

## RELIGIOUS EQUALITY - PROCESS AND CONCEPT

***Abstract:** When did religious equality or equality among religions appear according to a historical perspective as well as an academic concept? In my opinion, there has not been any valuable work about this topic in Vietnam. If there is not a specific definition or concept of religious equality, where is “this term” hidden? When did it appear? What political, economic, cultural, social and religious conditions lead to the emergence of the concept of religious equality? In particular, this article indicates process and concept of religious equality.*

***Keywords:** Religious equality; process; concept; Vietnam.*

### 1. Process of religious equality

Obviously, religious equality has appeared since human society created religion. In particular, there are at least two religions in a country, a territory. Because competition, inequality will arise when a country or territory has two religions. And then, there will be a discussion about equality. Thus, religious equality comes when there is religious inequality.

Inequality creates the premise for the appearance of religious equality in each country. This appearance has a difference in time, in content, point of views in each society of every country, every continent. In this article, I explain and compare the differences between the Western World and the Oriental World. For the West, I mainly focus on Christianity (Catholicism, Protestantism, Anglicanism, Orthodox) and choose the French Republic as a case

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study; For the East, I choose the Three religions (Buddhism, Confucianism, and Taoism) and the case of Vietnam. In addition, the United States with early religions (mainly Puritanism) with the convention on religion is also chosen to explain and to have a multi-dimensional view.

### ***1.1. France - Discernment of religious equality - was initiated***

In terms of religion, France is considered *the eldest daughter* of the Roman Catholic Church. Until the appearance of Protestantism in the sixteenth century in France, all residents of this country were Catholics. Christianity was born in the East of the Roman Empire - a typical empire of slavery. The founder of Christianity is Jesus. Due to the propaganda of freedom, equality, and love against the Roman Empire, Jesus was captured and executed by crucifixion. After Jesus' death, his disciples continued to spread his thoughts, and over time Christianity came. From the fourth century on, instead of being persecuted, Christianity became the state religion of the Roman Empire. Christianity quickly spread to all of the Roman Empire, including the land that later formed France.

In the Middle Ages, the power of the Roman Catholic Church was enormous in Western European countries, including France. The Church and secular society were intertwined, symbiotic. There was a prevailing concept at that time such as *Only one society with the Gospel as its basis*. A single body in society was *the Body of Christ* which governed by the role of Pope and emperor, bishops, kings, priests and lords. Although there is a saying in the bible "So give back to Caesar what is Caesar's, and to God what is God's" (Mt 22:21), however, "These two powers had the same object, even the ways were used differently. This power used arm strength and that power used the power of words. The monarch was considered a true minister of the Church, it can be seen through the coronation rites of emperors and kings."<sup>1</sup>

As a result of overwhelming secular society, having many privileges and benefits, the Catholic hierarchy headed by the Roman Pope was gradually away from reality, had a luxurious life. Some Roman Popes, therefore, committed serious crimes both in terms of faith and secular life. Over time, the Church's Court, the canon laws imposed by the Church become a hindrance to social development.

Facing this situation, in the heart of Western European countries' societies, the emergence of a new ideological movement against the Roman Pope in Germany, France, Italy, and later Britain. This movement called for a reconsideration of the Bible, which was seen as an unchanging foundation, as well as, the reform of the Christian institution which was already cumbersome and out of date. The initiator was Martin Luther (1483-1546), an Augustine cloisterer, professor of the Bible at Wittenberg. On October 31, 1517, Luther drafted ninety-five arguments to criticize the 'effectiveness of amnesty', which was considered as the redemption of some sins and could be sold (in order to rebuild St. Peter's temple in Rome). These ninety-five arguments quickly spread throughout Germany. In June 1520, the papal Bull of Exurge Domine demanded Luther withdraw the text. However, this cloisterer did not only withdraw it but he also showed toughness in his stance. Moreover, he stated that the Council was not infallible.

In 1521, in Zürich, Zwingli (1484-1531), a preacher and priest, refused the subsidy given by Rome. Two years later, the City Council held 'two theological debates' and ratified a full reform program linking the changes of social morality with theological renewal. In 1524, Mass, replaced by a Sunday rite, focused on preaching and the liturgy was maximally simplified.

Luther and Zwingli's thought led to conflicts in Germany.

In 1526, the first conference in Spire allowed the monarchs to freely choose the religion of their country. This decision was

revised at the second conference in Spire three years later. Five monarchs and representatives of fourteen free cities protested since the name 'Protestants' was given to reformists. In October 1529, the protesters had an agreement on theology during a seminar held in Marburg. Following the 1529 event, in 1536, the reform took on new vitality when the city of Geneva converted to Protestantism and Jean Calvin (1509-1564) came here to operate.

Despite many attempts, in 1555, the religious unity of the German Empire was officially broken. The victory of reform in Scandinavian and Anglican countries was established. The Peace of Augsburg (1555) was based on the coexistence of Catholicism and Protestantism in the Holy Roman Empire, on the basis of religious unity in each region.

