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## **LIBERALISATION, CARE AND THE STRUGGLE FOR WOMEN'S SOCIAL CITIZENSHIP IN VIETNAM**

Thanh-Dam Truong

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## **ABSTRACT**

Women's social rights in Vietnam have been inscribed in the constitution since 1946 and ensured by a number legal codes as well as state efforts to introduce a 'working mother' gender contract at various stages of national development policy. Since liberalisation policy was introduced in 1986, a clear shift of the terms of this contract has emerged, by which more emphasis is given to a combination household production and motherhood as an efficient means to respond to care needs, and less attention is given to subsidized care services. A major implication of this shift for social policy is the changing ethical norm of care that hinges itself on women's private virtue rather than state duty. Honouring the 'working mother' gender contract in an era of global competition – in which lean production through small units remains a key generator of women's employment – would require new thinking and bargaining methods on the gender of care and social policy. The contributions of the Vietnam Women's Union remain crucial in defending women's social citizenship.

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## 1 INTRODUCTION

The social landscape of Vietnam's reform is varied and complex. The legacy of war, revolution, internal conflict and international migration, has produced a highly differentiated social environment and diversified patterns of social inequality between men and women, depending on region, ethnic groups and other factors (Vietnam Human Development Report 2001).<sup>1</sup> To provide a fruitful discussion on the institutionalization of women's needs and concerns in social development policy and the role played by women's organizations, it is important to bear in mind three key issues. First, the definition and boundaries of gender roles have been subject to alteration by social forces and have consequent implications for the agreement between women's organisations and the state with regard to the social arrangements regulating and mediating gender relations—henceforth the gender contract. Second, the formative bases of women's organisations and their degree of internal cohesion plays an important role in shaping the ability to respond to new needs and to negotiate for more equal terms of the gender contract. Third, the priority given to social development in the policy agenda of economic liberalisation has implications for the gender division of labour and the wellbeing of the family and community in everyday daily life.

This paper offers some reflections on the role of Vietnam Women's Union in promoting gender equality and forging a new social policy in an era of globalization. This analysis considers women's participation in social development as a two-tiered process. One tier addresses the negotiation and bargaining over women's gender interests in agenda setting which has significance in demarcating the boundary of social policy. The other addresses the mobilization and allocation of resources for a social policy agenda, which has significance in defining the boundary of burden-sharing between women, the state, the family and community. As has been pointed out, women's interests cannot be neatly categorized as 'practical' and 'strategic' as Molyneux proposed (1985). Rather, such interests are shaped historically in different contexts, depending on women's specific socio-cultural positions and the consequences of the position they adopt (Lycklama a Nijeholt, Vargas, Wieringa: 1998). Likewise, the boundary of social policy as a domain of state interests –

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<sup>1</sup> Forced migration as well as labour export programs.

covering a wide spectrum of concerns – do alter according to changes in demography, culture and economy.<sup>2</sup>

In this approach, the intersection between social policy, gender relations and women's political agency may be analysed as the institutionalization of a gender contract, of which two main models may be delineated for discussion. A 'male-the-breadwinner gender' contract is characteristic of the model of social policy based on the notion of a family wage and the view that women's earning is supplementary to male earning. This model compromises a woman's economic position in favour of the needs and interests and authority of the husband as the sole earner and decision maker for allocation of household resources. A 'working mother' gender contract is characteristic of the model of social policy that is built on a double-income model. It recognizes the significance of women's economic contribution and considers women earnings as equally important to family needs and wellbeing. It supports women's gender interests in motherhood and childrearing by enlarging the public base for childcare services, and uses an array of other measures to change norms and values towards a gender balance in the sharing of the social burdens: health, education, family and community relations.

Historically, the 'male-the-bread-winner' gender contract is predominant in many variants of the capitalist system of production—such as the welfare state and the East Asian developmental states (Marshall, K. and O. Butzbach 2003). The 'working mother' gender contract was characteristic of former socialist countries in Europe and Scandinavian countries. In many developing countries – including Vietnam – frameworks of social policy are too fragile and their coverage is too limited to make a general pronouncement at this stage. The disproportionate predominance of the informal and flexible workforce in these countries would suggest that issues of wellbeing, security, pensions, and care activities tend to be resolved through informal means or through community-based organizations rather than through a tripartite bargaining system between the state, capital and labour. The two models are nevertheless useful to delineate the main gender dimensions of social policy in Vietnam, and to contrast formal commitment with the actual outcome.

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<sup>2</sup> Including health, education, welfare at the work place and in the family, and the inclusion/exclusion of marginalized social groups (women, youth, children, disabled people, and ethnic minorities).

## **2 THE GENDER CONTRACT IN VIETNAM: COHERENCE AND CONTRADICTIONS**

Historians have confirmed that there are periods during which women in Vietnam have enjoyed relative gender equality in the domain of formal politics, the economy and family life (Mai and Le 1978, Truong 1984). Most notable is the Hong-Duc Period ruled by the Le Dynasty (1428-1788) during which women enjoyed equality in property rights as well as personal rights protecting their interests as wives, daughters, and female citizens (Ta 1981). Notwithstanding changes in the political economy that may have contributed to the decline of women's position over the last centuries – exacerbated during the colonial period (Marr 1981) – respect for gender equality in Vietnam appears stronger than in the countries defined by Kandiyoti (1988) as the belt of 'classic patriarchy'—North Africa, Muslim Middle East, continental South Asia and East Asia.

The issue of gender equality re-emerged since the beginning of the 1900s owing to women's determination and important role in the struggle for national independence during the pre-communist movements (1904-1927), as well as the period led by the Communist Party of Vietnam thereafter (Marr 1981; Jayawardena 1986). Since 1946, the state has made significant efforts to discard historical prejudices and injustice against women and to acknowledge their full citizenship. Half a century of cultural reforms has produced a modern state permeated by an ideology of gender equality with a gender contract by which women's role in public life and in the family is formally recognised as equally significant (Annex 1). The Constitution asserts a commitment by the state to work towards equality of social status between men and women in all spheres of social life.

