20th century until recently. This small study is a case study. And like all “case studies”, it always orientates to our general methodological thinking that is unification in diversity and diversity in unification.

2. How is the Process of the Building of a “Secular State model” in Vietnam Taking place?

I once discussed the issue which related to the building of a secular state model in Vietnam in my paper *The issue of recognition of religious organizations, approach and comparison: the case of Vietnam*². In the paper, I had mentioned a basic aspect of building a secular state model that was how to recognize a religious organization. In this paper, I want to begin with theoretical foundations for the formation of secular state model. Firstly, it is the experience of European and American countries.

Theory of the choice

It can be said that the resolution for the relationship between the state and churches had been questioned in bourgeois revolutions in Europe and America and it had been considered an expression of democratic bourgeois thoughts of these revolutions. However, the search for a model of “secular state” and especially the insitutionalization of law on religion is a long process, at least over last century.

Generally speaking, after 100 years of building “secular state”, for instance, in Europe, four possible models have been summarized as follow:

- Firstly, the model of *ethno-religion*. This the the model in which the secular state still relies on a state religion (a mainstream religion which is considered “national religion). This is the case of nations which the state religion can represent for the nationalities, some times acts as an ideological tool in cultural, religious and racial conflicts. That are cases of many nations in North Europe (with Protestantism, Western Europe (with Catholicism) and Greek or Russia (with Orthodox).

- Secondly, the model of *civil religion*. This model can be found in nations where religious freedom is ensured legally. Here, each individual’s profession to religion is suitable with his or her civil position and the right to religious freedom. That are the cases of the U.S, France, Germany and some Catholic nations in West Europe, nations with visible Protestantism or Church of England, etc.

- Thirdly, model which gives favorable conditions for the *religious pluralism*. This model can be found in nations where secular institution goes hand in hand with the identification of “recognized religions”

- Fourly, the model of a *laic state*. Here, the state is absolutely secular. The state recognizes no religions. All religions are equal and respect the principal of secularism before the state³.

Based on those “possible models”, religious laws in Europe in recent decades have come to the definition of specific models for recognition of religious organizations. The most typical work is the research by F. Messner. In his opinion,

there are three categories of recognition of religious organization of secular states in Europe. First, the recognition according to concordat is applied in nations where there exist a mainstream religion; Second, the state selectively recognizes certain religions, and at the same time respects other religions (for religious pluralism); Third, the model of laic secular state⁴.

In Vietnam, there has not been any academic debate regarding law language of building the model of secular state. However, in reality of building the socialist state with rule of law from after 1954 in the Northern region, there existed accidentally the choice of a secular state. In above 4 models, from religious perspective as well as from the relationship between the state and churches in history and the present, the first, second or fourth models are all not suitable with Vietnam. Only the third model which gives favourable conditions for religious pluralism is appropriate for Vietnam. The next part will clarify this comment.

The Time for the Introduction of the “Secular state” in Vietnam

I still think that although the Socialist Republic of Vietnam come into being after the victory of the *August Revolution* (in 9-1945), and during the war of resistance against French colonialists (1946-1954), Vietnamese Government issued first Decrees on the liberty to embrace any religions and beliefs of the citizen, equality between religions, etc. However, during this period, the matter of “secular state” had been able to set up.

I want to emphasize more: “It can be said that with the *Decree No. 234-SL*, dated 14/6/1955 issued by President Hồ Chí Minh, signed in Hanoi, on behalf of the Government of the Democratic Republic of Vietnam, that actually set up the foundation for building a secular state model in Vietnam”⁵.

