

# Discussing the Elements that Caused Family Violence, Consequences, and Current Situation in Vietnam

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**Abstract:** Family violence has long been a significant problem in society. It has had severe consequences in many societies. This article is a study of the problem of domestic violence in Vietnam. When evaluated objectively, the currently applicable legal regulations in solving it have not come to life. The interest and understanding of this field have not been studied in detail, and domestic violence has increased alarmingly. From the article's perspective, the author will analyze domestic violence in Vietnam while pointing out its adverse effects. From here, directions and solutions for the future will be proposed. This article is based on library-based gathering and synthesizing of existing data. The study used journal articles, reports, news articles, and the constitution of Vietnam. The article established that domestic violence is a reality in Vietnam. Domestic violence is manifested in mental, physical, economic, and sexual ways. It was also established that women, children, and the elderly are the most affected. There is a need to broaden the scope of the "Law on Domestic Violence Prevention and Control"; authorities should ensure that the provisions of the "Law on Domestic Violence Prevention and Control" are enforced consistently and comprehensively; the relevant authorities have to do more in the dissemination of information on how to control domestic violence; and there is a need to create a fund to help the victims of domestic violence in their recovery.

Keywords: Domestic Violence, physical and mental violence, prevention, recommendations.

## 1. INTRODUCTION

*"Human rights are those rights that all human beings have simply because they are human. They are based on the fundamental principle that all people possess inherent human dignity and that regardless of sex, race, language, national origin, age, class, religion, political beliefs, or other distinctions, they are equally entitled to enjoy their human rights and equally responsible for respecting the human rights of others"* (Slote & Cuthbert, 2000).

Unfortunately, very many women find themselves in abusive relationships. Domestic violence is a reality that many women have to live with. The culture of violence against women arises from many sources. Some actions of violence against women arise from the individual traits of the perpetrators while the community sanctions others (and sadly so). Moreover, regarding domestic violence, the UN Committee on the Elimination of Discrimination Against Women (CEDAW) Recommendation No.19: Violence against Women adopted during the 11th Session of CEDAW in 1992 states in Recommendation 23

*"Family violence is one of the most insidious forms of violence against women. It is prevalent in all societies. Within family relationships, women of all ages are subjected to violence of all kinds, including battering, rape, other forms of sexual assault, and mental and other forms of violence perpetuated by traditional attitudes. Lack of economic independence forces many women to stay in violent relationships. Men's abrogation of their family responsibilities can be a form of violence and coercion. These forms of violence put women's health at risk and impair their ability to participate in family life and public life based on equality"* (CEDAW, 1992)

The United Nations, in Resolution 48/104 Declaration on the Elimination of Violence Against Women, adopted during the 85<sup>th</sup> Plenary Meeting on 20<sup>th</sup> December 1993, defined violence against women. Article 1 of the United Nations Elimination of Violence Against Women defines violence against women as “*any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or private life.*” (UN General Assembly, 1993)

During the 85th Plenary, the United Nations General Assembly noted that Violence against women hindered the achievement of gender equality. The assembly also affirmed that “*violence against women constitutes a violation of the rights and fundamental freedoms of women and impairs or nullifies their enjoyment of those rights and freedoms*” (UN General Assembly, 1993). Also, Article 4 of the Declaration on the Elimination of Violence Against Women Resolution reads in part, “*States should condemn violence against women and should not invoke any custom, tradition or religious consideration to avoid their obligations with respect to its elimination*” (UN General Assembly, 1993).

According to UN Women (2020), twenty-five years after the 1995 Berlin Conference, many cases of violence against women still exist. The 1995 Berlin conference was the Fourth World Conference on Women. The 1995 Berlin Conference marked a central turning point regarding the drive for gender equality. It culminated in the unanimous adoption by the 189-member countries of the Beijing Declaration and the Platform for Action (UN Women, n.d.). Regarding Violence against women, the 1995 Beijing Declaration and the platform for Action reads in Section D:

#### *D. Violence against women*

*“113. Violence against women is an obstacle to achieving the objectives of equality, development and peace. Violence against women violates and impairs or nullifies the enjoyment by women of their human rights and fundamental freedoms. The long-standing failure to protect and promote those rights and freedoms in the case of violence against women is a matter of concern to all States and should be addressed. Knowledge about its causes and consequences, as well as its incidence and measures to combat it, have been greatly expanded since the Nairobi Conference. In all societies, to a greater or lesser degree, women and girls are subjected to physical, sexual, and psychological abuse that cuts across lines of income, class, and culture.*”

