CHAPTER 3

Divorce Prevalence under the Forces of Individualism and Collectivism in “Shortcut” Modernity in Vietnam

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Introduction

In the last several decades, marriage and family in Vietnam have experienced a significant transition from the traditional style to more modern characteristics. “Traditional family” is a common term when discussing Vietnamese society, which refers to family forms prevailing during the presocialist period, mostly prior to the 1950s. The traditional family was organized under the influence of Confucianism and in a hierarchical order according to age and sex that strongly influenced marriage and divorce decisions (Luong 1989; 1992). Since the mid-1950s, traditional norms such as arranged marriage, a dominant male as head of household, strong patriarchy and patrilineal relations, having many children, son preference, filial piety under the Confucian cultural heritage, and the prohibition of premarital sex have significantly declined. At the macro level, changes in the legal system, gender roles in society, and socioeconomic development have also greatly influenced individual perceptions of marriage patterns, including divorce (Tran Dinh Huou 1991; Haughton & Haughton, 1995; Hollander 1996; Goodkind 1997; Haughton 1997; Nguyễn Hữu Minh 2000, 2011; Hirschman & Nguyen Huu Minh 2002; Bélanger 2002; Luong 2003; Barbieri & Bélanger 2009; Tran Thi Minh Thi 2011, 2012; Trinh Duy Luan, et al. 2011; Vu Manh Loi 2011).

Divorce is a major concern of scholars when discussing family issues. Previous studies have identified prevalence and determinants of divorce in different national contexts, which include cultural, demographic, socioeconomic, and life-course factors (Hirschman & Rindfuss 1980; Mauldin & Segal 1998). In Vietnam, recent studies on divorce show that, though divorce has long been culturally discouraged and limited, it has rapidly increased in both number and rate since the Đổi Mới (Renovation) policy was launched in the late 1980s (Tran Thi Minh Thi 2011; 2012).
However, very few studies have been implemented based on statistical analyses of individual divorce data on the prevalence and patterns of divorce in Vietnam. This gap in literature is due primarily to the scarcity of extensive data on divorce in Vietnam until recent years. Using both existing and new data, this chapter attempts to describe the general prevalence of divorce nationwide and the forces of traditional and modern norms involved in divorce in contemporary Vietnam.

Data and Method

This study analyzes every divorce case in the divorce profiles at two district courts in the Red River Delta in the ten-year period from 2000 to 2009. One court is located in the inner city of Hanoi, which represents the urban divorced population, and the other in Hà Nam province, which represents the rural divorced population. In total, 2,033 divorce cases were reviewed, of which 1,534 couples lived in the urban district and 499 in the rural district. For the first time in Vietnam, the entire divorced population over a ten-year period is reviewed, which can provide the comprehensive trends, characteristics, and determinants of divorce in the society.

A divorce-court record is registered in two profiles: the Annual Divorce Entry Registration and the Annual Divorce Court Results. The former provides information about couples who apply for divorce, such as the date of the divorce application registration, information about the initiator and the dependent spouse (name, gender, year of birth, and address), marriage year, divorce year, reported causes of divorce, number of children, and other professional notes recorded by the court. This registration profile can thus provide us with the basic demographics and social variables for the study. However, not all cases in the Annual Divorce Entry Registration result in divorce; some couples may withdraw their divorce applications under the reconciliation process or resolve their marital problems by themselves. The Annual Divorce Court Results included the following information: date of registration entry; date of decision; information about the initiator and the spouse (name, gender, year of birth, address, and so on); number of children; divorce decision about child custody, house, and property arrangements (if required); subsidies after divorce; debt responsibility; and court fees. This analysis is restricted to couples granted divorce under the divorce decision.

In addition, quantitative case studies were conducted to collect detailed information to provide possible explanations and investigate the sociocultural