

**China's Mismatched Bookends:  
A Tale of Birth Sex Ratios in South Korea and Vietnam**

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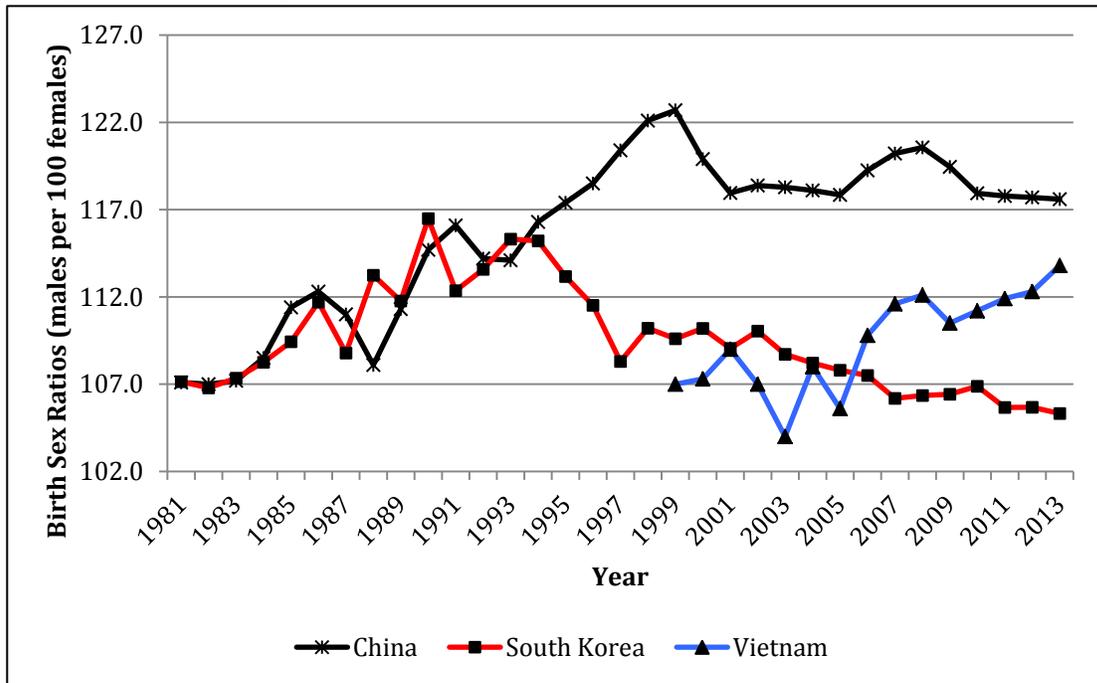
**ABSTRACT:** Due to its rising power in the international system as well as the sheer size of its population, the extremely abnormal birth sex ratios of China have been the focus of policymakers and scholars alike. As China struggles to normalize that ratio, many have asked if there are lessons to be learned from the experiences of other countries facing similar issues. Interestingly, China is “bookended” by two countries that have had vastly different birth sex ratio trajectories: South Korea and Vietnam. In the former, a very abnormal SRB was normalized over the course of approximately one decade. In the latter, a normal SRB became profoundly abnormal over the course less than one decade, and threatens to become even more skewed than that of China in the future. Are there lessons for China from the experiences of its “mismatched bookends” neighbors?

### **Introduction**

While it is generally true that declining fertility, gender inequality, and the availability of sex selective technologies have led to rising M:F birth sex ratios throughout much of Asia since the 1980s, that generalization masks important variation across Asian nations. As seen in Figure 1 below, while the continuing increase in the sex ratio at birth (SRB) of China is a focus of attention by policymakers and scholars alike, there is more to observe in the East Asian region. Interestingly, China is “bookended” by two countries that have had vastly different birth sex ratio trajectories in recent years: South Korea and Vietnam. In the former, a very abnormal SRB was normalized over the course of approximately one decade. In the latter, a normal SRB became profoundly abnormal over the course less than one decade, and threatens to become even more skewed than that of China in the future if the sex ratio continues to rise at the current rate. Are there lessons for China—for any country facing abnormal SRBs—from the experiences of these “mismatched bookends” neighbors?

To investigate that question, we first discuss in general terms the drivers of gender inequality and offspring sex selection in East Asia. We then turn to a more in-depth examination of the evolution of SRBs in each nation, South Korea and Vietnam. We first take a holistic look at comparisons of national indicators for the two nations, and then delve deeper to examine differences in the intensity and timing of the identified drivers and in national reproductive policy in each using historical process-tracing. We then reflect on what can be learned from the experiences of these two nations, moving in apparently opposite directions over a fairly short period of time.

**Figure 1: Comparing Sex Ratios at Birth for China, South Korea and Vietnam, 1981-2013**



Sources: China 1980-2000 data from Lutz, Wolfgang, Sergei Scherbov, Gui Ying Cao, Qiang Ren, and Xiaoying Zheng, "China's Uncertain Demographic Present and Future," *Vienna Yearbook of Population Research* 5 (2007): 45; 2001-2005 data from Tao Tao, and Xianling Zhang, "Underreporting and Overreporting in China's Sixth National Population Census," *Population Research* 37, no. 1 (2013): 45; 2006-2011 data from National Bureau of Statistics of China, 2011 National Sample Survey on Population Changes, China's Total Population and Structural Changes in 2011, 20 January 2012; 2012 figure from National Bureau of Statistics of China, Statistical Communiqué of the People's Republic of China on the 2012 National Economic and Social Development, 22 February 2013 at [http://www.stats.gov.cn/english/PressRelease/201302/t20130222\\_72261.html](http://www.stats.gov.cn/english/PressRelease/201302/t20130222_72261.html); 2013 figures from National Bureau of Statistics of China, 'China's Economy Showed Good Momentum of Steady Growth in the Year of 2013', 20 January 2014, at [http://www.stats.gov.cn/english/PressRelease/201401/t20140120\\_502079.html](http://www.stats.gov.cn/english/PressRelease/201401/t20140120_502079.html). Korea: KOSIS, Korea Statistical Information Service: Statistical Database, Live Births by Age Group of Mother, Sex and Birth Order, 1981-2013, at [kosis.kr](http://kosis.kr). Vietnam: 1999-2013 data from General Statistics Office, *The 1/4/2013 Time-Point Population Change and Family Planning Survey: Major Findings*. Hanoi: Statistical Publishing House, 2013.

### General Drivers of Offspring Sex Selection in the East Asian Context

To discuss drivers of offspring sex selection is to discuss both foundations and catalysts. The foundation of sex selection is son preference. However, son preference need not lead to the enactment of that preference in terms of sex-selective abortion or passive/active female infanticide. There are many nations in the world that place greater value on sons than daughters, but few nations where birth and early childhood sex ratios indicate that preference has moved to enactment. (Unfortunately, it appears that latter list is growing, not shrinking over time, an observation that deserves its own research agenda.) Rather, preference moves to enactment when certain catalytic pressures are applied. These may be of natural origins, such as famine, but in the twenty-first century are more likely to be

man-made; that is, policies and incentive structures imposed upon society by national governments.

The foundations of son preference in the East Asian context are not dissimilar from those found in other regions. Its root is the organization of society along patrilineal lines. The vast majority of lineage-based groups or clans trace descent through the patriline, practice patrilocality, and inherit land and property through the patriline;<sup>1</sup> Even in the rare matrilineal societies, power, land, and resources are still held by male kin, in the form of brothers from a particular mother. Patrilineality permits groups of male relatives bound by blood ties to become politically powerful and band together in allegiances when conflict arises, and hence scholars have noted the deep importance attached by the clan to biological replication.<sup>2</sup> Charrad observes, “The socially meaningful ties unifying the network thus bind men together and bypass women”.<sup>3</sup> The early forms of private property were held not by individuals but by patriline: kinship relations founded on agnatic lineage allow both property and labor, including the reproductive labor of women, to remain within the clan under male control.<sup>4</sup>

Arguably the most vulnerable family members in these societies are the women whose role is to reproduce the patriline, for the subordination of female interests, reproductive or otherwise, is how patrilineal clans are formed in the first place. As Weiner notes, “The anti-individualism of the rule of the clan burdens each and every member of a clan society, but most of all it burdens women. The fate of women lays bare the basic values of the rule of the clan, and as outsiders, citizens of liberal states often find their own values clarified when they confront the lives clans afford their female members.”<sup>5</sup> And as Fukuyama notes, “In agnatic societies, women achieve legal personhood only by virtue of their marriage to and mothering of a male in the lineage”; that is, women only “exist” in these societies as they create the patriline because patriline cannot exist without women creating them.<sup>6</sup> Related to this is the common practice of excluding women from performing necessary religious rites on behalf of ancestors—for the ancestors to be so honored are all male.

Men—and not women—must therefore control assets, whether these be children or land or cattle, else the power of the clan will dissipate. For example, Fukuyama observes, “While widows and unmarried daughters may have certain

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<sup>1</sup> Thomas Barfield, 2010, *Afghanistan: a Cultural and Political History*, Princeton, NJ: Princeton University Press, 22; Dale Eickelman, 2002, *The Middle East and Central Asia: An Anthropological Approach*, Upper Saddle River, NJ: Prentice Hall, 75; William Lancaster, 1997, *The Rwala Bedouin Today*. Prospect Heights, Illinois: Waveland Press, Inc, 36-42.

<sup>2</sup> Barfield, *Afghanistan: a Cultural and Political History*, 20.

<sup>3</sup> Mounira M. Charrad, 2001, *States and Women's Rights: The Making of Postcolonial Tunisia, Algeria, and Morocco* Berkeley: University of California Press, 53.

<sup>4</sup> United Nations Development Program, 2005, *Arab Human Development Report 2004: Towards Freedom in the Arab World*, New York: United Nations Publications, 164.

<sup>5</sup> Mark S. Weiner, 2013, *The Rule of the Clan: What an Ancient Form of Social Organization Reveals about the Future of Individual Freedom*, New York, NY: Farrar, Straus and Giroux, 64.

<sup>6</sup> Francis Fukuyama, 2011, *Origins of Political Order: From Prehuman Times to the French Revolution*, New York, NY: Farrar, Straus, and Giroux, 233.

inheritance rights, they are usually required to keep the lineage's property within the agnatic line."<sup>7</sup> This agnatic control of resources is effected in a number of ways, of which we will mention but three here.

1. **Patrilocality of Marriage.** Patrilocality makes the formation of agnatic clans a fairly straightforward task, and thus is universally favored by patrilineal groups. Because of patrilocality, most males in a particular area are kin, which forms a natural foundation for male alliances in patrilineal clans. In such societies, where land and resources belonged exclusively to men, the complete economic dependence of females is effected, resulting in a profoundly subordinate status for women.
2. **Inequitable Family Law that Discriminates Against Females.** Patrilineal clans make family law in the image of their own reproductive interests, as shown by inequitable family laws favoring men across time and space.<sup>8</sup> The purpose of such discrimination between male rights and female rights in marriage is clearly to effect the subordination of female interests, especially reproductive interests, to male reproductive interests. Thus we see that adultery is a greater crime for women than for men, divorce may be easy for men to obtain but difficult for women, child custody may default to the father's kin, and so forth. This discrimination is most clearly seen in customary law--even states with equitable family laws on the books might not enforce these laws because of patrilineal clan-based tradition or practices.<sup>9</sup>
3. **Women's Property Rights in Practice.** Keeping resources within the patriline requires inheritance and property rights favor men and major economic resources such as land will remain solely within male hands. Thus women's property rights in practice (and opposed to formal law) will be strongly indicative of whether patrilineal clans play an important role in societal governance. For example, Fukuyama notes, "the ability of women to own and bequeath property is an indicator of the deterioration of tribal organization and suggests that strict patrilineality [has] disappeared."<sup>10</sup>

Thus we can see that the main foundational driver of son preference is societal organization around patrilineal clans. The more important these patrilineal groups are in society, even in the presence of a strong state and gender equitable laws "on the books," the higher the intensity of son preference. However, as noted previously, preference need not move towards enactment; generally speaking, catalysts are necessary for this to occur. While these catalysts may be natural in origin (e.g., famine), more often they originate in the imposition of strong new incentive structures by the government on the society.

One prime example of such a catalyst in a patrilineally-organized society is the enforcement of governmental limits on fertility. The One Child Policy (now a

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<sup>7</sup> Fukuyama, *Origins of Political Order*, 233.

<sup>8</sup> Barbara Smuts, 1992, "Male Aggression against Women: An Evolutionary Perspective," *Human Nature* 3:1-44, accessed at doi: 10.1007/BF02692265.

<sup>9</sup> Valerie M. Hudson, Donna L. Bowen and Perpetua L. Nielsen, 2011, "What is the Relationship Between Inequity in Family Law and Violence Against Women? Approaching the Issue of Legal Enclaves," *Politics and Gender* 7(4): 453-492, accessed at doi: 10.1017/S1743923X11000328.

<sup>10</sup> Fukuyama, *Origins of Political Order*, 233.

law) in China, and the Two Child Policy of Vietnam, are cases in point. When fertility is forcibly lowered by the state, son preference will turn into enactment. This is so because the typical family-level solution for not having a son is to continue to bear children until a son is forthcoming. If that solution is no longer an option, some parents will select for a child of male sex, especially at higher birth orders. In South Korea, although its two-child and later one-child policies were not enforced, these norms were quickly accepted in urban and then rural areas within this homogenous nation.

Another catalyst in a patrilineally-organized society is the government's decision concerning whether to provide meaningful old-age pensions for all its citizens. The old age pension scheme in such a society is sons. If the government decides to provide such a scheme, any perceived need to enact son preference will be profoundly undercut. Indeed, even the foundation of son preference itself may be affected.

With this conceptual background in mind, we now turn to a broad comparison of South Korea and Vietnam (with an eye on neighboring China, as well) before beginning our historical process-tracing case studies of these two nations.

### **South Korea and Vietnam: A Macro-level Comparison**

Broad Socio-Economic Characteristics. Despite similarities along such dimensions as ethnic homogeneity (both countries are fairly homogeneous, as is China), Table 1 suggests there are more points of contrast than similarity between Vietnam and South Korea. South Korea is a far richer and more urbanized nation than Vietnam, and despite the fact that Vietnam is a communist country for which gender equality is an important principle, several of the indicators in Table 1, such as % females with at least some secondary education, the lower age of marriage and higher rate of adolescent births, show that Vietnam lags South Korea on important gender-related dimensions:

**Table 1: Comparing Socio-Economic Indicators for Vietnam and South Korea**

Indicator	Vietnam	South Korea
GNI per capita (male, 2011 PPP\$)	5,655	38,990
GNI per capita (female, 2011 PPP\$)	4,147	21,795
Female Labour force participation rate (% aged 15+)	72.8	49.9
% Old age pension recipient	34.5	77.6
% Share parliament seats held by women	24.4	15.7
% Females with some secondary education	59.4	77
Rural population (% of total population)	68.3	17.9
Maternal mortality rate (deaths per 100,000 live births)	59	16
Mean age at marriage (2010)	22.7	28.9
Total fertility rate (births per woman)	1.8	1.3
Adolescent birth rate (births per 1,000 women aged 15-19)	29	2.2
Female life expectancy	84.8	80.5

Sources: Data from Human Development Report 2014, at <http://hdr.undp.org/en/data>, with the exception of the figures for rural population (see World Development Indicators, last updated 12/19/2014), and the statistics for mean age of marriage (KNSO, Korea National Statistical Office, Women's Lives through Statistics in 2011, 27 June 2011, at [www.kostat.go.kr](http://www.kostat.go.kr); and GSO (General

Statistics Office, Vietnam), Population Change and Family Planning Survey, 1/4/2010: Major Findings. Hanoi: Statistical Publishing House, 2010.

**Gender-Related Ordinal Scales.** More importantly for our purposes are ordinal scales specifically designed to examine women’s status in law and society, obtained from the WomanStats Database. For each of these scales, a lower number indicates a better situation for women. Here we again see that across these dimensions, Vietnam’s overall profile is somewhat worse. In addition, on a measure of patrilocality (which in turn is an indicator of the importance of patrilineal groups in society), both China and Vietnam score higher (i.e., greater patrilocality) than South Korea.

**Table 2: Gender-related ordinal scales for Vietnam, South Korea and China**

Scale	Vietnam	South Korea	China
Level of Physical Violence Against Women	3	2	2
Degree of Inequity in Family Law	3	2	2
Age of First Marriage for Women Practice	1	0	0
Property Rights for Women in Practice	2	2	1
Prevalence of Patrilocality	2	1	2

Source: WomanStats Database, [www.womanstats.org](http://www.womanstats.org)

### General Overview of Women’s Situation in Vietnam and South Korea

To better facilitate cross-country comparison, this review looks at the following broad categories: abortion, family practices (marriage, inheritance, and elder care), education, employment, participation in government, and government attitudes toward gender equality. On the surface – that is, in terms of legal rights – both countries offer similar protection women and affirmations of gender equality. However, a qualitative review of the data suggests that family practices -- inheritance and elder care specifically – deserve particular attention because these are points on which the two countries seem to diverge most markedly.