*Women's low social and economic status can be both a cause and a consequence of violence against women.*

*114. The term “violence against women” means any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or private life. Accordingly, violence against women encompasses but is not limited to the following: (a) Physical, sexual, and psychological violence occurring in the family, including battering, sexual abuse of female children in the household, dowry-related violence, marital rape, female genital mutilation and other traditional practices harmful to women, non-spousal violence and violence related to exploitation” (United Nations, 1995).*

The 1995 Beijing Declaration and the platform for Action clearly state that violence against women violates human rights and should not be condoned in any form. As stated in the Action plan, Para. (113) violence against women violates their rights and curtails the enjoyment of their freedoms. By the time of the 1995 Beijing Conference on women, violence against women was still a concern globally. Para. (113) declared that all countries should endeavor to end violence against women. Moreover Para. (114) of the 1995 Beijing Declaration stipulates all actions or omissions that fall under the purview of gender-based violence. Notably, since Beijing 1995, strides have been made toward reducing violence against women. Estimated three-quarters of the UN member states have passed national laws to curb domestic violence, and statistics show that domestic violence can be eliminated with consistent effort. With continued women empowerment efforts in line with the 1995 Beijing Declaration and the platform for Action, women can now voice instances of violence meted on them (UN Women, 2020).

A 2018 world health Organization report shows that

*“Globally, 27% of ever-married/partnered women aged 15–49 years have been subjected to physical and/or sexual intimate partner violence at least once in their lifetime; ... 26% of ever-married/partnered women aged 15 years and older have been subjected to physical and/or sexual intimate partner violence at least*

*once in their lifetime; **Past 12 months prevalence:** Globally 13% of ever-married/partnered women aged 15–49 years have been subjected to physical and/or sexual intimate partner violence in the past 12 months; Globally 10% of ever-married/partnered women aged 15 years and older have been subjected to physical and/or sexual intimate partner violence in the past 12 months”* (World Health Organization (b), 2021, p.21).

According to the World Health Organization, about a quarter of women globally who have ever been involved in an intimate relationship have suffered physical and/or sexual violence from their partners at least once. Some factors such as low education levels, partners who grew up in abusive families, growing up in families where domestic violence was prevalent, and gender inequality, among others, were flagged as one the risk factors that could lead to intimate partner violence (World Health Organization (a), 2021, p.21).

Raiser (2022) says that Gender-based violence is a global problem. He further avers that an estimated 27% of women globally will experience a form of abuse, whether physical or sexual, at least once in their lifetime. This data is a wake-up call for all to join in the fight against violence against women. A just society should not condone any form of violence against either gender. Letch (2023) posits that violence globally is one of the most prevalent forms of human right violation among women and children. Letch (2023) further notes that according to WHO data, about a third of women globally (almost 1 billion women) suffer a form of violence. Letch also notes that the grim reality is that most of the time, violence occurs in the confines of the home, but unfortunately, the aftershocks are played out in public. Letch further notes that many women do not report cases of abuse (primarily sexual abuse) because they are afraid of rejection, stigma, victim blaming, or even fear of retaliation. The forms of violence sometimes take very shocking dimensions, as Letch notes that an interviewer was shocked to find out that violence against women in Cambodia went to the extent of rape and murder.

## **2. METHODS**

This article is based on collecting data from publications relevant to the topic of domestic violence from a human rights perspective. Therefore, legal statutes, international declarations, and resolutions, journal articles, news reports etc., were used as sources of the relevant data that was analyzed and used in the writing of the article.