This is considered as initiation of religious equality. Those two religions (Catholicism and Protestantism) coexisted. Residents/believers were free to travel in religious areas and to circulate goods. That means civil equality.

However, the Peace of Augsburg was broken in 1618, conflicts occurred and it began in Bohême. In 1620, the Protestants were seriously threatened, then the devotion of Swedish King Gustave - Adolphe and of the army to Luther reversed the situation. Although the war was pushed out of the religious realm, led to a struggle for European hegemony between the two families Habsbourg and Bourbon, the Peace of Westphalia (1648-1649) was signed, ended the Thirty Years' War. The spirit of *ejus regio - ejus religio* was affirmed but more flexible. The publicity of religious beliefs was recognized in 1624. Private morality was accepted and freedom of migration was reaffirmed.

Thus, at least until this time in Western Europe, besides the recognition of the coexistence of two religions (Catholicism and Protestantism), religious equality recognized religious beliefs of believers (the two religions), private ethical practices and to be free to migrate to other regions with religious difference.

The conference in Spire accepted the freedom of choice of religion for each country in Germany while from the year 1562, the religious wars that devoured France, the carnage in Saint-Barthe Lemuny (1572) in particular. In 1599, King Henri IV ended the war with the *Edict of Nantes 1598*. The edict tried to create 'coexistence' of Catholicism (religion of the majority, 'religion of the kingdom') and reformed religion (RPR- religion prétendue réformée). Accordingly, members of this religion were allowed to do all kinds of work, have relative freedom in the celebration of rites. In France, however, the Edict of Nantes was not carried out by some kings. Suffering from persecution, Protestants were frightened, many of them signed the conversion. King Louis XIV confirmed that the Edict of Nantes had no reason to exist and was replaced by the edict of Fontainebleau on October 17, 1685.

As a result, the pastors had to leave their regions, the churches were destroyed, the followers were forbidden to emigrate. Sacraments of Baptism, marriage, and anointing of Catholicism were compulsory. In this context, thousands of Protestants fled abroad. Believers who remained ostensibly accepted Catholicism but they still secretly performed the ritual in their family. They gathered into communities. In 1715, the first secret community was convened. This was also the time when many death sentences were announced, and prisons and prisons were full of protestants. In 1787, a new 'benevolent edict' admitted the presence of protestants in the kingdom but they were not allowed to freely perform religious ceremonies. Until the French Revolution, specifically in 1791, the right to religious freedom was proclaimed.

Thus, through the history of France, the right of religious equality added one aspect, that no persecution of small religious groups in a country where the majority of the population belongs to one religion (monarch religion - majority religion).

Entering the early modern, the modern period with the emergence of the bourgeoisie and the birth of capitalism, some Western countries, mainly Western Europe, and more specifically France, found the need of the *delimitation of politics, religion*.

In 1789, the French Revolution broke out and triumphed, followed by *the Declaration of Human Rights* in 1791. This is the starting point to create a new situation, the idea of democracy sprouted in next stages. The defeat of Napoléon, the restoration of the monarchy caused a persecution.

Napoléon looked down on the Roman Pope, considered Pius VII as a puppet. Meanwhile, the Italian state stripped the territory belonging to the Pope. Rome was placed in the position of a siege stronghold until 1929. In this year, the Pope and the State of Italy signed the Lateran treaty, recognized the Vatican City as an independent state under the sovereignty of the Holy See, under international law.<sup>2</sup>

The French revolution (1789) passed the Constitution, the human rights manifesto dated August 26, 1789 and decrees and laws. It gradually solved fundamental problems of religion as well as the civil field, created equality of religions which presented in this country among Catholics, Protestants, Jews. On December 9, 1905, France enacted Law on the Separation of the Churches and the State (*Loi de séparation des Églises et de l'État*), known as 'the Law of Separation -1905'. This law first separated 'the Church' from the State, laid the foundation for the secular state institution (*laïcité*), it was reflected in the 1956 Constitution.

Article 2, *the Law of Separation* (1905) stated "The Republic does not recognize, pay, or subsidize any religious sect". Patrice Rolland (University of Paris XII) in the article "The separation is a form of legal adjustment of religious pluralism"<sup>3</sup> gave the following comments:

*A new form of regulation of religious facts*, which is the legal adjustment,... allows each religion can access to a free statute without the consent of the government, the government can only rely on laws to prevent access to this statute.

*The Law of Separation (1905) and religious pluralism*. In the system of recognized religions, there was a form of religious pluralism. However, this religious pluralism was little importance because non-Catholic communities were in the minority and often dispersed. The 1905 law opened a greater potential for religious pluralism when it proclaimed freedom of consciousness and freedom for all religions.

