Rape experiences and the limits of women’s agency in contemporary post-reform Vietnam
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CHAPTER 5

Searching Beyond the Best-kept Family Secrets:
Intersection of Kinship, Ethnicity and Migration

Một con ngựa đau cả tàu bỏ cỏ
[Vn.: When a horse falls sick all the horses in the stable cease to eat the grass]
A Vietnamese saying

Introduction

I heard this story on my third visit to Linh’s “home,” a tiny box-like shed (9 square meters) in a quarter popularly dubbed as xóm liề [Vn.: ‘risky slum’] on the right banks of the Red River, considered a “no go” area by ordinary Hanoi citizens. Outside the streets were full of people in a celebratory mood. It was the country’s National Day marking the 50th anniversary of Vietnam’s declaration of independence from French rule (September 2nd, 1945). Linh’s mother had asked me to stay for lunch. We talked while preparing the spring rolls. Linh’s mother recalled the incident that occurred at a New Year family reunion.

“When would expect that it happened right in my mother’s house? What a scum! I simply want him (the rapist: Linh’s bác rể/ Vn.: husband of her mother’s elder sister) to be locked up again. Last time he was sentenced to 13 years for raping his cháu gái [Vn.: niece, younger brother’s adolescent daughter]. It was a big shame for the family. His younger brother had to sell off his house, then took his family to the South. There’s nothing to be done because it’s in his nature! Just want to get rid of him definitely… a thorn in the eye. This time he’ll be in jail for many years… When they (Linh’s câu/ Vn.: younger brothers of her mother) dragged him away from her, he got down on his knees, kowtowed to grandma, and cried out that everyone could beat him to death right there in the house. He wanted to die right there, that’s what he said, he was afraid of going back to jail…then he ran upstairs, threatening to jump to his death… They (Linh’s câu) had to drag him down as
he raised a hullabaloo to cover his crime. My mother (Linh’s bà ngoai/ Vn.: grandmother) was afraid that if he stayed in the house, my younger brothers will beat him up. Yes, the three of them would beat him to death… in that case they would commit a crime themselves.” (HN-PI200531)

Using this narrative as a point of departure, I will examine the ways in which kinship’s structure and function among different ethnic groups influence the response of the victim’s family when the incident of rape comes to light. I will point out that the experience of rape affects not only the physical and psychological well-being of a raped woman or girl but also affects the honor and status of her immediate family members, and her kin relatives as well. By paying attention to the interplay of relationships between family members and the wider kin network, and the social hierarchies and cultural processes beyond that, I try to gain insight into aspects related to the “face-saving” question that concern other kin members. Moreover, I will focus on how individual agency is enabled, represented and contested during the whole revelation process.

The rape and incest cases discussed in this chapter, provide the basis for investigating how kinship relations are connected to individual experiences, in this case those of the raped person. In this chapter particularly I will argue that the aftermath of rape is not seen as an individual affair, but an event that (section 1) involves intra-family and/or kinship relations (always inflected by gendered notions of morality) within the own “kin group;” that (section 2) therefore involves inter-family negotiations about apology and compensation, before reporting to the police or pressing charges; and that (section 3) might result in the (temporary) removal of either the rapist (through incarceration or migration) or of the rapee herself (through kin networks or individually/secretly). While the main line of this chapter is about kinship and family dynamics, I will also explore to what extent cultural variations pertaining to marriage, sexuality, and especially female virginity among different ethnic groups have impact on reactions from the local community regarding sexual crimes against women.
1. Intra-familial decision: Going public or not

Before focusing on the family’s reactions, which vary depending on such factors as when and how the family gets to be “informed” about the assault, I set out by looking at the concept of disclosure. As pointed out in Chapter 4, disclosure is a crucial first step in the process of reporting the assault to the appropriate authorities (Hanson et al. 1999; Macmartin, 1999). Whereas disclosure can be interpreted as an individual act, reporting can be seen as a collective effort in which the individual’s moral position and the meanings of the family’s honor are jointly negotiated. This conceptualization on the one hand highlights the potential dynamics of the family as a whole in negotiating the incident that might leave out the woman’s voice. On the other hand, this might serve as a ground for particular individuals to turn their personally painful predicament into a more or less collective endeavour, rather than bearing it alone (e.g., Gammeltoft, 2007). In this respect women may articulate their experiences to others in an effort to gain post-assault support and assistance, which can be seen as a form of “social sharing” (Rime, 1995). Accordingly, depending on the types of support providers (informal vs. formal), rapees may receive positive or negative reactions after disclosure (Ullman, 1996, 1999; Campbell et al. 1999; Ahrens, 2006; Ahrens et al. 2007).

This chapter largely deals with cases involving disclosure to informal support circles such as family members, friends and neighbors as well as reporting to official authorities such as the police. The women’s reasons for disclosing fall into two categories: 1) “purposeful” disclosures, which include seeking emotional support, catharsis, tangible aid, or simply a desire to catch the rapist; 2) “accidental” disclosures initiated by others which include the need to explain their behaviour after being asked where they have been, what they have done; or whether the police has been called to the scene. More specifically, those in the first group engaged in self deliberation prior to disclosure, whereas in the second group disclosure was prompted by the situation itself. It should be noted that my discussion does not include those who chose not to reveal the incident at the family level, but then took the initiative to seek professional assistance elsewhere. In order to gain an understanding as to how and why prevailing family dynamics and kin relations play a major role in the reporting decision itself, my discussion focuses on three
main points including gendered role of women in kinship structure, the stake of family honor and the rapee’s marriage future.

1.1. Reporting to the police

The present research has come across several cases involving a report to the authorities soon after the assault. I return now to the case of Linh, a Kinh adolescent girl mentioned in the beginning of the chapter. In her own narrative, Linh’s mother expressed her outrage over the rape of her daughter, particularly venting her anger at the offender, a member of her extended family. Her decision to contact the police came only after she had gone through a family drama involving intricate kin interactions. It is interesting to note that the “rapist uncle” at first appeared to be remorseful, fully aware of the prospect of going to jail again (he had served a long sentence for raping a niece before) after the rape was uncovered. Since parents and elders in the family command respect from and exert influence on their offsprings (Giang Thanh Long and Pfau, 2007), the rapist-uncle turned to Linh’s grandmother - the de-facto head of the household after her husband’s death - in order to apologize and seek pardon, together with a threat to kill himself. This double manoeuvre was underscored by the man’s denial of his wrongdoing later at the trial. In the Vietnamese context, the uncle rapist’s behaviour can be partially explained by cultural notions of family harmony relating to traditional gender roles.

Much of the social discourse conveys the idea that women are held accountable for the behaviour of their children and the moral image of their family. It is not surprising that women are the most affected when their families run into difficulties. For example, while mothers are commonly blamed when reproduction goes awry (Gammeltoft, 2007), wives bear responsibility for marital conflicts (Shiu-Thornton, Senturia and Sullivan, 2005). Specifically, mothers are often blamed for the sexual abuse of their daughters as I shall discuss in the next section. In Linh’s case the grandmother’s decision to seek legal intervention is grounded in the anticipation of trouble if she chooses to deal with the case informally. It is a move to pre-empt her sons from committing crimes of their own if they decide to go after the rapist themselves. At first glance, the strong position of the elderly widow in this case somehow does not fit entirely with the general perceptions of Vietnamese kinship as dominated by the patrilineage.
Actually, the gender roles of men and women and the consequent distribution of power within Vietnamese families could be regarded as a “paradox of power” (Oosterhoff, 2008). Although the woman’s traditional position is quite limited as compared to that of men (Luong, 1992; Phạm Văn Bích, 1999; Tran, 2008), this status is enhanced especially after she gives birth to a son, thus strengthening the patrilineage of her husband. But, while motherhood gives a Vietnamese woman status, infertility and failure to produce a son would have serious social consequences for her (Pashigian, 2009). The wife’s influence becomes even greater when her sons get married because of her inherent right to “teach” her daughters in-law. Her authority increases and her opinion counts even more particularly after her husband’s death. This is consistent with the Vietnamese tradition that elderly widows often act as matriarch in their families (Teerawichitchainan, 2009). The situation can be observed in the case of Linh’s bà ngoại [Vn.: maternal grandmother] as the de-facto head of her household after Linh’s ông ngoại [Vn.: maternal grandfather] had died of lung cancer in 1998. Linh’s bà ngoại has been the breadwinner for her family of nine children, besides she is an important figure as chairperson of the Women’s Union at the local ward. Her position inside and outside her family no doubt influenced her decision to report the rape incident to the local authority. Arguably, her involvement in local politics might make her all the more aware of her obligation to report cases of child sexual abuse to the authorities.

A scrutiny of the family composition revealed that this bà ngoại was in fact the second wife of Linh’s ông ngoại who also had a daughter from his first marriage. This daughter is married to the man who committed child rape against Linh. Here comes the question: Would Linh’s cậu [Vn.: maternal junior uncles] resort to violence against the rapist if his wife were not their half sister? and, Was it due in part to the fact that there was more or less the feeling of bằng mắt nhưng không bằng lòng [Vn.: outwardly OK but not from the heart] among these half siblings? For the bà ngoại, in seeking external intervention did she try to avoid being blamed for the internal conflict and to cover up the lack of harmony among her family members? If the rapist’s wife was her own daughter, would she decide to report the rape? This must have something to do with her double role

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44 Linh’s mother once told me that there is a distance between them as half-sisters (from the same father and different mothers).
as a logical gate-keeper (to her own children) and as a matriarch in weighing the options what to do with the rapist husband of her stepdaughter. The grandmother’s decision of reporting to the authorities shows that attributing culpability to a close family member is a complicated, risky business. It shows that familial self-interest figures prominently in the process of making the decision of whether to report or not.

This example also illustrates the bloodline relationship in which biological children are preferred over stepchildren, as reflected in a popular proverb дори nào mẹ ghé mà thường con chồng [Vn.: No stepmother will ever love her stepchildren]. This finding is correlated with the implicit recognition of the importance of both bilateral and nuclear relations as espoused in Luong (1989)’s classic work on Vietnamese kinship. The link between this and other family and demographic factors and reactions to the problem of sexual abuse and incest should be an interesting area for further analysis.