## **3. FINDINGS**

### **3.1. Domestic Violence in Vietnam**

#### **3.1.1. The concept of domestic violence**

Each country has different values that it attaches to the institution of marriage, family, and home, as well as peace and a sense of security when living in a home. In Vietnam, examples include “home sweet home” and “a harmonious married couple can achieve pretty much anything.” However, sadly, not every “home” is “sweet” because domestic violence still occurs. It is a matter of concern with the full impact on all aspects of society, such as education, economy, legal, and health. To take a holistic view of this issue, we should understand the concept of domestic violence. Several pictures are legally built, such as violence against children, which deals with “*all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse*” against anyone under the age of 18 who has been recognized in the “United Nations Convention on the Rights of the Child” of 1989 or the 1993 “Declaration on the Elimination of Violence against Women of the United Nations,” the following definition of violence against women is provided as follows “*Any act of gender-based violence that results in or is likely to result in, physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life.*” The concept also includes instances of domestic violence against women.

In Vietnam, violence generally includes physical and mental violence in the general sense. First, physical violence is using physical strength to cause injuries, death, or harm someone’s health. Mental violence is performing acts such as scolding, humiliating with rude and heavy words; insulting honor, dignity, and prestige; isolating from other people, repelling, harassing; putting constant psychological pressure; threatening to give up; torturing children, etc., which cause outrage, the crisis of consciousness and psychology of the victim. The above concept, however, has not covered the nature and scope of the article’s object. According to the applicable law, “*domestic violence is defined as purposeful acts of certain family members that cause or may cause physical, mental, or economic injuries to other*

*family members*. According to Article 1 and Article 2 of the Law on Domestic Violence Prevention and Control of 2007, the actions of domestic violence consist of:

- Corporal beating, ill-treating, torturing, or other purposeful acts causing injuries to one's health and life;
- Insulting or other intended actions meant to offend one's human pride, honor
- and dignity;
- Isolating, shunning, or creating constant psychological pressure on other family members, causing serious consequences;
- They prevent the exercise of the legal rights and obligations in the relationship between grandparents and grandchildren, parents and children, husbands and wives, and brothers and sisters.
- Forced sex;
- Forced child marriage; forced marriage or divorce. Obstruction to free will and progressive marriage.
- Appropriating, demolishing, destroying, or other purposeful acts to damage the private properties of other family members or the shared properties of family members;
- Forcing other family members to overwork or to contribute more earnings than they can afford; controlling other family members' incomes to make them financially dependent;
- They are acting unlawfully to turn other family members out of their domicile.”

### **3.1.2. Classification of forms of domestic violence**

The above analysis shows that violence in a conventional way is “using force to coerce, oppress or overthrow.” This problem takes many forms in the member relationships of the family. Due to the diversity and complexity, violent acts manifest in many forms. Based on the actions listed in the law, it is possible to define domestic violence in the following main conditions based on the Vietnam Ministry of Justice (2020):

*The first* is physical violence. This is a form of abuse by beating family members with violence affecting the victim's body. It is carried out with the intentional fault capable of causing physical injury with the consequence of damaging their health and life, such as beating, mistreating, or intentionally harming their health and vitality. The characteristic of identifying victims of this type is that it often leaves traces of injury on the victim's body. In severe cases, “murder” weapons such as household items can be used.

*The second* is mental violence. This violent behavior uses words and attitudes that hurt family members' honor, dignity, and psychology. In the author's view, this type of violence has the worst consequences on the victim because mental obsessions will always be in the victim's memory and the witness for the rest of their lives. Specifically, “acts such as scolding, nagging, insulting, or other intentional acts that offend honor and dignity; isolating, shunning, or creating constant psychological pressure on other family members cause serious consequences. Or preventing the exercise of the legal rights and obligations in the relationship between grandparents and grandchildren, between parents and children, between husbands and wives, as well as among brothers and sisters; conducting unlawful acts to turn other family members out of their domicile; forced child marriage, forced marriage or divorce and obstruction to freewill and progressive marriage.” The consequences cause women's outrage, a crisis of consciousness, and psychophysiology. It is also the seed for variation and warped thoughts, especially for children who are “indirect” victims. However, through regular contact, we can identify the victims of this subject.

*The third* is economic violence. This violates family members' economic rights, such as the right to own property and the freedom to work. It is to force some family members into overworking themselves or coming up with more money than they can provide within their means.; coercing other family members into financial dependence by controlling their income. This is to satisfy the needs of the material used for the person performing the act. Or another way is to destroy the personal assets of other family members or jointly owned family assets. This violence frequently occurs with victims who are women/wives, and at the same time, this coercion is often accompanied by physical or mental violence or maybe both of them.