In trying to ensure gender equality the modern state also must mediate between women's gender interests and other interests arising from internal and external forces. The terms of the gender contract has therefore tended to change over time, responding to specific gender needs and interests of women, men and those of the state. It is possible to discern changes and continuity in the gender contract according to four periods, notably:

- the establishment of the Democratic Republic of Vietnam in the Northern part of the country and the subsequent protracted militarized conflict with the U.S.A. (1946-1975),
- the reunification period after the war ended in 1975,

- the renovation or *Doi-Moi* period (1986-2000),
- the current period of regional and global integration, driven by human development principles, according to which a balance is being sought between neo-liberalist reforms and concerns for social equality.

In the early period after independence in 1946, the gender contract in the first constitution reflected a trade-off between gender-based cultural norms and modern politics of state-building. By removing gender-discriminatory norms, the state sought to enhance women's participation in public life and production. Given its reliance on women's roles and productivity for its efforts in national defence, the state gave great attention to alleviate women's burdens as reproducers and care providers.<sup>3</sup> The law on marriage and the family introduced in 1959 ensured freedom in all matters concerning marriage, recognized monogamy as the only legal marriage, and protects gender equality and children's rights in the family in broad terms. In practice, the choice of spouse in this period was significantly interfered. Matrimonial decision required the approval of the family as well as by that of the work place administration to ensure loyalty to socialism and to protect state-based entitlements (Belanger and Khuat 2001). There was a shift of preferences from economic and social compatibility to political compatibility. In retrospect, the while the gender contract in this period appeared to elevate women's status as full citizens, it in fact subjugated women and men's gender interests to concerns for national security and the construction of socialism.

In the reunification period, failed attempts at socialist construction in the South coupled with the trade embargo imposed by the United States brought the country into a major social crisis. The demobilization of combatants, for whom a symbolic recognition of their role was no substitute for a means of livelihood, exacerbated high unemployment. In addition, the physically disabled population – constituting about 13 per cent of the total in 1989 – and the post-war baby boom added further demographic pressure to the social sector (Banister 1992: 22). Debt burdens to socialist states in Eastern Europe and the Soviet Union led the country to near bankruptcy. Remittances

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<sup>3</sup> Hand in hand with efforts to collectivize production, the state also emphasized the socialization of reproductive work through the organisation of child care and crèches at all levels of production. The objectives were to lighten women's burdens to enhance their efficiency in production and to influence the process of socialisation of children (Le 1991).

from overseas workers and refugees at times constituted one of the main sources of support to families and communities in crisis.<sup>4</sup>

From the perspective of women's gender interests, the subsidized system of socialized reproduction was no longer functional. Social dissatisfaction with central planning that tied social entitlements closely to the work place (causing much rigidity) led many women to find alternatives through informal means; and market forces introduced since 1979 under the household contract system also contributed to an erosion state provision of care services. The household contract system provided more incentives for women to withdraw from the poorly paid jobs in child care centres, crèches and primary schools and devote their energy to household production for higher income (Truong 1977). The dilapidated infrastructure and the lack of staff made the socialized care services unattractive for users, leading to a total collapse particularly in rural areas.

Unable to sustain the gender contract under its original terms, the state turned its attention to the family and its stability – emphasising the functional cooperation between members – as a key element for social stability. New terms in the gender contract began to emerge in state discourse on the family, in which women were advised to observe family planning and concentrate on child education in accordance with the wider social and economic goals of the state. The state glorified motherhood as women's noble and natural role, which it had benevolently returned to them. In the new context of *doi-moi* or reform, the Politburo redefined women's gender roles as follows:

Women are simultaneously workers and producers, mothers, the first teachers of humanity. Women's potentials, their working conditions, level of education and cultural awareness, their social and economic status and physical and mental health have deep impacts on the development of the future generation'. (Vietnam Women Union 1998: 4)

The 'household economy' became accepted as suitable to women since it allows them to combine productive and reproductive duties. The 'New Culture Family' campaign encouraged men and women to share decision-making and housework. From the perspective of the state, the promotion of the household economy was linked with

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<sup>4</sup> According to Vietnam News Agency, from 180 to 1990 nearly 300 000 Vietnamese citizens were sent abroad under labour export contract. Between 1996 and 2002, they sent home about US\$ 300 million each year to the state budget through taxes (<http://vietnamnews.vnagency.com.vn/2002-11/09/Stories/02.htm>). Undocumented financial transfer by refugees through informal channels contributed directly to families.

efforts to find means to dismantle the malfunctioning collectivized production system in the rural areas, and to serve as a mechanism to redirect livelihood options for retrenched workers from State-Owned Enterprises (SOEs) in urban areas. By the year 2000, the household sector absorbed over 90 per cent of total employment (Truong 2002).

During the process of this transition, and since then, three different types of gender conflicts have transpired. These are: (a) the erosion of the visibility of women's work previously ensured by an accounting system at the work place, including cooperatives, (b) the intensification of women's time-use since they must now combine their roles as producers and reproducers, and (c) the re-emergence of male authority over family income and decision-making. These conflicts have led to rising domestic violence and divorce (Le 1996; Thai 1996).

By 1987 – in an attempt to address these gender conflicts – the state introduced a new Family Law, which re-enforces the principle of gender equality and added some new specifications. These included the outlawing of marital violence and the forbiddance of divorce initiated by the husband while the wife is pregnant or the infant is under 12 months of age. The Law – as it stands – also recognizes housework and child rearing as productive work, which must be viewed as a contribution to family income and common property (Tran and Allen 1993: 15). These specifications reflect state awareness that gender power at the household level cannot be addressed by means of persuasion alone. In devolving state responsibility for the social sector to the family based on traditional cultural norms, the state is also responsible for the protection of women's wellbeing—the wellbeing of future generation being dependent thereon. Unable to intervene directly in the household, the state delegates this task to women's organisations as a mediating agent.