1.2. Pressing charges

In addition to the role of mothers in the decision making process, I would argue that the relationship between the mother and her own siblings or siblings in-law plays a buffering role in help-seeking efforts. More particularly, the type of reaction the rapee’s family receives from its kin members is likely to have an impact on its course of action that ranges from reporting to initiating a lawsuit. For instance, in the case of Thu who was raped by a sixty-six year old next-door neighbour, her mother did not know about the incident until she was told by another neighbor one week after it had occurred. At first Thu knocked at this neighbor’s door asking for emergency help. She wanted to cleanse herself so that her mother wouldn’t know what had happened, fearing that her mother would punish her. Thu then turned to her cô [Vn.: aunt, younger sister of her dead father] who lived also nearby and told her about the incident. Knowing her mother and her nhà nội [Vn.: paternal family] were not getting along well and thereby were unlikely to discuss the matter together, Thu sought out support from this aunt. However, the aunt used the occasion to bad-mouth about Thu’s mother, blaming her for her daughter’s misfortune. Thu’s mother recalled her anger when her mother-in-law told her:
“See, if you save a person’s life you will reap multiple merits, but this daughter of yours is pretty whory, you know it... If he (the rapist) goes to jail, it still doesn’t solve anything.” (HN-PI200732)

This reminds us that in a patriarchal discourse, women’s rape narratives are often called into question even by other women, who may even deny the reality of pervasive male violence against them and their loved ones (Shearer-Cremeans and Winkelmann, 2007). Emerging from this attitude is an emphasis on women’s responsibility for male violence that influences social attitudes towards women as rapees, as well as women in the expected role of mothers. In fact, Elena Newman (2007) in her study of childhood sexual abuse in the US, points out that the socio-cultural and historical milieux of sexual trauma create an environment in which survivors anticipate disbelief, shame, blame, alienation, or punishment from others.

Furthermore, the reaction of Thu’s grandmother is consistent with the findings from the case of Linh which reflect the nature of blood-line relationship and the intra-family interplay. However this blood-line relationship does not appear to act as a buffer in the disclosure process in a similar manner as shown in the case of Linh. As previously mentioned Thu’s aunt spread around malicious gossip about the abuse instead of giving her solace or tangible aid. It is also possible that the aunt might not feel comfortable to discuss the abuse with Thu’s mother. The distance between Thu’s mother and her in-laws could be traced back to the family history:

“My husband (Thu’s father) is the out-of-wedlock son of his father (Thu’s biological paternal grandmother who died several years ago), the first wife (Thu’s present paternal grandmother) naturally dislikes him from the start. That’s why they (Thu’s paternal kin) don’t care much about me and my daughter.” (HN-PI200733)

In fact Thu’s father was the eldest son in the family, although he was born out of wedlock (for a further discussion about the differentiation of kinsmen see Luong 1989). Whereas Thu’s paternal grandfather was still living and seemed to have sympathy and concern for Thu and her widow mother, he did not give his con dâu [Vn.: daughter in-law] and his cháu gái [Vn.: grand daughter] any tangible help. Thu’s mother explained to me this was due to the fact that he was now living with a married son on whom he depended for his upkeeps. For her part Thu’s so-called grandmother showed little sympathy after the
disclosure of the incident. By so doing the grandmother made a point of denying Thu’s mother a sense of belonging: she was neither part of the family, nor a member of the extended kin group, and thus had no moral right to ask for help. Interestingly Thu’s cô [Vn.: paternal aunt] told me in an interview that “she (Thu’s mother) is just a peasant woman who left her village to pick garbage in the city. At night she sleeps with the landlord, that’s why her daughter is good for nothing.” Thu’s mother herself was also the subject of gossipping and was blamed for breaking up other people’s family, given the fact that Thu’s father was already married with another woman at the time he started seeing Thu’s mother.

Out of this complex intra-familial web, the moral line is rather simple: a mother who fails to live up to the moral ideal of chastity is bound to have a daughter who behaves in similar ways that will drag her deep in the mud. This way of reasoning, which predominates “public” assessment of Thu’s sexual victimization, resonates with a long tradition in Vietnamese culture attaching moral meanings to social events. It is especially important to note that local mores, being grounded in Buddhist beliefs of luật nhân quả [Vn.: karma], tend to link the occurrence of misfortune to the lack of phúc đức 45 [Vn.: merit and virtue] of the family. In this line of thinking what happens to a person in this life is a consequence of the law of cause- and- effect, and may be accountable for personal events and actions in one’s previous life, or those of one’s immediate family members. More specifically, the Kinh believes that phúc đức tài mậu [Vn.: merit and virtue are derived from the mother]. As should be expected, a good woman of proper conduct and morals brings happiness and good fortune to her family while a bad woman brings only tragedy and despair. This popular belief, according to Nguyễn Khánh Linh and Jack Harris (2009), masks the cultural construction of women as keepers of morality. Yet at the same time the accountability that phúc đức places upon family members

45 Arguably it is “quantified” because reference is frequently made from the point of không có/vô [Vn.: no] to nhiều [Vn.: much] or rất nhiều [Vn.: very much] phúc đức. Phúc (or phước in Southern dialect) đích is considered to be influential over a span of five generations (Slote, 1998). For instance, the birth of a disabled child has social and moral consequences for the entire family- and, especially, for the parents and siblings of the woman and her husband (Gammeltoft, 2007). The physical anomaly is taken as an indicator of moral transgressions made by the child’s parents or grandparents, called quâ báo [Vn.: a negative result of karma]. On the contrary it is assumed that a family blessed with phúc đức is to have healthy and well-behaved children. A “proper” female would bring great honor to her own family and later to that of her husband when she gets married (Ngô Thị Ngân Bình, 2004). For a detailed account of phúc đức as a form of intrapsychic coping mechanisms for many Vietnamese, see Slote (1998).
through different generations may operate as social resources for the fashioning of individual thought and action, in this case the rapees. The scope of this dissertation however does not allow a full discussion of the role of religion or spirituality in the rapee’s healing process - an important factor that may help them come to terms with their misfortune.

Suffice it to say here that this moralizing version of the rape incident suggests mother-daughter intergenerational correlations in the sphere of socialization, according to which if the mother transgresses orthodox moral standards the daughter might do likewise. Inevitably the victim/daughter was subjected to innuendo and suspicion that she may have “provoked” the rape herself, as reflected by Thu’s aunt doubting her credibility, blaming her for what happened. This is in line with the idea of a “just world” where a rapee is seen as responsible for her fate, a mother is held responsible for her childrearing, and a woman is blamed for any “deviant” behavior that might go against the prevailing gender ideology. By challenging the perpetrator through legal action, Thu’s mother wanted to show that she had nothing to hide, thus enhancing her credibility and reducing the risk of being blamed. Moreover the negative reactions from kin relatives must have had an impact on her decision to take legal action.

At another level the mother’s anger was partly due to her failed attempt to claim for her daughter a proper place in the paternal family. Given the position of Thu’s mother as a poor migrant widow living on the margins of society, such a claim also appealed to a sense of responsibility on the part of her husband’s family. Still these kin members rejected her cry for help, giving no resources or referrals. Their reaction might reflect the Kinh people’s emphasis on collectivism, to the effect that serious interpersonal offenses cause humiliation and loss of face not just to an individual but also to that person’s family and the entire kin group. In this manner, public knowledge of rape not only brings potential stigma to the victim herself or her family, but risks blemishing the entire kin body as well. However Thu’s paternal grandmother’s response was so unsympathetic that Thu’s mother had no choice but seeking help elsewhere:

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46 For example in the rape of Thị Mịch - a female character in the novel Giông tô [Vn.: The Storm] - the event is interpreted as bringing shame to the whole village (Vũ Trọng Phụng, 1996).
“When I went to see my family in-law, they all scolded me. I said: “That guy (the Bluebeard/ the rapist) slept with my daughter who is your niece (Thu). She is one of your kin. He (the perpetrator) may look down on you because you all are just stupid. No one can blame me because I am just a woman. Her father (Thu’s father) died early so that he couldn’t bring her up properly. You are her senior uncles but you don’t feel any pity for her, your blood-related niece.” (HN-PI200734)

When facing the prospect of being left out in the cold by her family in-law, Thu’s mother decided to go it alone, bringing her daughter’s case to justice. In doing so the mother not only wanted to show how she was perceived and treated by her in-laws but also to give an example of what a poor migrant widow like her could do in order to secure her citizen’s rights.

1.3. All quiet in quê (ngoài): A rescue alternative

It is important to mention that the mother did not turn to her natal kin for help in the reporting process because she believed that doing so would be ineffective and only result in negative consequences such as bringing stigma/blame on her. As Thu’s mother explained: “My elder brothers would say since I am married I should not bother them anymore. I should run my own life instead.” The underlying cultural norm is that a married woman is considered as belonging to her husband’s family, thus cutting herself off from her natal kin (cf. Bélanger, 2002). Central to this viewpoint is a belief that this is a task that the woman should consult with her husband’s family to which she belongs, both socially and morally.

Meanwhile the supportive reactions that Linh and her mother received from their maternal relatives mentioned earlier seemed to be in tune with the popular saying of cháu bà nội tôi bà ngoài [Vn.: one can be a granddaughter of a paternal grandmother, however the burden of care falls on the maternal grandmother]. This somehow contradicts the above mentioned scenario suggesting that a daughter belongs to her husband’s family after her marriage - the husband’s family being regarded not only as a main source of support but also as a source of obligations for her. But as Nguyễn Đức Truyện (2003) points out, even after her marriage a daughter still maintains strong ties with her natal family, reflecting certain bilinearity in the Vietnamese kinship system (Luong, 1989).
This feature of the Vietnamese family and kinship system reveals a more complex picture, which is far from being strictly patriarchal since both the maternal and paternal sides matter (Bélanger and Barbieri, 2009).

A closer look at the case of Thu however reveals that the mother tried to keep the incident secret from her quê [Vn.: natal village], fearing social consequences would follow if others in her quê knew about her daughter’s predicament. As the mother explained:

“Such a story will make it impossible for her to get a husband there. In the countryside that’s very difficult. It (the story) would quickly spread among the villagers. Out here (in Hanoi) it’s different. I asked everyone (in her natal family) to keep it (the incident) within the family. Later if she (Thu) wants, she might go back there to find a husband.” (HT-PI200735)

By so doing, the mother was preparing an “escape route” for her daughter to return to her home village for marriage feasibilities. In this situation, the focus the mother placed on her daughter’s future might hinder her efforts to seek social support (from her natal kin). When alluding to the cultural tradition which considers a married woman as “belonging” to her husband’s family, Thu’s mother appealed to the sense of responsibility of her husband’s family and kin with regard to what happened to her daughter.

Moreover, an analysis of the mother’s interaction with the larger kin group indicates that speaking out about the assault (of her daughter) may have detrimental consequences for the mother herself since she may be subjected to further blame at the hands of the very people she turns to for help. This occurs particularly in cases where the absence of a father figure in the family is noted, thus supporting the idea that the role of the head of the family - mostly a man - is not only important in the social economic activities of the household but also instrumental in maintaining family life, discipline and moral ethics (Nguyễn Đức Truyện, 2003; see also Luong, 1989; Kleinen, 1999; Bélanger, 2002; Trường Huyễn Chi, 2009). On the whole, it is a hazardous thing to reveal the rape of a female family member because of the intricate interplay of intra-family relations. This in the main constitutes an obstacle to the rapee and her family in pursuing a criminal prosecution of the offender.
It should be pointed out that these cases took place against the social-cultural background of the “majority” Kinh people, where Confucian ethics on female virginity and chastity are of primary importance.\(^\text{47}\) A public reporting entails serious consequences not only for the raped person but also for the whole family. But in Linh’s case no one seemed to take this into account in initiating the legal steps. Only after the lower court had passed a judgement deemed unfavourable to her case did Linh’s mother decide not to pursue the case further, citing the need to protect her daughter’s good name. There is a contradiction between family interests, particularly the parents’ own interest, versus the need to focus on their daughter, the victim who needs emotional support in the wake of disclosure. Hence the question of whether to take into account the need to protect the girls’ honor is arguably a matter of compromise. In the following section I will show how concerns pertaining to other family members and the extended family affect the decision whether to report sexual victimization or not. These concerns will also be examined against a backdrop of specific ethnic cultures that place less emphasis on the question of virginity.