*The fourth* is sexual violence. These are such types of acts as forced sex or the intentional act of soliciting sexual activity even when the other is incapable of refusing; sexual intercourse in an unwanted manner, refusal to use contraceptive methods or unsafe sexual intercourse, etc., with the nature of coercion between family members, including pressure to give birth. Typically, in Vietnam customs and cultural traditions, after marriage, the husband will be “fully entitled” to decide all issues, even those related to sexual relations. Even when forced, a wife can’t denounce her husband. A more sensitive issue is the coercion of incest between father and daughter, mother and son, siblings, etc., which also fall within this classification. This kind of violence is often difficult to detect and deal with.

### **3.1.3. Factors leading to domestic violence**

- *Economic factors:* Socio-economic conditions always strongly affect relationships within the family and society. The tough economy often causes stress and disputes in the family, which lead to unworthy acts of physical and mental violence. “Several recent reports from countries affected by the COVID-19 pandemic show that travel restrictions, social distancing, and other disease prevention measures, accompanied by increased social and economic pressure on families, are leading to increased violence, especially against women and girls. In many countries, domestic violence has increased from 30% to 300%” (UNICEF Vietnam, n.d). Domestic violence arises from many issues in all sorts of subjects. Most of the victims were women. “Cramped conditions, anxiety about diseases and disasters, job loss, and economic fear caused psychological stress and increased the risk of domestic violence. They were subjected to sexual, physical, and other mental torture. Before Covid-19, both husband, and wife did not meet much, so the number of times of abuse was not much. During the time of staying home to avoid the pandemic, it became worse. Many husbands spent their time drinking, beating, cursing, and attacking their wives” (Department of Family Affairs, n.d). This can be explained as follows: when the economy develops, family members tend to satisfy personal interests without caring for each other, or because they are too passionate about economic interests, disputes arise among family members. In these families, mental violence tends to develop more than physical, financial, or sexual violence because these needs can all be met somewhat with money.
- *Social factors:* First of all, violence against women is an exemplification of gender inequality emanating from patriarchy. Vietnam is an East Asian country with a preference for “male chauvinism,” which significantly impacts domestic violence in our country today. That paternalism is acceptable in the family, and also, society has created a “pillar” of the family. They consider themselves to have the “right” to decide important issues, attitudes to behave toward other members, and even to use violence to defend their views. Therefore, women often do not have the respect they deserve in the family. They are quickly deprived of material and spiritual rights and often suffer injuries such as being beaten, insulted with honor, forced sex, etc. Even with children, there is the concept that “girls are daughters of other people.” The whole society accepts this gender inequality. Even the women themselves consider it normal. This is also the most direct cause of domestic violence. Besides, with the thought that “half of the world knows not how the other half lives,” people around the house are often afraid and do not interfere. These factors cause significant difficulties in curbing and eradicating domestic violence.
- *Legal factors:* In recent years, the Party and the State in Vietnam have worked towards curbing gender-based violence and have enacted many laws, directly and indirectly, affecting this issue, such as the Constitution, the Law on Marriage and Family, the Law on Child Protection, Care and Education, the Civil Code and mainly the Law on Domestic Violence Prevention and Control in 2007. These pieces of legislation have led to numerous positive changes in preventing and controlling domestic violence. However, the law dealing with domestic violence is still unclear and formalistic. The implementation of the law is not severe. Their impact has not had a far-reaching impact on social life. In addition, the propaganda and dissemination of the law on domestic violence is still “formalistic,” so it is ineffective. This leads to a limited understanding of the law by the community, especially in remote areas. The leading cause of domestic violence stems from significant gender inequalities in society.

### **3.1.4. Consequences of domestic violence**

First, domestic violence has become increasingly common and contrary to social morality. On the other hand, this is a violation of the law, infringing on the health and vitality of family members. In the author's view, the consequences of domestic violence are severe, specifically as follows:

*The first is the consequences for the victim.* Domestic violence has severe physical and mental consequences for women and all other family members. Regarding biological effects, domestic violence impairs people's ability to live normally. It causes minor physical injuries, such as bruising, scratching, bleeding, etc., to more severe ones, such as injuries that reduce or lose the ability to work or even death. Particularly for women and girls, due to forced sex, are also affected by reproductive health such as unwanted pregnancy, obstetric diseases or complications, and sexually transmitted infections. In terms of mental consequences, they get feelings of fear and anxiety about their safety and their children's safety. Victims of domestic violence have psychological disorders such as depression or paranoia. They feel their life is challenging, stressful, and desperate, quickly leading to depression. Hence, they struggle to care for and educate their children. For children, it affects physical, intellectual, and moral development and their learning, life skills, and social integration. It makes them passive or act outrageously against their friends and school, reducing their learning outcomes.

