<Book Review>
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facilitated the development of an extensive regional economy. *Through Turbulent Terrain* deals with the insightful question regarding the relationship between the prosperity of a cosmopolitan port city and the growth of the regional economy in a period when the modern world was taking shape.

Kobayashi Atsushi 小林篤史
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**References**


**Familial Properties: Gender, State, and Society in Early Modern Vietnam, 1463–1778**

Nhung Tuyet Tran


This book is the first English-language, full-length history of Vietnamese gender relations in the early modern period. In English, the existing studies of women in Vietnamese history have focused heavily on the pre-twentieth-century period (Dutton 2013, 2–4). Vietnamese-language publications, on the other hand, cover a wider time range. They include *Phụ Nữ Việt Nam qua Các Thời Đại* [Vietnamese Women through the Ages], a pioneering work in Vietnamese women’s general history and Vietnamese history during the twentieth century (Lê Thị Nhâm Tuyết 1973), and more recent studies by Phạm Thị Vinh (2003) and Vũ Thị Mai Anh (2015), which shed light on ordinary Vietnamese women’s lives and agency in economic activities over several centuries of the early modern period.

With *Familial Properties*, the author challenges the cliché that Vietnamese women enjoyed unparalleled power in the early modern era and the notion that their power and autonomy reflected remnants of a matriarchal tradition in the ancient era. She examines women’s life and gender relations in Vietnam from the fifteenth to eighteenth centuries, a central period to any study of gender in Vietnamese history. This was also a time when Vietnam was known for having a relatively gender-equalitarian society, though some scholars suggest that cultural practices valuing Vietnamese women had been preserved until the Nguyễn dynasty (1802–1945).
Throughout the book, the author objects to the claims of some previous studies and makes the following assertions. After the fifteenth century, the Vietnamese state authorities—such as the Lê, Mạc, Trịnh dynasties in Northern Realm, and the Nguyễn dynasty in Southern Realm—maintained political and social order through the control of gender relations, relying on the neo-Confucian doctrine as a governing philosophy. These dynasties tried to establish patrilineal family systems, in which relations between men and women were asymmetrical, and men had power over family affairs such as marriage, sexual activities and inheritance of family properties. We see this in instituted laws (*Quốc Triều Hình Luật* [Lê code] by the Lê dynasty) and edited compilations of judicial precedents (such as *Hồng Đức Thiên Chính* [Book of Good Government]).

However, the state efforts to control women’s lives were not always successful. This was due to the civil war between the Mạc, Trịnh, and Nguyễn dynasties, and the commercialization of agricultural activities and the rural trade following the civil war. Because their husbands, brothers, and sons were fighting and dying on battlefields far from home, women took on important roles in the agricultural and business activities of the countryside. With accumulated monetary capital, some donated funds and arable lands to local communities to rebuild roads, dikes, bridges, and markets—tasks the state and local authorities were unable to perform because of the civil war. The women’s donations were also survival strategies that prevented their husbands’ relatives from staking a claim to their (the women’s and their children’s) properties. In return for these donations, the local leaders and state representatives established steles, documented the women’s goodwill, and promised to maintain the ancestral rites for them. And through their contributions, these women emerged as important economic, social, and spiritual patrons of their local communities. They enjoyed their claims to their family properties not because of the law and edicts that upheld the remnants of Southeast Asian bilateral family system, but because they gained an economic advantage from socioeconomic changes of the time.

The author backs up her point with abundant sources that include state laws and regulations, village conventions (*hương ước*), legal cases, morality texts, testamentary records, insights from local and foreign observers, stele inscriptions, short stories, as well as oral folk poetry written in Chinese, Nôm (a character to represent original Vietnamese vocabulary), and *quốc ngữ* (romanized Vietnamese) and western languages.

Each chapter covers a wide range of topics—marriage, the control of sexual activities by the penal code, women’s chastity, and all-female Catholic houses as a substitute for marriage—and examines them from various perspectives. Through detailed and insightful analyses, the author succeeds in presenting an encompassing picture of Vietnamese women’s lives and the gender system of the early modern era. It is a book that will aid further discussion on the subject, and to that I would like to contribute questions and suggestions from anthropological and sociological viewpoints, starting with Chapter 4’s discussion of equal property rights between men and women.