1.4. A private matter: Family honor and marriageability in a case among the Dao

While the above example is illustrative of a prompt response in rape reporting, in most cases in this study the rapee’s family often shows a reluctance to contact the authorities or try to treat the incident as a private matter. This section will discuss the fear of social disgrace following public knowledge of rape, and the ulterior motives of marriage settlement, under the guise of bridewealth in some ethnic communities. The emphasis placed on the idea of “family honor,” which is inextricably tied to a woman’s marriageability, can get so extreme that the family may feel that such kind of crime should not be disclosed at all. It is worth noting that the fear of bringing disrepute to other members of the family is evident even among the ethnic minority groups who do not consider virginity as an important social factor as in the case of Dao people in Lào Cai.

Take the case of Yến, a fourteen year-old Dao girl raped by a brother in-law who subsequently committed suicide on the same day of the incident. Yến’s father also

\(^{47}\) Please refer to Chapter 4 for a further discussion of present-day social attitudes on gender roles and perceptions of female virginity in both rural and urban areas.
suspected that her elder sister was abused by another son in-law later on. But the father said:

“We don’t report (to the authorities)…this will only create troubles, (that’s what) I told my wife. She also says we don’t do it, better to protect her honor. If this becomes known when she grows up she will have difficulty finding a husband.” (LC-PI200736)

Concerning the rape of Yến, her father told me in an interview that if this son in-law of his had not committed suicide he would have taken him to the police. However when confronted with the case of his other daughter (Yến’s elder sister) who was raped by another son in-law, the father was trapped between the need to seek help for assault-related sequelae and the need to hide another abuse (within his own family), for fear that disclosure could cause familial discord and much suffering to many people involved. The father chose not to report to avoid the potentially negative reactions to the (second) abuse that would spell disaster for the whole family. He would never be able to find a husband for his daughters (meaning Yến and her elder sister), and the shame and dishonour would stay with them as long as they live. This finding leads to the question whether the father’s attitude has anything to do with extraneous concerns such as family status and his daughter’s marriageability, given the fact that there is no emphasis on ‘traditional value’ attached to women’s tiết khu-ú pai tiết khô [D.: virginity] among Dao ethnic group.

As pointed out by several researchers (Phạm Quang Hoan, 1999; Lý Hành Sơn, 2003), in Dao society, particularly among the two sub-groups of Dao Đỏ and Dao Tuyễn in Lào Cai involved in the present research, it does not matter much whether a girl is virgin or not in terms of marriage eligibility. Put it differently, miền chăng miền xiá [D.: premarital sexual relations] within these two ethnic subgroups are not seen as shameful, and thus the virginity concept does not play an important role in marriage. Typically, an informant commented dryly that “even these girls do not know whether they still have it” (virginity), implying that a young Dao female enjoys unrestricted sexual freedom. Indeed, there is a commonly held belief among majority Kinh living in Lào Cai that “young Dao

48 The incident happened around noontime at the perpetrator’s house during Yến’s short visit there. She ran home and was taken to the nearest hospital by her neighbors since her parents were away at the time. Yen suffered serious vaginal laceration with heavy bleeding. The case became known to the villagers, but there was no prosecution due to the suicide committed by the perpetrator.

49 This is in contrast with the “first-night” nuptial ritual as commonly practiced among Kinh people to ascertain the bride’s virginity.
people are just like Westerners” in the sense that they do not care much about their future partner’s sexual history. Because they have few restraints over their sexual urge, “they are as free as the Westerners. If they like each other they just do it. No one cares as long as they don’t get pregnant.” The question is whether there is a link between the extent of sexual freedom and the seemingly low incidence of sexual assault among Dao youths, given the fact that rape report would not be taken seriously, and it might be relatively “rare” in the sense that the vast majority of sexual assaults that do not fit the “dominant pattern” (e.g., pregnancy as a result of rape, presence of witnesses), would go unreported, and thus go unpunished. How then these so-called traditional attitudes on chastity have an impact on the stigma, which the women have to bear? And does it work in the same way as in the case of a Kinh woman? The following section will deal with the ways in which these cultural particularities may make it even more difficult for a victim to disclose a rape incident.

The findings of my fieldwork nevertheless show that nowadays Dao girls still maintain their behaviors according to local norms of morality [D.: hi-ų diêm nhân lòng]. Lý Hạnh Son, an expert on Dao culture and himself a member of this ethnic group, told me that local customs still condemn mài tôn gởi [D.: out-of-wedlock pregnancy], and if this occurs the boy and the girl will have to get married [D.: ép nàn búa pháy thô-ô]. Dao youth are not as casual in sexual relations as it might seem. They may indulge in “free love” but this is often based on conscious choice: girls are picked for their skills of weaving and embroidery while boys are chosen for their good character and physical attributes. The next step is to ‘officialize’ the situation by arranging for the two families to meet to assess whether their ages are compatible according to local horoscope. This age compatibility is a sine qua non condition for a marriage to proceed. Otherwise, the boy and the girl are free to look for other prospective spouses. The open attitude about female virginity allows leeways for them to start anew without affecting family and kin relations. On the other hand, it also has a restraining function on the youth in their pre-marital relationships. Put it differently, a Dao girl is encouraged to dsụ xin [D.: self-restraint] concerning premarital sexual relations.

Generally Dao womanhood is subjected to certain restrictions in order to protect the female’s mài msiên [D.: reputation, honor] as well as that of her family. Traditionally a
Dao girl is considered a symbol of her family’s dignity and social status - an asset, which her parents often use to attract eligible sons of local dignitaries, with an eye on getting a substantial bridewealth. For most Dao groups, the marriage custom of bride wealth has broader implications than its economic aspects. The size of the bridewealth is an indication of how “valuable”/well-bred the daughter is, it is her parents’ public display of honor. On a more practical level, a bridewealth may constitute the means of acquiring and adjusting labor needs: in case the girl’s family needs labor for agricultural activities or if the boy is poor, the girl’s family would ask the boy to stay with them temporarily, which would prolong the pre-nuptial period. It is worth noting that the boy and the girl are not regarded as truly married until the bridewealth is paid. Only after the boy is accepted by the girl’s parents to live under their roof, the couple is officially given the approval to sleep together (Lý Hành Sơn, 2003). Therefore, it is not uncommon to see couples with grown-up children holding their wedding for the first time. Apparently this kind of practice is a burden to those who have many sons, and it is not uncommon to see parents start to save for the bridewealth requirement as early as their son turns ten. Families having daughters need not to worry about this economic burden (Ninh Văn Đỗ et al. 2003). For this reason, even though the Dao has a kinship system similar to the Hmông and the Kinh, there is no discrimination against female children in Dao families (Đỗ Ngọc Tân et al. 2004).

In the two rape cases among the Dao, the notions attached to women’s role seemed to cause their rape experience to look more problematic because of their failure to meet the social expectations of a proper girl. Their sexual violation was different from premarital sexual relation in the sense that the incidents were not kept in the private sphere. In the case of Yến she had to go the hospital because of the grievous wound caused by the rape and the subsequent suicide of the perpetrator. Even though there was no pregnancy, these two girls were stigmatized as those who “have failed,” and thereby becoming miên xá tchâu quấy mût tra-á [D.: devaluated girls]. Because of the rape incidents their worth as future brides became much less. They would be reprimanded (by her parents) for getting themselves into such a situation.50

50 In case the marriage cannot be obtained as a form of restitution, the perpetrator will have to pay five silver coins instead as compensation for the loss of the victim’s honor. This payment is called thip min chi
What is at stake here is the link between the traditional practice of bridewealth and a relatively high value that Dao society places on female youth, which in turn has a bearing on the experience of *trạch mien xia cháu tiet* [D.: rape] and its consequences. Moreover in Dao society the parents of rapees are often barred from communal functions such as performing rituals in launching a new crop season or representing the clan on prenuptial arrangements. This downgrading of their social status together with the economic loss is bound to affect the parents’ attitude toward their own daughter, which might include resentment and bitterness. As for the daughter, she might find herself subjected to *nsa-am tha-am* [D.: heavy stress] for derogating family *mai mien* [D.: honor] and depriving her parents of a sizable source of income in the form of bridewealth.

Going back to the unreported rape case of Yén’s elder sister, one can assume that her parents tried to keep the incident within the family, not wishing to compromise the marriage eligibility of another daughter. Their consideration was based on the fact that there was already a “devalued” daughter (in this case: Yén) in the family. As her mother put it:

“Don’t want to do (report) it to protect our daughter’s name. Anyway she’s at the marriage age.” (LC-PI200737)

Another reason is the father’s weak position as head of the household and his fear of revenge from his rapist/son-in-law:

“If I reported this to the police I’d have to assemble all the family members and tell them the whole thing, otherwise he might use violence, then I wouldn’t be able to defend myself. I didn’t dare to challenge him. He threatened to beat me…What could I do? Look at my hands, they were crushed when a tree fell down on me…Now I can’t even catch a chicken for my wife, let alone fight against him.” (LC-PI200738)

The situation obviously influenced her mother’s decision not to report the incident. The mother was aware of the fact she might be held responsible for the rape of her two daughters because, in Dao society, it is expected that a respectable woman should know how to raise her daughters properly (Lý Hạnh Sơn, 2003). Given the potentially overt *luan va doa-a* [D.: blame] that might come after the disclosure, Yén’s mother preferred to deal

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[D.: compensation for loss of honor]. Later if someone comes to ask the girl to marry these five coins will be reduced from the would-be bridewealth (Phạm Quang Hoan, 1999).
with the abuse informally rather than seeking external intervention. It was decided to keep silent about the incident to protect not only the rapee but also other family members (particularly females) from the *tu-ú và doa-á* [D.: social stigma] of rape. The case affirms the role of Dao mothers in making important family decision. This resembles the analyses offered by Mary Douglas (1991) and Ann Stoler (1989), in which women are made responsible for policing the moral-physical boundaries of their families, in particular what pertaining to women’s and girls’ sexuality.

In most cases involving both Kinh and non-Kinh, my findings indicate that the mother occupies a central place in the process of disclosing and/or reporting of rape. This may be attributed to the intensity of the mother-daughter bond, which is characterized by factors such as closeness, reliability, and collectivism (Rastogi and Wampler, 1999). To some extent, as noted by Nancy Chodorow (1977), mothers experience their daughters as like them and their sons as different from them. Also, girls can develop their gender identity as being like that of their mother whereas boys must separate from their mothers earlier in order to develop their masculine identity (cf. Strauss, 2004). Additionally, the differential values of sons and daughters in a predominantly patriarchal culture like that of Vietnam, has implications for a high degree of connectedness and interdependence within the mother-daughter relationship. This is because sons are expected to be responsible for their parents in their old age, while daughters will move in with their in-laws after marriage. Indeed, parents invest more in sons because they have greater long-term expectations of returns from them.