*The second is the consequences for the abuser.* On the other hand, domestic violence results have also affected the abuser. First of all, domestic violence causes a broken, ruined relationship between husband and wife, parents and children, grandparents and grandchildren. It makes the abuser feel lonely and lost even in the family when the victims – other family members look at them with fearful and angry eyes. At the same time, if domestic violence cases are detected, the abuser will be forced to pay a fine for administrative violations or even criminal prosecution if causing severe consequences for the victim. Later, they will be shunned, stigmatized, and condemned by society for their immoral behavior.

*The third is the consequences for society.* First, gender-based violence targeting women hurts the workforce, and the economic activities of victims of violence are also affected. The cost of treatment and rehabilitation increases, and property is reduced due to the destruction and dissipation caused by domestic violence. At the same time, domestic violence also puts pressure on the health system in society. Social costs must be spent on intervention, prevention, and reconciliation for families with violence increases. This affects the GDP and the economic growth of the country. In addition, there is an increased risk of evil thoughts, misbehavior, and criminal conduct in society, burdening the judicial authorities. This is reflected in the fact that the laws of most countries have now classified different forms of domestic violence as violations of the law.

### **3.2. The Current Situation of Domestic Violence in Vietnam.**

Data on violence against women forms an essential evidence base for proposed actions to prevent and respond to violence in Viet Nam. The first national survey to measure the prevalence of violence against women in Viet Nam was conducted during 2009 and 2010. The second national survey was conducted during 2018 and 2019" (MOLISA, GSO & UNFPA, 2020). According to the report on National Study on Violence against Women in Viet Nam 2019, 26.1% (a quarter) of Vietnamese women who had married or had a partner had suffered physical violence from their spouse or partner at least once in their life. Also, the study showed that about 4.6% of Vietnamese women had suffered physical violence from their spouse or partner within the previous twelve months. This is what is referred to as lifetime and current violence, respectively. Moreover, the study also showed that 13.3% of Vietnamese women had suffered sexual violence from their partner or spouse at least once in their lifetime. On the other hand, 5.7% of women reported that they had suffered sexual violence from their spouse or partner in the past twelve months (MOLISA, GSO & UNFPA, 2020).

Socialization in some sections of Vietnamese Society seems to legitimize some forms of intimate partner violence. Some studies have shown that some women feel that their husbands were justified to mete out one form of violence or another. MOLISA, GSO, and UNFPA (2020, p.7), citing Viet Nam General Statistics Office (2012), report that "Research in Viet Nam also shows a high level of acceptance of VAW perpetrated by the husband. Although domestic violence was outlawed in 2007, the level of acceptance does not seem to be diminishing. In the first national survey, 41.3 percent of women claimed that a husband was justified in hitting his wife in at least one situation... In another survey conducted in 2014, this rate was as high as 50 percent (Viet Nam General Statistics Office, 2014) "...In a

*smaller survey, using a set of 10 scenarios, 95.1 percent of viewed claimed that a husband would be justified in hitting his wife in at least one of the presented scenarios” (citing Yount KM et al., 2014).*

Gender-based violence has detrimental social ramifications, and it destabilizes the development of the family and society. Gender-based violence in the family can take many forms between different family members. In the author's view, the subject seriously affected by domestic violence is often vulnerable groups, i.e., women and children. In terms of nature, the characteristics of this group are often subject to violence based on “gender.” This is a common problem and may be the most widespread human rights violation but a minor societal concern. Domestic violence covers all forms of physical, psychological, and economic violence. It is because of the unequal power relationship between people based on social norms, conventions, and existing roles of men and women affecting life. Although domestic violence may affect both men and women, it is primarily against women and girls. (Trainees Manual for Law Enforcement and JusticeS25, 2011) The author will mention several other groups as follows:

### 3.1.1. For women

Historically, women have taken up a key role in Vietnam society. It is a common belief that Vietnamese women have generally “held a special place and prestige in the family and society” compared to women in other countries (OMCT, 2001). The introduction of Confucianism in Vietnam during the period of the Chinese occupying the north of the country more than 1000 years ago significantly undermined traditional gender equality and strengthened the idea of “patriarchy.” In the current period, with the introduction of the government of the Socialist Republic of Vietnam, gender equality is officially established in the Constitution, the applicable legislation, and government policies. At the same time, women's rights protection organizations were selected. However, due to economic dependence and discrimination against women, especially in the family environment that continues to exist in Vietnam, they have been persecuted and abused. They are significant legal and social barriers for women to exercise their rights to equality and freedom. Here are the actual data in recent years:

**Table 1. Summary of foremost indicators of the National Studies in 2010 and 2019 (News Flash No. 1, n.d)**

Criteria		2010 (%)	2019 (%)
Physical violence perpetrated by the husband	Whole life	31.5	26.1
	Last 12 Months	6.4	4.6
Sexual violence perpetrated by the husband	Whole life	9.9	13.3
	Last 12 Months	4.2	5.7
Physical and sexual violence perpetrated by the husband	Whole life	34.3	32
	Last 12 Months	9.0	8.9
Mental violence perpetrated by the husband	Whole life	53.6	47
	Last 12 Months	25.4	19.3
Economic violence perpetrated by husbands	Whole life	9.0	20.6
	Last 12 Months	*	11.5
Behavior controlled	Whole life	33.3	27.3
	Last 12 Months	*	12.9

The figures mentioned above highlight that most Vietnamese women are at potential risk of domestic violence at one or several points in their lives. In 2011, four out of ten women found that their family was not a safe place for them in some regions of Vietnam. For example, in some areas of Vietnam, 42% of women reported being victims of their husbands' physical and sexual abuse. However, although there are differences between regions, the most considerable difference can be seen among ethnic groups. The percentage of women who report that they are or have been victims of domestic violence ranges from 8% (H'Mong people) to 36% (Kinh people) (Summary report, 2010). A change can be found in the table. The rate of all forms of violence decreased slightly in 2019 compared to

2010, except for sexual violence. In particular, in the 2019 Study, younger women were less subject to physical violence than older women, which suggests that change is taking place in the younger generation. However, it is noteworthy that sexual violence perpetrated by husbands has increased from 10% in 2010 to 13% in 2019 for violence in the whole life and from 4% in 2010 to 6% in 2019 for violence in the past 12 months. Younger women experience more sexual violence, according to the 2019 Study, than in the 2010 Study. This may signify that society has become more willing to discuss sex and sexual violence than a decade ago.

### **3.1.2. For child**

As the majority of school violence, children are considered “the country’s future,” so the education process and ensuring an environment for children to develop comprehensively are regarded as the top objectives of each country. However, before receiving education policies from the State through schools, their first school is their family, and their parents are the first teachers. More particularly, with their physical condition and immature spirit, it is evident that they “depend” on other family members. Also, children do not have a complete understanding of their rights. They cannot report and seek assistance when violence takes place. At the same time, when children live in and are affected by domestic violence, they cannot develop physically and personally in harmony. In recent years, violence against family children has increased in number and level. This is no longer a family problem but a social problem. What amazes and grieves us more than most is that many cases of brutal violence against children come from customs and practices such as “*spare the rod and spoil the child.*” It makes people consider beating children as standard, which is parents’ “obvious right” to educate children.

Children are direct victims of domestic violence; the abusers may be their parents, grandparents, or other close relatives. As per data from the “National Child Protection Hotline 111,” in the first half of 2021, 171,019 incoming calls were received, of which 706 cases had to support and intervened (an 299 points surge compared to the same period last year). Among the support and intervention incidences for children, violence cases against children were 362, representing 51.27% (167 points increase compared to the same period in the year 2020, equivalent to 3.36%); 122 occurrences of children being abused sexually, constituting 17.28% (13 instances more than the same period in the previous year). In particular, the number of children suffering from domestic violence rose by 3% compared to the same period in 2020, which is worrying about the parent/guardians’ approach to educating/disciplining children. Regarding sexual abuse, the reported incidents of defilement were 71, representing 58.2% (a surge of 16 points juxtaposed to the same period in 2020), 51 occurrences of child obscene, representing 25.4% (a rise of 21 incidents contrasted to the same timespan in 2020). The percentage of children whose friends and acquaintances are sexually abused is 31.1% by family members, which is still relatively high, accounting for 23.8% (an increase of 5.4% compared to the same period in 2020) (Report on the first half of 2021 of the National Child Protection Hotline 111, n.d).