The author states that the Lê code did not stipulate the right of equal division of household
property and that this custom did not exist in practice. She supports this assertion with three testaments issued at the end of the eighteenth century—in all the cases, daughters could not enjoy equal rights with their brothers; especially in the last (a testament issued in 1798), where the daughters received nothing from their parents (pp. 140–145).

However, according to my research, I found an equal inheritance case between sons and a daughter during the same period of the abovementioned three cases.\(^1\) This testament was found in genealogy of Phạm lineage at Đống Ngác village in Từ Liêm District near Hanoi citadel.\(^2\) It reads:

On the twenty first day of the second lunar month in the second year of the Cảnh Thịnh Reign (1794), living in Quảng Oai Prefecture, Viscount Phạm Duy Thông and wife Nguyễn Thị Như leave rice fields, lands, and ponds, and divide equally into three parts for their children to cultivate, inhabit, make livelihood and make them celebrate each ancestor’s anniversary as follows. [12ab]\(^3\)

The father and the mother clearly declared that they would like to divide their properties to three children equally. From the accounts of this genealogy, the children were Phạm Đoàn Cẩn (“the eldest son,” b.1754), Phạm Thị Niệm (“daughter,” b.1756), and Phạm Đình Vượng (“son,” b.1759). Each children’s share was described as such: “The former fire and incense property” (cựu lưu hương hỏa) and “residential land” (gia cư) were only passed to the eldest son. Rice lands in Đống Ngác village and another village, lands (thổ phân), and ponds were passed to the three children. Because the sizes of some properties were not recoded, I cannot know for sure if each child’s share was equal, though my guess is that it was (see table below).

In this particular case, each child received their parents’ property in exchange for responsibility to celebrate some ancestors’ death anniversaries. In the testament, it is recorded which children had responsibility for which ancestor’s death anniversaries. Interestingly, “daughter” Thị Niệm received her parents’ properties in exchange for the responsibility of celebrating four female ancestors, including her father’s mother, father’s grandmother, father’s great grandmother, and father’s sister (Only for this last person, she commemorated with her brothers). This took place

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\(^1\) I share the same interest with the author and published some articles about Vietnamese women’s property rights in early modern era (Miyazawa 2016a; 2016b). The case below was examined in one of these articles (Miyazawa 2016b).

\(^2\) The original title is Phạm Lineage Genealogy [Pham Thị Gia Phả]. I used pdf. data in Gia Phả Các Độc Ho ở Đống Ngọc, Từ Liêm-Hà Nội (CD-ROM). This genealogy is in CD-ROM format, and made by the Genealogy Study Program of Hanoi National University. I would like to thank Professor Okada Masashi, one of compilers of this CD-ROM, for providing it me. I can see the stamp of EFEO (École Française d’Extremé-Orient) and the classified number “A. 1833.” in the front page of this genealogy. This genealogy originally belongs to Hán Nôm Study Institute in Hà Nội. I also can find the same title and the same number in the catalogue of the institute (Viện Nghiên Cửu Hán Nôm và Trường Viện Đông Bắc Cổ Pháp 1993, 528).

\(^3\) The original pdf. data does not have the page number. I counted the pages myself.
in 1792, when she was 28 years old and married out already.\(^4\)

According to the stipulation of Article 388 of Lê code, a daughter could succeed her parents’ property for ancestor worship—the fire and the incense property (hương hòa)—in absence of her eldest brother or any brothers during her life time. However, in this Phạm Thị Niệm’s case, she could succeed her parents’ property in exchange for having responsibility for ancestor worship though she had the eldest brother was around and he succeeded the presumed “hương hòa” property.\(^5\) In accordance with the neo-Confucian doctrine, a daughter was not supposed to be a member of her natal family after marriage. That being the case, the daughter was under no duty to maintain ancestor worship in her natal family. In practice, however, Phạm Thị Niệm undertook the responsibility of celebrating death anniversaries of some ancestors in her natal family. Her case suggests that in Northern Vietnam, at least until the end of the eighteenth century, there were properties for ancestor worship that were not for the maintenance of patrilineal family line. These properties were sometimes called “anniversary rice fields” (kỵ điền).\(^6\) We also see, through this instance, that married daughters could still lay some claims to their natal families; they could receive their parents’ properties in exchange for the responsibility of ancestor worship. Through

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\(^4\) According to the account of this genealogy, she married Đỗ Trọng Thùy in Đông Ngạc village and had two sons and two daughters [9a].