This preconception leads to a significantly different socialization of boys and girls within families and communities. For instance, Rydström’s (2003a) work on children’s socialization in Vietnam shows that boys hold intrinsic value through their “superior” sexed bodies, while girls must acquire a sense of worth and value to their parents and society through socialization. Regarding this point, mothers always have been a model and socializer for daughters (Song, 2001). Again, this inheres in the closeness and intimacy of the relationship, highlighting the mother’s practical importance to the daughter. The distinctness of the feminine personality, as Phan (2005) found among Vietnamese-American youths, lies in this capacity for empathetic connectedness. The
significant involvement of mothers in revelations concerning their daughters’ experience of rape is discussed below in more detail.

2. Inter-familial negotiations: “Sentiment-based” settlement or fight till the bitter end

The discussion so far about the impact of intra-family relations on revelation of rape, has brought to the fore the significance of the underlying considerations, thoughts and emotions especially of women who play the role of a mother. In this section I examine the complexity of post-rape dealings at inter-familial level which may result in a negotiated settlement or a legal pursuit.

2.1. Room for apology and restitution

In most incidents involved in this study, the rapees’ mothers told me that the attitudes and reactions from the offenders and their families influenced considerably their decision whether or not to file a formal charge. Mothers who initially reported to the police might reconsider their decision and eventually drop the case for reasons discussed below.

For example, in the case of seventeen year-old epileptic Nga, the arrogant behaviour of the offender and his family was the major factor leading to her mother’s decision to report to the police despite the fact that the rapee’s family was well aware of the consequences of public disclosure. Nga’s mother told me:

“To tell the truth, when all this happened it was not really a good thing for my daughter, deep down I was very apprehensive.” (HN-PI200739)

Thu’s mother shared similar feelings:

“I did not want to start a big fight. It’s a matter between humans and not with animals. If it became a big thing, my daughter, young as she is, would have to bear all the shame.” (HN-PI200740)

It should be noted that the delay of the police to bring rape charge against the assailants as described in the Kinh cases of Nga and Thu sent a signal to the rapees’ families that the incident should be best dealt with informally between the parties concerned. Popular
notion about “virginity” also emerged in the local police’s thinking. Nga’s mother recalled:

“They (the police) said: ‘your daughter is unhurt that’s a good thing, no problem now. Your family denounces his crime, that is just. But since your daughter is OK, it’s better to drop it.’ That means they urged us to withdraw the complaint.” (HN-PI200741)

Apparently, the police’s emphasis on female virginity may reflect their prejudice with regard to the seriousness of the case, making the act of the offender less serious to be considered as rape (See Chapter 6). When this occurs in conjunction with blaming and doubting responses from the local community, it only reinforces the perceptions that existing systems do not care and will not provide any help. In the cases of Nga and Thu, factors such as their mental retardation and lower social-economic status may have encouraged the perpetrators and their families to deny that an offense had taken place, to take responsibility for that offense, and, finally, to offer some compensation. This is probably due to the assumption that when one offers an apology, one shows willingness to humiliate oneself to an extent that offering an apology is a face-saving act for the hearer (the offended) and a face-threatening act for the speaker (the offender), as Ruba Bataineh and Rula Bataineh point out (2006). In the case of rape, the perpetrator and his family seem to be willing to offer explicit apologies to the victim’s family who shares with them the same social economic background. How class and status affect the apology strategy will be discussed in the final part of this section.

In the case of Thu, the offender was released after a nine-day detention. After that, the police did not investigate the case further, thus sending a signal that his crime would go unpunished. Thu’s mother described the situation:

“He (the perpetrator) just acted arrogantly, telling his neighbors that he didn’t care or else he could have slapped that damned woman’s face (Thu’s mother)...At that time my blood boiled up, I just wanted to fight him there and then. If this was what he wanted I’d take him to the police for them to decide...for the court to make it clear, black and white...if his family didn’t have money, he’d have to come and talk to my family, asking for pardon, then I might forgive.” (HN-PI200742)

Here the question of apology comes into play. Apology, especially when involving some form of behavioral restitution, plays an important role in social relations among Kinh.
Apology is often negotiated in the context of the extended family and clan. From the perspective of an interdependent self (Markus and Kitayama, 1991) attempts to offer apology may restore face and re-establish harmony in social relationships, which, in turn, may bring about forgiveness. As Joshua Hook et al. (2009) observe, for collectivists group harmony and preservation of mutual face are of primary importance. Likewise, Nga’s mother recalled:

“His wife and his mother came right away and proposed that since this thing already happened, we should withdraw the accusation; they would make amends and compensations. Considering they were after all our neighbors and acquaintances, we were inclined to accept.” (HN-PI200743)

These peculiar situations often make room for reaching a compromise between the contending parties, a topic to be elaborated in Chapter 6. The following section examines why women - in the case of the Kinh people - are often involved in the role of negotiators.

2.2. A half-hearted apology: Tug-of war-delaying tactics

A half-hearted attempt to apologize on the part of the offender or his family was often cited as the main reason for the injured party to seek justice. For example, Nga’s mother recalled:

“A few days later (after the incident) his mother and his wife kept on coming here. But suddenly they stopped coming, maybe they had already arranged something with the police. The scoundrel began to insult our family. He accused my daughter of selling him heroin, he had nothing to fear. It costs him 50 million đông, he said, so go ahead to sue him, he dared us.” (HN-PI200744)

In this case the offender’s family tried to get out of trouble via its social connections; this explains the reluctance to offer an outright apology. Outwardly it pretended to show goodwill in wanting to reach an agreement with the injured party - a form of temporary appeasement. Soon it spread words around that it had spent 50 million VND to turn the case in its favour. It was a form of psychological pressure on the victim’s family to drop the case or else they might be sued for calumny. From the offender’s perspective a

51 In the same study, the authors propose that collectivistic forgiveness, which is distinct from reconciliation, is to alleviate conflict and maintain social harmony.
success in having the case dropped or changed would carry significant implications. His family would be seen as winner in the “struggle” socially as well as financially. Socially because it would not be tagged with the stigma of rapist or suffer the humiliation having to apologize officially. Financially because it would not have to pay compensation, often large sums to the plaintiff’s family. In the gang rape case of Ái, the offenders’ families kept delaying in offering an apology until Ái’s mother actually filed a complaint. The mother recalled how she reacted to the attitude of the offenders’ parents:

“I said to them: you just want to play it the hard way. You all knew about the incident after it happened, but you didn’t tell us. When we found out, you said you would pay compensation. After a time you stop coming here, you said you couldn’t find the money.” (LC-PI200745).

To understand the half-hearted attitude on the part of the offender’s family, it is essential to explore the implications of apology in resolving interpersonal conflicts. When a person is accused of committing a misdeed, he/she is motivated to provide an excuse to avoid possible legal and social sanctions. Offering a formal apology especially when accompanied by compensation, is perceived as an admission to the crime, with the implications of stigma attached not only to the offender but to the rest of his kin. Obviously the members of offender’s family do not want to acknowledge that one of them has committed the crime of rape and therefore do not wholeheartedly go along with a peace making gesture toward the rapee’s family. Here one can see the dynamics of settling rape-related incidents between the parties concerned. When the need arises to negotiate both parties profess to find a solution based on tình làng nghĩa xóm [Vn.: community sentiment; cf. Gillespie, 2005] but if one party perceives that their demand is not met (for example too little compensation) or that it has the upper hand in the legal process (owing to social/political connections) the willingness to make peace may evaporate. This is like a tug-of-war involving both soft and hard tactics with pauses in between to assess the situation and rally support from influential quarters. Meanwhile the community looks on with keen interest, taking on the role of a cheerleader whose support or disapproval depends on the nature or degree of social relations.

Conversely, attempts to pursue a trial may be prompted by social pressure from people outside the kin network. For instance, a neighbour commented in the case of Nga:
“Everyone says: it shows that your family has lost to his family. They have money, but you don’t. You can’t pay the police, that’s why you lost.” (HN-PI200746)

This suggests that despite the pain and embarrassment caused to the victim’s family by the rape incident, the decision to go public via legal channels can be seen as an effort to restore her family’s social status. The rationale was:

“First we must protect our daughter’s rights, to defend her honor. It would give her some consolation, and give us a clear conscience. It’s strange. The victim’s side is pushed deep in the mud while the offender’s side acts like victors. That’s why we’ll fight this to the bitter end.” (HN-PI200747)

In Thu’s case, concern about the family’s “face” came again into the picture. This was different from the initial disclosure of rape when her mother’s main worry was social disgrace for their family as a whole. Now, filing of a lawsuit would be a challenge to the social reluctance to acknowledge that rape had actually occurred. For instance, Thu’s mother explained:

“If I could bring a lawsuit, it’d be a good thing. If I couldn’t, they (local people) would laugh at me, saying: you bring a lawsuit, but you can’t do a thing against him (the perpetrator).” (HN-PI200748)

Because of this criticism and the uncertainty of a legal case, Thu’s mother tried to cover her tracks when she was busy with the legal procedures away from home. The mother told her neighbor:

“If someone asks me where I am, just say I’m just visiting friends.” (HN-PI200749)

However her initial success was crucial in changing the attitudes of others.

“After I filed the complaint and the police came here to arrest him, the neighbors said: Oh yeah, it’s true, her daughter was harmed. They did not lie about it.” (HN-PI200750)

There was a measure of “heroism” in the action of Nga’s mother as she recalled:

“It’s a matter of honor. This scoundrel has raped quite a few women, but people couldn’t do anything despite his crimes (the perpetrator was a known drug addict having close contact with some senior police officials). First it’s for the sake of our daughter; second, it’s a kind of contribution to society, this makes us determined to lay bare all the facts … to set an example for others in future… Even if we do not overcome (the obstacles) we must continue (the fight) and will not relent in bringing the issue to an end so that people
in similar circumstances, those being oppressed will follow (our example), and do their best, keep on until the goal is achieved... Giving up is like losing to them... the more obstacles, the more we fight on.” (HN-PI200751)

By linking her daughter’s incident to the series of crimes committed by the same perpetrator in the area, the mother benefitted from a sense of solidarity, even support within her community. This unexpected source of support brought a new dimension to the rape prosecution dynamics, enhancing the chances of the plaintiff to be heard and reducing the risk of being blamed. The satisfaction of being heard induced Nga’s mother to look beyond her family’s predicament at the larger picture where justice was yet to be rendered in similar cases elsewhere.