#### Abortion and Family Planning

Laws regarding abortion in both countries have remained relatively stable over the last fifteen years, and both experience high rates of abortion, with, for example, Vietnam’s total abortion rate estimated to be 83 per 1000 women (or 59.1

abortions per 100 pregnancies), putting it in the top five countries in the world and the top in Asia.<sup>11</sup>

Abortion in South Korea has been illegal since 1953,<sup>12</sup> but it also has one of the highest abortion rates in the world (rates were estimated in 2012 at 29.8 per 1000 women aged 15-44,<sup>13</sup> but reported to be as high as 66 abortions per 100 births in 1990).<sup>14</sup> The Maternal and Child Health Law in 1973 established some exemptions, such as disability, disease, rape, incest, and risk to the mother's health.<sup>15</sup> As recently as 2001, medical associations have made periodic calls for the decriminalization of induced abortions, though to no avail.<sup>16</sup> In practice, however, abortion rates remain high – so high that at first glance it would not seem that there is any legal restriction on abortion. Estimates suggest that only 4% of total abortions in 2005 were lawful, for example.<sup>17</sup> Until very recently, enforcement of abortion laws in South Korea was lax, with only 2-7 cases prosecuted annually.<sup>18</sup> In February 2010, South Korea introduced a 'Comprehensive Plan for the Prevention of Illegal Abortions,' a response to the low birth rate and an attempt to crack down on illegal abortions).<sup>19</sup> A few harsh prosecutions have made examples out of offenders, and in response many obstetricians no longer offer abortions.<sup>20</sup> However, two things are of interest. First, although South Korea has stepped up enforcement as of 2010, there is no substantively new legislation on the books that changes the regulation of abortion. Second, the birth-sex ratio in South Korea had already normalized before the enforcement was enhanced.

#### Issues of Patrilineality

Marriage, inheritance, and elder care practices in both countries revolve around a common question: the identity of a woman and how it is affected by marriage. Legally speaking, both countries now offer the same answer, that is, a woman is a separate and equal individual with the same responsibilities and rights as a man. Culturally, however, there is some divergence. Whereas South Korea's

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<sup>11</sup> Tuoitre News, 21 May 2014, "Vietnam Ranks First in Asia in Abortion, Among World's Top 5," *Tuoitrenews.vn.com*, at

<http://tuoitrenews.vn/society/19787/vietnam-ranks-first-in-asia-in-abortion>

<sup>12</sup> United Nations, 2002, "Addendum to the Second Periodic Report," *International Covenant on Civil and Political Rights*, CCPR/C/VNM/2001/2/Add.1

<sup>13</sup> Sophia Lee, 26 January 2013, "Aborting the Future," *WorldMag.com*, at

[http://www.worldmag.com/2013/01/aborting\\_the\\_future](http://www.worldmag.com/2013/01/aborting_the_future); Jane Kang, 14 October 2013, "To Abort or Not to Abort: That is the Question in Korea," *Voices in Bioethics*, at <http://voicesinbioethics.org/2013/10/14/abortion-south-korea/>

<sup>14</sup> Doo-Sub Kim, "Le déficit de filles en Corée du Sud: évolution, niveaux et variations régionales," *Population*, 59, no. 6 (2004): 983-997.

<sup>15</sup> CCPR/C/VNM/2001/2/Add.1

<sup>16</sup> CEDAW, 23 July 2003, "Consideration of reports submitted under article 18 of the Convention on the Elimination of All Forms of Discrimination against Women," *Fifth Periodic Report of States parties: Republic of Korea*, CEDAW/C/KOR/5

<sup>17</sup> KWAU, Korean Women's Association United, 2011, *NGO Shadow Report: Republic of Korea*, at [http://www2.ohchr.org/english/bodies/cedaw/docs/ngos/KWAU\\_RepublicKorea49.pdf](http://www2.ohchr.org/english/bodies/cedaw/docs/ngos/KWAU_RepublicKorea49.pdf)

<sup>18</sup> Ibid. Furthermore, many prosecuted cases resulted in a suspended sentence or execution.

<sup>19</sup> Ibid.

<sup>20</sup> Ibid.

cultural expectations are beginning to align with its legal framework, in Vietnam they remain firmly entrenched in traditional mores.

### *Marriage*

Until recently, South Korean law legitimized a patrilineal system of family headship. Beginning in 2003, women were legally permitted to head households,<sup>21</sup> and the number of female-headed households has increased slowly).<sup>22</sup> In 2005, the unfavorable headship system was eliminated, meaning that women are no longer legally subordinate to the male family head).<sup>23</sup> Furthermore, the right to unilaterally dispose of property within marriage was eliminated),<sup>24</sup> and the equal right of both spouses to the marital home asserted. Also in 2005, the government enacted a Framework Act on Health Family, which stipulates that the government will promote an equitable family culture.<sup>25</sup> We will delve these issues in greater depth in our historical process-tracing on South Korea.

These changes marked the beginning of legal gains in other marital areas within South Korea that distinguish a married woman as a distinct, equal and autonomous individual. Law enforcement related to domestic violence has been enhanced, followed by a decrease in domestic violence related arrests.<sup>26</sup> In 2009, a court ruling found marital rape unconstitutional, establishing a precedent in the absence of explicit criminalization by prosecuting cases.<sup>27</sup> Although far from perfect, South Korea has continued to march toward the legal protection of women within marriage.

Prior to these legal changes, marriage meant a literal loss of identity for a woman and her assimilation into the husband's family.<sup>28</sup> Family ties tended to be maintained with the husband's family, but not the wife's. These changes encourage and reinforce social shifts that see a woman as an equal participant with equal ownership of her family, rather than a supporting actor for her husband's family. For example, by 1999, co-residence with extended family (i.e., the husband's family) had begun to decline and shift toward a nuclear family.<sup>29</sup> However, some social attitudes remain entrenched and lag behind legal frameworks and enforcement – such as persistent ideas about marital relations that do not allow for the possibility of marital rape.<sup>30</sup>

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<sup>21</sup> U.S. Department of State, 2003, "Korea, Republic of," *2003 Country Reports on Human Rights Practices*, <http://www.state.gov/g/drl/rls/hrrpt/2003/>.

<sup>22</sup> CEDAW, 5 March 2007, "Consideration of reports submitted under article 18 of the Convention on the Elimination of All Forms of Discrimination against Women," *Sixth Periodic Report of States parties: Republic of Korea*, CEDAW/C/KOR/6.

<sup>23</sup> U.S. Department of State, 2007, "Korea, Republic of," *2007 Country Reports on Human Rights Practices*, at <http://www.state.gov/j/drl/rls/hrrpt/2007/100525.htm>.

<sup>24</sup> CEDAW/C/KOR/6.

<sup>25</sup> CEDAW/C/KOR/6.

<sup>26</sup> CEDAW/C/KOR/6.

<sup>27</sup> Korea Times, 18 January 2009, "Marital Rape: Ruling Seen as Move to Protect Spousal Right to Sex," Opinion, at [http://www.koreatimes.co.kr/www/news/opinion/2009/01/202\\_38045.html](http://www.koreatimes.co.kr/www/news/opinion/2009/01/202_38045.html)

<sup>28</sup> New Zealand Immigration Service, "Family Structures," Immigration Research Programme, 2000, <http://www.dol.govt.nz/research/migration/pdfs/FamilyStructures>

<sup>29</sup> New Zealand Immigration Service, "Family Structures."

<sup>30</sup> KWAU 2011.

On the legal side of things, Vietnam has made similar changes in laws governing marriage, thanks in no small part to the 2000 Marriage and Family Law.<sup>31</sup> On paper, women are entitled to head households and have their names recorded jointly on family assets – in fact, joint titling is required and local administrations advise couples to register certificates in both names.<sup>32</sup> In cases of divorce, their housework is regarded as income generating,<sup>33</sup> and marital property is to be divided into two halves (an improvement over South Korea, where women are entitled to portions of the marital estate varying from one-fifth to one-half). Although domestic violence was not previously specifically criminalized, Vietnam also introduced the Law on Domestic Violence Prevention and Control in 2007 for that purpose.

In practice, however, this picture of Vietnam may be misleading. Women are still perceived as assimilating into the husband's family after marriage, with few distinct or equal rights. We will be exploring that issue in greater detail in our process-tracing on the situation in a later section of this paper. Within the marriage, societal attitudes persist in stigmatizing or blaming victims of domestic violence.<sup>34</sup> Although spousal rape is criminalized,<sup>35</sup> there are no known cases of prosecution.<sup>36</sup> Although joint titling is required for all family assets,<sup>37</sup> in practice most land use rights certificates and local land administration books only have the husband's name recorded as head of household, and if women manage to secure land, they are typically given smaller plots.<sup>38</sup> Only 10-12% of agricultural land has a woman's name on the title, and these are mostly single heads of household.<sup>39</sup> The patrilocal social structure means that even if a woman is entitled to one half of the land or property, her access to it after a divorce may be unpredictable. Recent figures show that only a quarter of women involved in a divorce lodged a suit to have their rights enforced. In many cases, women themselves may voluntarily renounce their fair

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<sup>31</sup> CEDAW, 22 June 2005, "Consideration of reports submitted under article 18 of the Convention on the Elimination of All Forms of Discrimination against Women," *Combined fifth and sixth periodic reports of States parties: Viet Nam*, CEDAW/C/VNM/5-

<sup>32</sup> CEDAW, 2004, *Rural Women's Access to Land and Property in Selected Countries*, at <http://www.landcoalition.org/sites/default/files/legacy/legacypdf/cedawrpt.pdf?q=pdf/cedawrpt.pdf>.

<sup>33</sup> CEDAW, 20 October 2000, "Consideration of reports submitted under article 18 of the Convention on the Elimination of All Forms of Discrimination against Women," *Combined third and fourth periodic reports of States parties: Viet Nam*, CEDAW/C/VNM/3-4

<sup>34</sup> Asian Development Bank, 2002, "Women in Viet Nam," *Regional and Sustainable Development Department*, at <http://www.adb.org/sites/default/files/institutional-document/32605/women-vietnam.pdf>.

<sup>35</sup> U.S. Department of State, 2011, "Vietnam," *2011 Country Reports on Human Rights Practices*, at <http://www.state.gov/j/drl/rls/hrrpt/2011/1535>.

<sup>36</sup> U.S. Department of State, 2007, "Vietnam," *2007 Country Reports on Human Rights Practices*, at <http://www.state.gov/j/drl/rls/hrrpt/2007/100543.htm>.

<sup>37</sup> Anna Knox et al. 2007, "Connecting Rights to Reality: A Progressive Framework of Core Legal Protections for Women's Property Rights," *International Center for Research on Women*, at <http://www.icrw.org/publications/connecting-rights-reality>.

<sup>38</sup> CEDAW/C/VNM/5-6.

<sup>39</sup> CEDAW/C/VNM/3-4; Vietnam, 2001. Decree no. 70/2001/ND-CP of October 3, 2001 Detailing the Implementation of the Marriage and Family Law, <http://policy.mofcom.gov.cn/english/flaw!fetch.action?id=e73960ba-7975-4104-9036-ae203e5edbd3>

share because of societal pressure: 23% of urban women and 46% of rural women reported doing so.<sup>40</sup>

#### *Inheritance.*

The subject of inheritance is another integral part of family practices, and plays a major role in the relative value of sons and daughters. As in the case of marriage practices, both countries have made recent legal changes on this subject, but social acceptance varies.

Sons and daughters now have equal inheritance rights in South Korea, but this was not always so. Until 2005, inheritance ran through the male line. Upon marriage, women joined their husband's family register, and all children born to the family belonged to the father's registry. A daughter was unable to receive inheritance from her family or transmit inheritance in her own right to her children. This legal basis for inheritance discrimination was dismantled by the Supreme Court in 2005.<sup>41</sup>

In Vietnam, women also enjoy legal parity with men in terms of inheritance. Again, however, the persistence of patrilocal customs severely limit women's ability to enforce inheritance rights. Not only do women tend to move away from their own families, they remain reluctant to fight the custom.<sup>42</sup> Although sons and daughters are supposed to inherit equally, sons are much more likely to inherit than daughters unless a legal document specifies otherwise.<sup>43</sup> Agricultural lands are rarely, if ever, gifted to daughters.<sup>44</sup> When a man dies, it is more likely that his son's name, not his widow's, will be on the land certificate.<sup>45</sup>

In the case of Vietnam, the issue is not that women cannot legally receive and pass on inheritance. Although there are no legal barriers to female inheritance, social attitudes continue to hold men in higher esteem and emphasize their role in continuing the family line.

#### *Elder Care*

A final aspect of the family practice puzzle is the responsibility for elder care within a family. If a son and his wife are expected to care for his parents, it is rational to seek security in old age by choosing to have sons. For this reason, conceptions of a woman's distinct identity after marriage (or lack thereof) and relative responsibilities to his family and her family could be an important determinant in son preference. So, too, is a country's perception of social safety nets.

In South Korea, evidence of shifting attitudes toward elder care can be found in the recent phenomenon of a ballooning elderly suicide rate.<sup>46</sup> Newspapers carry

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<sup>40</sup> CEDAW, 2004.

<sup>41</sup> Astrid Tuminez with Kerstin Duell and Haseena Abdul Majid, 2012, "Rising to the Top? A Report on Women's Leadership in Asia," *Lee Kuan Yew School of Public Policy*, at <http://sites.asiasociety.org/womenleaders/wp-content/uploads/2012/04/Rising-to-the-Top-Final-PDF.pdf>.

<sup>42</sup> CEDAW/C/VNM/5-6.

<sup>43</sup> U.S. Department of State, 2011.

<sup>44</sup> CEDAW/C/VNM/3-4.

<sup>45</sup> CEDAW, 2004.

<sup>46</sup> Choe Sang-Hun, 28 November 2007, "South Koreans Rethink Preference for Sons," *New York Times*, at [http://www.nytimes.com/2007/11/28/world/asia/28iht-sex.1.8509372.html?\\_r=1&](http://www.nytimes.com/2007/11/28/world/asia/28iht-sex.1.8509372.html?_r=1&).

harrowing tales of elderly South Koreans who drained savings to facilitate children's success, expecting that the children would in turn care for their parents – only for the parents to find themselves abandoned. In an article for *The New York Times*, Choe Sang-Hun describes a woman contemplating suicide who “was dismayed that her sons did not invite her to live with them, but she also dreaded becoming a burden.”<sup>47</sup> The percentage of South Korean children who believe they should care for their parents has dropped from 90 percent to 37 percent over the last 15 years.<sup>48</sup>

The South Korean government has been left to play catch-up, attempting to implement social security for an abandoned generation of elders. Although strides have been made in this area, with subsidized healthcare,<sup>49</sup> pensions,<sup>50</sup> and cash allowances,<sup>51</sup> it is still not enough. Some South Koreans are too old to have paid into the pension, or are among the 47% of the population not covered by the National Pension Service, and the South Korean government still “denies welfare to people whose children are deemed capable of supporting them.”<sup>52</sup> Additional detail will be added in our process-tracing about South Korea in the next section of the paper.

Vietnam has not experienced such a dramatic shift in children's attitudes toward their elders. The majority of the elderly population, especially in the North, live with a son rather than a daughter.<sup>53</sup> In surveys, the Vietnamese population continues to cite continuance of patriline as very important.<sup>54</sup> Vietnam, like South Korea, has begun introducing social aid policies (first in 1995), but thus far the brunt of elderly care appears to fall on the younger generation, and especially the sons. In 2010, only 10% of the elderly (above age 60) in Vietnam received a pension, and only 20% of the labor force is currently registered in a state pension program.<sup>55</sup>

### Education

Education is another area in which differing preferences for males are more clearly expressed. On average, women in South Korea attain more education than their Vietnamese counterparts. As of 2010, only 24.7% of women in Vietnam had completed at least a secondary education, whereas in South Korea the corresponding number is 79%.<sup>56</sup> Women in Vietnam compose nearly two-thirds of

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<sup>47</sup> Choe, “South Koreans Rethink.”

<sup>48</sup> Chico Harlan, 21 January 2014, “For South Korea's Seniors, A Return to Poverty as Confucian Filial Piety Weakens,” *The Washington Post*, at [http://www.washingtonpost.com/world/asia\\_pacific/for-south-koreas-seniors-a-return-to-poverty-as-confucian-filial-piety-weakens/2014/01/20/19769cf2-7b85-11e3-97d3-b9925ce2c57b\\_story.html](http://www.washingtonpost.com/world/asia_pacific/for-south-koreas-seniors-a-return-to-poverty-as-confucian-filial-piety-weakens/2014/01/20/19769cf2-7b85-11e3-97d3-b9925ce2c57b_story.html)

<sup>49</sup> CEDAW/C/KOR/6.