\(^5\) In this testament, nobody was appointed to have responsibility over celebrating the death anniversaries of the father Thông and the mother Như. Therefore, I am guessing that the eldest son Cẩn have the responsibility to do so in exchange for receiving “the former fire and incense property” as the fire and incense property for his parents.

\(^6\) According to the research on customs in Tonkin (northern Vietnam) by French colonial government in the late 1920s, the features of anniversary rice fields are as follows: first, they are established for those without male heirs; second, non-heirs or daughters were sometimes the managers of them; and third, they were sometimes established for maternal kin (Protectorat du Tonkin 1930, 153–154, 160).

<table>
<thead>
<tr>
<th></th>
<th>Residential Land</th>
<th>Pond</th>
<th>Land</th>
<th>Fire and Incense</th>
<th>Ricefield in Đông Ngạc Village</th>
<th>Ricefield in Cổ Nhự Village</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Phạm Đoản Cần (”eldest son”)</td>
<td>1 place*</td>
<td></td>
<td></td>
<td>1 sào 2 thước</td>
<td>5 sào 8 thước</td>
<td>5 sào 3 thước</td>
<td>1 mẫu 1 sào 13 thước + α</td>
</tr>
<tr>
<td>Phạm Thị Niệm (”daughter”)</td>
<td>2 places*</td>
<td>1 sào</td>
<td></td>
<td>5 sào 6 thước</td>
<td>5 sào 5 thước</td>
<td>1 mẫu 2 sào 3 thước + α</td>
<td></td>
</tr>
<tr>
<td>Phạm Đình Vượng (”son”)</td>
<td>1 place*</td>
<td>1 place*</td>
<td></td>
<td>5 sào 5 thước</td>
<td>5 sào 7 thước</td>
<td>5 thốn</td>
<td>1 mẫu 0 sào 12 thốn 5 thốn + α</td>
</tr>
</tbody>
</table>

Notes: * The sizes of the fields and ponds were not written in the genealogy.
1 mẫu = 3,600 m², 1 sào = 360 m², 1 thước = 24 m² in Northern Vietnam.
this practice, parents were assured of the eternal consolation their ancestors’ and their own spirits, while married daughters gained an economic advantage both for themselves as well as their husbands and children.

From both the author’s and my research of inheritance cases, it is clear that two types of inheritance models coexisted: one consisting of equal division between men and women, and the other an unequal one. I agree with the author’s conclusion that the Lê code did not stipulate equal property rights between men and women. However, Vietnamese inheritance practices of the early modern era varied too much—and more examination is needed of the different situations. For further analysis, we could apply Japanese anthropologist Sugishima Takashi’s “multiple-game-situation theory,” which explains how incompatible “rules and beliefs” can simultaneously exist and operate in daily life (Sugishima 2014, 10).

In addition, to enrich the discussion of Vietnamese women’s social life and family properties in the early modern era, I would like to propose a closer study of concrete documents, including testaments, genealogies, and land registers—not only in archives but also from the countryside. As Sun Laichen points out in his book review of Familial Properties, the gap exists between law code and local customs or practices (Sun forthcoming).7 From the viewpoint of the sociology of law, it is called “a gap between law in books (codified law) and law in action.” To that end, Japanese historian Ueda Shinya recently examined inheritance, dowry, and dwelling in northern and central Vietnam by collecting testaments in local archives or in villages (Ueda 2019).

In all, Familial Properties is an excellent resource for a deeper understanding of Vietnamese gender relations during the early modern period.

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———. 2016b. Zenkindai Betonamu josei no zaisanken to saishi zaisan sozoku: Kiden o chushin ni 前近代ベトナム女性の財産権と祭祀財産相続——忌田を中心に [Women’s property rights and inheritance of property for ancestor worship in pre-modern Vietnam: Focusing on

7) I thank for Dr. Sun Laichen to provide his manuscript of book review of Tran’s book with me.