2.3. Mothers as peacemakers

In traditional Kinh families the wife is supposed to be in charge of minor day-to-day decisions on running her household and leaving the important decisions to the husband who is considered as trụ cột [Vn.: the pillar of the family] (cf. Rydström, 2003b; Phinney, 2009). As noted earlier, mothers are considered to be responsible for raising children and often bear the brunt of blame for their children’s misfortune. When it comes to incidents of rape with all its moral and social implications the task is left to women as third-party mediators in negotiating a settlement. This is not to say that the rape itself is perceived as a “minor” affair. Arguably, regardless of the means by which the rape is resolved internally, the inherent secrecy conveys the idea that sexual violence is something bad and dangerous, taking into consideration the stigma attached not only to the concerned persons but also their wider social network. In the victim’s family rape with its gender and sexual connotations is regarded as chuyên dân bà, con gái [Vn.: women and girls’ affairs], something the husband as head of the family would rather let his wife handle its fall-out. Thus the outcomes of these negotiations affect not only the “face” of the woman concerned but that of their family and wider kin as well. Females who act on behalf of the offender often target the emotions of their counterparts from the victim family, appealing to a sense of sympathy not only on account of their shared gender but also their role as mothers. For instance, Ái’s mother told me:
“Thành’s mother came here. First she writhed on the floor then pretended to faint on the bed. That made me quite afraid. I had to call the neighbors over to act as witnesses. I told them she did it on her own, none of my family did anything to her. She said only me could save him, nobody else.” (LC-PI200752)

The recourse to this informal woman-to-woman channel is also reflected in Nghi’s story, which carries an indirect threat of blackmail:

“Shortly after the son was arrested, his mother came straight here to apologize. I asked her to sit up here in the house but she preferred to keep a distance. She kept saying: ‘Sister, please turn a blind eye so that our family could go on scraping a living. If you take him to court, my son will surely get no more than 3 years, but your daughter will have a hard time getting a husband.’” (HN-PI200753)

The situation in twenty-three year old Mỹ’s gang rape case was more delicate since one of the offenders was her *em con dì* [Vn.: matrilateral same-generation cousin]. Even though the dyad had not recognized each other as the rape occurred at night on a country road, Mỹ was struggling with the idea whether to ask for a sentence reduction for her cousin:

“My aunt came to ask me to write a petition asking for a reduction of her son’s sentence. She said although he’s young and foolish, he still has many years to live. They would give him a heavy sentence, no doubt. She kept begging me. She also put pressure on my mother. I don’t know what to think.” (HT-PI200754)

It should be noted that while the Kinh mothers took a leading role in the negotiating process in the aftermath of rape, this was not the case of the Hmông or the Dao where the leadership structure of the clan system is highly patriarchal (cf. Dương Bích Hạnh, 2007). More specifically, Hmông and Dao people tend to resolve interpersonal conflicts and reach forgiveness with the help of a male clan chief or a religious leader. In the cases of the Kinh the above examples suggest evidence for the position of Kinh women as *nói tướng* [Vn.: mistress of internal affairs], which is rather influential in the household within the patrilineal hierarchy. Kinh women’s negotiating skills may be derived from their experience gained from centuries of marketing activities (Nguyễn Quang Ngọc, 1993).
Going back to the cases of Ái and Nghi, the female negotiators for the perpetrator stressed the view that a girl is worthless once she loses her virginity and tried to convince their counterparts that marriage may be a solution acceptable to the rapee’s family. Although no deal was obtained in both cases due to the inconsistencies of the negotiating process that will be discussed shortly, it is not surprising that the practice of marrying off a rapee to her rapist still persists among many ethnic groups in Vietnam.

2.4. Virginity as emblem of honor and economic asset: variations on a theme

As shown in my case studies, it seems that while Kinh people tend to draw on cultural values associated with female virginity, the notion of “family honor” and economic value (in the form of bridewealth, for example) figure prominently among Hmông and Dao groups. The families of rapees within these groups resort to customary law using marriage as a form of restitution. In this way, the marriage “resolves” everyone’s problems: the woman gets a husband despite being a “damaged good,” the family honor is salvaged, and the rapist gets the wife he might desire. Take the example of Phi, another adolescent Dao girl raped by a Kinh road builder. Her family agreed to take monetary compensation as an alternative to bringing the offender to justice. Given the rapist was a Kinh construction worker involved in building a road that ran across a Dao village, a “deal” was quickly struck between the rapee’s family and the project leader who acted on behalf of the rapist immediately after the case was brought to the attention of the local authority. As a result, the family of the rapee eventually dropped the case, the rapist was sent back home, and the project continued its course.

Commenting on the above case, a middle-aged Dao man living in the same village told me that the Kinh offender could have apologized to the rapee’s parents and asked to marry the girl. In this way he would have acquired a wife at much less cost. He could **giờ quâytrzym áo** [D.: to divorce from wife] her later if things don’t work out between them, the man said. Anyway Dao customs are not stringent about **i có phá quyền** [D.: divorce]. What’s more, he did not have to disburse such a big sum as compensation for raping the girl. The reason is that once a girl is known to have been **tích miền xià cháu tiệt** [D.: raped], her family could not ask for a high bridewealth, and thus **mại xià tchâu nhỏạn** [D.: to sell their daughter at a cheap price] This way of reasoning seems to be in line with
the custom in some countries where forced sex is a “culturally accepted” method of obtaining a bride (Rimonte, 1991).

While the phenomenon of “post rape” marriage [D.: ép nàn bua phây thô-ô] among the Dao is related to the custom of thách cuội [Vn.: bridewealth] and ô ré [Vn.: son-in-law living with the daughter’s family, a form of matrilocal post-marital residence, which exists also among the Kinh], the case involving Nghi, a Kinh girl who was raped by a chat friend in Hanoi can be seen from the culturally specific emphasis of the Kinh on female virginity. As it turned out, after the rape was revealed and the offender took flight, the offender’s mother came to see the rapee’s mother with a marriage proposal together with the request that the lawsuit be dropped. Since the moral ideal of virginity still dominates the moral world of Kinh families and communities in both rural and urban Vietnam (Gammeltoft, 2001; Nguyễn Phương An, 2005), it only serves to discourage the rapee’s family from reporting the incident. But moral ethics aside, the offender family’s marriage proposal to the rapee’s family in itself leaves out the personal considerations of the rapee, taking no account of her feelings and making her feel even more isolated and distressed in the rape aftermath. Above all it deprives her of the understanding and sympathy she might expect from those supposedly closest to her in times of need. This way of solving the post-rape consequences may be partially explained by the Kinh traditional custom of marriage arrangement, in which a daughter has no say as she is expected to obey her parents’ decisions. Traditionally in these involuntary marriages, the bride’s mother is the one who weighs up the pros and cons of various options (Hoàng Bá Thịnh, 2005). This is in stark contrast with the emerging freedom regarding the choice of one’s own partner among the Vietnamese youth in urban areas nowadays (Marr, 2000; Gammeltoft, 2002a).

52 The practice of marrying off a rape victim to her rapist is indigenous to many Pacific - Asian cultures and persists to this day in many rural areas in Southeast Asia (Rimonte, 1991), and China (Luo, 2000). In a similar manner, Freeman (1983) views rape in Samoa as part of a cultural strategy by males to obtain marriage partners because victims of rape are so ashamed that they prefer silence or eventual marriage to the rapist rather than their public exposure as non virgins.
2.5. A question of kin honour: deconstructing a case of rape among the Hmông

If a settlement cannot be reached, the question of “family honor” is at stake which may lead to a decision to seek formal justice. In this sense, the act of filing a rape complaint can be interpreted as a pragmatic response to protect the honor of the family and the larger kin network. An illustration of how social pressure affects the family is the case of Hải, a twenty-two year old Hmông girl whose uncle was a local cadre. The rape incident occurred when Hải and her friend Thịnh were sleeping in a hut in a terraced rice field at midnight. Two fellow villagers sneaked into the hut and raped them. In the case of Hải after trying to deal with the perpetrator informally without obtaining any restitution, Hải’s father decided to report to the police. In the process, the police advised that the case should be settled informally between the families concerned. The offender meanwhile insisted that it was a case of mistaken identity given the fact that the incident occurred at night. Only then did Hải’s father decide to file a lawsuit. The offender’s persistent denial was seen as a challenge to the integrity of Hải’s family and her clan. It was a question of honor that needed to be resolved by official justice as the last resort.

Regarding Hmông people in Lào Cai, it is worth taking a look at the concepts of tsangx muas [Hm.: shame] and plu [Hm.: honor]. In Hmông society, saiz tsiv txax [Hm.: respect] from others is acquired on account of one’s age, knowledge, life experience, wisdom and education. Hmông parents believe that if their children, in particular daughters are ziz nav txir hais [Hm.: being obedient to parents] and become tsiv txax [Hm.: well-mannered] or xuz vênhx [Hm.: gentle] in the society, they will bring honor, pride and respect to their own ziv nênhx [Hm.: family] and xênhv [Hm.: clans]. On the contrary if their children behave badly and become tsi jong [Hm.: bad people] they not only bring shame, disgrace and “a loss of face” to themselves, but also to their extended families clans. By virtue of this correlation, parents will say, coax ua co cur tri muax plu saiz luôs te luox [Hm.: since you did such a thing I cannot face anyone anymore]. If someone in the community commits a wrongful act, people would use such expressions as a warning to their own children: saiz tul yuor cao mà zzâuv jong tsi cha cur pôngz plu [Hm.: look at that guy. Do not make me lose face because of you].

From the Hmông perspectives, it is understandable to see that Hải’s family preferred to deal with the incident informally rather than turning to official legal channels. Indeed,
Hải’s father was considering the possibility of forgiveness when he showed his goodwill for negotiation with the offender’s family. Locally, for those whose daughters have been rape victims, it would be difficult for them to regain respect from other members of the community. The shame and dishonor will stay with the whole family as long as they live. It is assumed that honorable parents must know how to raise their daughters.

Females learn from an early age to cultivate their manners, to show their tsiv txax [Hm.: good manners], which help uphold their family’s plu [Hm.: face]. Due to this belief in and practice of plu and tsangx muas, one finds frequent references to these terms in daily language to restrain adolescent sexual behaviour by family and clan. Moreover there is strong disapproval of premarital sex for girls during courtship because nhuas nzaís làul tsi muax nènhs zuar [Hm.: a daughter’s promiscuous sexual behaviour] would bring pôngz plu [Hm.: loss of face] to not only herself, but also the good name and reputation of her parents, extended family and clan. If she has any sexual relationship, particularly resulting in muax nhuas [Hm.: a pregnancy] it mostly meant that she have agreed or will hâus chueur [Hm.: to get married] as soon as possible to prevent lao jas pêl yuor [Hm.: bad reputation] and pôngz plu from happening to the girl, her extended family and clan. If transferring such social expectations to women and their bodies, in the case of rape a woman’s body is converted into a material symbol of “capital drain,” to use the words of Nilda Rimonte (1991). And if a female is seen as part of her family and acting in its interest, her body is signified in terms of “damaged goods” when she finds herself as victim of ents of sexual transgression.

With respect to sex-related issues, the Hmông youths in Lào Cai share with their Dao counterparts the notion of how a girl is considered to be “dishonored,” regardless of whether she is virgin or not. Even though there are no explicit values placed upon female virginity, the Hmông has a strong distaste for “immoral” things, in particular regarding zângl nul hais tsi lao [Hm.: matters of sensitive nature] such as changr tkhaor dêr [Hm.: sex-related issues]. In fact the Hmông youths tend to be very discreet in matters of love.

