



Religion	Population	Area
<ul style="list-style-type: none"> ○ Buddhists : 49.4% ○ Agnostics : 12.3% ○ New Religionists : 10.9% ○ Ethnoreligionists : 10.7% ○ Christians : 8.7% ○ Atheists : 6.3% ○ Others : 1.7% 	94,444,000	330,967 Km ²

Legal framework on freedom of religion and actual application

In common with almost every communist regime, Vietnam's laws and regulations suggest that, on paper at least, there is respect for religious freedom in the country. However, the reality for the Vietnamese people is very different. On 1st January 2018 a "Law on Beliefs and Religion" came into force.^[1] Before being voted on by the National Assembly on 16th November 2016, this legal text had gone through a long process. To everyone's surprise, the government Office for Religious Affairs had submitted it to the country's religious communities for comment. In response, on 1st June 2017 the Catholic bishops put forward their "sincere and frank remarks".^[2] The bishops said the proposed law represented a step backwards as compared with the 2004 Ordinance on Beliefs and Religion. The Church expressed regret that the Vietnamese authorities were still wedded to the concept of the so-called "demand-and-grant" system (?xin-cho?)^[3] This obliges religious organisations to apply for authorisation from the regime for all activities that they undertake^[4]

In January 2016, the 12th congress of the Vietnamese Communist Party adopted a "Political Report". The document offers insight into the thinking of the highest leaders of the country and of the Vietnamese Communist Party apparatus. A short paragraph is assigned to government policy regarding religious matters:

We will continue to improve the policy and legislation relevant to beliefs and religion, and to promote the high cultural and moral values ??of religions. By creating the right conditions, we will ensure that religious organisations will carry out activities that conform to their ideals and regulations, which have been recognised by the state with compliance to the provisions of the law. At the same time, we must work to prevent and fight against activities that use beliefs and religion to undermine and sabotage the block of national unity and fight against religious activities which are in violation with the provisions of the law."

This extract shows how the Vietnamese Communist Party has abandoned strict Marxist-Leninist doctrine on religious

matters. Since 1990, religion has no longer been seen as destined to decline or wither away, but a positive part of traditional culture. That said, religion is seen as a double-edged sword capable of contributing to society on the one hand or, on the other, a source of unrest, undermining national unity.

Only within a military review do we find a more detailed article concerning religion. Run in the Journal of National Defence, [5] the February 2016 article is titled: “Religions in Vietnam and their mission: to build and defend the homeland”. The article begins by assessing the impact of the Vietnamese religious world on the country's defence policy strategy. It provides statistics that do not correspond with the official figures claimed by the religions in question.[6] According to the author of the article, the smooth functioning of these diverse religious communities and their integration within society are thanks to the Vietnamese Communist Party's good management.

The article gives the impression that the situation for religions is ideal. However, there is no denying that the authorities continue to monitor very closely the activities of religions within Vietnam. On 11th September 2017, one of the highest officials of Public Security, Vu Chiên Thang, was appointed Director for the Government Office of Religious Affairs, the administrative entity responsible for managing the activities and the organisation of religions within the country.[7] His predecessor, Lieutenant General Pham Dung, was also a senior official in Public Security, which supervises religious affairs closely. The Catholic bishops of Vietnam believe that Public Security has a fundamentally hostile attitude towards religious organisations, which are considered, in the bishops' words, “opposition forces”[8]

The “Law on Beliefs and Religion” incorporates articles related to the religious needs of persons in detention, the religious needs of foreigners and the recognition of the status of “non-commercial legal entities” to religious organisations. The Conference of Catholic Bishops of Vietnam stated in August 2016 that “previously, the term ‘legal entity’ [had] been used in different ways for the recognition of religious organisations” and proposed to indicate “clearly” the status of “non-commercial legal entity with compliance to the legal provisions 91/2015/QH13 of the Civil Code”[9]. This measure could prove significant in a country with frequent land disputes between the civil authorities and religious organisations.

The final piece of legislation, however, – the one voted on by the Parliament – did not retain much legislation that was included within bills circulated in recent years, particularly that relating to activities conducted by religious organisations in the fields of education and health. This issue is particularly sensitive since it has been a constant concern of the Catholic Church and other religions since the unification of the country in 1975. In August 2016, the Bishops' Conference interpreted the bill as “an authorisation” granted to religious organisations to act within the fields of health and education, “at all levels: kindergartens, primary and secondary schools, and universities”[10] The wording of the legislation in the version of the bill that was passed by Parliament was described as vague the country's Catholic bishops. Article 55 states: “Religious organisations may participate in educational, training, health, social assistance, charity and humanitarian activities, in accordance with the provisions of the law in force.” Details of how to “participate” are lacking; it is unclear whether religious organisations will be able to open, host and manage educational institutions, health centres etc.

