

SOME ISSUES THAT ARE IMPORTANT TO FOLLOWING THE PERSON'S RIGHTS TO READ THE BOOK UNDER THE LAW ON BODYGUARDS OF VIETNAM

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Abstract: Ensuring the exercise of religious prisoners' rights to religion and belief has always been given due attention by our Party and State, which has been reflected in the Law on Belief and Religion and the system of sub-law documents. Comes with very detailed instructions. In order to promote the positive analytical role of the reading of scriptures in prison for the rehabilitation of prisoners, it is necessary to pay attention to the adjusted issues and apply a system of appropriate measures according to the law.

Keywords: Right to read scriptures, Prisoners, Law, Vietnam

1. INTRODUCTION

When people commit crimes, society has many ways of dealing with them according to the law, in case they are isolated from society Loving education, training to perfect their personality is one of the appropriate transmission channels. For people with beliefs and religions (religious), scriptures are one of the bridges connecting knowledge to the prison door, helping to light the fire of kindness and light the way for those who have committed crimes on the road. soon return to the community and live more actively. Reading books, including scriptures, is not only an indispensable entertainment, but also has the effect of nourishing the soul, equipping a lot of knowledge to help prisoners return to everyday life to become useful citizens. past guilt complexes.

2. CONTENTS

2.1. Concepts of Inmates, Scriptures

So who are the criminals? Why did the Law allow them to read scriptures while serving their sentences in prison?

In the most concise way, it can be understood:

“Convict” means: a person who has been declared guilty by the Court and is subject to a penalty and the sentence has taken legal effect.

"Sutra" (Sutra): Literally means a straight, transparent thread. Buddhist books are called sutras, because they have an effect throughout the Buddha's teachings, keeping firmly to not losing the teachings of the Buddha, the upper is in accordance with the morality, the lower is suitable for the listener's level. The word Sutra in Buddhism is used to refer to the Buddha's teachings in the form of written or oral tradition, has upward value, develops morality, cultivates meditation, generates wisdom, and helps readers to achieve spiritual attainment. peace and happiness. Sutras are fingers to show sentient beings the moon, a raft to bring people across the river to liberation. The Sutras themselves are neither the moon nor the shore of liberation. The moon here refers to the true mind, Buddha nature and Nirvana. Those who read, recite and uphold need to rely on the sutras to realize their true heart and Buddha-nature, as well as rely on their fingers to see the moon and rely on boats to reach the other shore. After seeing the moon, you need to know how to forget your fingers. After crossing the bank, the boat should be dropped into the river so that it can help many other people who want to cross the river. Don't be attached and worship the finger that helped us see the moon, just as the raft helped us cross to the other side.

For inmates who are serving sentences in prisons, they temporarily lose their citizenship during education and rehabilitation, but still have their human rights, they are entitled to read books or scriptures. Reading scriptures is also a human right to religious beliefs that is guaranteed to be exercised in the execution of judgments.

2.2. Legal basis for prisoners' right to read scriptures

Vietnamese law has recognized and clearly stipulates the right of prisoners to read scriptures, specifically as follows:

- Clause 5, Article 6 of the Law on Beliefs and Religions, Law No. 02/2016/QH14 dated November 18, 2016 stipulates: "Persons in custody and temporary detention in accordance with the law on custody enforcement , detention; people who are serving prison sentences; Persons who are serving the measure of sending to reformatories, compulsory educational institutions, or compulsory detoxification establishments have the right to use scriptures and express their beliefs and religion.

- For more specific guidance, the Government has issued Decree 162/2017/ND-CP dated December 30, 2017 detailing a number of articles and measures to implement the Law on Belief and Religion. In particular, Article 4 of the Decree stipulates: "The use of scriptures, expression of beliefs and religions according to the provisions of Clause 5, Article 6 of the Law":

Persons held in custody or temporary detention in accordance with the law on custody and temporary detention enforcement; people who are serving prison sentences; Persons currently serving the measure of sending to reformatories, compulsory education establishments, compulsory detoxification establishments (hereinafter referred to as persons under management or detention) may use scriptures published in the form of printed books. lawfully issued to serve the needs of individuals' religious and belief activities and to express their beliefs and religion by words or acts of individuals in accordance with the law on custody houses, detention camps, detention camps, reformatories, compulsory education establishments, compulsory detoxification establishments (hereinafter referred to as management and detention establishments).

The use of scriptures, expression of beliefs and religions of persons under management or detention at management or detention facilities must not affect the right to freedom of belief and religion and the right to freedom of law. other people's beliefs and religions and not contrary to relevant law provisions.