On the other hand, children are “indirect” victims. Through surveys, a significant proportion of those who have been victims of violence have witnessed parental violence as children and lived with their parents. Survey results of 1603 people representing the household show that 28% of men and 27.3% of women have witnessed their parents arguing and fighting. Meanwhile, 11.4% of women and 10.4% of men said their husbands/ wives had also witnessed violence between parents in the family before they got married. 23% of women and 26% of men have seen their brothers and sisters argue and fight. Especially up to 42.4% of females and 50.2% of males have seen neighbors having quarrels and fights (Hoa, 2018). Because of the theory of the violence cycle, witnessing previous acts of violence is also one of the causes of the current violent acts, which the abusers and even the victims now think is normal. From here, the deformation of the child’s personality also gradually took shape.

### **3.1.3. For the elderly**

There are many different concepts about the elderly. In the past, people used the elderly to refer to people of age. According to Article 2 of the Law on the Elderly of Vietnam in 2009, “the elderly” is used increasingly. Although these two terms do not differ scientifically and psychologically, “the elderly” is a positive and respectful term. In the law, the elderly is “*Vietnamese citizens aged full 60 or over.*”

Along with the development of society, the increase in the frequency of using technological devices makes us not have much time to share and understand, leading to an increasingly large generation gap. This is one of the reasons for the increasing violence against the elderly. Children lacking care for their grandparents are the most common form of mental violence in the localities studied. The mental violence includes children scolding, arguing, insulting, and



disrespecting the opinions of parents who are elderly big problems that damage their spirit. These behaviors have been contrary to the morals and traditions of Vietnam. Evidently, violence occurs in families with difficult economic conditions and families with successful and wealthy children. According to the study, older women tend to experience more violence. They are abused not only by their children but also by their husbands. The acts of violence suffered by the elderly cause not only mental harm but also physical harm and health. The results of the 2017 Survey in 5 provinces with 922 people 60 years of age or older to find out how this violence took place in the most recent period (12 months before the survey) and the most recent violence (in or before the last 12 months) also showed that mental violence is still more familiar with the elderly. In the 12 months before the survey, 53 victims of mental violence accounted for 5.7%, of whom 5.5% were males, and 6.0% were females. 44 of 53 elderly who had suffered violence in the 12 months preceding the survey had experienced mental violence (21/24 males; 23/29 females). The elderly under 65 experienced more mental violence than the older groups (19/22 cases) (Lan, 2019).

On the other hand, most of the elderly who are economically dependent on their children are the rural elderly, mainly working in agriculture and having no pension. It can be said that the material life of the elderly in Vietnam is still minimal compared to other countries. For instance, 39% of older Vietnamese adults still work. The percentage of older women working is higher than that of men, and the figure is higher in rural areas than in urban areas. At the same time, between 1 and 70% of the elderly do not accumulate material, and 60% are disadvantaged (Ministry of Labor, 2007). Economic violence (including financial control over the elderly, failure to provide food and medicine, taking/using money without consent, and disputes over property, land, house, etc.) does not only take place in low-income families or under difficult economic conditions. In many wealthy families, children try to take parental property and mistreat them. Through the study, the isolation of caregivers and society also increases the risk of maltreatment. Therefore, social and community support such as neighbors visiting at home, training caregivers, organizing volunteer support teams, unions, and authorities going to the family to reconcile, intervene, provide benefits for sick elderly, etc., has a significant effect. In addition, health and care services are adequate, and quality also helps to reduce maltreatment against the elderly.