*Neutrality of the State, pluralism, and adjustment on religious problems*. The State's neutrality towards religions does not mean that the State must abstractly treat all religions fairly, since religions are not in the same situation (historical, social, and demographic reasons). Non-discrimination requires all religions to have the same right of religious freedom but not necessarily according to the same statute. Each country's history has its own particularity. Therefore, the adjustment of religious pluralism itself can be different, it means non-neutrality, although this adjustment should not be discriminatory.

The Law of Separation (1905) and the comments of Patrice Rolland revealed dimensions of religious equality such as i) The State separates from the Church, is a neutral state, does not provide funding and financial resources for religion. The State recognizes and adjusts religion by law not by political adjustment. The State does not discriminate against religions; ii) Accept religious pluralism, religious pluralism is more open in the content of freedom of consciousness and freedom for all religions, equal treatment for all religions; iii) Religious equality must accompany the religious freedom of all people as well as of each religion; iv) Equal treatment does not mean implementing in an abstract way but it must take into account historical, social, and demographic factors of each religion.

### ***1.2. Process of religious equality from England to America***

The reform of Protestantism spread to England in the first half of the sixteenth century. According to Jean Baubérot, there are three main characteristics that marked the religious upheavals in England during the sixteenth century.

1) *The manner in which religious reform entered England.* Henry VIII's schism (1534) was caused by the Pope's refusal to cancel the marriage between Henry VIII and Catherine d'Aragon.

2) *The changes in religion in England in the late sixteenth century* took place during the reign of King Henry VIII's three sons.

3) *The creation of an Anglican Protestantism*, also commonly known as Anglicanism, could be defined as a Protestant Church within an ecclesial framework associated with Catholicism.<sup>4</sup>

The third characteristic shows that the reforms in England were not radical. Therefore, in the heart of England appeared a puritan movement. Puritans were those who sought 'purity' in theology and liturgy. This term was also used to refer to those who refused the religious reform of the Church of England, and those who advocated schism established under *the Elizabethan Religious Settlement*. This term refers to those who wished to remove from Anglicanism any doctrine and liturgy that does not derive from biblical teachings (Perry Miller (1956), *The American Puritans: Their Prose and Their Poetry*, New York: Doubleday & Company, Inc. [https://vi.wikipedia.org/wiki/Thanh\\_giáo#cite\\_note-1](https://vi.wikipedia.org/wiki/Thanh_giáo#cite_note-1)).

The issue of Protestantism and Catholicism became the cause of two revolutions in England. The Second Revolution brought a parliamentary system and some religious tolerance to Great Britain. *The Toleration Act* (5/1689) partially recognized freedom for separatists (the Presbyterians, Congregationalists, Baptists co-signed *Provisions of agreement* in 1691, this temporary agreement of theology brought long-term alliances to protect their interests).

Thus, the ‘margin’ of religious equality in England was supplemented with religious tolerance.

The Puritans fled to the Netherlands with the desire to maintain their faith. From the Netherlands, the British Puritans crossed the Atlantic Ocean on the Mayflower to reach America in 1620 when there was a process of forming the United States. Arriving in America, they settled in New England. Since 1630, the number of Puritans immigrated to America increasingly. Coming to the new land, they signed an agreement which was the premise for a democracy. And they created some characteristics of American society, including the content on religious equality.

At the end of the seventeenth century, religious issues in America had subsided, however, a ‘great awakening’ occurred in the middle of the eighteenth century. The movement advocated relativizing ecclesiastical differences and encourages racial mixing, thereby it created a Protestant identity, a constituent element of American identity.<sup>5</sup>

The presence of Puritanism, followed by a number of Protestant denominations to the United States, added the connotation of religious equality. It means that each religion had to accept other religions as well as the religious harmony along with the ethnic culture.

### ***1.3. Process of religious equality under the dimension of religions in Vietnam in history***

As a result of its geographical position, Vietnam received the religions of the world early. In the modern period, mainly in Cochichina of Vietnam, the emergence of some religions called ‘endogenous religion’ (to distinguish them from religions imported from abroad, called ‘exogenous religion’). Currently, most of the major religions in the world are present in Vietnam.

The process of religious equality in Vietnam can be divided into the following main stages:

The period from the beginning to the pre - Đại Việt era (literally Great Viet);

The period of Đại Việt;

The period of the Nguyễn Dynasty;

The period of Colonialism.

### *1.3.1. The period from the beginning to the pre - Đại Việt era*

In the early AD, the country of Vietnam embraced three religions such as Confucianism, Buddhism, and Taoism. Until the present time, there are no written documents to determine the time when these religions were propagated into Vietnam. Likewise, there are still no written documents to indicate which of the three aforementioned religions had presented in Vietnam earliest. However, this paper starts mentioning the spread of Buddhism into Vietnam because of the following characteristics of this religion: since its introduction into Vietnam until now, this religion is still existing and developed through different stages of the vicissitudes of history; This is a religion that always has a large number of followers and has a great influence on the political, cultural and social life of Vietnam.