<sup>50</sup> CEDAW/C/KOR/5.

<sup>51</sup> CEDAW, 2007, “Concluding comments: Republic of Korea,” *Thirty-ninth session*, CEDAW/C/KOR/CO/6.

<sup>52</sup> Choe Sang-Hun, 16 February 2013, “As Families Change, Korea's Elderly Are Turning to Suicide,” *New York Times*, at <http://www.nytimes.com/2013/02/17/world/asia/in-korea-changes-in-society-and-family-dynamics-drive-rise-in-elderly-suicides.html?pagewanted=all>

<sup>53</sup> John Bryant, 2002, “Patriline, Patrilocality and Fertility Decline in Vietnam,” *Asia Pacific Population Journal* 17(2), p. 111-126.

<sup>54</sup> Bryant, “Patriline, Patrilocality.”

<sup>55</sup> Paulette Castel and Minna Hahn Tong, Vietnam - Developing a modern pension system: current challenges and options for future reform. Washington DC; World Bank, 2012.

<sup>56</sup> United Nations Human Development Program, 2010, *Gender Inequality Index*, at <http://hdr.undp.org/en/content/table-4-gender-inequality-index>

the country's illiterate population,<sup>57</sup> whereas illiteracy rates in South Korea are vanishingly small.

Both countries mandate free, compulsory education for both girls and boys. In 2000, South Korea specifically amended its Basic Education Act to promote gender equality.<sup>58</sup> Vietnam, although it makes education compulsory through 14 years of age for both sexes, does not have a similar law. Girls are expected to fall under the umbrella of the more general 1998 Law on Education, which reaffirms a constitutional right of all citizens to education.<sup>59</sup>

One of the more immediate causes of inequitable female education in Vietnam appears to be poverty, especially in rural areas.<sup>60</sup> Although education is technically free, associated costs – including loss of labor within the family while a child is in school – means that families are often not able to educate all children.<sup>61</sup> When choosing whether to send a son or daughter to school, families anticipate different rates of return on education for each – the persistent perception that girls will grow up and go on to “belong” to future husband's families reduces incentive for her family to allow her to go to school.<sup>62</sup> Overall, surveys indicate that Vietnamese parents have educational aspirations for girls,<sup>63</sup> but when it comes to making difficult decisions on who gets to go to school, these choices are influenced by entrenched cultural attitudes that education is more important for boys than girls.<sup>64</sup> As a result, the female dropout rate in Vietnam is high.

On the whole, the South Korean government seems to have taken a more active interest in promoting gender parity in education. Women attain higher education at increasing rates – although fewer than one in ten women entered college in 1981, that number has risen to six in ten as of 2006. Since 2000, the government has continued to legislate to improve women's educational representation both as students and professors. A notable example includes the 2002 Act on Support for Women in Science and Technology, enacted in response to the clustering of female students in social sciences and education fields.<sup>65</sup> In 2003, the government introduced employment targets for female professors at national universities and provided a legal framework for affirmative action to employ women professors.<sup>66</sup>

Overall, both countries have established a legal basis for the equal education of women. However, the governments have placed differing priorities on supporting these rights. In Vietnam, lax enforcement of compulsory education

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<sup>57</sup> Asian Development Bank, 2002.

<sup>58</sup> CEDAW/C/KOR/5.

<sup>59</sup> United Nations, 2002, “Addendum to the Second Periodic Report,” *International Covenant on Civil and Political Rights*, CCPR/C/VNM/2001/2/Add.1.

<sup>60</sup> Asian Development Bank, 2002.

<sup>61</sup> Ibid.

<sup>62</sup> Ibid.

<sup>63</sup> World Bank, 2012, *World Development Report 2012: Gender Equality and Development*. <http://go.worldbank.org/COCTMSFI40>.

<sup>64</sup> World Values Survey, 1999-2004, Wave 4, OFFICIAL AGGREGATE v.20140429. World Values Survey Association ([www.worldvaluessurvey.org](http://www.worldvaluessurvey.org)). Aggregate File Producer: Asep/JDS, Madrid SPAIN

<sup>65</sup> CEDAW/C/KOR/6.

<sup>66</sup> Ibid.

allows educational disparities to persist. Vietnamese legislation shows little, if any, attention to this issue. In South Korea, however, policymakers devote continuous and vigorous attention to improving educational opportunities for women. The results are reflected in women's educational achievements, with predictable ripple effects in other areas of society.

**Female Employment.** In both countries, there are now no legal restrictions on the employment of women or the industries and hours they can work. Both countries have also enacted legislation tailored to the needs of working women, addressing maternity leave and family leave.<sup>67</sup> On paper, these rights seem like positive steps, but women still log many more hours of unpaid labor than men in both countries,<sup>68</sup> and still experience significant pay gaps in both countries. Knowledge and skills have a direct bearing on earning ability, of course – for example, women's capacity as agricultural workers is affected by their relative lack of certification and skills – but also by these pervasive stereotypes. For example, in Vietnam, the pay gap has been steadily decreasing since 1992,<sup>69</sup> but continues to exist in part because of women's lower levels of qualification as well as their inability to hold several positions simultaneously or log overtime because of family responsibilities.<sup>70</sup>

The effects of patrilineal inheritance practices also continue to harm women in both countries, even though such practices are being rolled back in South Korea. For example, lack of landownership in both countries is an important factor in wage disparities for female agricultural workers. In Vietnam, women farmers earn only 73% of male farmers,<sup>71</sup> although the wage gap overall is declining—according to the 2012 Labor Survey, men's monthly wages were 1.1 times that of women's, yielding a pay gap of 10.4%<sup>72</sup>. In South Korea, women are responsible for half of the country's agricultural production but they own only 26 percent of the country's farms.<sup>73</sup> Their average hourly wage is 68.8% that of men's.<sup>74</sup> Agricultural workers in both countries also often fall outside of the labor protections they might claim under urban employment.

One particularly notable divergence, however, is the two countries' differing retirement laws. In South Korea, the age of retirement for both men and women is 60.<sup>75</sup> In Vietnam, however, the age for men is 60, whereas women have mandatory

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<sup>67</sup> CEDAW/C/VNM/3-4; CEDAW/C/KOR/6

<sup>68</sup> CEDAW/C/VNM/5-6; Asian Development Bank, 2002; Economist, 26 November 2011, "Female labour markets: The cashier and the carpenter," *Economist.com*, at <http://www.economist.com/node/21539932>

<sup>69</sup> CEDAW/C/VNM/3-4

<sup>70</sup> Asian Development Bank, 2002

<sup>71</sup> CEDAW/C/VNM/5-6

<sup>72</sup> GSO (General Statistics Office, Vietnam), Report on Labour Force Survey, 2012. Hanoi: Statistical Publishing House, 2013.

<sup>73</sup> CEDAW, Consideration of reports submitted by States parties under article 18 of the Convention on the Elimination of All Forms of Discrimination against Women, Seventh periodic reports of States parties, Republic of Korea, 9 November 2010, CEDAW/C/KOR/7, ¶132.

<sup>74</sup> CEDAW, CEDAW/C/KOR/7, ¶90.

<sup>75</sup> CEDAW/C/KOR/6.

retirement at 55.<sup>76</sup> Ostensibly, this was done to give women more time to rest and fulfill their traditional obligations as caretakers. This impacts pension, of course – women’s pension is only 67% of their salary while a man’s pension is 71.43%.<sup>77</sup> But it also places women at a severe disadvantage for advancing within a career and women’s ability to independently secure an economic future. Moreover, it reinforces the notion that, for women, a career is always a secondary role.

Participation in Government. In terms of governance, both countries show a track record of improvement. The percentage of parliament seats held by women in South Korea has steadily increased, from 5.86% in 2000 to 15.7% in 2014.<sup>78</sup> South Korea has taken steps to improve this number by introducing a 50% quota in 2004 for women’s participation on political parties’ proportional representation lists<sup>79</sup>– an improvement over the 2000 quota of 30%.<sup>80</sup> In Vietnam, women’s parliamentary representation has held relatively steady between 24-26%.<sup>81</sup>

At the same time, Vietnam lacks a ministry of cabinet level specifically set aside for women’s issues, whereas South Korea has had a Ministry of Gender Equality and Family since 1998. South Korea has also established a Women’s Policy Coordination committee under the Prime Minister’s office to effectively promote gender equality policies.<sup>82</sup> This difference could account for South Korea’s somewhat better record of government attention to gender issues.

In sum, then, while laws on the book in Vietnam and South Korea both appear to support gender equality, in practice there is a noticeable divergence between the two countries. We turn now to a more focused and in-depth process-tracing of change over time in the SRBs of the two nations.

### **The Tale of South Korea**

*“One son is worth 10 daughters.” (traditional saying)*

*“One daughter raised well is worth 10 sons.” (Korean government media campaign, 1978)*

By 1990, South Korea’s SRB had climbed from a normal ratio just ten years earlier to an astonishing 116.5.<sup>83</sup> By 2007, it was back down to 106.2, well within the normal range. A 2010 survey reflects the startling change in preference for sons. 38% of expectant Korean mothers wanted a daughter, compared to 31 percent who

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<sup>76</sup> CEDAW/C/VNM/3-4.

<sup>77</sup> Ibid.

<sup>78</sup> United Nations, 2000, *WomenWatch*, <http://www.un.org/womenwatch/>; Save the Children, 2014, *State of the World’s Mothers 2014*, at [http://www.savethechildren.org/atf/cf/%7B9def2ebe-10ae-432c-9bd0-df91d2eba74a%7D/SOWM\\_2014.PDF](http://www.savethechildren.org/atf/cf/%7B9def2ebe-10ae-432c-9bd0-df91d2eba74a%7D/SOWM_2014.PDF).

<sup>79</sup> CEDAW/C/KOR/6

<sup>80</sup> CEDAW/C/KOR/5

<sup>81</sup> World Bank, 2000, “Proportion of seats held by women in national parliaments,” *Indicators*, at <http://data.worldbank.org/indicator/SG.GEN.PARL.ZS>; Government of Vietnam, <http://www.chinhphu.vn/portal/page/portal/English>.

<sup>82</sup> CEDAW/C/KOR/6.

<sup>83</sup> Source: KOSIS, Korea Statistical Database: Live Births by Age Group of Mother, Sex and Birth Order, 1981-2013, [kosis.kr](http://kosis.kr).

wanted a son.<sup>84</sup> One South Korean woman with three sons summed up the change in this manner: “When I tell people I have three sons and no daughter, they say they are sorry for my misfortune . . . Within a generation, I have turned from the luckiest woman possible to a pitiful mother.”<sup>85</sup> And indeed, the change arguably came within *less* than a generation. South Korea enjoys the distinction of being the only nation that has successfully normalized extremely skewed sex ratios at birth. Policymakers and scholars look to South Korea for clues concerning how to cope with abnormal sex ratios in other countries. Chung Woo-jin, a professor at Yonsei University in Seoul, is quoted as saying, “China and India are closely studying South Korea as a trendsetter in Asia. They are curious whether the same social and economic changes can occur in their countries as fast as they did in South Korea’s relatively small and densely populated society.”<sup>86</sup> The tale of South Korea’s SRBs is thus well worth telling in detail.

Many observers attribute the demise of South Korean son preference to economic development. But South Korea was getting rich while its SRB was getting worse: from 1970 to 2000, GDP per capita in South Korea increased exponentially from USD 299 to USD 22588.<sup>87</sup> In 1980, the SRB was 107, rising to 109.4 in 1985, peaking at 116.5 in 1990, dropping to 110.2 in 2000, and then declining to a normal ratio (106.2) by 2007.<sup>88</sup> It is only in the first years of the twenty-first century that South Korea’s SRB began to revert. The case of South Korea shows us that son preference clearly does not decline with a rise in per capita income—even a sustained and significant rise over three decades as seen in South Korea (or in China, or in India). To understand the reversion, we must move beyond wealth as an explanatory variable.

Son preference and sex selection in Korea has a long history. In his 1936 study of birth sex ratios throughout different parts of the globe, Russell found that the sex ratio of the 5.3 million registered births in Korea between 1921 and 1929 was 113.1.<sup>89</sup> This abnormally high sex ratio was likely due to under-registration of female births, but it may also reflect neglect of daughters in a culture that highly favoured sons. A desire for at least two sons meant that most Koreans had large families, but the introduction of a nation-wide fertility policy meant that son preference would become more obvious as family sizes dwindled. In 1961, concerned that the high fertility rate would impede development, the Korean government adopted a National Family Planning Program that promoted small families (ideally three children), offering economic incentives to women to use contraceptives to prevent unwanted pregnancies. In the 1970s, the Korea Institute

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<sup>84</sup> William E. Hudson, 2012, *Global Issues: Selections from CQ Researcher*, CQ Press.

<sup>85</sup> Sang-Hun, “South Koreans Rethink Preference for Sons.”

<sup>86</sup> Ibid. . See also The Hindu, 24 December 2013. “Flawed Preference.” *Opinion/Editorial*. At <http://www.thehindu.com/opinion/editorial/flawed-preference/article5494314.ece>.

<sup>87</sup> United Nations Statistics Division “Per Capita GDP at Current Prices.” *Data*. At <https://data.un.org/Data.aspx?d=SNAAMA&f=grID%3A101%3BcurrID%3AUSD%3BpcFlag%3A1>.

<sup>88</sup> Ho Sik Min, 2007, “Son Preference and Fertility in China, South Korea, and the United States,” Ph.D. Dissertation Texas A&M University, at <http://repository.tamu.edu/bitstream/handle/1969.1/ETD-TAMU-1379/MIN-DISSERTATION.pdf?sequence=1>

<sup>89</sup> W.T. Russell, “Statistical Study of the Sex Ratio at Birth,” *Journal of Hygiene* 36, no. 3 (1936), p. 389.

of Health and Social Affairs, along with the Planned Parenthood Federation of Korea, promoted a two-child norm and by 1983 the fertility rate had dropped from 6.0 (1960s) to the below replacement level of 2.06.<sup>90</sup> In promoting two children as the ideal family size in 1970, the state attempted to reinforce the idea that sons and daughters were both desirable, as reflected in the slogan “Daughter or Son, Stop at Two and Raise Well”.<sup>91</sup> Despite government attempts to equate the value of sons with daughters, having a son was seen as so vital that 50% of women (68% of rural women) surveyed in 1971 indicated that failure to have a son was a sufficient reason for a husband to have a child with another woman.<sup>92</sup>

At first glance, the promotion of the two-child norm in South Korea did not seem to affect the overall birth sex ratio. The 1974 Korean National Fertility survey, which included data on over 18,000 live births, recorded an SRB of 106.5, but when disaggregated by family size, this normal sex ratio reveals a surprising relationship between the overall number of children and the sex ratio of offspring: the sex ratio for families with three or less children was 126.4 compared to a sex ratio of 99.3 for families with four or more children.<sup>93</sup> As Park demonstrates in his analysis of the survey, the sex distribution and number of offspring depends greatly on the sex of the first and second born children—if the first two children are girls, families will continue to have more children, whereas if the first two children are boys, families are more likely to stop having children, thus smaller sized families are skewed in favor of male births overall.<sup>94</sup> Fertility surveys suggested that in the 1970s, the ideal composition of offspring was two sons and one daughter.<sup>95</sup> There is also evidence of daughter discrimination resulting in higher than expected mortality rates for female infants and children the 1960s and 1970s: mortality statistics from 1960-1979 demonstrate that female children died at a higher rate than males, with almost twice as many females dying as male children aged 1-4 in the period from 1978-1979.<sup>96</sup>

The first slightly above normal national birth sex ratio recorded in South Korean censuses occurred in 1975, when a birth sex ratio of 108.1 was reported, which was much higher than the 106.5 reported in the 1970 census.<sup>97</sup> Annual birth statistics reveal near normal birth sex ratios until 1984, when the sex ratio reached 108.7 and continued to climb each year thereafter. Family planning programs throughout the 1980s and early 1990s promoted even smaller families using the slogan “Even two children for a family is too many for over-crowded Korea,” and it

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<sup>90</sup> Sam-Sik Lee, “Low fertility and policy responses in Korea,” *The Japanese Journal of Population* 7, no. 1 (2009), p. 57.

<sup>91</sup> Jae-Mo Yang, “Family Planning Program in Korea,” *Yonsei Medical Journal* 18, no. 1 (1977): 64-74, p. 68.

<sup>92</sup> Yang, “Family Planning Program in Korea,” p. 72.

<sup>93</sup> Chai Bin Park, “Preference for Sons, Family Size, and Sex Ratio: An Empirical Study in Korea,” *Demography* 20, no. 3 (1983): 336.

<sup>94</sup> Park, “Preference for Sons,” pp. 338-340.

<sup>95</sup> Park, “Preference for Sons,” p. 340.