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53 As regards the matter of ua daos [Hm.: sexuality], Hmông consider it as chair [Hm.: taboo], meaning that sexual activity is something that only concerns the two parties. Some Hmông informants told me that if someone happens to tumble on or catch sight of the spot (outside the house) where paul pair [Hm.: sexual intercourse] has taken place, he/she can become ill. A common belief among Hmông is that lao air [Hm.: the love spirit] could cause a swollen foot, or tuo vuv in Hmông, literally meaning “a crazy foot” for those who have accidentally set foot in such a “place.”. A ua nênhz ceremony is usually held to determine the
(and sex). My interviews reveal that they rarely talked about sex-related issues, and would not reveal their relationships to others.

In the case of Hải, her image as “damaged goods” was not only related to the loss of her virginity (if such is the case) but also was due to the fact that her victimization experiences involved zăngl nul hais tsi lao [Hm.: matters of sensitive nature], in this case changr tkhaor đër [Hm.: sex-related issues]. This brought the risk of social stigma not only to Hải herself but to her clan, represented by her uncle who was bí thư xã [Vn.: secretary of the commune’s people committee], in the wake of disclosure. People would say that the family had failed in raising its children. As a result, the family members, particularly the parents of the rapee would suffer a loss of face and their social status in the community would be affected. The same went for her uncle, particularly with regard to his political status. These were the reasons behind the initial attempt to deal with the incident informally. Nevertheless seen from the Hmông collectivistic worldview (Sandage et al. 2003) the persistent denial of the offender constituted an offence to the honour of Hải’s family and kin. The only alternative was to seek legal intervention as Hải’s brother explained:

“They will say such an influential uncle couldn’t do a thing for his niece. That would reflect badly on my uncle.” (LC-PI200755)

In the context of Hmông society, clan membership is the source of identification, and serves as a management function as well as a binding force among blood related people (Symonds, 2004). Kin members are obliged to help each other in such tasks as settling disputes with outsiders, solving debt problems, and above all, upholding the clan’s reputation. Hải’s family had no choice but bringing the case to justice with the aim of getting the toughest sentence to the perpetrators. At stake was not only her family’s honor but her uncle’s social-political prestige. For people may ask if an influential figure like her uncle could not bring such an outrageous case to a successful end, what would the rest of the powerless ordinary citizens expect in similar circumstances?

cause of the person’s illness and to provide payment (sacrifice) to lao air. Usually chickens are used as sacrificial offerings in a ua nênhz ceremony. It is common to see forest farmers trying to stay away from places which appear to have “abnormal” signs such as a trampled patch of grass.
3. Kinship network and post-rape management

The above cases indicate that the rapee’s family plays an important role in deciding whether or not to report a rape incident to the authorities and/or to follow the legal course at the initial phase of the police investigation. A major factor involved here is the need to protect the family itself from social judgment. Then how does the family treat a member of its own who is victim of rape, especially when the case has been taken up by the judicial system but the social repercussions are still very much alive? The main thrust of this section is to examine the role of the family in dealing with social consequences related to rape not only to protect the victim but also to protect her family and the larger kin? In other words focus will be on:

a/ how kinship relations are utilized as a source of support to relocate the rapee elsewhere so as to ease social pressure on the family locally and;

b/ in cases where the perpetrator is a family member the rapee wants to move elsewhere to free herself of the abusive situation.

The motives to migrate in these cases are different from situations in which the economic motive normally leads individuals or households to move from one region to another for a better future.

Before discussing rape-related migration, I shall briefly touch on the current socioeconomic and the political context in which individual and/or family decisions on migration are made. In-country migration has occurred in Vietnam over most of its history that accompanied territorial expansion (see Zhang et al. 2006 for a full account of the varied trends and patterns of migration in different historical periods). Prior to Đổi Mới [Vn.: reform, renovation] population mobility was strictly regulated.54 The process of economic reform accompanied by institutional changes led to decollectivisation of agricultural production in the countryside and the emergence of non-state sectors including trade and services that had great impact on population movements in contemporary Vietnam. The erosion of the hộ khẩu [Vn.: household registration] regime reflected a policy relaxation that made migration possible (see Li, 1996; Đặng Nguyên Anh et al. 1997; Hardy, 2000; Luong, 2009). All these have had a great impact on

54 This is necessarily brief. For more in-depth accounts I refer to Hardy (2001); De Brauw and Harigaya (2007).
population mobility, making people more aware of the new opportunities across space and administrative boundaries (Rushing, 2006; Nghiêm Liên Hương, 2006; Bélanger and Pendakis, 2009).

To understand the family’s option for migration (whether permanent or temporary, long or short distance, individual or collective) it is necessary to examine the social reaction caused by stigmatization after revelation. As discussed earlier, disclosure of rape causes not only causes psychological hardship for the rapee herself, but also brings shame and dishonor to her own kin, particularly her immediate family members. Since shame and honor are related to a complex set of values and behaviors governing female propriety in a patriarchal system, stigmatization will result in cases of deviation from the norms. When faced with public knowledge of the rape incident, the individual and her immediate family members will be subjected to criticism, mostly in the form of negative gossip in their local community. In this respect, it may be necessary to review briefly the concept of gossip as a genre of informal communication and the function of gossip in a community.

3.1. Social gossiping: Pressure to bear on rapees and their families

Social anthropologists and others have extensively covered the phenomenon of gossip the world over (Gluckman, 1963; Pitt-Rivers, 1971; Besnier, 1989). The commonly accepted understanding of gossip is that communicative interaction (about absent third parties) typically takes place in a context of privacy and intimacy and only through friends and acquaintances (Michelson and Mounly, 2004). It is this social relationship that defines gossip as opposed to rumor, which contains information that is of interest to a wider audience (Smith, Lucas and Latkin, 1999), and sometimes pertaining to events rather than people (Foster, 2004). For the purpose of this study, I refer to Max Gluckman’s (1963: 313) definition of gossip as “a hallmark of membership” and “statements making moral judgments.” This means that gossip can serve to “usher in conformity, aligning members’ behaviors with group values and objectives,” therefore serving as a tool of social punishment for those who deviate from the norms (Akpinar, 55 While I am interested in examining the negative valence of gossip, I also realize that gossip can be construed as harmless talk in some contexts, even providing a range of benefits (Michelson and Mounly, 2004). For detailed accounts of the social functions of gossip, see Foster (2004); Turner et al. (2003).
2003). In other words, gossip serves as an effective means of informal social control (Merry, 1997).

It should be noted that the residential patterns in both urban and rural areas are such that people live in close proximity, making privacy difficult. Every event is regarded as common knowledge and is commented upon endlessly. People’s observation is sharp and so is their tongue. In such an environment, negative gossip may be pervasive and impossible to avoid. Its effect is devastating as Nga’s mother admitted:

“Myself and my family often are so upset, we hardly could control ourselves.”

In the context of this study, gossips accompanying revelations of rape can have horrendous effects on the quality of life of all family members, especially females (Shalhoub-Kevorkian, 1999). These are borne out in the case of Ái, a high school student drugged and raped by a group of six teenagers who eventually were all convicted. Her mother recalled:

“To tell you the truth, our family just wants to move elsewhere. It’s impossible to stay here. I don’t mind the threats from the families of those who went to jail...To harm us is easy said than done. ...but the gossips...they get on our nerves...it’s so terrible... we just want to move away...some place no one knows...start life anew...From the time of the sentencing, not a day passes without someone coming to our house with some story...one says that one of the rapists has AIDS, so Ái must have got it too. Now even her girlfriends avoid her, let alone her male friends.”

If gossip can be seen as “an outlet for hostile aggression” (Stirling, 1956:263) that facilitates information flow to forward individual interests (Paine, 1967) then this is what the families of the offenders did in spreading harmful rumor aimed at Ái and her family. It should be noted that these families initially turned to Ái’s mother to seek forgiveness. However, because they refused to offer full apology together with the proposed

56 Some might question whether the perceived environment, or network density guide behaviour to some degree, and whether the consequences of gossip differ for individuals in various social settings. Even though Ái and her family are subjected to a vast amount of negative gossip in their close-knit community, this is not to say that gossip may be of far less concern in a different social setting. Rather, my interest concerns the motivational functions of gossip (Paine, 1967) within a given group. As a participant in my research puts it, “I think not everyone is kind. If people dislike you for some reasons, they will say this or that about you and your family.” In fact, the nature of social connectedness may have effects on both the spread and the type of gossipy communications.

57 It is necessary to note that this is the case of Kinh people in a rural and mountainous community in the northernmost part of Lào Cai province.
compensation of twenty-five million đòng, Ái’s mother decided to seek legal intervention. The complex dynamics of social reputation, political power, and gender role of this case are discussed in detail in Chapter 6. Briefly, the families of the rape convicts were vengeful and spread a malicious rumor that one of the gang rape perpetrators was HIV positive, and that Ái had contracted AIDS from him as a result. Thus, Ái had to carry the double stigma of being both rape victim and HIV-positive. In Vietnam as elsewhere (Duffy, 2005), Aids-related stigma carries with it fears of easy transmission, incurability and certain death. Such fears obviously affect human relations at various levels and in more ways than one.

Here comes the question: how did the public (and successful) prosecution of Ái’s gang rape offenders upset community relations? Firstly, it challenges the common way of hushing up scandalous incidents where a giải quyết kiêu tình cảm [Vn.: settlement based on sentiment] is preferred (cf. Hardy, 2000). Villagers generally are averse to internal conflicts that disturb existing social order and bring disrepute to their community.58 A court case in this case is therefore the least desired scenario. It should be noted that the person who initiated legal action and won the case was a woman and a powerful one at that. This ran counter the gendered view of power relations where women were portrayed as being passive and vulnerable when it came to upholding family honor. The success of Ái’s mother in garnering high-level support outside the community must have been something of a shock to the local people. This caused certain envy and resentment in some people who were more than willing to circulate rumors unfavorable to Ái and her family. While the publicity around the story in a way enhanced social awareness of sexual crime punishable under state law, it did not necessarily generate sympathy for the rapee and her family. Prevailing views and prejudices in social relations played a role in the circulation of gossip within the community. As the gossiping escalated, the mother began to consider residential mobility to escape from the social stigma her family had to bear.59

58 From a macrosociological viewpoint, rape may be seen as the cause of social disruption that impinges on the integrity of local communities and weakens the regulatory power of social norms (Barons and Straus, 1987).