The Ministry of Public Security, the Ministry of National Defense, and the Ministry of Labor, War Invalids and Social Affairs are responsible for guiding how to manage scriptures, when and where to use scriptures, and to express beliefs and religions to people. being managed or detained at a management or detention facility

- Circular 17/2020/TT-BCA dated February 18, 2020 of the Minister of Public Security on "Promulgation of internal rules of inmate detention facilities", in which Point i), Clause 1, Article 1 of " Regulations of inmates' detention facilities" state that inmates comply with the following provisions: "Strictly obey the instructions of officials in participating in educational, academic, cultural programs and activities, arts, physical training, sports, entertainment. In addition to the time to participate in educational, study, labor and general activities, religious prisoners may use printed scriptures that are legally published and distributed once a week. Religious inmates register with the inmate detention facility, using scriptures, expressing their personal beliefs and religion at a place and time specified by the head of the inmate detention facility and not affect others. Inmate detention facilities are responsible for managing and censoring scriptures before allowing them to be used by inmates"

In the implementation, in order to implement the Law on Religion and Belief and the above Decree, the General Department of Criminal Judgment Execution Police and Judicial Assistance has had many discussions and seminars to collect opinions from experts. managers, those directly engaged in the education and reform of inmates to have a basis for requesting competent authorities to issue a Circular to exercise the right to freedom of religion for persons serving prison sentences, but

must ensure the safety of prisoners. prison security and safety; This prisoner's freedom of religion must not affect other prisoners.

Thus, based on the above provisions, people who are serving sentences have the right to use scriptures according to specific instructions of competent authorities. The guarantee of freedom of belief and religion for persons serving prison sentences in terms of the law has been concretized and codified by the Party and State, creating a solid legal basis for the implementation process, ensuring freedom of belief and religion for inmates while serving prison sentences in accordance with law and international treaties to which Vietnam is a signatory.

2.3. The role of inmates exercising the right to read scriptures

Firstly, ensure the exercise of the right to freedom of belief and religion according to the law, and at the same time meet the religious and belief needs of prisoners.

Religion is seen as an emotional need, even "as a form of emotion in man's relation to the alien forces of nature and society that dominate him". Therefore, the classics always note that it is forbidden to offend religious feelings and beliefs "in any form, public or private". Lenin once warned, "Whoever hurts religious sentiments will cause great damage" [20]. During his lifetime, President Ho Chi Minh not only considered religion a part of culture, but also considered it a necessity of life. Religion, he said, was "produced by mankind to meet the needs of life and the requirements of survival" [5]. The recognition of religion as a "spiritual need", is an unequivocal affirmation of the attitude of the Communist Party of Vietnam on respecting the prisoners' spiritual life needs, a genuine and political need. worthy of a part of religious prisoners. Show concern and guarantee for the close and legitimate interests of inmates with beliefs and religions as well as the protection of other human rights such as food, shelter, clothing, and health protection, human rights... This will

help inmates trust the law and feel secure in re-education when their legitimate needs and interests are protected by the law.

Secondly, promote the good values in the scriptures, overcome the deficiencies in the spiritual life of prisoners, and contribute to promoting the process of returning to inmates in addition to other rehabilitation measures.

Directive 37 of the Politburo (July 2, 1998), emphasized: "The good cultural and moral values of religion are respected and encouraged to promote". The Fifth Conference of the Central Committee (Term VIII) on July 16, 1998 On building an advanced Vietnamese culture imbued with national identity, the section "Cultural policy towards religion", stated clearly: "Encouraging ideas of justice, charity, goodwill... in religion" [3]. Thus, our Party has rightly aware of the good orientation, the good cultural and moral values of religions that need to be exploited and promoted, contributing to building an advanced and rich Vietnamese culture. national identity. This perspective aims to arouse good values, promote positivity and similarities of religion with socialism. The scriptures are one of the important parts constituting a type of religion, which contains the ideological content of that religion, which basically needs to encourage the thought of kindness, goodness, and a good life. In the scriptures, this will contribute to filling the gaps in the spiritual life of the prison, creating a peaceful, friendly and compassionate atmosphere right in the prisoner's re-education environment, and at the same time reducing the crime rate. repeat offenses after rehabilitation.