It should be further said that generally the situation of religious in the North of Vietnam at that time was that: besides the two main religious with crowded followers that were Buddhism and Catholicism, there were also the presence of the community of Protestantism, Caodai Sect and a small group of Islamic followers. The special of the *Decree No. 234-SL* and some following Documents issued by the Prime Minister Phạm Văn Đồng, Deputy Prime Minister Phan Kế Toại was clearly expressing *the selection of Secular state model* by President Hồ Chí Minh and the Government of the Democratic Republic of Vietnam. Due to the thorough understanding of situation and characteristics of religious life in the North of Vietnam, the Decree 234 SL had got the right orientation by intuition: The selection of the third model which gives favorable conditions for religious pluralism. This model was then step by step

concretized according to this method: the state recognized religions selectively while respected other religions.

Apparently, this is a long process. We also know that in many European nations, the shift from possible models to practical models took place in this continent for the whole 20th century. When the Decree was issued, there must have been some orientation for the said-above secular state in the North. We, however, can still affirm its appropriateness with the practical conditions of the religious life as well as the situation of politics, culture and society of Vietnam. Some achievements in building the model of secular state of European countries at that time had been clearly reflected in this Decree.

Clearly, the first duty of the formation of the secular state model is the recognition of religious organizations. This duty lasted from the introduction of the Decree 234 SL until recent years.

We learn that Europe's experience in lawful recognition of religious organizations follow these three methods: first, recognition by constitution of autonomy; second, recognition according to international concordats; and third, recognition by registration. The recognition of religious organizations or recognition of their juridical religious person is the most important point for the building of a secular state. In Europe, each nation often choose one of above-said three methods. On the whole, through the reality of religious life in Vietnam from 1955, especially after reunifying the motherland in 1975 until now, it can be seen that *the road of registration* of religious organizations with Vietnam is suitable most for building the secular state model mentioned above.

However, in this paper, I need to supplement opinions conforming to the historical reality: during the first years after issuing the Decree 234-SL, in recognizing religious organizations in the North of Vietnam at that time, for some religious, their recognition has been associated between the mode of recognizing based on covenant regime "for instance, with the Catholic Church of Vietnam (the North) at that time, was also associated with "the road of registration". In 1957, in this setting the Government of the Democratic Republic of Vietnam recognized status of juridical person for the Protestant Church of Vietnam (the northern region). In 1958, Deputy Prime Minister Phan Kế Toại also signed the

document to recognize the United Buddhist Society of Vietnam, and later in 1981, the Government of the Socialist Republic of Vietnam issued document recognizing the Buddhist Sangha of Vietnam, represented for the Buddhist community of Vietnam at home and abroad.

Due to special conditions of Vietnamese history for a long time, recognizing status of juridical person for religious organizations has been carried out relatively slowly and non-uniformly for each major religion due to objective reason. Before 2004, that means prior to publishing the *Ordinance on Beliefs and Religion*, only 16 religious organizations have been recognized their status of juridical person, they mainly belong to 6 main religious, including: Vietnam Buddhist Sangha, Bishop Council represented for the Vietnam Catholic Church, the Protestant Church of Vietnam (northern region), the Protestant Church of Vietnam (Southern region), 10 Cao Đài branches, Hòa Hảo Buddhism, Representative Committee of the Islamic Community in Hồ Chí Minh City.

There are three characteristics of the process of recognition of juridical person for religious organizations in Vietnam at that time.

Firstly, Vietnam generally applied the way of “whole packet” recognition. It means that the State recognized the most typical group of each Church or denomination. For example, with the Vietnam Catholic Church, it was the recognition of Vietnam Council of bishops in 1980; for Buddhism, it was the recognition of Vietnam Buddhist Sangha in 1981. This recognition may not include all juridical attitude for so many groups which belong to those great religions such as orders, schools, associations, denominations, Buddhist families, etc.

Secondly, the period of time for recognition of religious organizations of the same motherly religion is sometime taking too long. For example, we need to consider the case of two Protestant organizations which all come from the Vietnam Protestant Church. This characteristic is mostly created by historical situation.

Thirdly, during the process of recognition of juridical person for religious organizations, there often appeared a combination of two juridical concepts: Juridical person and Physical person. For many religions in Vietnam, although they have not gained their juridical person, they still use their physical person for normal religious activities.