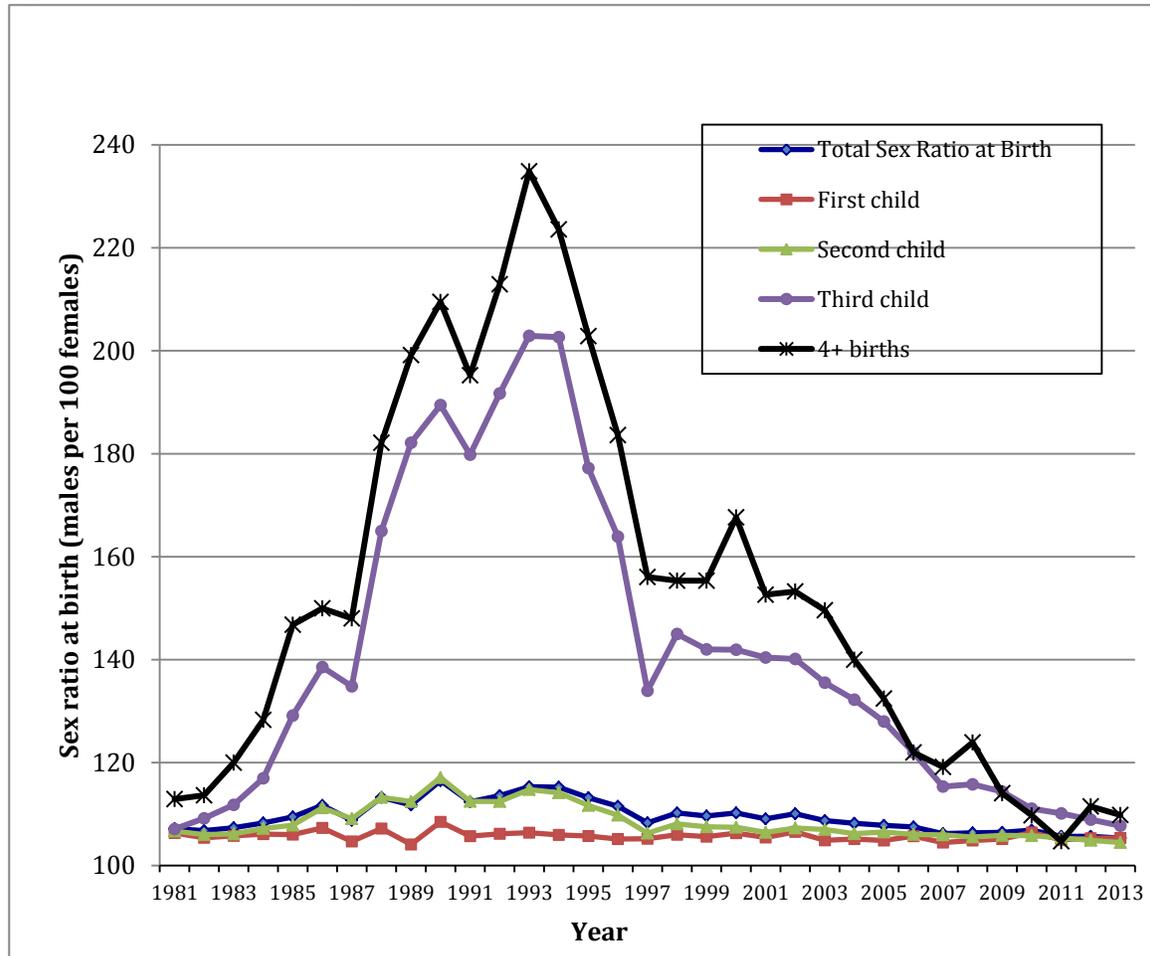
<sup>96</sup> The ratio of male/female deaths was 0.53 during that period. See Daniel Goodkind, “On Substituting Sex Preference Strategies in East Asia: Does Prenatal Sex Selection Reduce Postnatal Discrimination?” *Population and Development Review* 22, no. 1 (1996), p. 117.

<sup>97</sup> Park, “Preference for Sons,” p. 350. The age 0 sex ratio in 1966 was slightly high at 107.5, but the birth sex ratios for 1955 and 1960 were below 106.

is during this period that the sex ratio rose to its peak of 116.5 in 1990.<sup>98</sup> The ratio of male to female infant and child deaths was at, or near, normal levels by 1990, suggesting that parents were substituting prenatal sex determination for previous practices of daughter discrimination that resulted in higher mortality for female infants and children.

As suggested above, Korea's national birth sex ratio hides variation according to birth order. As Figure 2 demonstrates, parents do manipulate the sex of higher parity births in order to achieve their desired family composition.

**Figure 2: Sex Ratio at Birth by Birth Order, 1981-2013, South Korea**

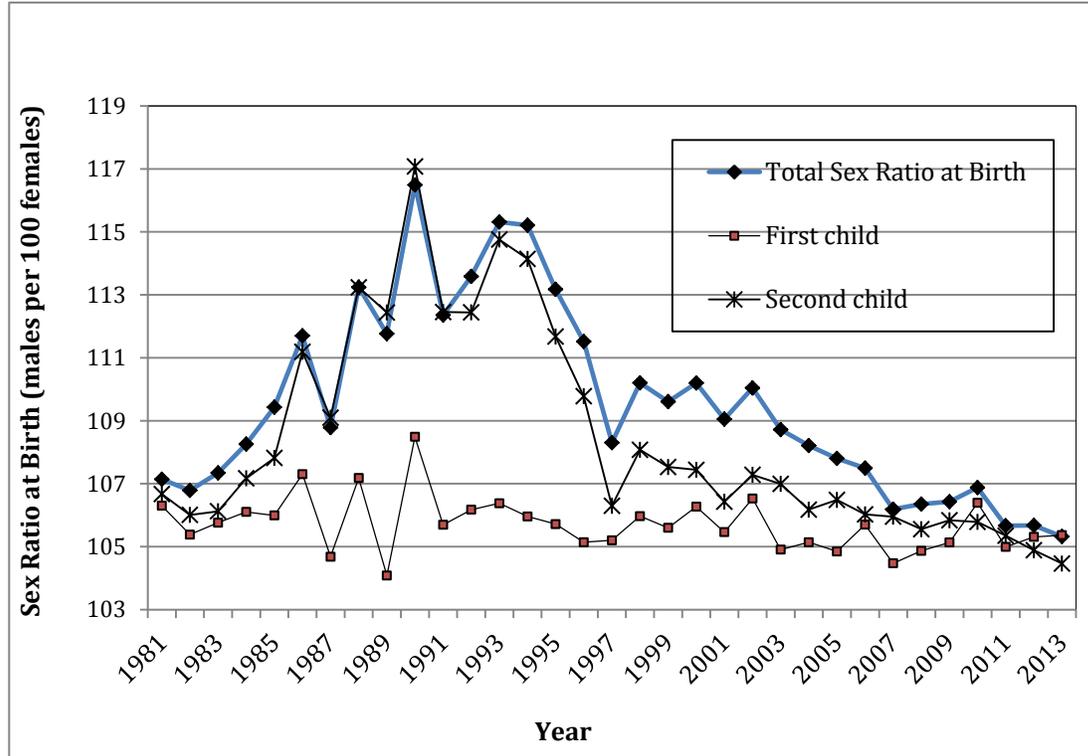


Source: KOSIS, Korea Statistical Database: Live Births by Age Group of Mother, Sex and Birth Order, 1981-2013, kosis.kr.

A closer look at the sex ratios for the first two births demonstrates that there are also considerable differences between the sex ratios at first and second birth orders, as shown in Figure 3.

<sup>98</sup> Korea: KOSIS, Korea Statistical Database: Live Births by Age Group of Mother, Sex and Birth Order, 1981-2013.

**Figure 3: Sex Ratio at Birth for Total, First and Second Births, 1981-2013, Korea**



Source: KOSIS, Korea Statistical Database: Live Births by Age Group of Mother, Sex and Birth Order, 1981-2013, kosis.kr.

With the exception of the births in 1990, the sex ratio for first births was always within or near the normal range, suggesting that parents do not attempt to control the sex of offspring with first births. Second and higher order births, however, are skewed towards sons. First and second births have had normal sex ratios since 2006, but the sex ratio of third and higher order births was still skewed in 2012. The small number of higher order births, however, means that the overall birth sex ratio is not affected.

These national birth sex ratios hide further variations as well. The overall birth sex ratio in Korea is now 105.3 (2013 figure), and national birth sex ratios have been within the expected 104-107 range since 2007. Does this figure mask high birth sex ratios within parts of the country? An examination of the juvenile population from the 2010 census affirms that the sex ratio for the population aged 0-4 is within a normal range for all major cities and all provinces. The higher sex ratio from 2000-2005 manifests itself in the higher than expected sex ratio of 108.0 for the nation and in some cities and provinces: South Eastern provinces of North and South Geyongsang, with the nearby cities of Ulsan and Daegu, all have 5-9 sex ratios between 110 and 111.9.<sup>99</sup> The gender bias in juvenile sex ratios is less pronounced than it was twenty years ago, when the birth sex ratio peaked at 116.5

<sup>99</sup> Korea National Statistics Office, Summary of Census Population (By administrative district/sex/age), 2010, at kosis.kr.

and the average sex ratio for children aged 0-4 was 111.2. The sex ratios of some provinces remained at normal levels as demonstrated by the juvenile sex ratios found in Table 3.

**Table 3: 0-4 Sex Ratio by Administrative Region, South Korea, 1990**

Administrative division	1990 Age 0-4 Sex ratio
Whole country	111.2
Seoul	110.2
Busan	111.6
Daegu	125.2
Incheon	107.4
Gwangju	108.0
Daejeon	115.4
Gyeonggi-do	108.0
Gangwon-do	107.5
Chungcheongbuk-do	111.1
Chungcheongnam-do	109.2
Jeollabuk-do (North Jeolla)	106.6
Jeollanam-do (South Jeolla)	107.5
Gyeongsangbuk-do (North Gyeongsang)	121.7
Gyeongsangnam-do (South Gyeongsang)	115.2
Jeju-do	111.0

Source: KNSO, Summary of Census Population (By administrative district/sex/age), 1990, at kosis.kr.

In 1990, the South Western provinces of North and South Jeolla had 0-4 sex ratios of 106.6 and 107.5, but the neighbouring provinces of North and South Gyeongsang had 0-4 sex ratios of 121.7 and 115.20.<sup>100</sup> Chun and Das Gupta explain that this region in the Southeast is known for its conservative and patriarchal attitudes and has long exhibited stronger son preference than other parts of Korea.<sup>101</sup> The higher sex ratios cannot be explained by a difference in access to ultrasound machines and prenatal sex determination, rather, according to Chun and Das Gupta, the explanation seems to lie in the strength of traditional values associated with Confucianism.<sup>102</sup>

Although few Koreans would refer to themselves as Confucianists (only .22% of the population identified themselves as followers of Confucianism in the 2005 Census),<sup>103</sup> Confucian beliefs are strongest in areas dominated by Buddhists, rather than strongholds of the Protestant and Catholic Churches. According to the 2005 Population Census, 53% of Koreans define themselves as having a religion, and of

<sup>100</sup> Korea National Statistics Office, Summary of Census Population (By administrative district/sex/age), 1990, at kosis.kr.

<sup>101</sup> Heeran Chun, and Monica Das Gupta, "Gender Discrimination in Sex Selective Abortions and its Transition in South Korea," *Women's Studies International Forum*, 32, no. 2 (2009): 89-97.

<sup>102</sup> Chun and Das Gupta, "Gender Discrimination," p. 91.

<sup>103</sup> Korea National Statistics Office, Population by Sex, Age and Religion, 2005, at kosis.kr.

these 55% are Christian (Protestant and Catholic) and 43% are Buddhist.<sup>104</sup> There are some regional variations for the three dominant religions, and given the closer association between Buddhism and Confucianism (with its emphasis on patrilineal emphasis on filial piety and ancestor worship), it is not surprising to observe that Buddhism is most dominant in the southeastern provinces of North and South Gyeongsang (an area that includes the cities of Daegu and Busan) where the birth and juvenile sex ratios are the highest in the nation.

**Table 4: Juvenile Sex Ratios and Religion by Region, Korea, 1995**

	%Buddhist	%Protestant	%Catholic	1990 0-4 SR
Whole country	23.2	19.7	6.6	111.2
Seoul	18.4	26.2	8.7	110.2
Busan	38.2	11.1	4.7	111.6
Daegu	33.2	11.6	6.8	125.2
Incheon	14.6	25.8	9.0	107.4
Gwangju	15.3	21.7	9.1	108.0
Daejeon	23.2	21.1	6.6	115.4
Gyeonggi-do	18.5	23.7	7.7	108.0
Gangwon-do	23.2	16.2	5.1	107.5
Chungcheongbuk-do	23.5	15.2	6.2	111.1
Chungcheongnam-do	19.9	19.1	4.7	109.2
Jeollabuk-do	12.2	26.4	6.0	106.6
Jeollanam-do	13.6	20.4	4.3	107.5
Gyeongsangbuk-do	31.0	12.3	3.9	121.7
Gyeongsangnam-do	36.3	9.1	3.6	115.2
Jeju-do	33.6	8.4	6.2	111.0

Source: (Religions): Korea National Statistics Office, Population by Sex, Age and Religion, 1995, at kosis.kr; 0-4 SR from Korea National Statistics Office, Population by Sex, Age and Religion, 1995, at kosis.kr.

In their regression analyses of the effect of religion and socioeconomic factors on the sex ratio at birth in Korea in 1994 and 2000, Kim and Song found that at a regional level, religion, and not socioeconomic conditions, had a significant effect on the sex ratio at birth. The presence of religion, measured as the number of Protestant churches and Buddhist temples, had an effect on the sex ratio for second and higher order births: the presence of Protestant churches had a negative effect on the sex ratio for second and higher order births whereas the presence of Buddhist temples had a positive effect.<sup>105</sup> Kim and Song suggest that whereas Protestantism is strongly opposed to abortion and ancestor worship, Buddhism has a more ambiguous outlook on abortion and strongly supports ancestor worship,

<sup>104</sup> 23% of the total population is Buddhist, 18% is Protestant, and 11% is Catholic, according to the Census. Korea National Statistics Office, Population by Sex, Age and Religion, 2005, at kosis.kr.

<sup>105</sup> Kim, Doo-Sub, and Yoo-Jean Song, "Does religion matter? A study of regional variations in sex ratio at birth in Korea." In Isabelle Attané and Christophe Z. Guilmoto, eds., *Watering the Neighbour's Garden: The Growing Demographic Female Deficit in Asia*, Paris, 2007, pp. 183-203.

thus making it more likely that Buddhist families would exhibit strong son preference and perhaps be willing to use technology to achieve male offspring.

Are there other factors which might also explain the regional differences observed in these south eastern provinces in Korea? An examination of regional levels of women's economic participation and education yields mixed results. The highest level of women with no education and the highest level of elementary school education only are both found in South Jeolla province (Jeollanam-do), where the sex ratios were not above normal ranges even in 1990, when the rest of the nation exhibited very high sex ratios.<sup>106</sup> North Jeolla is the only province with a lower than average economic participation rate for women, and the sex ratios here were also not above normal range. The South Korean case makes plain that neither women's education nor employment seems to have a significant effect on the sex ratio.<sup>107</sup>

Whatever the ultimate cause of son preference, the rise in birth sex ratios can be attributed to the widespread practice of induced abortion. While abortion is illegal in South Korea except in limited cases, we have already noted that the abortion rate is quite high and there appears to be no enforcement of the ban. However, in sketching the timeline of important developments, one is the South Korean government's early prohibition of prenatal sex identification, which was banned in 1987 (the birth sex ratio had reached 112.3 in 1986) and effected in 1988.<sup>108</sup> While lax on abortion law, the government did attempt to enforce the 1988 ban: in 1991, the licenses of eight physicians were suspended for performing sex identification with subsequent abortion.<sup>109</sup> The government strengthened the law in 1994, applying further pressure on the medical community to ban the use of ultrasound machines or other technologies used to determine the sex of a fetus. Medical professionals risked fines, imprisonment, and even loss of their medical license for performing prenatal sex determination.<sup>110</sup>

Kim explains that prenatal screening technologies became widely available in urban and rural areas in South Korea in the mid-1980s; despite the penalties for violating the law against sex determination and sex selective abortions, South

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<sup>106</sup> The 0-4 sex ratio in 1990 for North Jeolla was 106.6, which is within the normal range. KNSO, Korea National Statistical Office, Population by Sex, Age, Marital Status and Educational Attainment (15 years old and over), 2010, <http://kostat.ko.kr>.

<sup>107</sup> The type of women's employment could have an effect (i.e. manual labor vs. professional employment), but this information was not available by region. KNSO, Economically active population by gender, age group and educational attainment, 2010, at [http://kosis.kr/statHtml/statHtml.do?orgId=101&tblId=DT\\_1ES2B03&language=en&conn\\_path=I3](http://kosis.kr/statHtml/statHtml.do?orgId=101&tblId=DT_1ES2B03&language=en&conn_path=I3).