The first merits in spreading Buddhism in Vietnam belonged to the Indian monks. Vietnamese Buddhist history recorded monks such as Marajavaka, K'sudara, Kang Senghui, and so on.

Spreading Buddhism into Vietnam in the Red River Delta, Dâu - Luy Lâu region, in particular, a land in which at that time Vietnamese residents lived in village units. Due to their livelihood by growing wet rice closely associated with nature, the Vietnamese in the Red River Delta worship the gods of land and crops, especially the gods of nature such as Cloud, Rain, Thunder, and Lightning (Vân, Vũ, Lôi, Điện) are called *the Four Dharma (Tứ pháp)*. When Buddhism was present there, the Vietnamese village had the temple of four Dharma. The monks did not exclude local beliefs, including the Four Dharma beliefs, they even helped the

integration of Buddhism into those beliefs. Researcher Ha Van Tan stated that people did not bring the Four Dharma into the Buddha sanctuary, instead, they put the Buddha in the Temple of the Four Dharma.<sup>6</sup> Then, the Vietnamese people took to the next step, the Buddhistization of the aforementioned gods.

The fusion of Buddhism with the beliefs of the Vietnamese people, especially the Buddhistization of the Four Dhamma, avoided conflicts of religions and beliefs (in the seventeenth century, history recorded a conflict of Catholicism and the Vietnamese religions, beliefs, and culture. The conflict lasted for 200 years with many implications (will be discussed in the next section).

This fusion is an expression of religious equality. Buddhism did not overly self-honor its teachings to dismiss the values of Vietnamese beliefs. It is a good beginning as the foundation for equality of religions in Vietnam.

During a period of more than a thousand years of fighting for national independence, Vietnamese Buddhist history recorded two Zen sects: Vinītaruci and Wu Yantong. Vinītaruci sect contains in its heart the Tantric element and the Vietnamese belief factor. Moreover, the monks of Vinītaruci had the wisdom of Buddhism as well as Confucianism, Taoism - two religions that were prevalent in Vietnam at that time. Nguyen Lang commented: “There were many Zen masters of Vinītaruci sect who had extensive knowledge of the three religions (Buddhism, Confucianism, and Taoism) in addition to forecasting future (*sám vĩ*) and feng shui (*phong thủy*). *Sám vĩ* is a deductive subject about the future, based on yin and yang theory and five elements theory. There are many sciences of *Sám vĩ* such as the science is based on the I Ching or Yi Jing (Kinh Dịch) called Dịch vĩ, the science is based on the Book of Documents or Classic of History, also known as the Shangshu (Kinh Thư ) called Thư vĩ, etc. About feng shui, Zen Master Định Không (730-808), La Quý An (852-936), and Vạn Hạnh (died 1068) were famous people.”<sup>7</sup>

Through the Vinītaruci Zen sect, one thing is noted that the Zen masters learned and acquired the values of religions, namely Confucianism and Taoism without excluding the above two religions. The beginning of Buddhism integrated with folk beliefs to initiate integration, cultural acculturation, and avoided conflicts with the indigenous culture, the Vinītaruci sect created the foundation for the Three Religions in harmony. This avoids the idea of respect for religion, overlooking other religions - one of the reasons for religious inequality.

The Wu Yantong Zen sect has the name of its founder, was present in Vietnam in 820. In terms of religious equality, the Wu Yantong Zen sect “was very close to social life, participated in secular life while it was still able to maintain its independent spiritual activities.”<sup>8</sup>

### *1.3.2. The Period of Đại Việt*

Ngô Quyền’ s victory in 938 ended a thousand years of being administrated by the Chinese feudal dynasties and opened a new era of Vietnam - Đại Việt era. The Ngô dynasty existed in a short time when Đại Việt fell into twelve war-lords. The person who was able to conquer and suppress the twelve warlords was Đinh Bộ Lĩnh. The historical book recorded Đinh Tiên Hoàng “took the initiative in repressing the twelve warlords and collecting to get back to the land of twelve warlords. The country had long been divided into unity”.<sup>9</sup> In 968, after the repression of twelve warlords’ rebellions, Đinh Bộ Lĩnh was crowned Emperor; naming the country as Đại Cồ Việt (the Great Việt); taking the era name of the reign as Thái Bình.

The Đinh dynasty, followed by the pre-Lê, respected Buddhism, but Confucianism and Taoism were not subject to discrimination. In 971, after four years of enthronement, the king Đinh Tiên Hoàng set the rank for mandarins and monks. The king appointed the Director of monks (Tăng thống) who has the most seniority in the

Sangha; conferred Zen master Ngô Chân Lưu as the first Director of monks, Trương Ma Ni as the Manager of monks (Tăng lục) who was responsible for writing down, managing the monk list, and appointing other functions. On Taoism, Đặng Huyền Quang was granted

Sùng Chân Uy Nghi (meaning a high-ranking respected Taoist dignitary).<sup>10</sup> The Đinh and pre-Lê dynasties opened up a view of equal respect for religions.