The perfection of the model of a secular state in Vietnam is taking place proactively in the renovation in religious policies from 1990 until the present. Although the model which gives favourable conditions for religious pluralism is

chosen, in reality, before 2005, the task of recognition of juridical person only “limited” within 6 main religions. In fact, with these 6 religions, Vietnam has not completed all legal perspectives such as the case of Protestantism with various denominations. Before 2005, tens of Protestant denominations mostly existed with physical person, except for the CMA. In order to pay the “legal debt” or, in other words, to perfect the secular state model as said above, the State must “respect” other religions.

The issuance of Directive No. 1 by the Government in early 2005 made a turning point in the process of perfecting the secular state model. The State can not only show its legal attitude via “packet solution” by step by step approving and then recognizing juridical person for all denominations of Protestantism (when they meet all legal requirements) but also indirectly suggest the recognition for a series of other religions. These are religions of “mini groups” or which are considered to be “marginal” in European or American legal discourses.

Until the present, a series of other religious groups have been recognized according to the said–above method under the direction of the Directive No. 1 (4/2/2005). They are denominations of Protestant family and religious groups mainly in the Southern region such as: Vietnam Christian Missionary, Church of Cơ Đốc Phục Lâm, Vietnam General Association of Baptism (Ân điển Nam Phương), Vietnam Buddhist Association of Pure Land, Tứ Ân Hiếu Nghĩa, Bahai’i. The list can be longer with “special” titles of religious sects such as Tin Lành Ngũ Tuần (Pentecostal), Chứng nhân Giê Hô-va (Jehovah Witnesses), etc.

3. The Invariable of the Secular state Model

Generally, building the secular state model at anywhere turns around three bases: the “separation” between the political power of the state and the religion; the respect for freedom of thought and religion, and the equality between different religions in legal aspect and social life.

Speaking in details, in the building of a secular state model, the relationship between the state and the church mainly depends on three fields; first, the recognition of juridical person for religious groups; second, the use of religious properties for religious and social purposes; and third, the appearance of religious orders within the State power system.

The *invariable* of the secular state model mostly turns around those 3 fields. Herunder, I would like to propose some comments on the *invariable* in Vietnam.

Common Provisions regarding Freedom to Religion and Belief

The Decree 234 SL has especially shown the general provisions in Chapter 1: Ensuring the right to freedom of belief.

“Article 1:

- The Government ensures the right to freedom of belief and worship of its people. No one shall infringe that right. Every Vietnamese has the freedom to follow or not follow a religion”.

Afterwards, the concept of religious freedom was institutioned into a series of legal documents after the Consitution from Resolutions to Ordinance regarding religion. That was the right to freedom of religion and belief in 3 perspectives: following a religion (profess a faith), practising a faith and freely expressing a faith. In recent legal documents, the issues of religious conversion or religious changes have been considered.

Although the Decree has not been perfected, it includes provisions which reflect the principal relationship between the state and religious groups as in the Aricle 13:

“- The Government shall not interfere into religions’ internal affairs.

Regarding Catholicism, the religious relation between the Vietnam Catholic Church and the Vatican is the Catholicism’s internal affair” (Chapter IV: Relationship between the people government and religions).

Provisions of Separation between Politics and Religion

With many countries, for a long time, provisions of Separation between Politics and Religion this is a difficult, complex and long standing affair.

France and the United States are typical examples for this process. Although the characteristics of non-religious and secular of a state had been affirmed right at the birth of the nation, in *Declaration of Independence* (1776), still we can read: “... that all men are created equal, that they are endowed by their Creator with certain unalienable Rights.” Thus, the political insitution of the United States still relies on spiritual and cultural values of Christianity. This also takes place in Vietnam’s neighbour nations. The Philipines makes a good example. It is said that the country chooses a quasi-secular state model. Its consitutions in 1935, 1973 showed the similar expressions to the United States’ *Declaration of Independence*, such as: “divine providence” or “the Almighty God”⁶.