#### 4. DISCUSSION AND CONCLUSION

*The first* is to complete the law on domestic violence. Nearly 15 years since the “Law on Domestic Violence Prevention and Control” came into force, it has created positive changes in awareness of domestic violence prevention and control. From there, it has contributed to protecting domestic violence victims, handled domestic violence acts, violated the law in domestic violence prevention and control, and improved gender equality in the family. However, in addition to the achieved results, the current reality shows that domestic violence is still a hard-solving problem and dilemma in Vietnam. One of the primary reasons for the above situation is that the applicable regulations and policies in the “Law on Domestic Violence Prevention and Control” are still inadequate and inconsistent with the current development of society in Vietnam. In Point c, Clause 1, Article 20 of this Law, the condition for contact forbidden is that “*the domestic violence victim and the abuser are living at different domiciles at the time of contact forbidden.*” It is impossible, as most domestic violence happens to family members who live together in a home. They have no other domicile to live in (Huong, n.d.). The guiding document, the Government’s Decree No. 08/2009/ND-CP on detailed regulations and guidelines for implementing many articles of the Law on Domestic Violence Prevention and Control dated February 4, 2009, has not mentioned this issue. Sanctions for acts of harming the health of family members shall only include a fine of from VND 10,000,000 to VND 20,000,000 for one of the following acts. At the same time, the abuser is forced to apologize publicly when the victim requests it. From the author’s perspective, the applicable sanction does not have compensation worthy of the physical and mental injuries of the violence victim. Therefore, it is necessary to have legal documents to complete these issues soon.

The second is to ensure that the law’s provisions are applied consistently and comprehensively, it is necessary to require the cooperation and participation of State authorities. First of all, with its close role, all levels of the women’s union need to propagate, educate and encourage members and the people to abide by the law on domestic violence prevention and control, marriage and family, gender equality, drug prevention, and management, prostitution and other social evils prevention and combat. At the same time, necessary measures must be proposed to relevant state authorities for implementation of the law on domestic violence prevention and control, marriage and family, gender equality, drug prevention and control, prostitution and other social evils prevention and combat; participation in domestic violence prevention and control, care, support and protection of domestic violence victims. The second is

strengthening the relevant ministries' role in beating domestic *violence*. For children, there should be more attention from the school in denouncing when detecting signs or acts of harming or infringing on the child's life. The elderly, protected by a complete and adequate legal system with strict sanctions, will significantly prevent their mistreatment, contributing to a respectful and caring society. In particular, the Ministry of Labor, War Invalids and Social Affairs, the Ministry of Health, and education and training programs play the most crucial role (Vietnam Association of the Elderly).

*The third* is to improve the information and education on measures to curb and reduce gender-based violence in the community. The family is considered a "reproductive social cell" in each country. In the author's view, domestic violence propaganda plays a significant role in mitigating this situation. It will raise people's consciousness in a family and spread to the surrounding people as "neighbors." It contributes to reversing the insensitivity with the thought that "half of the world knows not how the other half lives" in society today. In the Industry 4.0 era, promoting the network of propaganda on social networks is considered a possible solution to achieve high results. The messages, including images and texts in the mass media such as television and social media, condemn human dignity violations against women. In addition, special attention should be paid to grassroots propaganda through appropriate forms, with messages emphasizing the rights and protection of women's and children's rights in general. Combining the family, school, and society is necessary to prevent and control domestic violence. The propaganda audience needs to be expanded, not only women but also men in all age groups and different social groups. It especially needs to start with the unmarried youth. Of course, the implementation of propaganda on domestic violence in the community, especially in remote areas, should be strengthened.

*The fourth* is to build a fund for "recovery" for domestic violence victims. Developing domestic violence prevention funds in localities is essential for domestic violence prevention programs to be implemented and effective. To obtain this funding, on the one hand, it is possible to apply for support from the State budget. On the other hand, it is necessary to mobilize substantial resources from individuals, donors, and social and international organizations. The funds are dedicated to providing care, support, and relief to victims of violence in local action programs (Thuy, 2015). Most of the victims are often dependent on the abusers, so the most critical issue is to build vocational classes from the community's contribution to help the victims of domestic violence to be economically self-reliant. At the same time, more attention should be paid to issues such as mental rehabilitation for victims, even though they may be obsessed due to violence for life. The interest of the State and society will contribute to giving them more power to overcome the darkness of the past.

#### **Conflict of Interest:**

The author declares that there is no conflict of interest.

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