During the Lý and the Trần dynasties, Buddhism played an important role, including the role of providing the ideology of ruling the country. However, on the foundation of the Đinh and pre-Lê dynasties, the Lý stepped into the political arena basing on the ideological foundation of Buddhism, but Taoism, specially Confucianism, was very respected. In 1070, the Lý built the Literature Temple (Văn Miếu) to worship Confucius (the teacher of eternity) and his four famous students. In 1075, the Lý opened the first exam of three religions (Buddhism, Confucianism, and Taoism). Only those who passed the exam of three religions were appointed to be mandarins. This opened a number of three religions exams and also opened the selection of mandarins by the way of three religions election. The thought of three religions of the same ancestor; three religions of the same origin; three religions of the same existence was started since the Vietnamese people fought against the conquerors came from the North for more than a thousand years. This thought was recognized official initially under the Đinh and pre-Lê dynasties, and clearly shaped under the Lý period. The Lý based on the Buddhist ideology to administrate, but the Lý kings also used the Confucianism's many values in terms of administration, social management, and building an education in order to train talents and promote the development of cultural and academic fields. On the basis of Confucianism, the Lý began to set up the important guidelines such as relocating the capital, establishing institutions, waging war, and setting up crown prince.

The Trần dynasty was a period of “half the country to practice monkhood”. Kings Trần Thánh Tông and Trần Nhân Tông were kings with devotion to Buddhism. Buddhism in the Trần period was Buddhism of only one sect. King Trần Nhân Tông renounced his throne soon and went to Yên Tử mountain (Quảng Ninh province, Vietnam) to become a monk. King Trần Nhân Tông (called Buddha-King) was the first ancestor of the Trúc Lam Zen sect, but the Trần’s Confucianism gradually entered a new era compared to the Lý. Confucian thought was applied by the Trần kings step by step. That was the basis not only for building institutions, regulations of the court, performing the politics activities, but also for using the solemnities and rituals that create the hierarchy in both domestic and foreign affairs.

In the Trần dynasty, in addition to the “University of the Literature Temple” (Văn Miếu - Quốc Tử Giám) in Thăng Long citadel, there were also Confucian training schools in all localities. Besides the public school, there were the private school that opened by the great Confucian courtiers. Chu Văn An was a typical example of opening a private school.

At the end of the Trần dynasty, when the Confucian class was on the increase, it was inevitable that the Confucian thought occupied its position on the ideological level gradually. In this period, Confucians introduced the guideline of the virtue administration and zealously strived for the ideal of Confucianism. The typical late Trần Confucians, i.e. Trương Hán Siêu, had the criticism on Buddhism, but not in the field of thought, much less denied the Zenological values and the culture of Buddhism but criticized the negative of Buddhism that was shown through the lives of some monks affecting the social life. The criticism did not become a fight on the realm of idea, much less caused any social conflict between the Buddhist and the Confucian. Formally, the Trần completely did not rely upon Buddhism to persecute Confucianism that was an ideological movement approaching the political arena.

The resistance war against the Ming invaders won all over. Lê Lợi, who was the leader of the resistance war, took the throne at the end of 1427, and the late-Lê dynasty was established. Under the late-Lê, the central feudal state entered the highest stage of development. Confucianism was respected by the late-Lê and used officially as the ideological rule of the country. The role of Confucianism, however, was faint in the first decades of the early Lê (Lê Sơ) period. It was not until the reign of king Lê Thánh Tông that Confucianism reached the pinnacle of its development in Vietnam. This was a period of Confucianism that was thoroughly penetrated into all policies of the feudal state and affected the socio-cultural fields. Nevertheless, the thought of three religions still existed and accompanied under the late-Lê. In this stage, Confucianism played a key role in the upper class - marco - with institutions and solemnities; Buddhism played an important role in the village. The village Buddhist temple retained the position of the cultural center of the village. The Buddhist thought of “Compassion”, “Joyfulness”, “Selflessness, Forgiveness” was still the basic thoughts of the meek and rustic villagers. That was the expression of a concept: “King land, village temple, Buddhist landscape”. Lê Thánh Tông was a “faithful” king of Confucianism, but he was also the man of Taoism. Although he was not as “ambiguous” as Zhuang Zhou, his characteristics reflected the Taoist elements, i.e. peripateticism, dream, and plutolaty. If the kings of the late-Lê took care and strengthened Confucianism with the specific Eastern religious form as “Kính Thiên - Tế Tổ” (that the king worships the heaven and people make offering to the ancestor), then the queen and the royal concubine were the caregivers of Buddhism. Under the Lê, a series of Buddhist temples were built by them without being obstructed by any king. Buddhism not only developed in the Northern Delta but gradually expanded to the Northern mountainous areas, such as Bắc Giang, Lạng Sơn, Thái Nguyên, Yên Bái,... Buddhism followed the king

Lê Thánh Tông's steps to the South and the Centre regions of Vietnam today.