<sup>108</sup> In-Soo Nam, 1 July 2013, "South Korean Women Get Even, At Least in Number," *Wall Street Journal*, at <http://blogs.wsj.com/korearealtime/2013/07/01/south-korean-females-get-even-at-least-in-number/>. It should be noted that in 2009, the ban was eased so that after 32 weeks, prenatal sex identification is permitted.

<sup>109</sup> Kate Gilles and Charlotte Feldman-Jacobs, 2012, "When Technology and Tradition Collide: From Gender Bias to Sex Selection," *Population Reference Bureau Policy Brief*, at <http://www.prb.org/pdf12/gender-bias-sex-selection.pdf>, Box 2.

<sup>110</sup> Bela Ganatra, "Maintaining access to safe abortion and reducing sex ratio imbalances in Asia," *Reproductive Health Matters* 16, no. 31 (2008): 90-98.

Koreans continue to select for sons.<sup>111</sup> The 1991 National Fertility and Family Health Survey found that women had a very permissive attitude towards induced abortion and reported that 32% of women approved of aborting a fetus because of its sex.<sup>112</sup> Given that the sex ratio at birth remained at high levels until 2006-2007, it would seem that the fetal sex identification ban did not have a significant effect on the behavior of expectant mothers, though we cannot say if it had an effect on the willingness of physicians to identify fetal sex. (Fetal sex identification was widely available outside of physician's formal offices.)

But something even more momentous happened after the ban on physician fetal sex identification was put in place. In 1989 (and effected beginning in 1991), the first wave of revision to Korean family law began, stemming from lawsuits invoking the Korean Constitution's provision that "Marriage and family life shall be entered into and sustained on the basis of individual dignity and equality of the sexes, and the State shall do everything in its power to achieve that goal."<sup>113</sup> Before this change, as we noted in the introductory section, South Korea's family law revolved around its traditional patrilineal clans (*hoju*) and their interests. Women were not considered full members with equal rights in their birth clan (and they are removed from their birth family's clan register upon marriage), and they were not considered members of their husband's clan at all. Furthermore, the husband could determine unilaterally where the married couple would live, ensuring patrilocal residence could be practiced. In a sense, then, women were "homeless." As is typical in patrilineal societies, resources were kept fairly strictly within the male line. In 1977, women were granted their first rights of inheritance, but they were still fairly unequal in nature. Daughters only received 25% of the inheritance that their brothers received, fathers had complete child custody rights in divorce, and division of assets after divorce was highly unequal favoring men. The revisions that came in 1991 were therefore stunning: the law asserted that a married couple's domicile had to be decided jointly; it provided that the wife's name would be entered into her husband's family register (*hojeok*; and his could be entered into her family's if he so chose); there would no longer be an automatic paternal right to child custody; and the inheritance shares of daughters and sons would be equal.

While the 1991 revisions struck at the taproot of patrilineality, it is also true that Korean scholars have determined that it took several years for people, especially in rural areas, to become aware that the law had changed. A study in 1994 found continued ignorance, even among women.<sup>114</sup> But the changes kept

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<sup>111</sup> In 1990, for example, there were an estimated 422,000 abortions, which means that 40% of all pregnancies that year were terminated by abortion. See Doo-Sub Kim, 2004, "Le déficit de filles en Corée du Sud : évolution, niveaux et variations régionales," *Population*, 59, no. 6: 983-997.

<sup>112</sup> Choe, Minja Kim, and Kyung Ae Park. "Fertility decline in South Korea: Forty years of policy-behavior dialogue," *Korea Journal of Population Studies* 29, no. 2 (2006): 1-26.

<sup>113</sup> Article 36(1); See also Mi-Kyung Cho, "Recent Reform of Korean Family Law," Conference Paper, Ajou University, Korea, at <http://www.law2.byu.edu/isfl/saltlakeconference/papers/isflpdfs/CHO.pdf>.

<sup>114</sup> Rosa Kim, 1994, "The Legacy of Institutionalized Gender Inequality in South Korea: The Family Law," *Boston College Third World Law Journal* 14(1), at <http://lawdigitalcommons.bc.edu/cgi/viewcontent.cgi?article=1269&context=twlj>.

coming. In 1998, Korean courts for the first time ruled that a child could acquire Korean nationality through its maternal line. Previously, only the paternal line could bestow citizenship rights.<sup>115</sup>

The coup de grace against patrilineality, however, occurred with another revision of the family law code in 2005 (effected in 2008). The Constitutional Court in Korea declared that the *hoju* system itself was unconstitutional because it violated the constitutional right to gender equality. In its place would be a new system of family registration, instead of the *hojeok*. Every family member would now have his or her own individual record book. In addition, children could use the mother's surname if both parents agreed, and take the surname of a stepfather even without agreement of the biological father. Children of unmarried mothers would be permitted to have their mother's surname. Stepchildren and adopted children would now have full legal and inheritance rights.

As patrilineality was significantly undermined, so, too, was patrilocality. And as patrilocality is undermined, the expectation that one's son(s) will provide old-age support withers, as well. As Korean scholar Sung Yong Lee explains "Since sons and daughters inherit equally [now], parents cannot expect their sons and not their daughters to support them. But since they [still] do not expect their daughters to support them, they now do not expect either their sons or daughters to support them."<sup>116</sup> Several key changes have been taking place simultaneously within Korea— attitudes regarding the responsibility for caring for the elderly have been changing rapidly as the role of sons in caring for his parents is replaced by the state and by the elderly themselves, and the tradition of the multi-generation household has given way to the nuclear household. In 1980, 80% of the elderly lived with one of their children, but this has decreased significantly over the years.<sup>117</sup> In 1990, 49.6% of those aged 65 and over were living in households with more than three generations, dropping to 30.8% in 2000.<sup>118</sup> In rural areas, where multi-generational households were once common, a 2012 survey recorded that only 20.9% lived with their offspring.<sup>119</sup> The decline in the multigenerational household has been offset by investment in child care centres, making it possible for women to work after childbirth, even in the absence of grandparents to look after the grandchildren. In 1991, the government promulgated the Child Care Act, aimed at increasing the provision of early childhood education and care, making it easier for women to continue working after childbirth. As a result of increased financial support for early

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<sup>115</sup> Pil-what Chang and Eun-shil Kim, 2005, *Women's Experiences and Feminist Practices in South Korea*, Ewha Womans University Press.

<sup>116</sup> Sung Yong Lee, 2013, "How did Son-Preference Disappear in Korea? Based on the Perspective of the Value of Children," *Paper presented at The Sociology of Population Side Meeting Program*, Busan, South Korea.

<sup>117</sup> Erin Hye-Won Kim, and Philip J. Cook, "The continuing importance of children in relieving elder poverty: evidence from Korea," *Ageing and Society* 31, no. 06 (2011): 953-976.

<sup>118</sup> Statistics Korea, *2005 Statistics on the Aged*, 21 October 2005, at [www.kostat.go.kr](http://www.kostat.go.kr).

<sup>119</sup> Statistics Korea, *2012 Statistics on the Aged*, 27 September 2012, at [www.kostat.go.kr](http://www.kostat.go.kr).

childhood education, the number of childcare centres increased from 1919 in 1990 to 29,823 in 2007.<sup>120</sup>

Urbanisation has also contributed to rapidly changing attitudes towards caring for elderly parents, both from the perspective of the children and from the parents. As Chung and Das Gupta note, the fact that Korea is now predominantly urban (80%) has changed traditional patrilineal and patrilocal practices. Daughters no longer marry exogamously and are just as likely as sons to live near their parents and contribute to their economic support, thus weakening the pattern of eldest sons caring for their parents and reducing the gap between the value of daughters and sons.<sup>121</sup> Urban assets are also transferred more easily to both sons and daughters than rural land, which further affects the valuation of daughters. Urban life also makes it possible for the elderly to work longer and save for their retirement through pensions. In 2006, 67% of those aged 65 and over believed that it was the responsibility of family members to take care of the elderly, but that figure had dropped to 38% in 2010—the majority of elderly parents are now working to higher ages and have plans in place to ensure their economic well being after retirement.<sup>122</sup> According to a 2014 nationwide Social Survey, 50.2% of elderly parents are now supporting themselves and only 10.1% are supported by the eldest son (in comparison with 46.3% self-support and 22.7% eldest son support in 2002).<sup>123</sup> A further change concerns the growth of the care for the elderly as a new economic initiative within the public and private sector. The Korean government has been investing in long-term care facilities for the elderly since 2003. At that time, there were only 230 nursing homes (16,455 beds), but by 2008 the number of nursing homes had quadrupled.<sup>124</sup> Within a generation, the mode of family life has drastically changed within South Korea.

This undermining of parental expectation that sons would support them could not have taken place without the concomitant decision of the South Korean government to provide old-age insurance. Whether they have done so meaningfully is another question, however, as we previously noted, and is a source of continuing tensions within South Korean society. The law denies public pension funds to people whose children are considered capable of supporting them. In 2013, only 37.6% of the elderly population received a state pension.<sup>125</sup> Increasing poverty and suicide rates among the elderly have become a grave concern.<sup>126</sup>

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<sup>120</sup> Ito Peng, "The good, the bad and the confusing: the political economy of social care expansion in South Korea," *Development and Change* 42, no. 4 (2011): 912.

<sup>121</sup> Chung, Woojin, and Monica Das Gupta. "The decline of son preference in South Korea: The roles of development and public policy," *Population and Development Review* 33, no. 4 (2007): 757-783.

<sup>122</sup> Statistics Korea, *2011 Statistics on the Aged*, 29 September 2011, at [www.kostat.go.kr](http://www.kostat.go.kr).

<sup>123</sup> Statistics Korea, *Summary Results of 2014 Social Survey*, 27 November 2014; 2002 statistics are recorded in the *2008 Social Survey (Health and Family)*, 9 December 2008, at [www.kostat.go.kr](http://www.kostat.go.kr).

<sup>124</sup> Jin Wook Kim and Young Jun Choi, "Farewell to old legacies? The introduction of long-term care insurance in South Korea," *Ageing and Society* 33, no. 05 (2013), p. 878.

<sup>125</sup> South Korea, *Statistics on the Aged 2014*, 29 September 2014, at [www.kostat.go.kr](http://www.kostat.go.kr).

<sup>126</sup> Sang-Hun, "As Families Change."

The pension system of South Korea deserves further explication.<sup>127</sup> In 1960, civil servants gained a pension system, and in 1963 military pensions were separated out from these. In 1975, primary school teachers gained a pension, as well. It was not until 1988 that a national pension scheme was put into place, in principle covering the majority of the labor force. At first it covered only companies with at least 10 employees, then in 1992 was extended to those with only 5 employees. However, in 1994, an individual pension was introduced, allowing rural residents to be included individually in 1995, and then in 1999, urban workers were folded in, as well. There were further extensions in 2005, but the major change came in 2007, when a “national basic livelihood security scheme” for those in poverty and a “Basic Old Age Pension” for the elderly were created. The Basic Old Age Pension is, however, means-tested—not only one’s own means, but the means of one’s children factor into the provision of this pension, as we have seen. The IMF notes that while pensions cover over 82% of the 65-and-older population in 2011, the poverty rate of the elderly in 2008 was 45.1%, highest among all the OECD countries. The percent of income support received by the elderly as transfers was 54.8% in 1990, dropping to 44.7% in 2008.

Another interesting factor in the South Korean case is what has not changed in terms of gendered expectations. More specifically, Korean scholar Sung Yong Lee notes that the marriage cost for a groom’s family is still three times that incurred by the bride’s family, since the groom’s is supposed to procure housing for the new couple. This is clearly a legacy of patrilocality, but the custom is no longer supported by the rest of the patrilineal social structure that made such a large investment rational. Indeed, Sung Yong Lee argues that the normalization of South Korea’s sex ratios did not come about because the value of daughters has increased in that nation. Rather, he argues that it is explicitly the value of *sons* that has decreased so dramatically in the course of a very few years. Not only is it the case that one can no longer expect a son to provide for a parent in their old age, but at the same time, parents are currently still required by custom to expend much more money to assure a son’s place in life.<sup>128</sup>

In sum, we see several critical factors at work in the South Korean case:

- enforcement of a ban on physician-provided prenatal sex identification, despite abortion being easily available
- an effective legal attack on patrilineality, dismantling its core structures, including those buttressing patrilocality
- the provision of some form of old-age insurance to the bulk of the population, providing a substitute for the need to have a son to provide elder support
- the absence of fertility control policies, even though TFR dropped significantly during the same time period
- urbanization and the decline of rural land as inheritance has also changed the relative values of sons and daughters as parents are able to transfer goods to and receive goods from both sexes on an equal basis. Without a greater male

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<sup>127</sup> The material in this paragraph draws upon Seong Sook Kim, 2013, “Pension Reform Options in Korea,” *IMF.org*, [https://www.imf.org/external/np/seminars/eng/2013/oapfad/pdf/kim\\_ppr.pdf](https://www.imf.org/external/np/seminars/eng/2013/oapfad/pdf/kim_ppr.pdf)

<sup>128</sup> Sung Yong Lee, “How did Son-Preference Disappear in Korea?” 2013.

right to inheritance, parents no longer expect sons and not daughters to support them in old age.

The case of South Korea is an important one, for as Goodkind stated in 1999, “South Korea is well noted for having the strongest son preference in the world.” If it is possible for South Korea to revert to normal SRBs, it may be possible in other countries, as well. We will take up that discussion in the concluding section of the paper.

### **The Tale of Vietnam**

*“With one son you have a descendant, with 10 daughters you have nothing.”*  
(Traditional Vietnamese saying)<sup>129</sup>

Vietnam’s tale is quite different from that of South Korea. Given that it shares the same foundation of strong son preference (particularly in the north) with South Korea, the first half of the Vietnamese puzzle is why it took so long for son preference to turn into enactment. As Guilmoto *et al* note, Vietnam had a patriarchal system, staunch son preference, trends of demographic and economic modernization, strong family planning regulations and easy access to abortion, all in the context of a fairly homogeneous society.<sup>130</sup> And yet it was not until 2002 that the SRBs of Vietnam began to become abnormal—precisely the time period when South Korea’s SRBs were strongly reverting to normal. The second puzzle of Vietnam is that the velocity with which the SRBs of Vietnam have become abnormal is arguably greater than any other country has yet experienced. There is scant literature addressing either of these two Vietnamese sex ratio puzzles. Some historical process-tracing will be helpful in understanding Vietnam’s unusual trajectory.

When the socialist state of Vietnam was established in 1954, the government introduced laws to transform gender relations through a new legal, economic, and political system.<sup>131</sup> Indeed, some suggest, “Vietnam is something of a regional leader when it comes to gender equality.”<sup>132</sup> Despite positive changes to marriage practices (e.g., banning polygamy and encouraging later marriages), improved health and education for women, and enhanced employment opportunities for women, nevertheless gender disparities remained and the desire for sons continued strong in this predominantly rural state. (Interestingly, during the late 1980s and early 1990s, there was actually a dearth of young men of marriageable age due to the

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<sup>129</sup> Thanh Nien News, 6 August 2010, “The Boy Boom,” *TN.News*, at <http://www.thanhniennews.com/society/the-boy-boom-15416.html>.

<sup>130</sup> Guilmoto, Christophe Z., Xuyên Hoàng, and Toan Ngo Van, “Recent increase in sex ratio at birth in Viet Nam,” *PLoS One* 4, no. 2 (2009): e4624.

<sup>131</sup> Danièle Bélanger, “Son preference in a rural village in North Vietnam.” *Studies in Family Planning* 33, no. 4 (2002): 322.

<sup>132</sup> Helen Clark, 2012, “Vietnam: Sex Selection Skews Sex Ratio,” *IPS*, at <http://www.ips.org/mdg3/vietnam-sex-selection-skews-sex-ratio/>.

legacy of the Vietnam War and outmigration, with 86 marriage-age men per 100 marriage-age women recorded in 1989, and 93:100 in 1999.<sup>133</sup>)

In addition, the Vietnamese government's policies of renovation (*doi moi*) in the mid-1980s to transform the state planned economy into a market economy also had detrimental effects on women through job losses and through the reinforcement of the relationship between land and kinship through the transfer of land to families following de-collectivization.<sup>134</sup> It is worth remembering from Table 1 that 68.3% of Vietnam's population is classified as rural.