In the case of France, the characteristics of non-religious and secular were presented more strictly. In the *Declaration of Managing and Civil rights* in 1786, the human rights are not originated from the God! The reason of this difference, is because the U.S. inherently has many religious sects, therefore, when speaking that the human rights are endowed by God that also means the God never *suppliers power* to any separate Congregation. On the contrary, in France, 1789, after the rejection of Nantes Resolution that forbade Protestantism, Catholic Church had monopolistic position in religion. If the God was recognized being the author of the human rights, the Catholic Church was recognized having the right to demonstrate these rights, and through this ruling the civil morality, democratic spirit of the laws⁷. Afterwards, the French Constitution in 1953 affirmed clearly: “The State of France is a laic Republic”.

Separation of religion and politics in France was a long process, reflected social, class and religious struggles. According to opinion of J.P. Willaime, this process “is deeply stamped with French history and peculiarities”:

- *First*, from the French Revolution throughout the 19th and 20th centuries, the conflict between the Church and the State was always existing, creating profound, drawn-out division.

- *Second*, this separation is profound thoughtful with philosophic, political concept criticizing religion (freedom thought, rationalism, Marxism and Freemasonry⁸).

- *Third*, “the privatization of religion” happening in France was stronger than many European countries, that made people hesitating to speak about their own religion⁹.

Speaking about these things so that we can further affirm the important meaning of the *Separation Law* (1905) of France, for which the world expressed its concern, recognized its great contribution in the occasion of the 100th anniversary of the birth as well as the important milestone of building the secular State model.

Naturally, for societies in the East Asia and Southeast Asia, they have many different features. However, it is sure that, “*the invariable*” of the separation still manifests, although with different colors, degrees.

Professor M. Santamaria at the National University of Philippines didn’t hesitate to call the Secular State model in his country “the Quasi – Secular State”. On the basis of researching the description of the relationship between the State and

religious organizations in the Constitution of 1935, 1973, especially the Constitution of 1986, on the one hand he affirms that the Constitution of his country still affirms the separation between the Church and the State, the prohibition of “establishing religion” by the State, as well as the affirmation of liberty to worship or “practicing” religion, on the other hand, he doesn’t also hesitate to criticize the “affection” for religion of this “Catholic Republic”.

The author finely judges *the ambiguity* of the Secular State model in Philippines: “If secularism is to be seen in absolute terms, that is, a state is either secular or not, then this clause clearly makes the Philippine not secular. If secularism is to be seen in relative terms, then the Philippines may be located in a position closer to the polar opposite of non-secularism”¹⁰.

In Vietnam, the matter is quite different.

As a country both belongs to the Southeast Asian region and belongs to the Northeast Asian region, it is deeply influenced by the square script Civilization of China, Vietnamese feudal states were always *standing above* religions and rather strange to the concept of having a *State religion* to serve as a support. On the other hand, the feudal states in Vietnam have the habit of *sponsoring* religions: supplying money for repairing, building pagodas, temples, even subsidizing “wages” to clergymen, especially those of Buddhism.

Therefore, the “separation” between religion and politics in Vietnam, in modern time (from 1945) recently is rather “easy”.

The describing way of the Laws of Vietnam at this point is that the State always proactively affirms its *sponsorship* even “help” on the basis of the laws, for all religions activities, especially attaches importance to the equality between different religions and the unity of nation – religion.

Article 15 of the Ordinance 234-SL of 1955 mentioned above:

“Freedom of belief, freedom of worship is the people’s right. The Democratic Republic Administration always respects this right and helps the people to perform.”

Ordinance on Beliefs, Religion in 2004 of Vietnam has expressed more fully about the liberty to embrace religion, belief (distinguishing two communities “Citizens following belief, religion” and “citizens don’t follow any religions”); emphasized the all religions are equal before the laws; at the same time has got special clauses: “dignitaries, clergymen shall be responsible for regularly educating

the followers in patriotism, performing their civil rights, obligations and consciousness of observing the Laws” (Article 2).