59 It is worth noting that family stigma is not a monolithic phenomenon but varies depending on the relationship with the raped person. For example, parents may be stigmatized by public attitudes that blame them for their incompetence leading to their daughter’s sexual victimization. Brothers may have a hard
Going back to gossip as a primary derivative of social stigma, the possible likelihood that people may either support or badmouth the family through the grapevine may be influenced by the extent to which the family engages in social intercourse with other community members. The main concern of individuals and their families now is to exercise damage control in the face of hurtful gossip by making extra efforts to maintain and reinforce social engagement with friends, neighbors and acquaintances. When asked how the family was trying to cope with the situation in a densely populated neighborhood of Hanoi, Nga’s mother said:

“When neighbors and acquaintances are busy with events like funerals and weddings we have to show that we care by making our contributions properly... getting along with neighbors is very important...you have to greet them whenever you see them. You cannot lower your head when you pass them daily, you have to cultivate good neighborly relations, though living in the city is not like living in the countryside...of course there are people who are unkind, those who don’t like you would say things behind your back...still if people like you they will say things in your favor.” (HN-PI200758)

Nga’s mother thus actively engaged herself in shoring up nonfamilial support from neighbors and acquaintances - those who were ‘in the know’ and prepared to show some measure of empathy to her predicament. Hiेंu, in her own words, was acknowledged when others showed a tacit recognition and acceptance of the plight of her family having a rape victim, implying that the incident would not be mentioned unless someone brought it up on purpose. The mother hoped that supportive friends and neighbors would serve as a protective shield to fend off the damage of stigma through gossips.

3.2. Stigma fallout: A source of intra-familial strains

Now I will focus on the impact of rape-related gossip on intra-family relations leading to conflict and irritability among family members. This stressful situation has a debilitating effect on the rapee’s mental and physical well-being, and sending her away may be one of the options. Social pressure often gives rise to adverisive behaviors by members of the family toward the rapee. Here one has to deal with the phenomenon of time getting a wife because prospective brides may think that after getting married they will have to take care of the sister in law who has been raped. This is due to the popular thinking that a person stigmatized by rape will have a hard time getting a husband.
“courtesy stigma,” a possibility of stigma spreading from the stigmatized individual to his/her close connections (Goffman, 1963). In this sense, a courtesy stigma is acquired by virtue of the individual’s relationship with the person who carries a stigma. Consequently, this situation creates tension among the family members themselves. The case of Mỹ is telling:

“They stirred up all kinds of rumors, even among our own relatives. All fabricated stuff... My mom heard them then questioned me when she got home. My dad talked about them at dinner, the only time the family got together. He said I was a fool. He didn’t curse me though, but what he said was terrible, worse than cursing. It really hurt. My mom remained silent, knowing that if she said something he would beat her up, blaming her for letting me go to work far from home.” (HT-PI200759)

Although the incident concerning Mỹ involved nine perpetrators from outside the village, she was not immune from malicious criticisms from local gossipers. Considering the fact that Mỹ and her other friend were on their way home from a birthday party late at night when the attack occurred, she was at fault since she did not take into account her own safety seriously. Thus Mỹ was considered as a “bad girl” for having failed to follow the norms of behaviour in the eyes of her fellow villagers and therefore became a subject of “blame gossip” (Elias and Scotson, 1965). Such gossipping emanating from socially disapproved behaviour served to stigmatize the sinner as punishment (in this case: Mỹ) and to remind others not to err from the norms. Reactions to deviations from group norms might be expressed in the form of gossipy stories to maintain the group’s hold on its members. Besides, the questions and negative comments by members of Mỹ’s kin network were hard to ignore. One way out for Mỹ was to cut herself off from these social ties. Mỹ told me:

“That’s why I tried to avoid the relatives, let my mother go to these social functions...in case I couldn’t avoid them I would arrange to come early to help with the preparations and leave before the guests arrive. They pretended they did not know, just asking what happened to me...then commented that it would have been better for me to stay home and work in the field.” (HT-PI200760)

The blaming attitude was not directed at Mỹ alone but at her parents as well, who were considered to have failed in the task of educating their children. This was a blemish on
their honor and Mỹ’s father in turn blamed her and her mother for what had happened. In this respect, the Confucian ideal about the gendered nature of children’s upbringing remains a strong norm. The father may feel particularly ashamed for failing to live up to his central role as the *trụ cột* [Vn.: pillar] of the family in both material and moral terms. The fact that his daughter has been raped casts a bad light on the father himself for having failed to keep his daughter from harm’s way. The father then shifts the blame on his daughter for her deviant behaviour as hostile gossips are mounting in the community and within the kin network. The mother also gets her share of blame for failing to “teach her daughter properly.” To cope with this gossipy environment is an unbearable thing for the all concerned. However the fact that Mỹ’s workplace, the health station, was located some 30 kilometers away and she only came home occasionally saved her father from the painful reminder of the stigma her daughter brought on the family. It was also a blessing for Mỹ as she told me:

“It’s a fortunate thing that I work at this distant health station. It relieves me from a lot of pressure.” (HT-PL200761)

### 3.3. A (temporary) removal: Out of sight, out of mind

The findings of this study indicate that the main support for rapees to migrate came from their kinship network. This network was utilized to gather information about possible destinations as well as sponsorship providing temporary lodgings and facilitating job search. The parents often provided the bulk of the financing, either with their own savings or by borrowing from relatives. Some families sold their belongings to cover the moving costs. Moreover potential migrants may be able to benefit from their kin who have already established themselves in the place of destination. For example in the case of Hạnh, as described earlier, her family arranged for her to move to Ho Chi Minh City to stay with her aunt, her mother’s older sister, who then got her a job at a local infirmary. In the child abuse case involving the eighteen year-old Hong, she had to change school four times to escape the gossips surrounding the scandal. In the meantime she was moved to her aunt’s house in another district of Hanoi; her father, the perpetrator, meanwhile “fled” to Ho Chi Minh City and stayed there with his parents for a year.
Several women and girls interviewed in this study told me that their parents chose to send them away (mostly temporary moves, which in some cases became permanent) to assuage the stigmatization for the rest of the family. Some parents believe that the removal of the children from a gossipy environment will help them to recover from their ordeal. As Ái’s mother said:

“First I’ll ask permission for her to leave school, then to go and stay with my elder sister in Yên Bái... Here with all these gossips her mind is in a mess. When things are finally arranged the whole family will move to the house of my cẩu [Vn.: maternal uncle] in Hanoi.” (LC-PI200762)

This is in line with observations from Namibia (Jewkes et al. 2005) that the raped daughters are sent to some relatives in the countryside, far from their place of residence.

Nevertheless, the desire to migrate is often thwarted by a lack of financial means and social connections. Intentions to move away among ethnic minorities are difficult to realize because of the lack of information and capital networks, as compared with the lowland Kinh. Even among the Kinh the high costs involved are a major obstacle as Nga’s mother told me:

“My family wants to migrate but we do not know when. Before it was easy...now moving elsewhere is a big problem. Houses are expensive because the high prices of land... To tell you the truth we don’t have the cash to make the move. To go somewhere we will need a few hundred (million đồng) but what we have is far short of that, then how can we go anywhere? I have to think very carefully. I’m no longer young so I cannot do such a thing just like that.” (HN-PI200763)

Behind concerns about residential mobility was the housing problem. Fast urbanization but poor planning and management have resulted in a huge lack of housing as the population rapidly increases in major cities like Hanoi. The mother’s hesitation to make a residential change was understandable since the city of Hanoi was - and still is - a popular destination for migrants from the countryside (Li, 1996). The house of Nga’s family was located in the vibrant Phố Cổ [Vn.: Old Quarter] of Hanoi - a highly priced piece of real estate where Nga’s mother ran a profitable laundry business. To switch from such a secure situation to the uncertainties of migrating to a strange place would not be an easy decision to make.
Additionally, other factors such as age and marital status of the parents also played a role in migrating. For Nga’s mother, who was in her early 50s and the breadwinner of the family, the desire to move away might be tempered by her age (“I’m no longer young so I cannot do such a thing just like that”) and current economic circumstances. However this mother was not alone in her reluctance to take risks. Nghi’s mother was also lukewarm about the prospect of moving: “a family is not tô chim [Vn.: a bird-nest] that can be moved from place to place.” Thus, migration behavior may be the result of a series of decisions in which intentions to move change as intervening conditions or events prompt a reconsideration of prior intentions.60

If migration for the whole family was impossible, then the alternative was a temporary removal of the rapee elsewhere within the kin network. As Nga’s mother recalled:

“We just sent her back to my natal village for a while. As time passes, people will forget about the whole thing.” (HN-PI200764)

This may be true that families often deal with ‘courtesy stigma’ by removing the object of stigma from the local scene, hoping that the situation will soon be “back to normal,” a sort of “out of sight, out of mind” solution.

The above discussions show how family and kin relations play an important role in decisions of relocating an individual or the whole family as a way of escaping gossips and social pressure. Collective support in terms of exchanging information, providing financial means and finding housing and job are crucial in a migration decision. Other factors such as age, marital status and social position of the parent(s) are also important. The bulk of the interviews indicate that most families want to migrate to avoid the social pressure locally. However whether such a move is feasible depends on the family’s financial capability and its relations with other kin members.

3.4. Individual migration: Going it alone

It should be noted that there are cases in this study where individuals who were rape victims (often by a family member, or an acquaintance) managed to migrate from their villages without any help from their own families or other kin members. In their new

60 It seems likely that those who stay put may go through the painful decision of moving or staying, and these pressures may conflict at the household and individual level.
surroundings (in this case the capital of Hanoi), they eked out a living by working as a street vendor, a sex worker or a factory hand. One thing they shared in common: none relied on relatives in preparing their getting away or when they arrived in the big city. The question is whether these women in pursuing their personal choices represented a break with traditions which place emphasis on kinship relations. Given the fact that one of their own family members was the cause of their victimization, the decision to break away was an understandable reaction in seeking personal security far from the source that caused it.

However these breaks did not last long. With the passage of time, these women having established themselves in their new location often tried to renew ties with their family, for example by paying them a visit on the occasion of Tết [Vn.: New Year Eve], sending remittances to help cover household expenses or pay for school cost of their siblings.

Take the case of Giang, a twenty-three year old incest survivor. To escape her home situation Giang left school at the 10th grade and went to Hanoi where she survived as a street vendor and shop attendant before getting a job in a photo shop. The photo shop was part of a company which had a branch in Togo, Africa. When this branch had a vacancy, she applied successfully and went to work there for a year and a half. While she was in Hanoi, her younger sister Minh (fifteen at that time) joined her. Minh also ran away from home after being raped by the same father. Over the past several years, Giang supported her parents financially.

“I bought everything (for my parents)… From the TV set to the tea table costing just a hundred thousand (dong)… from the rice cooker to the smallest item… Each month I go home I bring some money, I spend it all (for the family).” (HN-PI200765)

In the social-cultural context of Vietnam children have a moral obligation to repay their parents for giving them life and raising them. Giang might internalize her obligations towards her parents and see them as voluntary duties. This is probably due to the fact that Giang and several research participants in this study happen to be the elder daughter in
their families. But Giang’s remittance has other self-serving motives, a point I will return later.