Although these elements make the Family Law in Viet-Nam one of the most progressive in the developing world, monitoring compliance is vexed with many difficulties. Currently, women dominate the rural household sector in agro-production, processing, producing and selling food, handicrafts and the involved non-wage and wage work; men are concentrated in mostly in wage work in transportation and construction (FAO 1997). The Family Law protects women as wives and mothers, but not as workers and producers. Land Law does not discriminate against women; joint titling is permitted. However, common practice is such that often only the husband's name is included in land titles – particularly among ethnic minority. This places women in a disadvantageous position with regard to collateral for access to credit, and to their

rights to claim their due share in case of divorce or widowhood. Furthermore, discretionary practices with regard to income/savings, household expenditures and individual income-transfer have made it virtually impossible to assess common asset formation.

One method to encourage the recognition of joint-property ownership has been adopted, and that is to require the signatures of both spouses on land titles. Regarding the calculation of housework and child care as productive work – hence a contribution to family income – an accounting system similar to cooperatives but done at household level could be adopted. This would require that the media encourage people to do their own monitoring. Alas, media campaigns on role models directed at women tend to foster the image of the woman as a triangulating entity that mediates between the woman's sense of self, the family and nation; or a social construct of the 'faithful, heroic and resourceful' female subject (Gammeltoft 2001; Blanc 2001). Instead of sending out signals that women should be more aware of their economic rights in the family, the media seems to reinforce the notion of sacrifice as women's private virtue.

In the labour market, since the middle of the 1990s a revival of the 'working mother' gender contract introduced in 1946 may be noted. However, rather than pursuing a subsidized approach to the socialization of childcare to uphold this contract, the state has adopted instead a new approach based on economic incentives offered to enterprises to remove gender barriers. Article 110 in chapter 10 of the Labour Law introduced in 1994 stipulates that firms employing a high number of female workers may benefit from preferential regimes such as tax exemption or deduction and other financial incentives such as favourable access to credit and loans. Gender-specific labour standards applicable to women such as maternity benefits and young child care, labour safety, sanitation facility, and access to training are also clearly stipulated. In particular, article 117 gives women workers who have adopted infants the benefits of young child care, thus providing the recognition of social motherhood (Truong 1997). Compliance with labour standards is found mainly in SOEs and firms with foreign investment (VWU 1998).

Return to the 'working mother' gender contract is likely the result of a combination of factors. One consideration is the demography during the last quarter of the twentieth century in Vietnam. The proportion of the female population is higher than male—50.8 per cent and 49.2 percent respectively of the 76.3 million total (General Statistical Office 2000). A rising percentage of female-headed households

since the post-war period from over 18 percent in 1976 to 26 per cent in 1998 is also recorded (Centre for Women's Studies 1990: 19; UNDP 2002: 3). Another consideration is the nearly equal rate of female participation in the labour as compared with men, despite its gradual decline. The rate of female participation in the labour force fell from 53 per cent in 1975 to 51 per cent in 1982 and 48.1 per cent in 2000 (UNESCO 1989; UNDP 2002). Women are primarily concentrated in agriculture, food and tobacco, textile and garments, hotel tourism and sales (Truong 2002).

A strategic consideration is the export-oriented industrialisation approach adopted by the government as the reform sets in and as the national economy becomes more and more integrated with the regional and global economies. Following the East Asian models, in its initial stage this strategy relies heavily on labour-intensive activities in textile and garments production, food processing and services in which female labour at premarital age is predominant (Truong 1999). As such, the 'working mother' gender contract may reflect the awareness that the sustainability of this strategy will depend on the full deployment of the female work force –at pre and post childbearing age – whose wellbeing must be protected.

The implementation of the Labour Law has met with many difficulties. Lack of awareness about the law and the impracticality of some of the regulations appear to be key problems. Findings by the International Development Research Centre and Research Centre for Female Labour (2002) reveal the low number of firms accredited as those employing a high percentage of women workers in the garment and textile sector, in spite of the fact that 80 per cent of the work force in this sector is female. Nearly half of those accredited in this sector are state-owned enterprises; many non-accredited firms are not aware of the law and the economic incentives provided. The Centres' report also refers to the impracticability of gender-specific regulations. For example, if many women workers claim gender-specific benefits at the same time production lines can be disrupted. Therefore firms must find a balance between the benefits of increasing the hiring of women's workers and the costs of observing gender-specific regulations.

Furthermore, women workers in many domestic private enterprises have no written contract, or only vague verbal contract, and therefore cannot benefit from labour regulations (Pham and Pham 2001). As for the gender-wage gap, on average women earn 78 percent of men's hourly wage in the same sector. At every level of education, women receive lower wages than men although the discrepancy is less stark in rural

areas than urban areas – where the gap is widest among workers with college and university education (UNDP 2002: 12-13, Truong 2002).

To sum up, the principle of gender equality has permeated Vietnam's legal structures since independence in significant ways. However, what has transpired through various periods of reforms in gender relations is a clear tension between the principle of efficiency and that of gender equality at different levels of the society. In the wake of *Doi-moi* (renovation), new conflicting interests between women, the family, the state and the market have arisen, but have led to a successful bargaining for a 'working mother' gender contract. Under its new terms the gender contract seeks to achieve two objectives. One is to resolve male biased incentives in the labour and credit markets to promote women's employment. Two is to create support structures for women workers as mothers.

However, this gender contract is by and large more a matter of principle rather than practice. In a situation where the majority of women are concentrated in the household sector, making this gender contract applicable to home-based women workers remains a major challenge ahead. It will require policy attention to the household being a workplace—in addition to being a unit of consumption and socialisation. The promotion of the household economy has proven to be an efficient means for the state to de-collectivise rural production and to generate self-employment in a period of enterprise 'downsizing'. The burden of this efficiency appears to have fallen disproportionately on women. It is therefore important to rethink the role of the household as a mode of production under pressures of globalisation. The evidence of successful transition in Vietnam suggests that rather than being a 'residue', the household has been playing a resilient role in absorbing economic shocks and in generating employment. To resolve gender tension and to vitalize future growth, it is necessary for the state to locate significant forms of institutionalized gender bias and find workable means to address them in order to foster a social policy by which burdens and benefits are more equally shared in society.