Vietnam became a party to the UN women's rights convention (CEDAW) in 1980 and has made some progress towards reducing discrimination against women. For example, the census of 2009 reports higher levels of enrollment for girls versus boys at the secondary and tertiary levels.<sup>135</sup> Nonetheless, as the state comments in its 2013 report to the CEDAW Committee, "the concept of 'discrimination against women' in specific areas of social life has not been inclusively applied in specific areas of social life and not been fully applied in the making and enforcement of law to ensure the implementation of this concept in reality."<sup>136</sup>

Despite efforts to improve gender equality in the state, son preference remains strong throughout most of the country, especially in the north where the original Kinh migrants first settled.<sup>137</sup> The need to have a son is linked to the

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<sup>133</sup> Nobuko Mizoguchi, 2010, "The Consequences of the Vietnam War on the Vietnamese Population," Ph.D Dissertation University of California Berkely, at <https://escholarship.org/uc/item/0sh7j7s9#page-3>

<sup>134</sup> Bélanger, "Son preference in a rural village," p. 323.

<sup>135</sup> Daniele Belanger, Thi Ngoc Lan Nguyen, and Thi Thuy Oanh Nguyen, 2012, "Closing the Gender Gap in Vietnam: An Analysis Based on the Vietnam Censuses," *Observatoire démographique et statistique de l'espace francophone*, at [https://www.odsef.fss.ulaval.ca/sites/odsef.fss.ulaval.ca/files/odsef\\_english\\_version.pdf](https://www.odsef.fss.ulaval.ca/sites/odsef.fss.ulaval.ca/files/odsef_english_version.pdf)

<sup>136</sup> CEDAW, Consideration of reports submitted by States parties under article 18 of the Convention on the Elimination of All Forms of Discrimination against Women, Seventh and Eighth Periodic Report of State Parties Due in 2011: Viet Nam, CEDAW/C/VNM/7-8, 13 December 2014, ¶ 23.

<sup>137</sup> The Kinh comprise about 89% of the nation's population (see See United Nations Population Fund, 2009, *Factsheet on Ethnic Groups in Viet Nam: Evidence from the 2009 Census*, at [http://un.org.vn/en/publications/doc\\_details/329-factsheet-on-ethnic-groups-in-viet-nam-evidence-from-the-2009-census.html](http://un.org.vn/en/publications/doc_details/329-factsheet-on-ethnic-groups-in-viet-nam-evidence-from-the-2009-census.html)). Of them, Guilmoto notes, The Kinh originated from the northern plains and delta regions, and they progressively expanded southward from the eleventh to the eighteenth century, absorbing local populations of Chamic and Khmer origins. Uxorilocal residence (in which a married couple lives with or near the wife's parents), on the other hand, is a common feature in the south and constitutes one of the typical traits of its bilateral system. The Mekong River Delta has the largest proportions of families with coresiding married children. But of greater interest here is the share of daughters among coresiding married children: their proportion varies across regions from 12 percent to 41 percent and is twice as large in the south as in the north. . . we do not know whether the relatively woman-friendly attitudes and policies found in parts of Vietnam will be able to withstand the gradual socioeconomic homogenization of Vietnam's population. The fact that prenatal sex selection can also be detected in the largest metropolitan areas such as Hanoi and Ho Chi Minh City suggests that rapid social transformations and the growing employment opportunities for women have not yet substantially eroded traditional gender arrangements." In a related publication, Guilmoto attempts to operationalize degree of patrilineality across the regions of Vietnam by examining % of those heads of households aged 40 and above living with married children and also more specifically with married daughters. This exercise, which the author admits may have reliability problems, yielded mixed results. (Christophe Z. Guilmoto, "Sex

patrilineal kinship system that is prevalent in Vietnam, as in other parts of Asia. Eldest sons inherit the family land and the family home, and are responsible for performing rites on behalf of their dead ancestors, a practice denied to women. One commentator notes, "In nearly every Vietnamese house there is a shrine dedicated to the family line, but it is the job of sons, not daughters, to worship there. When a woman marries it is assumed she will worship her husband's family because according to custom the spirits of her own ancestors cannot enter the house at the same time as those of her husband."<sup>138</sup> Sons are also assigned greater economic value due to patrilocal practices of the eldest son continuing to live in the natal home and caring for parents in old age. As Nguyen Dan Anh of the Vietnam Academy of Social Sciences expressed it, "If you don't have a son, you are considered finished. You don't have happiness or luck in your life."<sup>139</sup>

In her work in rural north Vietnam, Danièle Bélanger found that one of the primary reasons for valuing sons more than daughters concerned the effect that having a son had on the family's status and legitimacy within the community.<sup>140</sup> Women who marry a first son are under the greatest pressure to have male offspring to continue the family line, but all women experience at least some pressure to have a son from their extended family as well as from others within the community. In the villages where Bélanger conducted her research, bearing a son was viewed as insurance against polygamy, divorce, and even domestic violence.<sup>141</sup> Because all homes have ancestral altars at which rituals on behalf of dead ancestors are regularly performed, sons are seen as essential. In the absence of a son, the responsibility of performing these rituals (and with it the family home and land) will usually be transferred to a nephew or similar male member of the family, but not to a daughter.<sup>142</sup> Bélanger concludes that "son's religious value is unquestionable, and daughters cannot compete with their brothers on this front. Girls hold no intrinsic honor or symbolic value."<sup>143</sup> In a survey of Vietnamese men in 2012, 70.7% of respondents expressed that a reason to have a boy was for "lineage;" another 51% said old age support; and 49% said "ancestor worship." At the same time, 75% of respondents said there would be a dearth of marriageable girls due to sex-selective abortion in their country.<sup>144</sup>

Although women comprise a significant proportion of the labor force in Vietnam, particularly in areas of agriculture and manufacturing (52% of those employed in both of these areas are women) as well as in health and education

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selection, son preference, and kinship structures in Viet Nam," Centre Population & Developpement, February 2012, at [www.ceped.org/wp](http://www.ceped.org/wp))

<http://onlinelibrary.wiley.com/doi/10.1111/j.1728-4457.2012.00471.x/abstract>

<sup>138</sup> Marianne Brown, 14 February 2012, "Vietnam's Parents Want a Dragon Son," *The Guardian*, at <http://www.theguardian.com/society/2012/feb/14/vietnam-gender-birth-ratio-inequality>

<sup>139</sup> Clark, "Sex Selection Skews Sex Ratio"

<sup>140</sup> Bélanger, "Son preference in a rural village," pp. 326-327.

<sup>141</sup> Bélanger, "Son preference in a rural village," p. 327.

<sup>142</sup> Bélanger, "Son preference in a rural village," pp. 328-329.

<sup>143</sup> Bélanger, "Son preference in a rural village," p. 329.

<sup>144</sup> United Nations Population Fund, 2012, *Study on Gender, Masculinity and Son Preference in Nepal and Vietnam*, at [http://un.org.vn/en/publications/doc\\_details/333-study-on-gender-masculinity-and-son-preference-in-nepal-and-vietnam.html](http://un.org.vn/en/publications/doc_details/333-study-on-gender-masculinity-and-son-preference-in-nepal-and-vietnam.html).

(61% and 70% respectively), their income does not usually benefit the natal family.<sup>145</sup> In her study, Bélanger found that daughters often made significant financial contributions to their parents or siblings, but these were not openly acknowledged and often had to be made through brothers or in secret.<sup>146</sup>

Although women can legally inherit land, and the 2003 revision to the Land Law stated that land is to be shared by both the husband and wife, both of whose names should be on the land title, in practice as of 2008, only 10.9% of agricultural land, included both names, and the rates of joint titling for residential land in rural and urban areas were 18.2% and 29.8% respectively.<sup>147</sup> Furthermore, in a 2012 survey performed under UN auspices, only 37% of men surveyed professed knowledge of women's legal right to equal inheritance.<sup>148</sup> Indeed, anthropologist Tine Gammeltoft has opined, "As regards gender inequality, a lot could be done too – but again, the political will is not there. For instance, it is a huge problem that only sons inherit their parents' property and daughters get very little – if this was changed, the gender landscape in Vietnam would change dramatically."<sup>149</sup>

Vietnam lacks a Civil Registration System to record births, thus birth sex ratios must be derived from census data or other population surveys. According to the 2014 Inter-Censal Population and Housing Survey, Vietnam has a population of 90.5 million, 33% of which live in urban areas, a total fertility rate of 2.09 and the SRB was 112 (113 for rural areas and 111 for urban areas).<sup>150</sup>

Concerned with a high fertility rate (6.3), a large rural population (85% of the 30.2 million), and low levels of development, population control measures were introduced in the northern regions of Vietnam in 1961 through the Ministry of Health.<sup>151</sup> Couples were encouraged to limit the number of births to 2-3, and family planning clinics providing IUDs were established throughout the River Delta region, with the result that the birth rate dropped to 5.25 by 1975.<sup>152</sup> Efforts to reduce population growth were renewed following the end of the war and unification of North and South Vietnam. From 1976-1988, the Communist Party's Congresses produced targets for reduced population growth that were unsuccessful, resulting in a decision in October 1988 by the Council of Ministers to introduce a two-child norm

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<sup>145</sup> Employment figures are from the 2008 labour survey. See, GSO (General Statistics Office, Vietnam), *The 1/4/2008 Population Change, Labour Force and Family Planning Survey*. Hanoi: Statistical Publishing House, 2008.

<sup>146</sup> Bélanger, "Son preference in a rural village," p. 330.

<sup>147</sup> CEDAW, Viet Nam, CEDAW/C/VNM/7-8, ¶ 232.

<sup>148</sup> UNFPA, *Study on Gender, Masculinity, and Son Preference*, 2012

<sup>149</sup> Thao Vi and An Dien, 23 September 2014, "Vietnam Still Plagued by Sex-Selective Abortions," *Thanh Nien News*, at <http://www.geneticsandsociety.org/article.php?id=8087>

<sup>150</sup> Vien Nhu, 'Population Exceeds 90 million', VGP News, The Socialist Republic of Vietnam Online Newspaper of the Government, 17 December 2014, <http://news.chinhphu.vn/Home/Population-exceeds-90-million/201412/23329.vgp>; General Statistics Office of Vietnam, Department for Population and Labour Statistics, "Press Release: The First Ever Inter-Censal Population and Housing Survey 1/4/2014 Announcement of Key Findings," at [http://gso.gov.vn/default\\_en.aspx?tabid=768&ItemID=14175](http://gso.gov.vn/default_en.aspx?tabid=768&ItemID=14175).

<sup>151</sup> Ministry of Health, The General Office for Population and Family Planning, *Population and Family Planning Work in Vietnam: 50 Years of History and Development (1961-2011)*, Ha Noi 2011.

<sup>152</sup> MOH, *Population and Family Planning*, 18.

throughout most of the country. A two-child limit was to be imposed on all party members, civil servants and those serving in the military, and covered all those living in urban areas as well as the specific geographic regions of the Red River Delta, the Mekong Delta, the lowlands of the central coastal provinces and the midlands.<sup>153</sup> Families of ethnic minorities were permitted to have three children, but there were costs for other families who exceeded the two-child norm in the form of higher rents, the imposition of social support funds, and a prohibition on migrating to urban areas and industrial zones.

In 1993, the government introduced a resolution on family planning work that condemned party officials for failing to reduce population growth and introduced further measures to reduce fertility to 1-2 children per family, indicating that there would be repercussions in the form of 'administrative measures' for party members and state employees who failed to implement the new policy.<sup>154</sup> There was no recognition of the effect of the imposition of this new policy on the gender balance within families, nor were measures put in place to prevent sex selection at that time. Fines and job penalties were not evenly applied throughout the country, although researchers suggest that they were more likely to be imposed on violators of the policy who were party members, cadres, teachers, or those who lived in the population-dense region of the Red River Delta.<sup>155</sup>

Recognizing that the imposition of a two child limit had resulted in a rising birth sex ratio, the National Assembly issued Population Ordinance in January 2003 which indicated that families could "actively and voluntarily decide on the number of children, the time to have babies and the duration between child births."<sup>156</sup> This was the first population policy instituted by the National Assembly, which, along with the Communist Party and the Government of Ministers, shapes and adopts policies within the state, and this defence of reproductive rights was in sharp contrast with the 1988 one-to-two child policy.<sup>157</sup> To resolve the controversy, the Communist Party adopted Resolution 47 in 2005, which reinforced the need for the state to control population growth and called for a return to the two-child norm—the National Assembly revised the Population Ordinance accordingly in 2008 (with

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<sup>153</sup> The Decision further outlined the minimum age for childbearing (22 for women, 24 for men for party members, otherwise 19 and 21 for other women and men respectively), and provided details regarding the spacing of children according to the age of the mother. See Vietnam Council of Ministers Decision 162, October 1988, translated by Joint Publications Research Service on East and Southeast Asia (JPRS), 1989, JPRS-SEA-89-007, 8 February. Reprinted as "Vietnam's new fertility policy," in *Population and Development Review* 15, no. 1 (1989): 169-172.

<sup>154</sup> Resolution of 1993 on Policy Concerning the Population and Family Planning Work. (Hanoi Voice of Vietnam Network, 18 February 1993, as translated in Foreign Broadcast Information Service, Document No. FBIS-EAS-93-035, 24 February 1993, pp. 64-65). At <http://www.hsph.harvard.edu/population/policies/VIETNAM2.htm>.

<sup>155</sup> Daniel M. Goodkind, "Vietnam's one-or-two-child policy in action," *Population and Development Review* 21, no. 1 (1995): 85-111; Danièle Bélanger, "Indispensable sons: Negotiating reproductive desires in rural Vietnam," *Gender, Place and Culture* 13, no. 3 (2006): 251-265; Danièle Bélanger, "Son preference in a rural village in North Vietnam." *Studies in Family Planning* 33, no. 4 (2002): 321-334.

<sup>156</sup> Vietnam Standing Committee of National Assembly, *Population Ordinance*, No. 06/2003/PL-UBTVQH11, 9 January 2003.

<sup>157</sup> Bang Nguyen Pham, Peter S. Hill, Wayne Hall and Chalapati Rao, "The Evolution of Population Policy in Viet Nam," *Asia-Pacific Population Journal* 27, no. 2 (2012): 41-56.

effect from January 2009).<sup>158</sup> The revised Ordinance stated that couples and individuals were obligated to participate in the family planning campaigns of the state in terms of the timing and spacing of births, with a limit of “one or two children, except in special cases prescribed by the Government.”<sup>159</sup> As noted by the press, “A degree of coercion is used to enforce the two-child policy. Communist Party members who have more than two face automatic expulsion and parents are often asked to pay the health and education costs of a third child. More serious sanctions include having land confiscated.”<sup>160</sup>

The 2003 Ordinance also declared that sex selection was illegal, and the consequences of determining the sex of a fetus or aborting fetuses on the basis of their sex (as well as violating the principles of the population policy more generally), were later outlined in the 2006 Decree No. 114/2006/ND-CP.<sup>161</sup> In 2006, penalties were increased to include fines and license revocations.<sup>162</sup> However, it is clear that enforcement is lax. The Vietnamese press has reported that, “Deputy Minister Tien said that the measures to reduce the gender ratio imbalance have been ineffective. Those measures include a ban of medical workers from disclosing the sex of the fetus, and a ban on sex-selective abortion. So far, the authorities have penalized only two private clinics in Hung Yen and Kien Giang provinces for providing sex diagnostic ultrasound services. The nationwide campaign consists of a series of workshops, policy dialogues and parades in Hanoi, Hai Duong and Bac Ninh provinces. There will also be a social media campaign calling on the government and all stakeholders to join hands to end gender-biased sex selection.”<sup>163</sup> Some news sources also report that the government may offer economic incentives to families of girls, offering health insurance and favored status in school admissions and hiring, but this has not appeared to have any impact on SRBs.<sup>164</sup>

Vietnam is currently drafting a new population law to submit to the National Assembly in 2015, which will replace the Population Ordinance. The new law will hopefully loosen the state’s control over the number of births, as the low fertility coupled with strong son preference (in addition to significant outmigration of Vietnamese females as foreign brides) will have long-term effects on the country’s

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<sup>158</sup> Pham *et al*, “The Evolution of Population Policy in Viet Nam,” p. 47.

<sup>159</sup> Vietnam, Standing Committee of the National Assembly, Ordinance to Amend Article 10 of the Ordinance population, No.: 08/2008/UBTVQH12, 27 December 2008 (in Vietnamese). Available at <http://www.hsph.harvard.edu/population/policies/poppolicy.htm>.

<sup>160</sup> Owen Bennett-Jones, 8 November 2000, “Vietnam’s Two-Child Policy,” *BBC News*, at <http://news.bbc.co.uk/2/hi/asia-pacific/1011799.stm>.

<sup>161</sup> Viet Nam Commission for Population Family and Children, Guideline for Administrative Punishment and Fines on Violation of Population and Children Policies, Decree No. 114/2006/ND-CP (in Vietnamese), October 2006, Hanoi: VCPFC, available at <https://www.ilo.int/dyn/natlex/docs/ELECTRONIC/94641/111108/F456322143/VNM94641%20Vnm.pdf>.

<sup>162</sup> Pham, Hall, Hill, and Rao, “Analysis of Sociopolitical and Health Practices,” 2008.