To conquer the southern land - Đàng Trong (Cochinchina), the Nguyễn lords on the one hand used Confucian thought to administrate, on the other hand still promoted Buddhism to win over man's heart in the open land. One of the Nguyễn lords who had an important role in spreading Buddhism in Đàng Trong was Lord Nguyễn Phúc Chu. He was called "Bodhisattva Nguyễn Phúc Chu". The thought of three religions of the same existence was Nguyễn Phúc Chu's main one and his reign as well as that of the Nguyễn lords in Đàng Trong. Nguyễn Phúc Chu was considered the man living with Confucianism but revering Buddhism. That was, the lord did not take lightly, even without discrimination of any one religion.

In general, the Đại Việt period was the period of the three religions of the same origin, ancestor, and companion. The Đinh, pre-Lê, Lý, and Trần dynasties favored the use of Buddhist ideas in the administration, but the values of Taoism, special Confucianism, were still used thoroughly. On the contrary, the late-Lê inclined to use the Confucian thought, but Taoism and Buddhism remained existence and spread in social life, as well dominated many aspects of the country.

The thought of three religions of the same origin, respect, and companionship was nothing but the content of religious equality. However, the religious equality was shown in a new way when Catholicism was introduced to Vietnam in the first half of the seventeenth century, especially under the Nguyễn dynasty with the prohibition policy of Minh Mạng, Thiệu Trị, and Tự Đức kings.

### *1.3.3. The Nguyễn period*

Defeating the Tây Sơn, Nguyễn Ánh ascended the throne, set name of the reign as Gia Long, founded the Nguyễn dynasty. The Nguyễn existed from 1802 to 1945. Historians divided the history

of the Nguyễn into two phases: the period of autonomy (1802-1885) and the period of dependence (1885-1945).

In general, the Nguyễn based on Confucianism to administrate, but the thought of three religions was in popular. Some Buddhist Zen sects such as Lin-chi (Lâm Tế), Cao-dong (Tào Động), and Liễu Quán (name of a Vietnamese Zen master) that were built up by the Nguyễn lords still had been maintained until this period (Cao-dong school alone, because there was not monks to continue, so it was absent). In the Nguyễn dynasty, in addition to the village Buddhist temples, there were also mandarin and national Buddhist temples. Now, there are many Buddhist temples remains to be ordained by the Nguyễn kings. However, under the Nguyễn a bad lesson about religious equality was recorded in history; that was the policy of banning religion.

Catholicism, a monotheistic religion, was introduced to Vietnam in the Lê around the beginning of the seventeenth century. Introducing to Vietnam, unlike the religions (Confucianism, Buddhism, and Taoism) that were previously propagated into Vietnam, Catholicism did not tolerant and integrate with Vietnamese culture and religious traditions. Firstly, before spreading into Vietnam, Catholicism had suffered the emergence of Protestantism. Secondly, the missionaries brought in themselves a “mentality” of bringing the light of the Gospel to the “pagan” areas. Not only that, they refused to learn about the Vietnamese’s culture, religion and beliefs. The missionaries, therefore, did not recognize the value of Vietnam’s longstanding religions, beliefs, and culture. They thought it was a false faith. In theory, they lashed out.<sup>11</sup> In terms of practice, they strictly forbid the faithful to participate in Vietnamese religions, beliefs, and culture in all forms. During the mission, they created villages in which the whole villager or most of inhabitants were their own faithful and those village was called Catholic villages. The purpose was for them to separate the faithful from the community of contemporary religions and beliefs.

Consequently, the religions in Vietnam could not let them do what they want. On thought field, there appeared the book *Tây dương Gia tô bí lục* (Records about the Secret Stories of Catholicism). There may be different opinions about the origin of the book, but the author are Confucians or a Confucian who wrote in response to the Catholic thought mentioned above in my view.<sup>12</sup>

It was in the realm of the relations among religions. So what about the State was, specifically the Nguyễn?

The Nguyễn as mentioned above, a feudal dynasty that used Confucianism as the official ideology to rule the country and adjusted society by Buddhism and Taoism, of course, could not sit and watch an unexpected “religious visitor” attacking their political and ideological foundation. That was the first and the biggest reason for this dynasty to enact the policy of banning Catholicism. Using Confucianism as the orthodox ideology and the righteous religion, as a consequent, Catholicism must be considered a heresy. The Nguyễn’s policy of prohibiting Catholicism was just a counterattack. This policy of prohibition, therefore, was thought that there was a reasonable nucleus by historians over the time. Later, when the French colonials fired to attack Đà Nẵng (Tourane), the Nguyễn, after losing a lot of land in Cochinchina, realized that one of the reasons was due to abetting the French’s invasion from a part of missionaries and the faithful in different forms. By this time, the Nguyễn’s policy of banning Catholicism changed to a different nature, which was political. The lesson is point out, that is the identity between religion and politics, between a part of clergies and followers and the whole of clergy and follower participating in politics to behave.