### **3 A GENDER-EQUAL SOCIAL POLICY AND THE ROLE OF THE VIETNAM WOMEN'S UNION: 'SISTERS, WHAT IS TO BE DONE?'**

#### **3.1 An evolving social policy agenda**

Historically, the Vietnam Women's Union (VWU) has played a central role in negotiating for the terms of the gender contract discussed above. Its relative success owes to its close relationship with the Politburo, and an approach that regards the state as friend rather than foe. Conflicts between the women members tend to be resolved or suppressed internally – based on the authority of age and representation – in order to build an effective united voice in addressing the state (VWU 1989; Truong 1997).<sup>5</sup>

The organisation was founded in 1930 during the anti-colonial resistance. It has changed its name and structure of operation several times before becoming the actual Vietnam Women's Union in 1976. The organisation today has more than 11 million voluntary members – women above 18 years of age – and is the largest mass organisation in the country. Members are predominantly rural women between the age of 30 and 50. A symbolic fee of 2000 Dong (about 7 US\$ cents) is required, but often waived for women without adequate income. Its structure consists of four echelons similar to the structure of government administration: 1) central; 2) provincial/municipal; 3) district/town/quarter; 4) commune/ward. It has a staff of 4 000 full-time cadres including about 300 people (men and women) in its national central office in Hanoi. In addition it has 12 000 grassroots units (women's unions at the commune levels) to implement Government policy on women. A National Women's Congress meets once every five years, bringing together delegates elected on the basis of proportional representation.

The organisation is represented by its elected members in people's committees at all levels of government. It has also representatives in all ministries and departments. Horizontal links with other mass organisations such as the Farmers' Organisation, Youth Organisation and the General Confederation of Labour have been maintained

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<sup>5</sup> For example, the issue of 'deviant family' among women workers, *Phu Nu Co Don* (lonesome women, or women without a family) emerged in the 1980s as a critical social issue in the light of the 'New Culture Family' promoted by the state and VWU. A stigmatized 'deviant family' is defined as an entity formed by two or more unmarried women with or without children born out of wedlock who bond together for survival. The formation of such families might be a result of several factors, such as the gender imbalance in demography after the war ended and women's rejection of patriarchal norms of *concubinage*. The defence of the interests of women living under non-conforming norms of the 'New Culture Family' by VWU has led to the recognition of social motherhood in the Labour Law as well as the recognition of their rights of access to land in the Land reform based on the same criteria applied to a conventional family.

throughout the history of the organisation. The elected president of VWU is also the chair of the National Commission for the Advancement of Women (NCFAW) founded in 1993 to provide advice to the Prime Minister on legislations, policies and cooperation programmes relevant to the United Nations Conventions on the Elimination of All forms of Discrimination Against Women (CEDAW), to which Vietnam is a signatory in 1984. Representation in these organisations serves the purpose of advocacy and pressure to observe and embed the principle of gender equality in implementation. Outside state structures, since the creation of Chamber of Commerce in early 1990s, a delegated member of VWU also represents the organisation to defend women's interests in private sector development. In addition, cooperation with a number of existing Non-Governmental Organisations (NGO) working with specific women groups also takes place on some sector-specific and/or target groups-specific issues. VWU also cooperates with more than 150 women's organisations in different regions of the world.

VWU inherited a hierarchical structure of decision-making from the state socialism era. In recent years, it has adopted new principles of consultation and coordination in its actual functioning, owing to the general trend towards decentralisation and the promotion of grass-roots activities with communities. VWU works closely with the government policy agenda and sets its priority areas for its action programmes through consultation with the government and with its members at different echelon levels. Having inherited a structure set up for defence purposes – effective in monitoring and coordination – VWU has proved capable of renovating and re-orienting its organisational culture and activities for social purposes through the maintenance of close links with communities and their issues. As such, it can afford a semi-autonomous structure that represents women from all strata of society, and at the same time can act on gender issues as cross-cutting issues through its horizontal linkages.

An important question to pursue concerns the underlying forces that have transformed VWU as an organisation originated in national defence into a new agent of social policy. This new role may be a consequence of the definition of women's gender role by party and state and supported by the organisation, and/or a consequence of its organisational structure which makes it more alert to social issues arising from structural change in the economy and society. An influential factor may also be the gender division of labour in the National Assembly. Currently, women representation in this body is high in the Committee for Education, Youth and

Children (41.2 per cent), and the Ethnic Council (39.5 per cent). Other percentages are: the Committee for Social Affairs (15.8 per cent), the Committee for Science and Technology (10.7 per cent), and the Committee for Economics and Budget (3.1 per cent) (National Assembly Office 1999). This reveals that the social sector has become a female sector, whereas economic management and budget remains a male-controlled area. Mainstreaming gender concerns in economic management and budget remains a great challenge ahead for VWU and NFWA.

A tabulation of VWU policy agenda in the period 1992-2003 (Annex 2) shows a certain gradual changes in priority areas of action. Although VWU's main concerns remain women's wellbeing and improved status in the home and society, concrete actions have linked women's gender interests closely with national interests, culture and traditions. From experiences with a piecemeal approach to poverty reduction and alleviation of burdens of adjustment from job losses, VWU is now able to fashion its policy agenda according to well-evidenced links. One such link clearly exists between women's human development (education and health) and their economic empowerment. Another is the link between their economic empowerment and the acceleration of industrialisation and 'modernisation'. In terms of target groups, the organisation is also moving beyond special groups living under problematic conditions to a mobilizing of women in all strata, including women entrepreneurs, professional women and those of ethnic minorities, with a diversified structure of incentives for memberships and cooperation.

An important feature of this alliance is formation of women's groups in the private sector through various campaigns. One such campaign initiated in 1994 is the movement 'Women's Mutual Help in the Household Economy'—mobilising women to engage in mutual assistance in cultivation and animal husbandry, the acquisition of capital for production and mutual exchange of free labour days. Cross-class support is also fostered through a yearly campaign on International Women's Day March 8<sup>th</sup> as a 'Day of Savings for Women Living in Poverty'—to mobilise successful women entrepreneurs, professionals and civil servants to direct some of their savings to create and sustain a special fund for poor women living without family (Phan 2000). With regard to its own professional needs, the organisation is advancing the skill training for its staff; in addition to service delivery more attention is given to training for effective advocacy and the formulation, monitoring and evaluation of a gender-equal social policy.