Provisions Ensure Harmony of Social space, Spiritual life, Freedom of thought and Religion

Political institution, ideology in Vietnam also have many points different from the friendly countries in the South-east Asian region, as for the harmony in the religious spiritual life of national size, Vietnam today inherits a precious heritage of the national tradition that is the tradition of Three Religions (Buddhism, Taoism, Confucianism).

In executing the liberty to embrace religion, the separation of the Church from the State is a viewpoint that should be respected in all secular societies and the concern for peace, equity, freedom and the living quality also. If I don't mistake what I remember, it's sure that Sir William Penn, the creator of the theory of separating the Church from the State from the late 17th century, early 18th century had said that: basically because religion is an individual matter of man, so the government should have behavior to support all religions rather than support only one religion!

It can be said that in all documents related to religion law in Vietnam from 1945 until now, when dealing with general provisions, all are based on two principles: nation – religion unity and the equality between religions before the law strictly in accordance with the political experiences that President Hồ Chí Minh had instructed.

In fact, there were special cases in the past we have occasion to analyze. For instance, in case Vietnam under colonial time of French colonialism, there were documents expressing biased affection of the administration towards Catholicism, constraints on Protestantism, Buddhism and some other religions. Of course, we don't consider that there was the identity between the colonial administration and the Catholic Church in Vietnam. Moreover, we also realize that the *Secular Republic* – France - most strictly implement principles of the *Separation Law* (1905). Some French Governors of Indo-China such as De Lanessance who was a member of *Freemasonry*, also advocated a policy on building a colonial power machine by means of *secular colonization*...

Especially in the South of Vietnam for 21 years of division (1954-1975), Sài Gòn administration in spite of the First Republic or the Second Republic, all are based on the ideological foundation of Catholic society and has ambition of “Catholicization”

of the South, Anti-communist policy was closely associated with suppressing, conquering other religious.

However, in the *Constitution of Vietnam* (1960) under Ngô Đình Diệm time, the *Introduction* of this Constitution might only be written as follows:

“Believing the everlasting life of Vietnamese Civilization, based on spiritualistic foundation that the whole people are responsible for promoting it.

Believing the transcendent value of man of which free, harmonic and full development in personal position or in collective life must be the purpose of all national activities.”

In direct provision on religion, this Constitution might only expressed: “All the people have rights to freedom of religion, freedom of practicing religion and preaching religion provided that the use of this right is not contrary to morals and fine customs.” (Article 17)¹¹

Another important aspect: essentially the present Secular State in Vietnam is naturally based on an atheistic Marxist State. However, in our opinion, this non-religious Marxist attitude of the State turns out to be a condition for the State having an objective attitude equal with all religious, even in the condition of the strong tendency towards religious pluralism at present. Naturally this advantage must include objective favorable conditions that presently in Vietnam “the tendency that *religion goes together with the nationality*” still dominates, the role of nationalism still has significant position in the society, and on the other hand, in aspect of theology, extreme religious tendencies haven’t been found appearing such as *Fundamentalism, Conservatism*¹².

Many values of the invariables in the building of and perfecting the secular state model in Vietnam at the present, and in the context of national renovation, are vividly represented. Law on religion in Vietnam is heading to the pace of the building of the state with rule of law. Accordingly, in a near future, when a civil society is formed, a civil will for sure come into existence in Vietnam. At that time, the secular state model will be perfected in new perspectives.

4. The Variables in the Secular state Model in Vietnam

How much “Neutral” is the State?

In general, secular states must hold the objective and neutral attitude towards all religions, and at the same time create favorable conditions for them to integrate into, and contribute for, society. This can be found in the tradition of the relationship between the state and the church in Vietnam from 1945 until present. Of course, this attitude is far different from the tendency to interfere into internal affairs of religions.

In building the secular state model, another variable in Vietnam is that the State and also the community of non-religious people do not often have a “neutral” attitude towards religions as in the tradition of a laic secular institution.