The Nguyễn Period showed that it was necessary to distinguish a part of dignitaries and believers who were exploited into political activities with the political nature. Besides, there was also the factor of religious tolerance.

The religious tolerance under the Nguyễn manifested in two dimensions: 1) The tolerance between religions; the religions co-exist in harmony; 2) If the authorities implemented the policy of religious tolerance it would have avoided the religious discrimination rather than persecution of religion.

#### *1.3.4. The French colonial period*

One of the French colonial policies towards Vietnam was the policy of division to rule; the use of Vietnamese to beat Vietnamese, including the policy of dividing non-Catholics and Catholics. In the field of ideology, the colonial authorities deeply made the atheism (identified with the ideas of Marx-Leninism) and theism (identified with religion, mainly Catholicism) opposition. A prevailing concept was that atheism and theism could not co-exist. Taking advantage of religion, dividing religions inevitably led to religious conflicts, thereby affecting religious equality.

On February 3rd, 1930, the Communist Party of Vietnam was born and led the Vietnamese peoples to fight for national independence and go up to socialism. The Communist Party of Vietnam's first platform affirmed the people's right to freedom of beliefs. The 1946 Constitution of the Democratic Republic of Vietnam was passed on January 6th, 1946, recording: "the Democratic Republic of Vietnam's citizens have the right to freedom of beliefs, follow or not follow a religion"; "Unite the entire people regardless of race, male or female, class, and religion"; "All authorities in the country belongs to the entire people of Vietnam regardless of race, class, and religion." The 1946 Constitution initially laid the foundation for religious freedom and equality in Vietnam.

## **2. The Religious Equality: A Concept**

If freedom of religion is clearly determined by the Universal Declaration of Human Rights in 1948 (known as the 1948 Declaration) of the United Nations and the International Covenant

on Civil and Political Rights in 1946 - ICCPR, the religious equality has not had a document from the international side. Nonetheless, the 1948 Declaration and the ICCPR mentioned an important part of religious equality. It is a freedom of religion.

The 1948 Declaration provided views and principles at articles as 1, 2, and 7 before providing article 18 on the right to freedom of religion.

#### Article 1.

All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.

#### Article 2

Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status. Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty.

#### And Article 18

Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.<sup>13</sup>

The right to freedom of religion was supplemented by Article 18 of the ICCPR.

#### Article 18

1. Everyone shall have the right to freedom of thought, conscience and religion. This right shall include freedom to have or

to adopt a religion or belief of his choice, and freedom, either individually or in community with others and in public or private, to manifest his religion or belief in worship, observance, practice and teaching.

2. No one shall be subject to coercion which would impair his freedom to have or to adopt a religion or belief of his choice.

3. Freedom to manifest one's religion or beliefs may be subject only to such limitations as are prescribed by law and are necessary to protect public safety, order, health, or morals or the fundamental rights and freedoms of others.

4. The States Parties to the present Covenant undertake to have respect for the liberty of parents and, when applicable, legal guardians to ensure the religious and moral education of their children in conformity with their own convictions.<sup>14</sup>

Hoang Van Chung indicated the the 1948 Declaration and the ICCPR were also the legal basis for the United Nations, the European Community as well as ASEAN to issue a number of documents. In 1981, the United Nations issued an eight-article declaration on the elimination of all forms of intolerance and discrimination based on religion or beliefs, such as The 1953 European Convention on Human Rights, the 1969 American Convention on Human Rights, the 2012 ASEAN Human Rights Declaration. Article 22 of the ASEAN Human Rights Declaration writes:

#### Article 22

Every person has the right to freedom of thought, conscience and religion. All forms of intolerance, discrimination and incitement of hatred based on religion and beliefs shall be eliminated.<sup>15</sup>

It can be viewed that religious freedom documents as one dimension of religious equality. The religious equality, however, is just mainly considered from the perspective of an institution towards the people to ensure human rights. The religious equality

needs to be considered in the State institutions and among religions. On the institution, the State not only guarantees the freedom of religion for everyone, but also shall satisfy the following conditions:

Shall guarantee the right of religious freedom for legally recognized religions;

Shall treat equally among religions in terms of rights and obligations;

Shall not interfere with internal religion;

Shall be the tolerance of religion.

Shall take into account the specificity of religion (history, language, customs, etc.) in special cases.

On the religion, it should accept the beliefs and value of other religions, and co-exist with them.

*Thus, the religious equality is the guarantee of the rights of religious freedom, the equal treatment among religions, no interference in the internal religion, and the religious tolerance of a State institution. The religious equality also accepts beliefs, values of other religions and co-exists with different religions in a country or a territory.*

The religious equality has a long history in all continents. The connotation of the religious equality is different in each period, continent, country, and religious event. Therefore, it is difficult to introduce a concept of the religious equality that cover the above characteristics. If the rights of religious freedom (human rights) is easy to determine because it finds the common denominator, then the religious equality is difficult to define due to too many parameters, many of which can not “converge” to the denominator, i.e. the political institution, the cultural conception, and so forth. Some countries take one religion as the state religion, then other religions could hardly be equal. There is a country like the United

States that accepts the Jehovah's Witnesses not make the national flag rites, not receive blood or not participate in the military service, or the Anna Baptist's member is allowed not to take pictures for identification, not to join the army, etc. meanwhile, other denominations are not so.