From its activities, it is possible to map out a gender-based social policy as follows:

Family policy	Employment and labour policy	Women's education and training policy
<ul style="list-style-type: none"> <li>- Domestic violence</li> <li>- Property rights</li> <li>- Adult literacy</li> <li>- Reproductive health</li> <li>- Nutrition, sanitation and family well being</li> <li>- Maternity and (young) child care</li> <li>- Special treatment for women of ethnic minorities in distant provinces</li> </ul>	<ul style="list-style-type: none"> <li>- 'Working Mother' gender contract</li> <li>- Household enterprise development</li> <li>- Removal of Gender barriers to enterprise development (labour, finance, technology, networks of supply and distribution of products)</li> <li>- Rural home-based Day Care Centres</li> </ul>	<ul style="list-style-type: none"> <li>- Economic empowerment through the training of women owners of enterprises</li> <li>- Education and leadership training</li> <li>- Training for participation in social activities</li> <li>- Special attention to women of ethnic minorities</li> </ul>

### 3.2 Care and Domestic violence: Issues of Contention in Family Reform

In spite of its success in many realms VWU has yet to resolve issues of care and domestic violence effectively. A 1997 survey conducted in three provinces on the effects of social policy on women's wellbeing (covering both the state and private sector) reveals that users of childcare services are primarily women workers in the state sector. Women workers in the private sector are more inclined to rely on private means (paid services, grandparents, elder sibling). The overwhelming reason for not using childcare services by women workers in the private sector is the absence of such services; other major considerations are high fees compared with level of income, distance between home and childcare centre, and the low quality of services (VWU 1997: 14). It appears that childcare services are more accessible and affordable to women workers in the public sector than to those working in the private sector.

At the family level, data shows that women have not succeeded in negotiating for a better bargain in sharing the tasks of care for their children and various members of the extended family. As reported in the 1997-98 Living Standards Survey, a woman between the ages of 25 and 64 years spend an average of 13.6 hours a week in household chores; a man in the same age bracket spends 6 hours on similar work in the same time period (UNDP 2002: 8). Inability to negotiate for a fairer share often led to verbal and physical abuse, as revealed through women's voices:

My husband's drinking makes me angry. There are many things put on my shoulders, such as children's study, but he just pay attention to drinking. He brings his friends home and they drink and make my house a mess. Disagreement between husbands and wives, and family conflict, come from these cases. (A rural farmer in Ho Chi Minh City, age 39). (Vu 2000: 9)

In my case, he showed too much filial piety towards his parents and siblings. If I complained about that, it would result in a disagreement between us. So I have to tolerate his behaviour. The wife's tolerance is a necessary condition for a peaceful family life. (Woman in Focus Group, Hue). (Ibid: 12)

It appears that social incentives for family reforms to achieve gender equality remain a difficult area to address. Local norms of gender roles, rights and duties continue to contest those inscribed in the Family Law. Currently, institutional response to domestic violence is resolved at the community level through a resident unit – responsible for the maintenance of social order in resident clusters of 25 to 80 households – which coordinates a reconciliation group, with one representative from VWU, one from another mass organisation and a commonly respected individual in the resident cluster (Vu 2000: 16). A reconciliation process is required by law before court proceeding on divorce can take place.

However, as pointed by Vu (2000: 17), reconciliation groups often lack both knowledge about the law and professional training to counsel victims. Advice offered to women suffering from spousal abuse tends to be based on the dominant view that children's interests must be placed above individual interests and therefore women must sacrifice their own interests and wellbeing for the sake of the children (Vu 2000). It seems clear that family reforms cannot be expected to benefit women unless the notion of sacrifice is loosened from their motherhood role and incorporates more male responsibility in education, maintenance of the future generation and partnership in the family.

Furthermore, family reforms also encounter the problem of differences in life philosophies and living habits between partners. These may be affected by external forces and change during marriage. As Thai (1996) points out, economic growth has made the clash between various modes of thinking about affective relations more visible among high-income groups. One mode of thinking resists utilitarianism when it comes to love and the family and aspires for spiritual and humanist values of mutual support. The other embraces the value of money and individual material possession at the expense of family solidarity. Thai's study of divorce cases in court among the middle-class in Ho Chi Minh City shows that there are no clear gender differentials in moral agency. Men and women are capable of embracing either of the two modes, leading to conflict and eventually break-up when they cannot find a compromise. Among low income groups, Vu's study (2000) emphasizes the significance of economic

hardship and alcohol abuse as two main contributing factors to wife-beating, which are inexorably linked.

It appears that social incentives for family reform to ensure gender equality cannot bypass different types of family dysfunction and their underlying reasons. These may arise from economic pressures, or notions of masculinity and femininity based on differences in life philosophies that carry implications on localized notions of rights and duties between spouses, where the real tension lies. From that perspective, to make the ‘working mother’ gender contract extendable to the majority of women workers in the household sector, truly innovative policy instruments for family reforms may be required. For example, a diversified incentive structure which promotes a more equal intra-household allocation of labour and resources by emphasizing a partnership between fatherhood and motherhood – including social parenthood – may help to reduce the burden of sacrifice on women. Building community-based care arrangements that are affordable, safe and accessible may ease intra-marital tension arising from pressure of work and income earning, and may release more time for parents to reconnect with each other in mutual respect rather than abuse.

### **3.3 Poverty and family well being: The functional role of micro-credit**

VWU policy approach has evolved historically from income-generating emphasis for its members and for the organisation in response to forces of transition, to one which seeks also to influence the state to change or adapt policy and regulations regarding privatisation and to support the goals of self-sufficiency and wellbeing of its members. When the reform process was initiated, VWU – like many other state and semi-state organs – was forced to take initiatives to serve the needs of its members (demobilized female soldiers, widows, and single middle-age women). The fiscal crisis of the state also seriously curtailed the funding available for the organization to be active, which led to a decline of membership and cadres.

