

Feminist theory and the legal guarantees of women's political rights in Vietnam nowadays

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ABSTRACT

International conventions of human rights have always recognized that all human beings are born free, equal in dignity and rights, without distinction of any kind, whether men or women, boys or girls. But in fact over the centuries, discrimination against women still exists in many parts of the world. Although they are a vulnerable group that suffers many disadvantages in terms of health, education, training, employment opportunities, participation in social management as well as other needs and consequently, requires attention and protection, women are not recognized and treated equally in proportion to their contribution to the welfare of the family and the development of society. Therefore, in human history, there have been many movements to fight for women's rights. Typically, the feminist movement - a socio-political movement to affirm and fight for women's rights- flourished in the West in the late eighteenth and early nineteenth centuries. This movement aimed to abolish the domination of the bourgeois state over women and promote the role of women in social life and was the basis for the formation of feminist theory with very rich and diverse content. It was the diversity of feminist theory that formed the various interpretations of the origin of oppression against women, set out the goals of eliminating inequality for women, and proposed a sufficient path to women's liberation in the sectors of politics, economy, society, family, and personality. Consequently, it has a significant impact on the guarantee of gender equality in countries all around the world, especially in the political sector.

In Vietnam, over the last few years, the Vietnamese Party and State have always affirmed their support for the policy of gender equality in all areas of society, which can be reflected via the promulgation of specific policies, laws, and actual action programs. However, the enforcement of law demonstrates the existence of great inequality between men and women, especially in the political field. By virtue of recognizing the role of feminist theory in social life, this article delves into the content of feminist theory as well as the relationship between feminist theory and legal guarantees of women's political rights. Besides, this article also mentions the practices of legal guarantees of women's political rights in Vietnam, applies the perspectives of feminist theory in identifying the barriers and challenges in legal guarantees of women's political rights, which serve as a ground for offering suitable solutions to improve the effectiveness of legal guarantees of women's political rights, contributing to the successful implementation of the Third Millennium Goal "Strengthening gender equality and empowering women".

Key words: Feminism, Women's rights, women's political rights

INTRODUCTION

In Vietnam, women have been involved in politics since a very early age. The history of national construction and defense of Vietnam has recorded the great merits of female generals Hai Ba Trung and Ba Trieu in leading the people to invaders to gain independence and freedom for the nation. Promoting the precious tradition of Vietnamese women in history, today women make more and more important contributions to the development of the country. Therefore, in order to increase the participation of women in the political field and make contributions to the cause of industrialization, modernization and international integration, the problem is to evaluate and analyze a

systematically advanced content theories such as feminism theory. This will be an important ideological foundation for implementing legal guarantees of women's political rights in practice, contributing to promoting women's participation in the political field in the current period.

The women's right movements in the West in the late eighteenth century was regarded as a range of movements for identifying, establishing and achieving equality on political, economic, cultural, ethnic and social rights for women¹. The activities of feminists movements are always associated with the goals of bringing benefits to women including the right to vote, the right to hold public office, the right to work,

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the right to fair wages, the right to own property, the right to education, the right to enter into legal contracts, equal rights in marriage and the right to maternity leave, etc. It is the high impact of the feminist movements that have contributed to creating the significant achievements in the world and the Western countries, especially in the foundation of legal institutions on women's electoral rights, gender neutrality in election and equality in salaries. Moreover, feminists have also worked to promote bodily autonomy and integrity and to protect women and girls from the violations such as preventing women from enjoying the right to vote, to elect, to own property or domestic violence, etc. It was the first time throughout history that the most important political rights of women were recognized by the Constitution and national laws and guaranteed to be enforced by legal instruments. Women's political rights have provided women the legal capacity equal to men in participating directly or indirectly in governmental and social management ..., establishing a rock-solid foundation for the formation and completion of legal guarantees of women's political rights in fact. Legal guarantees of women's political rights can be defined as *the State use the system of legal norms through the activities of women's political rights enforcement agencies to create the necessary conditions to ensure women exercise their fundamental rights in the political sphere*. Therefore, the legal guarantee of women's political rights is a combination of three factors:: legal regulation, the agencies ensuring the implementation of women's political rights and legal consciousness of related subjects and the social community in this issue.