Third, strengthen cohesion in the prisoner's correctional environment

Religion and national unity are always sensitive issues of concern to countries. With a country with many ethnic groups and different beliefs like in Vietnam, this issue is always taken seriously. In the prison, there are also many prisoners from many regions, from different ethnic groups, with different beliefs and religions. The fact that they can satisfy their religious and belief needs according to regulations in

addition to the rehabilitation process in the prison contributes to strengthening faith, excitement and solidarity. The fact that prisoners can read, access scriptures, and be protected to exercise that right also avoid negative statements and thoughts on this issue, thereby contributing to creating a friendly re-education environment. In addition, when reading scriptures, prisoners will be more united with each other because they are scouts who share the same desire to reform and return to an honest life soon.

2.4. The practice of exercising the right to read scriptures of prisoners and some issues raised

2.4.1. Practice of inmates' right to read scriptures

In fact, inmates have temporarily lost their citizenship during the period of education and re-education in prisons but still have their human rights, they are entitled to read books, for inmates who follow a religion or have a need for education. books, they also have the right to access according to the provisions of the Law, the prison management agencies at all levels as well as the staff at the correctional facilities. When it comes to reading activities, we immediately imagine the prison library model, where there are many titles, including scriptures.

As a rule, a prison library operates in a closed mode, serving mainly people within the prison area itself. The audience of the library is usually incarcerated prisoners, and a small number of staff are active in the prison.

To manage a prison library model, there are two basic ways, that is, the prison administrators will be in charge or the administrators will appoint people from among the assessed prisoners. If there is a good improvement, active in the prison's activities will take turns managing the library work. Librarians will be under the direct management of the prison's leadership. Prisoners will have free days and hours of the week to go to the library to read books (like reading lessons), and also depending on

where with different mechanisms, prisoners will be given books. to borrow books to the cell to read.

In fact, ensuring the right to belief and religion for inmates who are serving sentences during the important period has always been concerned by the Party and State.

As of May 20, 2020, prisons under the Police Department managing prisons, compulsory education institutions, reformatory schools (C10), the Ministry of Public Security are managing and detaining a total of more than 130,000 prisoners. Before being arrested, detained or sentenced to prison, the majority of inmates have worshiped ancestors, family lines or have other beliefs according to the cultural traditions of each ethnic group. Out of the total number of prisoners, there are more than 11,000 religious inmates. Specifically: 3,859 inmates are Catholic, 336 are Protestant, 5,862 are Buddhist; 392 inmates follow Hoa Hao Buddhism, 532 inmates follow Cao Dai, 37 inmates follow Islam, more than 40 inmates follow other religions [21].

The prison management police force ensures freedom of belief and religion for inmates while serving prison sentences. That is, strictly implementing the provisions of the Constitution, the Criminal Law, the Law on Criminal Judgment, the Law on Belief and Religion, creating all conditions for inmates with beliefs and religions to express their beliefs and beliefs, religion according to the provisions of Circular No. 17/2020/TT-BCA dated February 18, 2020 promulgating the Regulations on inmate detention facilities. Strictly handle acts that infringe on the freedom of belief and religion of prisoners in accordance with law. All inmates, regardless of nationality, ethnicity, gender, belief or religion are managed, detention, organizing re-education labor and implementing regimes and policies on an equal and non-discriminatory basis in the course of serving prison sentences. Absolutely no discrimination or discrimination on the grounds of belief or religion. Managing, detaining and

educating inmates to ensure that there is no conflict, discrimination or alienation between inmates with beliefs or religions and inmates who have no beliefs or religions or between inmates. according to different beliefs and religions. To prevent, prevent and thoroughly handle violations of the law, prison regulations, and acts related to beliefs and religions such as forcing or obstructing inmates from following or not following beliefs threshold, religion; divination, worshiping, propagating or performing superstitious and superstitious acts; hiding or using books, newspapers and publications on beliefs and religions that have not been censored, have harmful content contrary to the law, or have acts affecting the freedom of belief and religion of inmates other. Thereby, creating a friendly and positive re-education environment for inmates to exercise their right to freedom of belief and religion in accordance with the law. Create all favorable conditions for inmates to use and study scriptures, books, newspapers and publications on belief and religion at the library for prisoners in prison to serve the needs of belief and religious activities. Inmates are allowed to receive and use books, newspapers and other publications on beliefs and religions that are legally published sent by their relatives after being censored.

2.4.2. Some problems arise when exercising the right to read the scriptures of prisoners

However, in the process of ensuring the exercise of the right to read scriptures of religious prisoners, we need to pay attention to a number of issues posed as follows:

Firstly, the addition and updating of appropriate biblical publications to meet the different religious beliefs of prisoners, in which attention is paid to the censorship stage. What content is accessible is appropriate and allowed, it requires the investment and compilation of experts in combination with criminology experts, this is also a problem to ensure that the titles of books, newspapers, publications, The materials are rich and suitable to meet actual needs, so that inmates feel more excited

and motivated after each working period, they go to the library to read books for entertainment and save their souls.