In 1987, a pilot project was set up funded by SIDA (Swedish International Development Agency) UNIFEM (United Nations Funds for Women) in Hai Phong in the northern part of the country. This project supported members of VWU in the cultivation and local marketing of shrimps and other aqua products. The success of this programme led to larger commitment by SIDA in the early 1990s to train women in making garments and to advance credit for sewing machines as a condition. However, in view of the new opportunities created by liberalisation in the service

sector and ITC – particularly local transport and tourism – unilaterally the chapter of VWU in Ho Chi Minh City used a portion of SIDA funds intended for sewing machines to buy a number of mini-buses to set up a small transport company.<sup>6</sup> The company started with handling passengers from the airport to the centre of Ho Chi Minh City, and in less than four years the re-invested gains helped the company to grow into a fully-fledged national tourist company (Peace Tour) servicing many destinations from North to South. In 1993 the company contributed up to 19 per cent of the central budget of VWU (Truong 1994).

In some areas, the organization also invested in garment factories, acted as local agents for a number of international firms (computer technology), and turned its public assets – such as buildings allocated to the organization by the state – into multi-functional and income-earning entities. Income generating for the organization – not just for individual members – gradually became a principle of operation that helped reduce VWU’s financial dependency on the state, and earn respect for being a socially committed and innovative organization.

At the local level, VWU emphasizes the significance for income-generation credit schemes through the formation of women’s savings groups (WSGs) to ensure productivity and family wellbeing. In December 1999, there were 129, 024 WSGs formed at the commune level (Phan 2000). Three models of credit drawn from the South Asian experience have been adopted and modified. Model 1 maintains a relationship with state banks through a guarantee fund—the Vietnam Bank for Agriculture, Bank for the Poor and National Fund for Poverty Alleviation Programme. Model 2 or *Quy Tinh Thuong* or Affection Fund (QTT) is an adaptation of the Bangladesh Grameen Bank. Capital resources derive from a fund owned by VWU, a loan portfolio from an international Non-governmental Organisation and participants’ savings. QTT saving schemes include a component of micro insurance for education and emergencies. Model 3 is based on a combination of financial and non-financial intervention—using credit and saving groups as an entry point for other policy objectives such as mother and child health, family planning, water and sanitation,

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<sup>6</sup> Unilateral decision was considered by the funding agency as an undesirable behaviour in international cooperation. However, the funding agency also reflected on the usefulness of a-priori conditionality in a rapidly changing environment. The principal and its agents may share the same interests (i.e. promoting women’s employment) but the actual articulation of such interests may differ because conditions change and some flexibility may be needed to maximise outcomes.

female adult illiteracy eradication, early childhood development, and environmental protection. Model 3 is mainly operational within the context of multilateral and bilateral development cooperation addressing community and child interests, with women being placed in the position of the main mediator of such interests.

Using on repayment as sole indicator for the rate of success, VWU credit programmes have been acknowledged as successful. Repayment rate under model 1 is between 99 and 98 percent. Under model 2 the rate is highest, 99.5 per cent. Under model 3 the rate is 98 per cent (Dang 1996). Joint liability groups and joint borrowing groups have significantly eased the problem of information asymmetry for lenders and enhanced effectiveness of credit delivery (Pham and Izumida 2002). By the end of 1999, VWU coverage included 6 million women, of which 51 per cent are identified as poor, according to locally based criteria of asset assessment (Phan 2000: 3, Dang 1996).<sup>7</sup>

An interesting point to emerge is the use for Model 3 to combine income generation with literacy education and early childhood development, through cooperation between the Ministry of Education and Training and VWU. This model uses the credit/saving mechanism as an entry point to mobilise women and as a means for choice of project sites to set up literacy and childcare provision. After group formation, credit is provided for production, literacy and technical improvement of the traditional family-based production system *Vuon-Ao-Chuong* (VAC), or a system of nutrition self-sufficiency that combines a vegetables plot, a fishpond, and a livestock area. The information is disseminated in conjunction with information on health and nutrition developed by the Ministry of Education. Home-based day care centres are established at the commune level in the home of a commune member, selected by VWU, who is qualified and willing to set up such a centre. She cares for between 4 to 10 children during the hours 7-11 am and 2-5 pm. As users, parents contribute cooked

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<sup>7</sup> According to the Office of the Prime Minister, in 2000 the total number of households classified as poor based on international poverty measurement standards was 2.8 millions (or 17.2 per cent of total), of which 2.5 are in the rural areas. Assuming that one woman per poor household had received support, VWU coverage seems to have included the 2.5 per cent of such households in rural areas. Criteria for female poverty assessment –depending on locality- may include: 1) women as ‘breadwinners’; 2) thatched roof and earthen dwellings; other assets valuable less than 100 US\$; 3) annual food-shortage from three to six months; 4) arable land of less than one *sao* per head; 5) children under fourteen with anaemia and other diseases.

food for their children, and 20 kg of paddy per year; and the community pay the childminder 50, 000 Dong (about \$US 35 per year) to run the centre (Albee 1996). Although modest, these initiatives constitute a significant attempt to extend the ‘working mother’ gender contract to rural areas.

Information is not sufficient to permit conclusive remarks on the impacts of credit schemes and women’s savings groups on intra-household relations, or on exclusionary criteria of poverty assessment. A review of various project evaluation reports shows a number of points regarding access that are worthwhile pursuing. First, although explicit criteria were developed to define beneficiaries in poverty reduction credit schemes, un-stated exclusionary criteria based on family planning standards may also be applied – excluding women who may fulfil all criteria for access to credit but have more than two children, i.e. who exceed population control norms (Dang 1996: 39). This indicates that poverty reduction goals can be obliterated if activities are not carefully monitored. The preoccupation with achieving family planning objective may foster exclusionary practices that can defy the poverty reduction goals. Second, the model of social credit organisation such as QTT does not have the status of a formal entity. It lacks linkage with formal credit institutions, and hence cannot enlarge its micro-insurance coverage. Furthermore, it is facing a problem of well-trained technicians being drained to more lucrative financial institutions (Dang 1996: 29). To extend coverage for micro-insurance purposes QTT would need new working methods and institutional links.