On the basis of the definition of the legal guarantees of women's political rights, it can be argued that feminist movements not only affects the formation of constitutional frameworks for women's political rights but contributes significantly to the improvement of women's role in political life and guaranteed the exercise of gender equality in politics. In addition, the feminist theory also interprets the origin of gender equality in all fields of social life, particularly in the political sphere based on various perspectives, which is of importance in affecting the consciousness of the subjects. The content of the feminist theory plays an important role in providing the legal subjects and social community an unobstructed view about gender stereotypes still existing in social life and affecting the perception of humans in assessing the role of women's political participation. According to the feminist point of view, patriarchy remains a part of society, in which men are found as transcendent people, whereas women are forced under male guardianship

and may be considered as the property of men. As a result, it is normal that male guardianship can be exercised in every field of socio-political life and even this does not face any challenges from society... This manner is an important condition leading to the fact that men shall hold leadership roles at most levels of the political system, while only a small number of women in political parties or political organizations participate in the decision-making process within the context of national socio-economic policies. Despite the important positions of women in politics, they were also under the guidance of men at first². Therefore, it can be seen that women's participation in public and political life seems to be quite blurred by the prejudice that this manner is perceived as a default part owed to men³.

MATERIALS – RESEARCH METHODS

With the aim of explaining the issues in the implementation of legal guarantees on political rights of women in Vietnam nowadays, this article delves into the content of two typical feminist theories: Liberal feminist theory and Radical feminist theory and uses these two theories as the basis for analyzing and explaining barriers and challenges in the legal guarantees of women's political rights in Vietnam nowadays. Besides, in order to convey the main contents effectively, this article uses a combination of different research methods such as the analytic-synthetic method in analyzing the main contents of feminist theory as well as the relationship between feminist theory and legal guarantees of women's political rights. Additionally, this article also uses normative analysis, comparative and contrasting methods to analyze the content of current legal norms related to the legal guarantees of women's political rights which serve as a basis for assessing the practices of legal guarantees of women's political rights in Vietnam nowadays. Furthermore, this article also uses the method of secondary data analysis in analyzing specific data from many sources to demonstrate the practices of legal guarantees of women's political rights in Vietnam nowadays.

Liberal feminist theory

Liberal feminist theory is an idea greatly influenced by liberal philosophical thought in the sixteenth and seventeenth centuries, reflecting the belief and respect for the idea of equality and autonomy. Consequently, within the sphere of the liberal feminist theory, the characteristics of socio-cultural conditions act as an instrument to establish the ratiocinate, analysis and explain the dependent and inferior status of women

(in the comparison to men) is the cause of inequality between women and men in society.

The liberal feminist theory includes diverse approaches focused on the human body and mind. According to liberal feminists, the major difference between human beings and other creatures is reasoning and thinking. Human intelligence does not have gender identity, but in the patriarchy, it always refers to intelligence as men. As a result, liberal feminists are of the view that women's subordination is rooted in legal and customary constraints (4). It is the regulations and the long-held social customs influenced greatly by the patriarchy that deprive women of their educational rights and confine them in their own families. These issues have been shown clearly via the legal norms of various typical laws such as Sharia Law of Muslim countries, Hudud Law of Islam in Malaysia. These constraints act as the roots of the barriers to women's participation in political life. The legislation and custom have led society to believe that women are less than men in mental and physical health, thus may not participate in the State apparatus or socio-economic organizations. Therefore, their intelligence is always considered lower than that of men (5).