<sup>163</sup> Le Ha, 24 September 2014, “Male-Female Ratio Imbalance May Reach Over Four Million,” *VietnamNet*, at <http://english.vietnamnet.vn/fms/society/112597/male-female-ratio-imbalance-may-reach-over-four-million.html>.

<sup>164</sup> Lien Hoang, 19 March 2013, “Vietnam Mulls Cash Handouts to Families with Daughters,” *Voice of America*, at <http://www.voanews.com/content/vietnam-cash-handouts-families-daughters-girls/1624857.html>.

demographic profile. As Bang Nguyen Pham argues, the existing population policy “has now dramatically impacted on Vietnam’s population profile, with distortions in the SRB extending into early childhood, and progressive population ageing. This policy no longer serves the needs of contemporary Vietnam. Relaxing Vietnam’s policy on birth control is one direct adjustment that the new Law can take to slow down the rapid pace of TFR decline, and thereby, slow down the ageing of the population.”<sup>165</sup>

At the same time, there is little government capacity to offer old age insurance. Vietnam’s pension policy is relatively new, having been instituted in 1995 for those in the formal economy. Yet despite the fact that contributions are meant to be compulsory, not all employees and employers comply so that only 63% of those expected to be making contributions were doing so in 2006.<sup>166</sup> Much of the population is excluded from the social insurance system—those in rural areas, agricultural production, or in the informal sector are not covered.<sup>167</sup> A further Social Insurance Law enacted in 2006 attempted to increase coverage through further voluntary contributions and the provision of an old age benefit, but in order to receive old age benefit, the retiree must have worked for a minimum of 20 years (15 years if hazardous) and contributed social insurance premium for at least 20 years. The World Bank has concluded that Vietnam’s current policies are not sustainable in the long run, particularly due to the early retirement age (55 for women, 60 for men) and the rising life expectancies.<sup>168</sup> As Vietnam’s population ages (currently the elderly comprise 10% of the population), the need for a pension will intensify if families are to weaken the patrilineal ties that reduce the value of women relative to men.

While there have been some fluctuations in the recorded birth sex ratio during the past fifteen years (likely due to the small percentage of births recorded in annual censuses which are susceptible to large errors), there is little doubt that the overall trend is that of a rising birth sex ratio. Danièle Bélanger *et al* first raised the question as to whether birth sex ratios were rising in Vietnam in a 2003 publication: her team analysed censuses, hospital records, and smaller surveys to examine birth sex ratios, finding that while there was evidence of son preference and sex selection for higher birth orders, amongst some groups (farmers, for example) and in some regions (higher sex ratios for some hospital births in the north), there was no evidence that the sex ratio at birth was increasing throughout the nation as a whole.<sup>169</sup> Scholars argue that population surveys did not provide confirmation of an

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<sup>165</sup> Bang Nguyen Pham, “The demographic transition and implications for the new Law on Population in Vietnam.” *Asian Population Studies* 10, no. 3 (2014): 237-240.

<sup>166</sup> Tran Van Son, *Experiences of Social Pension in Viet Na (2001 – 2009)*, Ministry of Finance, Vietnam, 2009, at <http://www.oecd.org/finance/private-pensions/46260880.pdf>

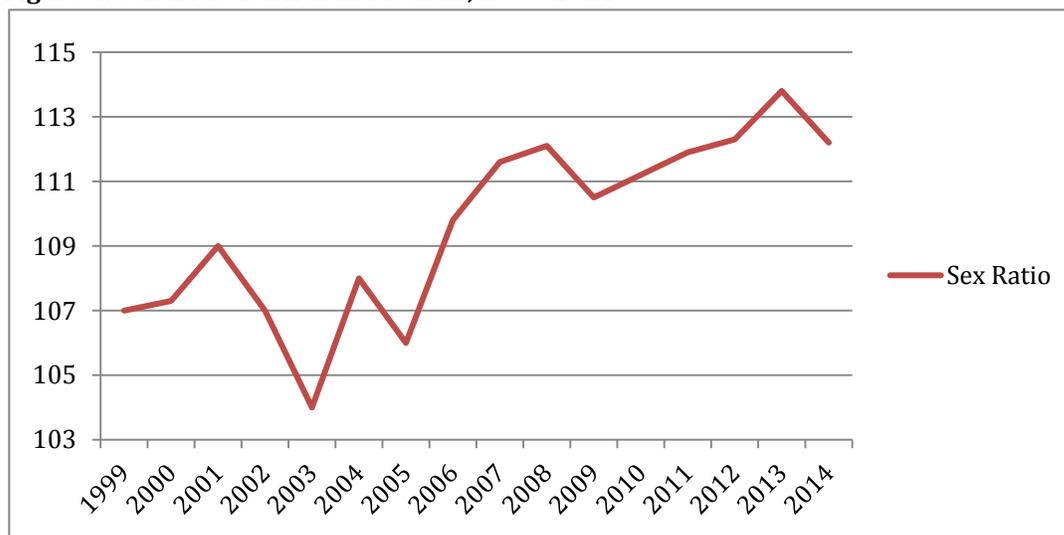
<sup>167</sup> Nguyen Thi Hang Ngan and Zhang Jianhua, 20 October 2014, “Interview: Gender Equality has Improved Much in Vietnam: Expert,” *Shanghai Daily*, at [http://shanghaidaily.com/article/article\\_xinhua.aspx?id=247725](http://shanghaidaily.com/article/article_xinhua.aspx?id=247725).

<sup>168</sup> Castel, Paulette and Minna Hahn Tong, *Vietnam - Developing a modern pension system: current challenges and options for future reform*. Washington DC; World Bank, 2012.

<sup>169</sup> Danièle Bélanger, Khuat Thi Hai Oanh, Liu Jianye, Thuy Le Thanh, and Pham Viet Thanh, “Are sex ratios at birth increasing in Vietnam?,” *Population* 58, no. 2 (2003): 231-250.

overall rising birth sex ratio until 2006 and the publication of the findings from the Population Change Survey, which recorded a nationwide birth sex ratio of 110.<sup>170</sup> Guilмото, Hoàng, and Van, explain that the 1999 census and other demographic surveys, such as the Demographic and Health Surveys of 1997 and 2002 did not “provide any further strong evidence of active sex selection.”<sup>171</sup> The small birth sizes in these surveys means that any recorded sex ratios are subject to wide error, but the large imbalance in male and female infants should have raised concern within the state that sex selection may have been occurring. The 2002 Demographic and Health Survey recorded birth sex ratios of 109.4 in 2002 and 111.2 in 2000 (with a low rate of 102.8 for 2001),<sup>172</sup> and annual population surveys in 2002 and 2004 indicated very high sex ratios for the 0-4 population of 111.9 and 114.6 respectively. While these are subject to error given the small samples used to estimate the size of the total population, the high ratios (shown in Figure 4) should have caused some concern among the country’s demographers prior to 2006.<sup>173</sup>

**Figure 4: Sex Ratio at Birth in Vietnam, 1999-2014**



Sources: 1999-2013 from General Statistics Office, *The 1/4/2013 Time-Point Population Change and Family Planning Survey: Major Findings*. Hanoi: Statistical Publishing House, 2013; 2014 data from General Statistics Office, Department for Population and Labour Statistics, “Press Release: The First Ever Inter-Censal Population and Housing Survey 1/4/2014 Announcement of Key Findings.”

<sup>170</sup> Pham, Bang Nguyen, Wayne Hall, Peter S. Hill, and Chalapati Rao, “Analysis of socio-political and health practices influencing sex ratio at birth in Viet Nam,” *Reproductive Health Matters* 16, no. 32 (2008): 176-184.

<sup>171</sup> Guilмото, Christophe Z., Xuyên Hoàng, and Toan Ngo Van, “Recent increase in sex ratio at birth in Viet Nam,” *PLoS One* 4, no. 2 (2009): e4624, p. 1.

<sup>172</sup> GSO (General Statistics Office, Vietnam), *Vietnam Demographic and Health Survey 2002*, Vietnam Committee for Population, Family and Children, Hanoi, and ORC Macro, Calverton, MD., 2003, Table C.3 Births by calendar years, p. 144.

<sup>173</sup> These sex ratios are derived from Table 1.3, which reports proportion of the population by age group according to the 2002 and 2004 surveys in GSO (General Statistics Office, Vietnam), Result of the Vietnam Household Living Standards Survey 2006, Hanoi: Statistical Publishing House, 2007.

Further disaggregation of the birth sex ratios reveals that even in years when the overall sex ratio appeared to be within the expected range of 105-106 males per 100 female births, some regions within the state were experiencing abnormally high birth sex ratios. As Table 5 demonstrates, even in 2005, when the overall sex ratio at birth was 105.6, the Red River Delta and Central Highlands areas had ratios of 109.3 and 108.5 respectively.

**Table 5: Birth Sex Ratios by Region, Vietnam, 2005-2013**

Region/Year	2005	2007	2008	2009	2010	2011	2012	2013
Vietnam (Total)	105.6	111.6	112.1	110.5	111.2	111.9	112.3	113.8
Red River Delta	109.3	110.8	119.0	115.3	116.2	122.4	120.9	124.6
Northern Midlands and Mountain Areas	101.8	109.1	114.2	108.5	109.9	110.4	108.2	112.4
North Central and Central Coastal Areas	104.7	112.4	108.2	109.7	114.3	103.3	112.1	112.3
Central Highlands	108.5	117.3	116.7	105.6	108.2	104.3	98.4	114.1
South East	106.8	117.5	116.8	109.9	105.9	108.8	111.9	114.2
Mekong River Delta	103.8	107.9	102.8	109.9	108.3	114.9	111.5	103.8

Source: General Statistics Office, Vietnam, Statistical Data: Population and Employment: Sex Ratio at Birth by Region, at [www.gso.gov.vn](http://www.gso.gov.vn). The GSO has not provided birth sex ratios for 2006 by region.

At present, the birth sex ratio is at higher than normal rates in all regions with the exception of the Mekong River Delta region, and the Red River Delta region has significantly higher birth sex ratios than other regions. These differences cannot be explained in terms of degree of son preference expressed in surveys, nor in population size or density, but it is interesting to note that the levels of education in this region are lower than in others—only 12.2% of those above age 5 have completed upper secondary school in this region according to the 2014 Inter-censal survey.<sup>174</sup> Noting the high SRB in the Red River Delta region, the 2010 population survey stated the following: “access to medical services and modern equipment is relatively easy, and the people in this region also have higher levels of education and higher living standards, so they are able and willing to pay for early foetal sex determination services.”<sup>175</sup>

While it seems certain that sex selection is occurring in Vietnam, the extent of the problem is difficult to measure in precise terms, particularly at the regional level, due to counting errors. Asian birth sex ratio data is often wrought with over or under counting errors, particularly if revealing births can lead to the imposition of fines or other penalties. In China, for example, birth sex ratio data obtained through censuses and surveys are subject to problems of under- or over-reporting due to the size of its population, the difficulty of counting the significant migrant population, and parents’ attempts to hide the birth of offspring in order to avoid the fines and punishments associated with out of plan births. Although there are punishments associated with having more than two births in Vietnam, there is no evidence that parents misreport the number of children born in surveys and censuses. However,

<sup>174</sup> GSO (General Statistics Office, Vietnam), Department for Population and Labour Statistics, “Press Release: The First Ever Inter-Censal Population and Housing Survey 1/4/2014 Announcement of Key Findings,” 17 December 2014, at [http://gso.gov.vn/default\\_en.aspx?tabid=768&ItemID=14175](http://gso.gov.vn/default_en.aspx?tabid=768&ItemID=14175).

<sup>175</sup> GSO (General Statistics Office, Vietnam), Population Change and Family Planning Survey, 1/4/2010: Major Findings. Hanoi: Statistical Publishing House, 2010.

the birth sex ratios recorded in annual population change surveys are based on a 2 percent sample of the population, which may not accurately reflect the overall sex ratio for the state. In their analysis of different sources of birth sex ratio data (the annual population surveys, birth records from public health facilities, and births recorded in the vital registration system), Pham *et al* found varying degrees of bias and inconsistency among all three sets of data.<sup>176</sup> The evidence does still support the presence of a skewed sex ratio for the state as a whole as well as in the Red River Delta region.

Surveys seeking information about prenatal sex determination support the argument that sex selection is widespread in Vietnam. According to the 2013 Population Change and Family Planning Survey, 83% of women who gave birth between 2007 and 2013 knew the sex of the fetus prior to birth.<sup>177</sup> The percent of rural women having knowledge of the sex of their fetus had increased from 66.5% in 2007 to 82% in 2013, whereas the percentage of urban women dropped slightly from 88.1% to 85.1% during this period. The figures are lower for women who have no formal education (36.8%) compared with those who have completed upper secondary school or above (86.8%). 99.2% of those having knowledge of the sex of the fetus obtained that information through ultrasound technology.<sup>178</sup> Ultrasound technology is widely available throughout urban and rural areas, and the costs of having a scan are sufficiently low (equivalent to US\$2.50-3.50) that most women can afford to have several scans throughout their pregnancies.<sup>179</sup> There appears to have been a ten-fold increase in ultrasound availability between 1998 and 2007.<sup>180</sup>

The 2013 Population Survey provides further information about regional patterns of son preference in Vietnam. When women who had given birth in the previous two years were asked about the desired sex of their fetus, 57.3% had no preference, 31.2% desired a son, and 11.5% desired a daughter; women in the Red River Delta region expressed the highest degree of son preference with 40.5% desiring a son, and the Southeast region had the lowest figure of 20.9%.<sup>181</sup>

Whereas in Korea, birth sex ratios are generally close to normal levels for first births and rise significantly with second and higher order births, in Vietnam birth sex ratios are higher for first births than second births. Analysis of the 15% sample survey conducted during the 2009 census reveals that the birth sex ratio for births between 2008 and 2009 was 110.2 for first births, 109.0 for second, and 115.5 for third or higher order births (which comprise just 16% of all births).<sup>182</sup> The

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<sup>176</sup> Bang Nguyen Pham, Chalapati Rao, Timothy Adair, Peter S. Hill, and Wayne Hall, "Assessing the quality of data for analysing the sex ratio at birth in Viet Nam," *Asian Population Studies* 6, no. 3 (2010): 263-287.

<sup>177</sup> GSO (General Statistics Office, Vietnam), *The 1/4/2013 Time-Point Population Change and Family Planning Survey: Major Findings*. Hanoi: Statistical Publishing House, 2013, Table 5.9.

<sup>178</sup> GSO, *The 1/4/2013 Time-Point Population*, Table 5.11, p. 49.

<sup>179</sup> Pham, et al, "Analysis of socio-political and health practices," p. 180.

<sup>180</sup> New Scientist, 15 May 2009, "Sex Selection Brings Vietnamese Boy Boom," *NewScientist.com* no. 2708, at <http://www.newscientist.com/article/mg20227083.100-sex-selection-brings-vietnamese-boy-boom.html>.

<sup>181</sup> GSO, *The 1/4/2013 Time-Point Population*, Table 5.12, p. 49.

<sup>182</sup> GSO (General Statistics Office, Vietnam), *Sex Ratio at Birth in Viet Nam: New Evidence on Patterns, Trends and Differential*, Vietnam Population and Housing Census 2009, 2011, Hanoi, p. 23.

sex ratio for third births is significantly higher (131.9) in the absence of a son than for those families who have at least one son (107.0), suggesting that families seeking to have at least one son will resort to sex selective technologies to ensure a male offspring.<sup>183</sup> The 2011 Population Change and Family Planning Survey further disaggregated national ratios by urban and rural areas, the results of which are found in Table 6.

**Table 6: Vietnam Sex ratio at birth by urban/rural residence and birth order, 2011**

	Total	First birth order	Second birth order	Third and higher birth order
National total	111.9	109.7	111.9	119.7
Urban	114.2	115.6	110.2	120.8
Rural	111.1	107.4	112.6	119.4

Source: GSO (General Statistics Office, Vietnam), *The 1/4/2011 Population Change and Family Planning Survey: Major Findings*. Hanoi: Statistical Publishing House, 2011, p. 56.

According to the 2011 survey, sex selection in rural areas was more likely occurring for second and higher order births, whereas sex selection was likely occurring for births of all orders in urban areas, with particular emphasis on first and third births. The state’s response to the high sex ratios for third order births is to prevent more than two births per family. Population surveys since 2006 have placed great emphasis on learning the characteristics of women who give birth to more than two children, analysing their level of education, rural/urban residence, socio-economic region, and the sex of previous children, with the expected results that women who give birth to three or more children are typically rural (17% of rural women aged 15-49 in 2010 had three or more births compared with 9.5% of urban women), and are less educated (for example, 45% of those having three or more births in 2010 had no formal education).<sup>184</sup> There is no strong regional pattern to third order births (five of the six regions have percentages between 11 and 18), with the exception of the Central Highlands region, where 29% of women aged 15-49 had a third or higher order birth in 2010.<sup>185</sup> This could be due to the higher numbers of ethnic groups in the Central Highlands—the 2010 survey states “The Central Highlands is also a region with a high concentration of ethnic minority people, approach of contraceptives and communication means on family planning is a bit limited.”<sup>186</sup>

The Vietnamese government is attempting to tackle the high sex ratio by reducing the number of higher order births because these have the highest sex ratio. The published findings from the 2011 population survey state that “in order to reduce the imbalanced trend in the sex ratio at birth it is necessary to have the suitable advocacy policy in urban residences especially toward the women who have many children.”<sup>187</sup> The number of third order births has been declining for the

<sup>183</sup> GSO, *Sex Ratio at Birth in Viet Nam*, p. 25.