Our analysis suggests that community-based activities initiated by VWU in the last 15 years have put fragments of a gender-balanced social policy into place. However, these are still fragile and cannot be considered sustainable if the means of intervention does not move beyond the level of micro-credit. The sustainability of social development schemes will depend on whether new technical means are introduced to strengthen the ones which are crucial for fostering a better balance in the gender division of labour and for women’s livelihood and security (such as communal child care and micro-insurance schemes). Strengthening these schemes would depend on the extent to which VWU can influence the government to direct more resources to finance such activities as a matter of state commitment to improve women’s status, rather than relying only on an increased proliferation of self-help schemes.

Currently two structural constraints are visible. One is women's under-representation in national and sub-national committees dealing with economics and budgetary issues; and the other is the gender gap in finance at the national level. Under-representation may have played a role in the missed opportunity to provide a solid gender analysis of public expenditure initiated by a joint government-donor working group for the review of the national budget between October 1999 and June 2000 (Akram-Lodhi 2002). The 1997-98 Living-Standards Survey reveals a gender gap in finance, showing that men have more access than women to government banks such as the Agricultural Bank, the Bank for the Poor and the National Fund for Poverty Alleviation. Only 18 per cent of loans obtained by women are from government banks (UNDP 2002: 7). The majority of women still rely on private lenders, or the financial sources of 238 multilateral or bilateral projects run by VWU. These projects cover 1 747 communes and 174, 618 households—representing about one-third of VWU total coverage (Phan 2000).

The current situation shows that VWU strategy to reduce its financial dependency from the state, in order to gain more autonomy, may have backfired. VWU may, through its 'resourcefulness', have put itself in a double-bind position. Its effectiveness in organising women's self-help schemes in an era of crisis and adjustment may have allowed the state – now recovered from the fiscal crisis – to lay back rather than to step in to enhance its financial support to help women achieve their social citizenship as mothers and workers. This could potentially put VWU in a position whereby women's social citizenship rights become a burden of the organisation rather than of the state.

#### **4 CHANGING BOUNDARIES OF WOMEN'S GENDER ROLES AND NEW DIRECTIONS FOR WOMEN'S RIGHTS ADVOCACY**

A key lesson in policy dialogue to be drawn from VWU experience is its ability to influence the codification of gender norms at the level of the constitution as the structure of a nation. This makes it possible to claim that Vietnam as a nation aspires for a gender order in which men and women are treated as equal citizens. Gender equality as an issue is thus systematically important to the state as an institution rather than a temporal demand imposed by women's organisations.

However, in this dialogue VWU has also accepted a definition of women's social role that subjugates their gender interests to broader goals of the society—i.e. women as mothers and first teacher of humanity beyond and above their role as workers and producers. For this reason, in the devolution of the state responsibilities for the social sector to families and communities, VWU is finding itself burdened by a battle for gender equality in three fronts—women's work and livelihood, family wellbeing, and political representation to prevent further erosion of state responsibility.

One way to alleviate this burden would be to appeal to ethical norms of care compatible with local tradition and universal standards of rights. Ethical norms of care in the Vietnamese cultural context can move beyond care as women's private virtue to cover care as a shared domain, to be maintained based on the traditional notion of public virtue: '*cong-duc*'. *Cong-Duc* as a public virtue covers the concern for others, for the commonwealth and common endeavour. Under the United Nations Convention on the Rights of the Child, to which Vietnam is among the first signatories, child care can also be seen from the standpoint of rights of the child rather than only as an entitlement of working mothers. In both perspectives – 'traditional' virtue and 'modern' universal norms of rights – there is scope for reasoning about care for the next generation in Vietnam as a common duty of the state and society and not dependent only on women's virtue. Such a line of reasoning may help open up new possibilities for ethical reasoning to redirect decision-making away from a women-centred view on care towards a broader and shared notion of care as a common concern for others (social equality), and a concern for commonwealth and endeavour (national development).

As a successful 'learning organisation', VWU experience shows how financial self-sustainability is a key to public recognition of the organisation's competence. This competence in turn generate public trust by which class-based campaigns among women and cross-class campaigns of solidarity between women could be organised for further support. The diversification of resources had facilitated the management of credit for multi-functional purposes. As such the organisation can serve as an effective conduit for credit delivery to rural areas from a variety of financial sources to enhance coverage—in terms of both numbers of households and areas in the social sector requiring urgent attention. The organisation has shown effectiveness in combining domestic mechanisms for mobilisation of funds with external models of credit

delivery for the rural poor, and flexibility in implementation to adjust to rapidly changing social reality.

In regard of the organisation's advocacy role, VWU is facing a major challenge: how to influence the state to change or adapt policy and regulations regarding privatization to support the goals of self-sufficiency and the wellbeing of women. The networks and social relations between women, cutting across social strata that VWU has fostered in the last 15 years, clearly indicate that the organisation has been able to build its stock of social capital in significant ways. From the perspective of structural social capital, the creation of a vast network of women's organisations at commune levels bonded by trust and mutual protection has helped to strengthen the sense of membership and collective action. However, in terms of cognitive social capital, the notion of female virtue still hangs heavily on women's consciousness in everyday life and is reflected in the values of VWU as an organisation. From both a structural and cognitive perspective, social capital in Vietnam is definitely gendered—particularly when it comes to duties and obligations of care. In the family, female duty is overemphasized as the main means to maintain harmony, peace and prosperity. Gendered social capital is revealed in state structure by women's representation being concentrated in the social sector and lacking strength to influence the finance sector to take up its duty to protect the social side of development.

Forty-eight per cent of women are in the labour force. These deployed in two key sectors – light industry and agriculture – both of which are strategic areas (food security and export). It is significant that VWU has not yet mobilized support for a dialogue on gender budgeting that can ensure fair allocation to women, both as producers and care providers. Given support from the government and the international cooperation community, an active engagement of VWU in this realm would help to establish concrete steps for government budgetary commitment to achieve the status for women inscribed in the constitution. A 'working mother' gender contract without government support in an economic situation whereby the household economy continues to be – and will be for some time to come – the only means of livelihood for many women, could go amiss.