Before doing so, I examine the process by which remittances are sent home by (raped) women who migrated with the help of their kin. Diễm is a case in point. Diễm was born into a poor peasant family in the northwestern part of Hà Tây province, the second of six siblings. She left school at the 5th grade, soon after her father died. Through kin relations Diễm’s mother sent her to Hanoi in 2002 to work as an ơsin [Vn.: housemaid] for VND 300,000 per month. There she was sexually molested by her housemaster. She ran away and went back to her village. As Diễm did not tell her mother about the incident, her mother kept scolding her for being lazy, not looking for work. Diễm decided to return to Hanoi and with the help of a cousin who worked in prostitution, she landed a job in a karaoke bar (although having been sexually abused she was “technically” still a virgin at that time). One day she was raped by a “john” (a client) when she was under the influence of alcohol, and after that she began to work in prostitution. Then she met a friend of her brother in-law, fell in love and returned with him to the village. An ovarian pregnancy forced her to have an abortion and her boyfriend left her soon after that. Depressed and hopeless Diễm went back to Hanoi and this time had an affair with a married man who owned a brothel. With his help Diễm became a má mì [Vn.: madam], who took charge of the day-to-day management of the nhân viên [Vn.: staff] within her partner’s tổ dịch vụ [Vn.: service unit]. Diễm told me how she helped her family with her earnings:

“I figure out that after working (in prostitution) for 4 years I’ve saved up 120 million đồng. Fifty million I gave to my mother to settle old debts and support my siblings (for their schooling). I’ve made up my mind… Eventually I plan to go back to my natal village and start some small business, trying to earn a million or more a month. That’d be OK.” (HN-PI200766)

How are we to interpret these behaviors? According to Bélanger and Pendakis (2009) young single female migrants in Vietnam send home remittances not only to show filial

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61 Ethnographic evidence from Mexico reveals that cultural obligations and birth order may raise the chances that early-born daughters migrate to work while other siblings invest in education (Kanaiaupuni, 2000). Elsewhere, for example China, individuals who ranked higher among siblings according to their birth order are more likely to migrate (Meng, 2008). Here emphasizes the need for further investigation of the effect of birth order and gender on migration patterns and remittance behavior prior to marriage in Vietnam.
pity, but also as a form of empowerment in terms of family relationship. In traditional Vietnamese family sons are preferred over daughters who are not considered as permanent members since they will be part of their husband’s families after their marriage. Teenage daughters often feel that they carry less weight than their brothers and a girl who is no longer virgin as a result of rape must feel much less worth. Yet in sending home remittances these migrant women want to show that despite their ordeal they still care for their family; and in so doing they may want to change their image in the eyes of those who once considered them as a source of shame.62

One aspect that so far has received little attention in Vietnamese research and elsewhere is the way in which perceived responsibilities and duties towards their family have an impact on the behavior of females who have been sexually violated and sometimes later engage in prostitution. As Giang explained to me it was the realization of her position as the eldest daughter of the family with inherent responsibilities toward her siblings that kept her from “negative behaviors,” as she put it, such as engaging in prostitution.

“If I was just on my own, having no one to care for, I might fall into it (prostitution). When I came to Hanoi I thought sooner or later it would happen. Because in my situation, it’s easy to get depressed, then you don’t care any more, easy to let go. Then thinking of my em [Vn.: younger siblings], I thought if I could not behave myself how could I tell them to behave themselves...That’s why I manage to be like this today.” (HN-PI200767)

As for Diễm, the elder sister, worries about her siblings was one of the reasons that made her give up prostitution.

“Because my younger siblings were still at school, I was afraid they might be ashamed, that’s why I quit working (in prostitution). Their school mates might poke fun at them, saying that their sister is a phò [Vn.: slang for whore], they might be quite shocked.” (HN-PI200768)

62 This is similar to the social attitudes toward female sex workers in Thailand (Peracca et al. 1998) that if the woman works as a prostitute to support her destitute family, the merit accumulated by doing so may offset the demerit of being a prostitute, a view reflecting the broader moral value system heavily influenced by Buddhist ethics. Put differently, the financial needs of the families of women who engage in commercial sex may take precedence over other considerations, allowing for communal and familial sanctions to be reduced.
Diễm was afraid that public knowledge of her involvement in prostitution might lead to gossips in her natal village. These were bound to cause undue strain on the younger siblings because of the stigma attached to their sister’s work in prostitution.

3.5. Homeward bound: Insurance for an uncertain future

It would be oversimplifying to suggest that the behaviors of people like Giang and Diễm are mere reworkings of what is considered to be proper for young, single Vietnamese women, thus recasting them in inferior roles as daughters in Vietnamese families. Behind these collectivist-minded and seemingly unselfish attitudes are personal choices based on deeper motives that underlie the individual female’s capability to weight their options of how to deal with the “old” families that they have left earlier. When and how these “returns” eventually come about has a lot to do with their troubled past tarnished by the rape experience and their present living and working circumstances with an eye on a future fraught with uncertainties. As Giang told me:

“Anyway there is still the family, at least it is something like a (protecting) shell ... maybe the family members are not close, but we should not destroy it (the family) so that it still exists for everyone...before I didn’t care, telling myself that I would never go back...especially when (sister) Minh (also abused by her father) came to join me. Now I change my mind, I don’t know why... For Asians the family is something binding… everybody needs a father and a mother... Maybe in the West children probably don’t need their parents after they grow up but it’s different here... For example when I get married people would ask why I would go to such extremes ( in renouncing parents), something terrible must have happened, they would say... It’s another matter if your parents passed away, but when they’re still alive and you renounce them...people will say: look, that’s how she treats her own parents, they will look at you in a negative way. That’s why I did not renounce them... To tell the truth there’s self interest in it.” (HN-PI200769)

In an environment, which considers the family as a primary institution, Giang realizes its social role with the obligations incumbent on its members. Notwithstanding her personal pains, the thought that one day she may get married brings to mind the need to have her parents - and that include the father who has abused her - around for such an auspicious occasion, if only for the sake of social respectability.
It may be interesting to discuss briefly the case of twenty-five-year-old Ly, a young female seasonal worker of the Mường ethnic minority who was raped by her landlord in a nearby village and became pregnant. She gave up her child for adoption. Since Mường people from Hòa Bình province share many cultural traits with the majority Kinh (Tạ Đức, 1999; Nguyễn Tứ Chi, 2001), including the value attached to pre-nuptial virginity, a woman like Ly would have difficulty in finding a husband in her own village. To escape local pressure, her parents sent her to Hanoi ostentiously to find work but also to look for marriage opportunity in the anonymous surroundings of the big city. Ly told me in case she could not find a suitable husband she would return to live with her parents, probably sharing the same roof with her parents and her brother and his family after the latter’s marriage. This attitude not only reflects strong family attachment but also is motivated by a local belief that an unmarried woman after her death would become Bà Môt [M.: Single Lady], a sacred figure revered by the local people for her benevolence. A prospective Bà Môt is held in high regard and respectfully treated by her family and others in expectations of future blessings after her death. For her part Ly maintained close ties with her family, sending remittances and visiting home regularly. These examples illustrate how ethnic-specific cultural and social characteristics influence young female migrants who are rape survivors in shaping their family and kin relations in the face of an uncertain future.

In considering the “homebound” option the young women besides trying to fulfill their family obligations, also want to keep their place in the family they have left behind, and to prepare for a possible return. The fact is that these women are well aware of the precariousness of their present situation. The jobs they have are temporary: factory workers have to search for new work when their labor contracts are over whereas sex workers’ earning ability is short-lived, highly depending on such variables as age and health. The remittances and visits are part of a coping strategy: investing in family goodwill for an eventual return in the worst case scenario. It should be mentioned that in Kinh families, the phenomenon of a single daughter (being an “old maid,” widowed or divorced) living with her parents or with a sibling is not uncommon (Oosterhoff et al. 2010; cf. Teerawichitchainan, 2009; Oudin, 2009; Bélanger and Khuất Thu Hồng, 2002).
Summary

In the foregoing I have shown that a disclosure of the rape, which is a crucial first step in the process of reporting the assault to the appropriate authorities, is inextricably bound up with the idea of family honor, with assumptions about kinship, social belonging and shared responsibility in a collective society such as Vietnam. Motivational factors inhibiting disclosure include fears of the social stigma their family has to bear left many rapees keep silent about the incident. From the accounts collected in this study, reactions such as rage, helplessness, shame and self-blame are common especially among those belonging to socially marginal groups at various stages in the disclosing process. Another point I want to make is that the family’s decision regarding disclosure largely depends on the degree of closeness between the parents and their kindred. The present research provides only modest evidence about the practice of marrying the rapee off to the offender as a solution to sexual assault. The process of reporting a rape to the authority, which involves other people’s reactions to disclosing attempts and the timing of the disclosure, reflects an interplay of kinship relations and the socio-economic status of the parties concerned. In this sense, the decision to pursue the case through legal means (for example when no agreement about restitution is reached) constitutes an attempt to defend the honor of the family and that of the larger kin. On the other hand when no support is received from the larger kin network, individual action (for example by the rapee’s mother) can be regarded as an attempt to put other kin members on the spot, getting them to share the burden of social prejudice with the rapee who is a member of their own kin.

A disturbing finding is that the parents’ behaviour in the aftermath of rape often reflects their own interest rather than genuine concern for the well-being of the rapee herself. Although there are cultural variations pertaining to the meanings of female virginity, the value attached to virginity is often a matter of trade-off: what is at stake is the “face” of the family and the larger kin, and the parents’ social status in particular. Put differently, despite cultural differences, in all ethnographic stories there is a tendency to more or less deal with rape in similar ways, that I would call “collectivist” or “kin-based.” Conversely, my research reveals that serious crimes against the integrity of persons, like rape, can be dealt with outside of the justice system, which is formally against the letter of the law.
Besides its central role in the decision on disclosure and reporting, the family is also a major player in the post-rape management. By relocating the rapee elsewhere through migration even for an indefinite period, the family attempts to help her recover from the ordeal in a new environment with the help of kin members or acquaintances. It is also an effort to relieve social pressure on the family members who stay behind, now that the object of shame is removed - a sort of “out of sight, out of mind” solution. But what happens to the former rapees who are now full fledged survivors? With the passage of time the one who once “fled” the environment of their victimization often yearns for a return journey, in the sense she wishes to maintain or renew ties with her own family. Migration might improve her economic situation in the meantime, enabling her to send home gifts and remittances to help with her siblings and relieve the family’s financial burden.

Seen from a socio-economic perspective and amid multiple family entanglements, this homeward journey, in both a material and metaphorical sense, may be seen as a response of the rapee to the social repercussions related to the incident in the past. It may well be a personal choice in the face of uncertainties of the future. Above all it is a reflection of the bonds that exist between a person to one’s natal community. Here Michael Jackson (2002:14-15) is helpful in reminding us about the “human need to imagine that one’s life belongs to a matrix greater than oneself, and that within this sphere of greater Being one’s own actions and words matter and make a difference…for sustaining a sense of agency in the face of disempowering circumstances.” The following chapters will examine the ways in which gender and sexuality are produced in legal discourse and media representations that often distort women’s accounts of their sexual victimization. These constraints are many, however there is space for resistance.

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