Incidents

Although the Catholic Church has still not gained back control of the many schools it ran (before 1954 in the north and 1975 in the south), its leaders were recently granted permission to open two centres in Ho Chi Minh City (Saigon). The National University Institute opened on 6th August 2015 and the Catholic Institute of Vietnam (CIV) opened in September 2016. In September 2017, the CIV had 70 students, all Vietnamese.[11] Stating that Vietnam had two Catholic universities before 1975 (in Dalat and Saigon), Archbishop Joseph Nguyễn Chi Linh of Huế, the President of the country's Catholic Bishops' Conference, argued that the opening of the CIV is not “new” but “a restoration” of what had been confiscated by the authorities of the day.[12]

On 29th August 2017, Buddhist Master Thich Nhat Hanh, aged 91, was allowed back to Vietnam[13] the third time that he had returned to his country. He first left Vietnam in 1966 and did so again after the 2008 expulsion of 400 religious and

novices from the group he founded in Bat Nha.^[14] It is not clear if he will be able to re-establish his monastic community in Vietnam.

In spite of this, government has not altered its habits of surveillance and coercion of religious communities. This includes the Unified Buddhist Church of Vietnam, which is independent of the Buddhism recognised by the Vietnamese authorities. The Church's Patriarch, Thich Quang Do, is still under house arrest in his pagoda in Ho Chi Minh City. Although the 90-year-old is authorised by the regime to leave the Thanh Minh Monastery on a quarterly basis for a medical examination, his freedom of movement is severely restricted, despite the government's assertions to the contrary.^[15]

Meanwhile, there is no sign of a decrease in land disputes involving the police and religious organisations. One example concerns the Benedictine Monastery of Thien An ("Heavenly Peace"), near Hue. Since the late 1990s, the Vietnamese authorities have been seeking to requisition part of the monastery's land in order to develop a recreational park. On 28th June 2017, 150 people entered the monastery to demolish a cross. When the monks tried to intervene, they were assaulted and one of them was seriously injured.^[16] The cross in question, erected in 2014, had already been torn down in 2015 and 2016. As quoted by Radio Free Asia, one witness said the attackers included local police officers dressed in civilian clothes.^[17]

Another recurring source of tension is the involvement of religious organisations in social affairs. The authorities invariably intervene when they decide the social action in question threatens the government or the Communist Party. In April 2016, toxic discharges from Formosa Plastics steel mill entered the China Sea, causing serious pollution. Local priests supported the people affected when they claimed compensation for the damage caused. Clergy backed efforts to find out who should be held responsible. The official press – the only one available in Vietnam – and audio-visual media questioned the priests' involvement. In spring 2017, the official media accused two Catholic priests, Fathers Dang Huu Nam and Nguyễn Đình Thúc, of carrying out "anti-Party"^[18] activities.

The state makes every effort to maintain public order, even if it involves infringing basic human rights, including religious freedom. This leads to severe restrictions on evangelisation. Door-to-door missions and distribution of leaflets in public areas can prompt police intervention. Evangelisation work among the ethnic minorities of the High Plains is particularly problematic. When Protestant Pastor Nguyen Cong Chinh and his wife, Tran Thi Hong, ministered in the provinces of Kontum and Gia Lai, they were arrested in 2011 on charges of "undermining national solidarity". The pastor was sentenced to 11 years in prison. For health reasons, he was released earlier than scheduled on 28th July 2017 on the proviso that he would leave the country.^[19] He and his family now live in the United States.

The authorities have been violent towards ethnic minorities in the High Plains who convert to Christianity. According to the Vietnamese Committee for Human Rights, on 1st March 2018 unknown assailants beat up 24 Hmongs who had recently converted to Christianity. They had previously been threatened with expulsion from their villages if they did not renounce their new faith. The authorities object to converts to Christian denominations which lack government registration.^[20]

Prospects for freedom of religion

It is too early to assess the impact of the new "Law on Beliefs and Religion" which came into force on 1st January 2018. Continuing harassment of religious organisations and attacks on clergy and faithful do not suggest the government will improve its approach to religious freedom.

Remarks by Archbishop Leopoldo Girelli, the former “non-resident papal representative to Vietnam”, could be seen as indicative of the country’s situation with regard to religious freedom.^[21] Speaking at festivities held at the Marian Shrine of La Vang in central Vietnam, the archbishop said many people around the world wanted greater respect for religious freedom in the country.^[22] He added that the Catholic Church should be considered a source of spiritual well-being rather than an obstacle to the state.

Endnotes / Sources

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