## **5 CONCLUSION**

In conclusion, it is important to stress that state perception of women's gender roles and women's negotiation of this role are key determinants in fostering the direction of social policy. Women's specific socio-cultural position in Vietnam in the post-war period had made it possible to influence state thinking on gender roles in ways that honours equality. However, heavy emphasis was placed on women's gender role as mothers in the subsequent period of liberalisation, which may have led to a gradual devolution of state responsibilities for women's equal rights to self-help groups and the family. Thus, although the formulation of the 'working mother' gender contract may be considered as an achievement of the Vietnam Women's Union, state support for crucial gender arrangements that can make this contract actual leaves much to be desired. The possibility of altering gender norms in political and social institutions remains limited unless VWU can find a new strategy for ethical reasoning on care that brings it beyond a women-centred model based on female private virtue to one that emphasize care as a public virtue.

## APPENDICES

### ANNEX 1 Vietnam's gender order

<i>Types of Legal Documents</i>	<i>Authorities</i>	<i>Objectives of the Issuance and Degrees of Legal Effectiveness</i>
Constitution of state	National Assembly	<p><b>To be the main law with highest effectiveness:</b></p> <ul style="list-style-type: none"> <li>• <i>Article 9 of 1946</i> constitution: 'all power in the country belongs to the Vietnamese people, irrespective of race, sex, fortune, class, religion' and 'women are equal to men in all respects'</li> <li>• <i>Article 24 in 1959</i> Constitution 'Women enjoy equality with men in all spheres of activities_ political, economic, cultural, at home and in society. There should be equal pay for equal work...the state guarantees women employees full paid maternity leave both before and after birth'</li> <li>• <i>Article 63 of 1980</i> Constitution: 'the state and society ensure the development of maternity clinics, crèches, kindergartens, canteens and other social facilities to create favorable conditions for women to work, rest and study'.</li> <li>• <i>Article 63 of 1992</i> Constitution: 'Male and Female citizens have equal rights in all respects_ political, economic, cultural, social, and in the family. All acts of discrimination against women and all acts damaging women's dignity are strictly banned. Men and women shall receive equal pay for equal work. Women workers shall enjoy a regime related to maternity. Women who are state employees and wage-earners shall enjoy paid prenatal and post-natal leaves during which they shall receive all their wages and allowances as determined by law.</li> </ul>
Laws and Codes	National Assembly (NA)	<p><b>To specify the Constitution</b> <b>To govern social relationships</b></p> <ul style="list-style-type: none"> <li>• <i>Article 138 of 1984</i> Penal Code: Every form of violation of women's rights is to be punished</li> <li>• <i>Marriage and Family Law of 1996</i>: prohibition of early marriages (under 18 years of age for women and 20 years for men), <i>equal rights in property and inheritance, housework as productive work</i></li> <li>• <i>Article 110 of 1995</i> Labor Code: The state officers have the responsibility to devised diversified and convenient forms of training for women laborers so that besides their current jobs they can have reserve jobs and so that the use of female labor can become easier and more suitable to their motherly functions'. Article 113 bans women from work considered as dangerous, such as working on ocean-going ships, oil rigs and operating cranes.</li> </ul>
Ordinances	Standing Committees of NA	<p><b>To be the highest sub-law document</b> <i>Chapter 10 of Labor Code</i>: Tax incentives will be granted to enterprises employing a high percentage of female workers</p>
Order of the President	President of State	<b>To make official the decisions of National Assembly, or Standing Committee of National Assembly</b>
Resolution and Decree	Government and Prime Minister	<b>To specify Laws and Ordinances</b>
Decisions of the Prime Minister	Prime Minister	<p><b>To be issued by the PM for government administering and monitoring activities</b></p> <ul style="list-style-type: none"> <li>• Prime Minister announcement No. 207/TB/VPCP: the decision for ministries, branches of Peoples' Committees to integrate gender into planning for the socio-economic development plan from 2001-2010. NCFAW is to work with others to formulate and submit to the Government a National Strategy for the Advancement of Women for the period 2001-2005, in line with the Government's socio-economic development plan for the same period.</li> </ul>
Circulars	Ministers, heads of ministerial level agencies and head of government agencies	<p><b>To enforce laws, ordinances and government's documents</b></p> <ul style="list-style-type: none"> <li>• <i>Decision 163 of the Council of Minister 1993</i>: Authorities of every level should facilitate women's unions at the same level to be involved and be heard on the process of policy formulation, law drafting and planning concerning women and children.</li> </ul>

**ANNEX 2**  
**VWU Policy Agenda 1992-2007**

<i>Period</i>	<i>Work</i>	<i>Wellbeing</i>	<i>Family</i>	<i>Target groups</i>	<i>VWU</i>
1992-1996	Employment and poverty alleviation. Women's education and skill training for self-employment and jobs creation.	Reproductive health.	Health care for women and children.	1) rural women 2) retrenched female workers 3) 'Social evils': prostitution, drug addiction, gambling, domestic violence	Strengthening VWU role in formulation, monitoring and policy implementation related to women and children.
1997-2002	Poverty eradication. Improving work standards and status of all women workers across different sectors, including leadership roles	Improving women's education at all levels, their living standards and status at home.  Reproductive health.  Occupational diseases.	Support women as wives and mothers. Ensure serious implementation of laws regulating Family Affairs (Family Law, Civil Code, Criminal Code, Land Law). Uphold Vietnamese traditional and cultural norms on the family Protect the rights of the Girl Child.	All women.	Strengthening VWU institutional structures for effective performance and service delivery for the benefit of women.
2003-2007	Enhancing women's human development and economic empowerment. Promoting women's role in the acceleration of national development (industrialization and modernization).	Improving living standards and status at home. Reproductive health.	Enhancement of family well being (improvement of health, sanitation, nutrition, education of children). Enhancement of environmental awareness and protection.	All women. Alliance building for mutual support between: women entrepreneurs, women workers women of Ethnic Minorities in distant Provinces. Promoting more involvement of women in social activities.	To strengthen the organizational professional capabilities of VWU to fulfil its function in the formulation of laws and policy related to gender equality, and in the monitoring of their execution to protect the legitimate rights and interest of women and children. To extend international relations and cooperation.

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