Secondly, the management of the process of accessing, reading and using scriptures is an issue that needs to be taken seriously, in addition to grasping the thoughts, desires, and progress of prisoners, it is also important to be wary of profiteering. Using ideological content in the scriptures to distort, distort, manipulate, collude or divide other inmates for personal purposes, other intentions that are contrary to the humanitarian and good purposes of the For this activity, so the regulations in the reading room, in borrowing, in the dissemination need to be concretized so that inmates can instill and seriously implement. Therefore, the application of information technology in management should be promoted and prioritized in addition to improving professional skills for the teaching staff.

Third, it is necessary to give due importance to this activity in addition to other regular activities in order to promote the positive impact of religion and belief in the process of reforming prisoners so that there are plans to continue to make improvements. progress, adequate investment, in accordance with the law.

2.5. Proposed solution to ensure effective exercise of the right to read scriptures of prisoners

First, there is a high consensus and close leadership and direction of the Party Committee and the government to create a high consensus among officers and soldiers of the whole unit, consider this as one of the forms of criminal education; The unification, in-depth understanding and penetration will avoid loopholes and deficiencies in activities to ensure the exercise of the right to read scriptures for prisoners.

Second, leaders of prisons need to create the best conditions so that the library system in prisons at each level can bring books to serve all religious prisoners in their spare time. For prisons, if building a library or reading room for centralized service, it

is very difficult to manage and not make full use of inmates' free time in reading scriptures. That is why the plan to build a "good-oriented bookcase" right in the prison cells to facilitate management, promote the self-governance of prisoners in each cell and create conditions for inmates to take advantage of spend free time on reading scriptures.

Third, attaching the service of books and newspapers to prisoners, including scriptures, for religious prisoners into an inseparable task in the inmate education of each prison officer. This is one of the tasks that are included in the evaluation of emulation to complete the tasks of warden officers and soldiers every year to ensure that this activity is implemented seriously, regularly and effectively.

Fourth, focus on leading mass organizations in the prison and the Education Department - The camp's record actively implements activities to serve books and newspapers, consider this as a force to help successfully deploy the work. To serve books and newspapers in prisoners, especially the organization of other forms of service such as: display of spring newspapers, book contests, etc., which pay attention to the variety of books and indispensable scriptures for inmates religion.

Fifth, turn the movement of reading books and newspapers among prisoners into an emulation movement that is both encouraging, motivating and compulsory for inmates to actively participate in reading books and newspapers; as well as religious prisoners who actively read scriptures to improve their spiritual life, strengthen their culture and personality.

Sixth, actively cooperate with libraries at all levels to increase the resources of books and newspapers to serve inmates, and at the same time organize other service activities such as propaganda and introduction of books, story-telling according to books, and legal research contests. Laws, life skills, good traditions of the family, the Vietnamese nation, etc. create a healthy playground for prisoners to have the opportunity to show their results after reading books and are also outstanding

propagandists. excellence in propagating books, propagating laws, ethics, lifestyles, good traditions, etc. of the Vietnamese nation to all inmates who are living, studying and re-education in camps. This is a form for prisoners to participate in educational work for themselves and other inmates who are participating in the execution of their sentences. positive content.

Seventh, strengthen effective management measures to exercise the right to read scriptures. At that time, the orientation by correctional officers with knowledge of issues will contribute to promoting effective reading of this type of book, teaching political, orientation and management. Besides, upgrading and replicating the appropriate library model, applying information technology will contribute to managing the reading activities of prisoners more and more effectively.

3. Conclusion

Prisons are places where prison sentences are served, so in the process of serving sentences, prisoners are guaranteed their rights protected by law, in which besides reading scriptures, households have the right to express their beliefs and beliefs. Beliefs and religions by words or actions that do not affect the activities of other inmates and are not contrary to the provisions of law such as: Performing rituals of "making holy signs", praying; fasting on the full moon and first day of the lunar calendar..." Beliefs and religions always aim at the values of truth - goodness - beauty, helping prisoners to gradually change their behavior and personality. In this regard, the prisons have created all favorable conditions for inmates to express their beliefs and religions in accordance with the law", contributing to make up for the shortfalls in the spiritual life of the prisoners. prisoners in general and religious prisoners in general bring them closer and soon back to the good life.

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