Therefore, the concept of the religious equality that I gave above is essential, referring to the core and the most common issues./.

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**Notes:**

- 1 Jean RoGues, *Công giáo trong Kitô giáo* (Catholicism in Christianity). Stored at the library of Viện Nghiên cứu Tôn giáo (Institute for Religious Studies), p. 111.
- 2 Presentation on Protestantism by Jean Baubérot at Viện Nghiên cứu Tôn giáo (Institute for Religious Studies) in 2006, Stored at the library.
- 3 Nguyễn Hồng Dương, P. Hoffman (co-editors, 2011), *Đa dạng tôn giáo: So sánh Pháp - Việt Nam* (Religious Pluralism: Comparing France – Vietnam), Pub: Văn hóa - Thông tin và Viện Văn hóa, Hà Nội, pp. 329-351.
- 4 Jean Baubérot (2006), *Lịch sử đạo Tin Lành* (History of Protestantism), Pub: Thế giới, Hà Nội, pp. 57-58.
- 5 See note number 2, pp. 166, 167.
- 6 Hà Văn Tấn (2005), *Đến với lịch sử văn hóa Việt Nam* (Access to Vietnamese Cultural History), Pub: Hội Nhà văn, Hà Nội, p. 232.
- 7 Nguyễn Lang (2012), *Việt Nam Phật giáo sử luận* (Vietnamese Buddhist History), Pub: Phương Đông, Tp. Hồ Chí Minh, p. 96.
- 8 Nguyễn Lang (2012), *Việt Nam Phật giáo sử luận* (Vietnamese Buddhist History), *ibid*, p. 132.
- 9 Ngô Thì Sĩ (1960), *Việt sử tiêu án* (A History of Đại Việt), Sài Gòn, p. 93.
- 10 *Đại Việt sử ký toàn thư*, tập 1, Pub: Khoa học xã hội, Hà Nội, 1998, p. 212.
- 11 See: Alexandre de Rhodes (1993), *Phép giảng tám ngày* (*Catechismvs in octo dies diuisus*), Vietnamese version, UBĐKCG Thành phố Hồ Chí Minh.
- 12 Xem: *Tây Dương Gia tô bí lục* (Records about Secret Stories of Catholicism), Pub: Khoa học xã hội, Hà Nội, 1981.
- 13 Universal Declaration of Human Rights, [www.un.org/universal-declaration-human-rights/](http://www.un.org/universal-declaration-human-rights/) access on June 21, 2019.

- 14 International Covenant on Civil and Political Rights, [www.ohchr.org/en/professionalinternet/pages/ccpr.aspx](http://www.ohchr.org/en/professionalinternet/pages/ccpr.aspx), access on June 21, 2019.
- 15 ASEAN Human Rights Declaration, [www.asean.org/asean-human-rights-declaration](http://www.asean.org/asean-human-rights-declaration), access on June 21, 2019.

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1. Alexandre de Rhodes (1993), *Phép giảng tám ngày (Catechismvs in octo dies diuisus)*, Vietnamese version, UBĐKCG Thành phố Hồ Chí Minh.
2. Hoàng Văn Chung (2018), *Biến đổi quyền tự do tôn giáo trong phát triển bền vững ở Việt Nam (Transformations of the rights of religious freedom in the sustainable development in Vietnam)*, Đề tài cấp Bộ, bản vi tính, Hà Nội.
3. Nguyễn Hồng Dương, P. Hoffman (chủ biên, 2011), *Đa dạng tôn giáo: So sánh Pháp - Việt Nam (Religious Pluralism: Comparing France – Vietnam)*, Pub: Văn hóa - Thông tin và Viện Văn hóa, Hà Nội.
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5. Jean Baubérot (2006), *Lịch sử đạo Tin Lành (History of Protestantism)*, Pub: Thế giới, Hà Nội.
6. Nguyễn Lang (2012), *Việt Nam Phật giáo sử luận (Vietnamese Buddhist History)*, Pub: Phương Đông, Tp. Hồ Chí Minh
7. Ngô Thì Sĩ (1960), *Việt sử tiêu án (A History of Đại Việt)*, Sài Gòn.
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9. *Tây Dương Gia tô bí lục (Records about Secret Stories of Catholicism)*, Pub: Khoa học xã hội, Hà Nội, 1981.
10. [https://vi.wikipedia.org/wiki/Thanh\\_giáo#cite\\_note-1](https://vi.wikipedia.org/wiki/Thanh_giáo#cite_note-1)