Besides, in the view of the liberal feminists, not only the regulations and customs, but social values and socialized gender norms have an enormous impact on children in early childhood, support for transforming biological humans into social humans through the process of absorbing social values, moral standards and knowledge of children. This results in the parent's gender ideology and gender-based behavior happening throughout the upbringing towards their children. Accordingly, society always expects men to be "extroverted", their role is the "cultural" manner, while women are "introverted" and carry out their "natural" roles⁴. This ideology leads to the notion that women have traditionally been portrayed as divine roles and responsibilities of mothers, wives, "fire keepers" in their families, and their narrow activity space is only "packaged" within the family and they are also expected with light and simple activities. While men's roles are usually associated with social activities, they are perceived as the "pillars" with strong and intellectual activities. The gendered division in activities has resulted in the differences in the assessment of interests when both men and women participate in a social activity. Society's gender bias against women deprives women of equal opportunities to pursue their own interests. Consequently, feminists have requested for the elimination of discrimination against women, starting from ideological changes in society and the national legal system in the

aim of changing the perception of legal subjects in society. In addition, liberal feminists have also encouraged and encouraged women to liberate themselves, because the difference between men and women is the difference in body shape, not intelligence⁵. This has had a certain effect on the changes in the legal content of many countries around the world.

To sum up, the liberal feminist theory asserted that the customs, obsolete laws and gender bias created discrimination in the development opportunities between men and women, acted as the challenges to the implementation of women's political rights. As a result, this generates a gender-based division of the sphere of activity. Men usually play a virtual role in social fields whereas women's roles only limit to the space of "four walls of the house". This has caused women to be limited in social activities, even if involved, they are often not appreciated.

The liberal feminist theory has adequately explained the obstacles and challenges women face to get into strategic political positions because the expectation of society, as well as the education opportunities of women, seem to be significantly influenced by gender inequality. Therefore, in politics, men are usually more dominant than women.

Radical Feminist Theory

While the liberal feminist theory has attempted to explain the reality and barriers to women's political participation, the radical feminists have focused on explaining the lack of women in all fields from a cultural perspective. For radical feminists, patriarchy is the root of the oppression of women, which is more profound and harmful than any other form of oppression, including economic oppression⁴. Because this regime produces "femininity" for women and always associates this factor with the following personalities such as sensation, tenderness, indecisiveness. Therefore, women shall not be facilitated to access positions of power greatly influencing society. In addition, the feminist Walby distinguished two different types of the patriarchy in Western history: (i) Private patriarchy is the domination over women individually by the patriarchs via limiting them to unpaid household labor and keeping them from the public sphere; (ii) Public patriarchy includes institutional structures, women are allowed roles in the public sphere such as politics, labor, but remain oppressed by the gender inequalities in economic conditions, and positions of power held in society. The view of feminist Walby has shown that women's social space is limited to their home, the families remain at the center of gender oppression, because in families men can control women

both physically and mentally. Even if women go beyond the space of family, they will still be inferior to men in all fields, including politics by virtue of the controlled status of men.

To sum up, the radical feminist theory has pointed out that the patriarchy prescribes feminine characteristics and degrades them for controlling women in all aspects. These regulations created negative effects on women's development path in the political sector. For the feminists, the patriarchy restricts women in their own houses, resulting in the formation of gender stereotypes in the assessment of women's capacity in politics, creates unequal opportunities for women to participate in political life. Consequently, women often have no or little opportunity to participate or be appointed to leadership or management positions, as well as contribute and enjoy the achievements of political participation.