In specific cases, the state not only protects juridical religious persons but also creates favorable conditions of spirituality, material, legal bases for religious organizations in construction or maintenance of worshipping establishments, education and training for dignitaries, and for other religious activities.

In Vietnam, religious economic activity, especially the taxation for religions are new issues. However, right in the Decree No. 234-SL in 1955, a regulation had been written:

“- Organizations of Religions with socio-economic and cultural characteristics shall be allowed to operate after asking for the authority’s permission and their programs and chapters are approved.

Those organizations are considered private organizations and protected by the law” (Article No. 8).

Especially, there had been articles regarding land and tax related to churches: “In order to ensure the worship of the people and help clergy, for the land on which a church, pagoda, or temple is allowed to use after land reform, the Government shall give priority and allow to pay tax at lower level” (Article No. 12).

Can the Church and Clergymen Operate Patriotic Politics?

In the Catholic community of Vietnam, a patriotic organization of Vietnamese Catholic people named *Vietnam Catholic Unity Committee* appeared for more than 50 year ago. More than half a century has past for this catholic people’s organization, in striving to plunge headlong into a dangerous place, to go together with the nation through the revolution stages, from the democratic national revolution to the drive of building the socialism at present. The role, the position of “*Bridge*”, “*Connecting line*”... of this organization between the Catholic community in Vietnam Catholic Church and the State and the Society could be further analyzed.

However, recently, this paper writer still reads the following lines in the study of Claude Prudhomme and J.F.Zor. These two authors judge that: *The establishment of the Catholic Unity Committee in Hanoi could be considered as a new stage of the Government's Control policy and aims at incorporating Catholicism into Vietnam Fatherland Front.*¹³

Therefore, it is obvious that still existing a point of view unlike which of broad sections of Vietnamese people with religion or without religion. Moreover, the matter here is there is difference between the requirement of Canon laws and the viewpoint of the Vatican regarding "Clergymen, dignitaries are not allowed to interfere in secular political activities" and the concept of expressing patriotism in political, social activities of broad sections of the believers and dignitaries taking part in this Committee by virtue of a citizen and at the same time a Catholic believer.

According to the laws on religion and the Civil law, religious dignitaries also have the right to take part in administration of the State and society, have the right to stand for the National Assembly and run for the People's Council like all other citizens. Presently, there are 7 members of the National Assembly of Vietnam and 1.717 members of the People's Council at various levels that are religious dignitaries, representing for most of major religions in Vietnam.

There could be different point of view before this reality of the secular state model in Vietnam within the matter of separating religious and political power. Many scholars in Southeast Asian countries also speak about such dilemma.

Only in Vietnam, a traditional concept has been formed that political power of the State never hinders and conflicts with activities expressing social activeness, social agreement, even specific political activity with "patriotic political" character of religions that are merged into large mass-organizations, especially Vietnam Fatherland Front.

5. Conclusion

I want to propose early comments on characteristics of the secular state model in Vietnam as follow:

a. The secular state in Vietnam can be said to be a truly non – religious, atheist and Marxist state. This state actually relies on no religion. Moreover, it treats all religions equally with an objective attitude on the principals of protecting national unity, maintaining religious harmony, paying much attention to consensus between religions

and the nation, between religions and the socialism. In the relationship with churches, the State often holds the position of a protector of law or the authority who gives favorable conditions for religions, for religious believers to execute their rights and obligations of citizenship and of religious people.

Although the state of Vietnam implements the popular principal of separation of the power of the state and the power of religious organizations it does not hold the “neutral” attitude in the way of laic neutral institution.