<sup>184</sup> GSO (General Statistics Office, Vietnam), *Population Change and Family Planning Survey, 1/4/2010: Major Findings*. Hanoi: Statistical Publishing House, 2010, pp. 49-51.

<sup>185</sup> See Table 5.7, GSO, *Population Change and Family Planning Survey, 1/4/2010*, p. 51.

<sup>186</sup> GSO, *Population Change and Family Planning Survey*, p. 51.

<sup>187</sup> GSO (General Statistics Office, Vietnam), *The 1/4/2011 Population Change and Family Planning Survey: Major Findings*. Hanoi: Statistical Publishing House, 2011.

past decade, but this decline has corresponded with a rise in the birth sex ratio in the same time period. If women cannot simply have more children to achieve their desired number of sons, they will use technology to realise their ideal family composition and the overall sex ratio is unlikely to decline from its current high levels with this approach. Information on sex selection is widely available, despite the Government's attempts to control access to that information by destroying books on sex selection and shutting down internet sites advertising sex selection services.<sup>188</sup> Indeed, some account for Vietnam's late rise in SRB as resulting not from a lack of will to enact son preference, but rather from the country's delayed access to ultrasound machines, with Guilмото noting, "The widespread use of ultrasound began in the early 2000s with the import of new equipment such as 3-D scans."<sup>189</sup>

Despite strong son preference, there is no evidence of differential treatment of male and female infants—the infant mortality rate in 2013 was 17.4 for males and 13.2 for females, yielding the expected ratio of a higher proportion of male infant deaths. Figures for childhood mortality are also significantly higher for males than females, with a male under-five mortality rate of 29.9 and a female rate of 15.8.<sup>190</sup> Education enrolment rates for both boys and girls have improved since 2006, with girls achieving higher rates of enrolment in primary, lower secondary, and upper secondary schools by 2012.<sup>191</sup> Investment in daughters' education is a positive sign that the government's gender equality initiatives are working.

Again, as in the South Korean case, an increasingly abnormal SRB trend occurred in a context of steady economic development. Per capita GDP has risen fast in Vietnam: it was less than USD94 in 1989, and moved above USD1302 in 2010.<sup>192</sup> Now considered middle income, Vietnam's agriculture accounted for only 20% of GDP in 2010.<sup>193</sup>

In sum, utilizing the list of factors we identified in the South Korean case, we see a marked divergence with Vietnam:

- no real enforcement of a ban on prenatal sex identification, in a context where abortion is easily available
- no effective legal attack on patrilineality, no real attempt to dismantle its core structures, including those buttressing patrilocality; continued importance of sons to inherit land and perform ancestor worship

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<sup>188</sup> Patralekha Chatterjee, "Sex ratio imbalance worsens in Vietnam," *The Lancet* 374, no. 9699 (2009): 1410.

<sup>189</sup> Guilмото, "Son Preference," 2012.

<sup>190</sup> Figures for 2013 are representative of those throughout the 2000s, with male infants and children under 5 dying at higher rates than females. General Statistics Office, *The 1/4/2013 Time-Point Population*, p. xiv.

<sup>191</sup> According to the 2012 education survey, enrolment rates for boys and girls are as follows: 92.2 and 92.7 in primary, 79.8 and 83.0 for lower secondary, and 55.2 and 63.9 for upper secondary.

<sup>192</sup> United Nations Statistics Division, Per capita GDP at current prices - US dollars, Viet Nam, at <https://data.un.org/Data.aspx?d=SNAAMA&f=grID%3A101%3BcurrID%3AUSD%3BpcFlag%3A1>.

<sup>193</sup> World Bank, 2010, "Agriculture, value added (% of GDP)," *Indicator*, <http://data.worldbank.org/indicator/NV.AGR.TOTL.ZS/countries>.

- no provision of some form of old-age insurance to the bulk of the population, which might provide a substitute for the need to have a son to provide elder support
- the presence of fertility control policies, enforced by semi-coercive means.
- the role of land in economic life remains very important in a country where the population is still predominantly rural, with 68% classified as rural, and the value of women remains tied to their role as mothers of sons in rural communities

## Implications of the Experiences of South Korea and Vietnam

“I think that we can learn lessons from South Korea.” (Ho Xuan, head of Bac Ninh Province's Population and Family Planning Department, Vietnam, 2012)<sup>194</sup>

It is our contention that both demographers and policymakers can learn from the “mismatched bookends” of South Korea and Vietnam.

First, as many have begun to note, increasing wealth and increasing levels of education are orthogonal to the enactment of son preference. As Nicholas Eberstadt avers, “As we have seen, sudden steep increases in SRBs are by no means inconsistent with continuing improvements in levels of per capita income and female education—or, for that matter, with legal strictures against sex-selective abortion.”<sup>195</sup> South Korea's greatest rise in SRBs coincided with its greatest rise in GNP per capita and its population's level of education. In similar fashion, though not experiencing quite an ascent on the world stage, Vietnam has also seen its SRBs turn highly abnormal in a time of increasing wealth and education. The same can also be said of China and India: as *The Economist* notes, “Though son preference is often seen as “backwards”—a product of poverty and insularity—sex-selective abortion is actually independent of wealth and income. It is highest, for example, in some of the richest, most open parts of China and India, such as Guangdong province in southern China and Haryana state in north India.”<sup>196</sup>

This finding is noteworthy from a policy perspective. The assumption that sex ratios will normalize over time as a country progresses in its development is unwarranted. The case studies of South Korea and Vietnam show that specific attention must be paid to the roots of son preference as well as to enactment catalysts for a rise in sex ratios in son-preferring countries to be deterred. The fact that so many nations of the world are, in fact, son-preferring cultures suggests that finding the most important keys to this puzzle is a task that is not limited to Asia in its utility. As noted earlier, the list of countries in which SRBs are abnormal is not

<sup>194</sup> Viet Nam News, 12 November 2012, “Avoiding the Looming Marriage Squeeze,” *VietNamNews.vn* <http://vietnamnews.vn/opinion/232618/avoiding-the-looming-marriage-squeeze.html>.

<sup>195</sup> Nicole Eberstadt, 2011, “The Global War Against Baby Girls,” *The New Atlantis: A Journal of Technology and Society* (Fall), at <http://www.thenewatlantis.com/publications/the-global-war-against-baby-girls>.

<sup>196</sup> *The Economist*, 19 September 2011, “Growth is not Enough,” *Economist.com* <http://www.economist.com/blogs/newsbook/2011/09/gender-inequality>.

decreasing in length; rather, lamentably, that list is growing, and its members are not confined to Asia. As Eberstadt puts it, “Two of the key factors associated with unnatural upsurges in nationwide SRBs—low or sub-replacement fertility levels and easy access to inexpensive prenatal gender-determination technology—will likely be present in an increasing number of low-income societies in the years and decades immediately ahead.”<sup>197</sup>

This is thus not a puzzle of the past, or even of the present. This is a puzzle of the past, present, *and* future. What do South Korea and Vietnam teach us? As Ho Xuan expressed in the epigraph, can South Korea teach Vietnam—and by extension, China and other nations—how to normalize its SRBs?

Our first observation is intuitive: catalyzing son preference enactment is not wise. Countries worried about SRB abnormality should not coerce fertility limitation. There is ample evidence that fertility will fall naturally even without birth limitation policies. Allowing it to fall without intervention precludes the types of spikes in SRBs that we saw in South Korea and Vietnam. In this case, Vietnam can probably learn from China, which is slowly but surely moving in the direction of lifting its one child policy. Of course, the damage done to sex ratios during the decades in which the one child policy was brutally enforced cannot be undone, and China will experience repercussions from that earlier policy decision. We hope the Vietnamese will be quicker to see the folly of such a policy course than the Chinese have been.

Our second observation is also fairly intuitive: making fetal sex identification and sex-selective abortion illegal *for physicians*, and actually punishing doctors for infractions, while ineffective in reducing SRBs in a context where such identification methods are freely available outside doctors’ offices, is nevertheless an important legal step for two reasons. First, it makes clear to the entire society that the state will not tolerate son preference. This is a legal norm with great societal import. Second, by putting the onus on doctors and holding only doctors accountable, the medical community becomes a dampening force on the persistence of son preference enactment within the society. Over time, that dampening force can be crucial in the velocity of progress. Nations such as the United Kingdom, which had not had a son preference enactment problem since the Middle Ages, have in the early 21<sup>st</sup> century felt the need to create such legal penalties for medical personnel for these very reasons.

As co-authors, we have come to a third conclusion from our examination of these “mismatched bookends,” one that is perhaps less intuitive than the previous two. With others cited in this paper, we conclude it is insufficient to “raise the status of daughters” in order to normalize SRBs. Raising the status of daughters admits and highlights that daughters are in truth not as valuable as sons, and implies that extraordinary means must be employed to artificially lift them higher. It is an acquiescence, not a resistance, to son preference.

Rather, we feel that what the South Korean case teaches us is that the only effective means of attenuating son preference is to *lower the value of sons*. And here the government—and only the government—holds the levers that can work.

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<sup>197</sup> Eberstadt, “The Global War Against Baby Girls,” 2011.

To understand this point, it is useful to first step back and consider the problem of individual security more broadly. Ultimately, there are currently *only two alternative answers* to the problem of individual security—state government and patrilineality. Where state government is weak or oppressive, the only structure capable of providing effective individual security is the kin group, almost always defined agnatically.

We have noted that the vast majority of human societies even today are son-prefering, despite the fact that relatively few societies enact that preference to cull girls. We have also noted that the vast majority of lineage-based groups trace descent through the patriline, practice patrilocality, and inherit land and property through the patriline. Patricia Crone explains this commonality across space and time in human history exists because “tribes and states are not sequential stages but *alternative answers to the problem of security*” (emphasis ours).<sup>198</sup> Rather than leave the individual defenseless against the power of the state, clans were “authority structures capable of countering other authority structures,”<sup>199</sup> available to many, even most, within the society simply by fact of birth.

Arguably the most vulnerable family members in patrilineal groups, however, are the women whose role is to reproduce the patriline, for the subordination of female interests, reproductive or otherwise, is how patrilineal clans are formed in the first place. Schatz is right when he states, “If we can identify the mechanisms of identity reproduction, we gain exceptional purchase on both identity persistence and identity construction . . . Whether clan divisions persist or not hinges on identifiable mechanisms of identity reproduction.”<sup>200</sup> Female subordination specifically in marriage plays that role for agnatic clans.

Goody explains that the supremacy of the agnatic lineage was maintained because “the conjugal pair was incorporated into the larger unit, male authority was supported by the kin group and a woman’s independent role in the household was minimal.”<sup>201</sup> As Weiner notes, “The anti-individualism of the rule of the clan burdens each and every member of a clan society, but most of all it burdens women. The fate of women lays bare the basic values of the rule of the clan, and as outsiders, citizens of liberal states often find their own values clarified when they confront the lives clans afford their female members”<sup>202</sup>

It is critical to understand that patrilineal clans *cannot exist* without the subordination of female interests to the goals of the male members of the clan. As Fukuyama notes, “In agnatic societies, women achieve legal personhood only by

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<sup>198</sup> Patricia Crone, “The Tribe and the State,” in *States in History*, ed. John A. Hall, Oxford, Oxfordshire: Basil Blackwell, quoted in Paul Dresch, 1990, “Imams and Tribes: The Writing and Acting of History in Upper Yemen,” in *Tribes and States Formation in the Middle East*, ed. Philip S. Khoury and Joseph Kostiner, Los Angeles: University of California Press, 252-287.

<sup>199</sup> Lois Beck, 1990, “Tribes and the State in Nineteenth- and Twentieth-Century Iran,” in *Tribes and States Formation in the Middle East*, ed. Philip S. Khoury and Joseph Kostiner, Los Angeles: University of California Press, 192.

<sup>200</sup> Edward Schatz, 2004, *Modern Clan Politics*, Seattle: University of Washington Press, 13

<sup>201</sup> Jack Goody, 1983, *The Development of the Family and Marriage in Europe*, London and New York: Cambridge University Press, 30.

<sup>202</sup> Weiner, 2013, *The Rule of the Clan*, 64.

virtue of their marriage to and mothering of a male in the lineage”; that is, women only “exist” in these societies as they create the patriline because patriline cannot exist without women creating them.<sup>203</sup>

The fierceness and the sensitivity with which the subordinate status of women in patrilineal societies is guarded by the men of these societies testifies to Fukuyama’s proposition. Charrad observes, “Women represent a potential source of rupture in the web uniting the men of the patrilineage.”<sup>204</sup> Men—and not women—must therefore control assets, whether these be children or land or cattle, else the power of the clan will dissipate.

These observations set the stage for understanding how South Korea was so effective in normalizing its sex ratio, despite the fact that scholars opine South Korea had one of the highest levels of son preference of any human society. The South Korean government, especially its courts, attacked patrilineality at its roots, stripping males of privilege in inheritance, control of assets and children, and even in ability to create lineage. Indeed, the South Korean government might be viewed as following in the footsteps of the Catholic Church in Middle Ages. Many scholars attribute the drastic decline of agnatic kin group power in Western Europe during this time period to Christianity’s ban on polygyny, the rising age of marriage of females from onset of puberty to ages 22-24 beginning in northwest Europe in the 13<sup>th</sup> century, and the Catholic Church’s insistence on inheritance rights for widows and the denial of such rights to other agnatic kin, including illegitimate offspring of the widow’s deceased husband.<sup>205</sup> This is an historical tale suggesting that interference in the reproduction of agnatic kin exclusivity by improving the situation of women in marriage has great potential to subvert patrilineality. Those with the least power under the system of agnatic kin groups—women—may ironically possess the key to the system’s entire dismantlement.

What the South Korean government accomplished, then, was not in the first place elevation of the status of daughters. What South Korea accomplished was an effective attack on the value of *sons*. By eliminating all male privilege in inheritance, in lineage formation, and in control of assets—and enforcing this elimination in a nation increasingly urban and therefore not as dependent on land—the value of sons decreased dramatically. Furthermore, one of the sole remaining legacies of patrilocality—the patrilineal custom that the groom’s family is responsible for finding housing for a new couple—actually worked to decrease the value of sons to an even greater extent. Now it is sons and not daughters that are the children upon whom parents lose their money. And because daughters and sons inherit equally, sons can no longer be expected to provide for parents in old age to a greater degree than daughters. The South Korean government’s provision of old age insurance, even though still somewhat unreliable, is the final nail in the coffin of individual reliance on patrilineal groups for individual security.

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<sup>203</sup> Fukuyama, *Origins of Political Order*, 233.

<sup>204</sup> Charrad, *States and Women’s Rights*, 55.

<sup>205</sup> See, for example, Fukuyama and Goody. See also Mary Hartman, 2004, *The Household and the Making of History: A Subversive View of the Western Past*, Cambridge: Cambridge University Press.

Can either Vietnam or China emulate what South Korea has done? In both cases, the key contextual variable—degree of dependence on land as an asset, related to degree of urbanization—may work against both countries. Land is the asset most stubbornly held in the patriline, no matter what laws on the books might say. And if land matters, then the patriline continues to matter, to the detriment of daughters.

Pending change in that contextual, which will surely come eventually, what might China and Vietnam do to help revert its SRBs? The South Korean case suggests some answers. Coercive fertility limitation policies should be removed. Old age insurance must be broadly provided, and it should provide a meaningful level of reliable support. Laws punishing the collusion of physicians with fetal sex identification and sex-selective laws must be publicly enforced. Finally, the laws that China and Vietnam have on the books instituting equality in marriage and asset control in marriage/inheritance must be aggressively enforced. It is clear that enforcement is currently severely lacking in both nations.

Both China and Vietnam might well consider an additional step taken by South Korea—equalizing women’s rights in lineage formation by allowing women and men the right to choose their surname upon marriage and the right to equally choose the surname of their children. And of course one last consideration for Vietnam is its hemorrhaging of the female sex not only at birth, but in the young adult cohort due to the export of brides to China, Taiwan, and South Korea. It is not just the sex ratio at birth that should concern policymakers in Ho Chi Minh City.

In sum, this examination of China’s mismatched bookends has been instructive in helping to clarify what is and what is not causally linked to the enactment of son preference. As the list of nations enacting son preference lamentably grows longer, these insights may be of increasing import over time.