

Title: Right to Religious Freedom in Vietnamese Constitution.

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Long-established religions in Vietnam include the Vietnamese folk religion, which has been historically structured by the doctrines of Confucianism and Taoism from China, as well as a strong tradition of Buddhism. Vietnam is one of the least religious countries in the world. According to official statistics from the government, as of 2014 there are 24 million people identified with one of the recognised organised religions, out of a population of 90 milion. Of these, 11 million are Buddhist.

Buddhist practice in Vietnam differs from that of other Asian countries, and does not contain the same institutional structures, hierarchy, or sanghas that exist in other traditional Buddhist settings. It has instead grown from a symbiotic relationship with Taoism, Chinese spirituality, and the indigenous Vietnamese religion, with the majority of Buddhist practitioners focusing on devotional rituals rather than meditation.

Right of religious freedom is one of the basic of human rights, and Chairman of the Ho Chi Minh has been early awareness of the importance of this issue in the cause of ethnic unity for the common goal development and national defense. So, the Vietnamese Government have been improving all programs, mechanisms, policies and laws on religion, make it best conditions for the people to exercise the right to freedom of religion.

According to the flow of history, Vietnam is a country of many religions, including domestic religions and foreign religions. Believers and religioners in Vietnam is assured and safe to practice their religion in the true religion. This is shown very clearly in the system of legal documents in Vietnam. The right to

freedom of belief and religion is reflected in the highest grade, a clear constitutional law in the original - that is the Constitution.

In 1945, the first Constitution of Vietnam was born, it stated: "All rights in the country is the right of Vietnamese, irrespective of race, girls, boys, rich and poor, caste and religion "(Article 1, Chapter 1); or: "Vietnamese Citizens has right of religious freedom" (Article 10, Chapter 2).

To the 1959 Constitution, freedom of belief and religion continues to be reaffirmed and concretized, in Article 26: "Citizens of the Democratic Republic of Vietnam has the right to freedom of religion, according to or do not follow any religion." In this Constitution, the right to religious freedom has been extended towards the citizens "to follow any religion or to follow no religion." This shows that religious freedom is not only a religious authority but also the right to have no religion. Such provisions present a comprehensive look about social relations. On the one hand, it is the expanded and deepened rights; on the other hand, it is a legal basic to protect the rights of those who have no religion, prevention of human cases have certain reasons they are forced under a certain religion.

In the Article 68 of the 1980 Constitution, noted: "Citizens have the right to religious freedom, has the right to follow any religion or to follow no religion; no one is taking advantage of religion to contravene the law and State policies". This indicates that, one again the right to religious freedom continues to be confirmed.

The 1992 Constitution was born after practicing the 1986 renovation period, in Article 70, Chapter V stated that: "Citizens have the right to religious freedom, follow or not to follow any religion. All religions are equal before the law. The places of worship of all faiths and religions are protected by the law. No one can violate freedom of belief, religion or misuse beliefs and religions to contravene the law and State policies ".

The 2013 constitution states that all people have the right to freedom of belief and religion. The constitution acknowledges the right to freedom of religion or belief of those whose rights are limited, including inmates or any foreigners and stateless persons. The constitution states all religions are equal before the law and the state must respect and protect freedom of belief and religion. The constitution has language that prohibits citizens from "taking advantage of a belief or religion in order to violate the law." In addition, the penal code

establishes penalties for practices that undermine the state's national unity policy.

Article 24:

1. Of the Constitution 2013: Everyone shall enjoy freedom of belief and religion; he or she can follow any religion or follow none. All religions are equal before the law.
2. The State respects and protects freedom of belief and of religion.
3. No one has the right to infringe on the freedom of belief and religion or to take advantage of belief and religion to violate the laws.

If we compare with the previous constitution, the 2013 Constitution is an important step forward, an inheritance and development of my country during the "innovation and integration" with the world. Accordingly, the 2013 Constitution shows that right of religious freedom should be respected, protected and created conditions for their best performance rights.

At the same time, using the concept of "People" rather than "citizens" as the previous constitution, so, the nature of the problem has been a fundamental change, it is an exactly representation of the human rights issues for belief and religion. The concept of "citizen" is to show the relationship between citizens and the State, with political institutions. So, using concept "Everybody" will cover broader than "citizens" because in reality not everyone has the right to citizenship. For example, a prisoner, despite having lost citizenship but still have the freedom to worship and practice their religion, etc ... The recognition of "Everyone" has the right to freedom of belief and religion, meaning great significance in the cause of ethnic unity and the process of building and protecting the country.

Generally, the 2013 Constitution has shown the spirit of innovation and action of the Communist party of Viet Nam, to reflect the aspirations of the majority of the people, to demonstrate the spirit of democracy, innovation, promotion of health strong national unity, to meet the requirements of building the rule of law and development of the socialist-oriented market economy, construction and national defense in the new period, in which the inter-institutional relating to freedom of belief and religion have a role, an important position.

In short, the right to religious freedom is one of the fundamental human rights. President Ho Chi Minh was soon aware of the importance of this issue in the

cause of ethnic unity. The thorough, inheritance and development perspective respect the freedom of belief and religion of the people, the Vietnamese government have been improving all programs, mechanisms, policies and laws on religion, make it best conditions for the people to exercise the right to religious freedom.

Constitution – the written document with the highest legal value issued over five times, amendments were referring to the question of religious freedom in the direction of more and more perfect, democracy, respect, facilitate best for dignitaries, priests, religious believers and religious organizations legally grow a healthy and fair way possible. Making good the right of religious freedom of people is great meaning in the implementation of national unity for the common goal is to develop and protect the country.