It should be also added that the secular state of Vietnam does not impose the atheistic ideology on the whole society as well as in the relations with religious thoughts. In contrast, it is the proper Marxist thought of atheism creates an objective standpoint for the State to execute its role of unifying and harmonizing religions’ interests and nation benefit.

b. The most important issue in the selection of the secular state model is how to find out a suitable model for recognition of religious organizations. At initial steps, thanked to Hồ Chí Minh’s vision, the State of Vietnam had chosen the most suitable model. The legal reality of Vietnam, in last decades and especially in recent years, has proved the rightness of this model. From the fact that the recognition only focussed on religious organizations belong to 6 main religions, at the present, more religious organizations have been recognized. This helps to meet the objective needs of the changes in spiritual, religious life, and especially the trend of religious diversification in the current context of globalization of religion.

c. The State of Vietnam’s creative resolutions via laws in executing three big principals or three pillars of the theory on the secular state which is the big achievement of the human beings in last 200 years in dealing with the relationship between the state and the church have been agreed and supported by the society and also by religious communities. The State has always managed to create favorable conditions for people as well as religious dignitaries to proactively participate in patriotic political activities. Excellent representatives from religions are permitted to participate in elective organs, in Vietnam Fatherland Front like active members of every social class. All resolutions have been based on the rule of national unity, religious harmony and the high social consensus.

Are those above characteristics of the secular state model have contributed significantly for the Party and State's solutions for the religious issue in the past and at the present?

Reference:

1. Regarding the topic of "secularization" and "modernity", see J. P. Wilaime, *Modernity et Religions*, Paris, 2006. Or works by Martin E. Marty and R. Scott Appleby.
2. See Đỗ Quang Hưng, *The Issue of Recognition of Religious Organizations – A Comparative Approach*, Vietnam Social Sciences, No. 50, May, 2007.
3. See J. Bauberot, *Laïcité et sécularisation dans crise de la modernité en Europe*, La documentation Française, No. 273, October, 1995.
4. F. Messner generalized in 3 secular state models as follows: model (1): *concordat* which reserved for the countries with religion hold the majority position. Model (2) reserved for religious diversity, the state selectively recognizes some religions and at the same time respects other religions. Model (3), concentrated on the neutral secular institution, of which the state doesn't "recognize" any religions, all religions must implement "secular principle" before the state (see: B. Basdevant-Gaudemet et Francis Messner. *Les origines historiques du Statut des Confessions religieuses dans les pays de l'Union Européenne*. Paris, 1999). Especially the book: Francis Messner, P.H. Prélôt, J. M Woehrling, *Traité de droit français des religions*. Ed. Litec. Paris, 2003.
5. See Đỗ Quang Hưng, *The Issue of Recognition of Religious Organizations – A Comparative Approach*, Ibid.
6. Decree 234-SL dated 14/6/1955 issued by the President of the Democratic Republic of Vietnam on the religious issue, *Vietnam Gazette in 1955*.
7. See: M. Santamaria, Philippines National University: *The Quasi-Secular State: Examining the Problem of Religion in Philippine Law, Practice and Custom*. Paper at the International Conference: Religion and Rule of Law: Beginning the conversation, Hanoi, September 2006.
8. The Freemasonry: France Maçonnerie, a secret organization in France from the 18th Century until now, having the anti-catholic tendency.
9. See: J. P. Willaime. *Religion and politics in France during the process of building Europe*, paper at the International conference: *Diversity of France – Vietnam religious life*, Hanoi, September /2007.
10. See: M. Santamaria, *Ibid*.
11. See: *Constitution of the Republic of Vietnam in 1960*, see *Public Forum Almanach 1960-1961*, Public Forum publishing house, Saigon, 1961.
12. See: Đỗ Quang Hưng. *Religious Freedom and Religious Freedom in Vietnam*. Religious Studies Review, No. 5, 2007.

13. See papers by these two authors in the book *The World Catholicism history*, Volume 13, Paris, 2002, p. 666. Đỗ Quang Hưng. *Vietnam communist people with the line of “going together with the Nation”* and *Vietnam Catholic unity committee*, printed in the summary record of scientific conference *Half a century Vietnamese Catholics going together with the Nation*, Religious Publishing House, Hanoi, 2005.