RESULTS

In recent years, Vietnam has obtained many significant achievements in implementing women's political rights. Vietnam had established rather comprehensive legal and institutional frameworks on women's political rights. Through the recognition of the equal rights of women in the political field through the content of the Constitutions from the 1946 Constitution, 1959 Constitution, and 1980 Constitution. Especially to concretize the content of the Convention to eliminate all forms of abuse. Discrimination against women (CEDAW) to which Vietnam is a member, in article 63 of the 1992 Constitution (amended and supplemented in 2001) prescribed: "*Female and male citizens have equal rights in all aspects of politics, economy, culture, society and family The State and society create conditions for women to improve their qualifications in all aspects, constantly promote their role in society; take care of developing birthing houses, pediatrics, kindergartens and various social welfare facilities to ease the family burden, create conditions for women to produce, work, study, cure, rest. and fulfill the duties of a mother.*" Institutionalizing the 1992 Constitution (amended and supplemented in 2001), Clauses 1, 2, 3, 4, Art. 11 of the 2007 Law on Gender Equality clearly define that: "*Man and woman are equal in participating in the state management and social activities; Man and woman are equal in participating in the formulation and implementation of village codes, community regulations, agencies and organizations regulations; Man and woman are equal in self-nominating as candidates or in nominating candidates to the National Assembly, people's councils; and*

are equal in self-nominating as candidates and in nominating candidates to lead agencies of political organizations, socio-political organizations, socio-political and professional organizations, social organizations, socio-professional organizations; Man and woman are equal in terms of professional qualifications and age when they are promoted or appointed to the same posts of management and leadership in agencies and organizations". Additionally, Clause 5, Art.11 also mentions the measures to promote gender equality in politics. Assessing the importance of ensuring gender equality, once again in Article 26 of the current 2013 Constitution, it affirmed: "*Male and female citizens have equal rights in all fields. The State has the policy to guarantee equal gender rights and opportunities*". These contents are also concretized in legal documents such as Law on Election of Deputies to the National Assembly and People's Council 2015, Civil Code (2015), Criminal Code (2015 revised in 2017), Law on Cadres and Civil Servants 2008, Ordinance on implementing democracy in communes, wards and townships (2007)... In order to concretize the provisions of the law and improve the effectiveness of the enforcement of women's political rights in practice, the Government has issued national strategies on gender equality through the stages, most recently the National Strategy on Gender Equality for the 2021-2030 period, which was promulgated by the Government on 3/3/2021, with goals: *continuing to narrow the gender gap, creating conditions and opportunities for women and men to participate and enjoy equal benefits in all fields of social life, contributing to the country's sustainable development.* This is an important legal ground for enhancing women's participation in a governmental system at all levels, as well as shows efforts to internalize international conventions that Vietnam has signed, demonstrates the commitment to support women's participation in political activities and efforts to reduce the gender gap in politics of our Party and State. Moreover, in order to ensure the effective implementation of women's political rights, the Government always asserts that guaranteeing gender equality in all fields is the responsibility of all State agencies, specific institutions to enforce women's rights including: The Ministry of Labour, Invalids and Social Affairs, the National Committee for the Advancement of Women in Vietnam and agencies of the Vietnam Women's Union shall play the role in consulting, coordinating, advocating, promoting, supporting, managing and supervising gender equality in all fields including the politics.

With the efforts of the Party and State in establishing the regulations and institutions for ensuring

women's political rights, over the past years, Vietnamese women can effectively exercise their own political rights. In the 9th and 10th Party Congresses, there was no female delegate in the Politburo structure, in the 11th term 2 delegates joined in this system. Besides the 13th Congress, among the official members of the Central Committee, there were 18 female delegates, an increase of 1 delegate compared to the 12th term. Nine of 63 Secretary of Provincial Party Committee for 2020-2025 term are women in the areas: Lang Son, Lai Chau, Thai Nguyen, Vinh Phuc, Bac Ninh, Ha Nam, Ninh Binh, Quang Ngai and An Giang. This is the highest number of female Secretaries of the Provincial Party ever. According to Vietnam Women's Union, in this term, at the grassroots level, the percentage of women participating in the party committee reached 21% and the number for the upgraded level is 17%, both 2% higher than the past one. For the central Party committees, the percentage of women's participation reached 16%, an increase of 3% compared to the previous term. Not only the Party organs but the National Assembly (the highest State authority) have gained remarkable achievements. Over the past 80 years, with 15 sessions, the Vietnamese National Assembly has always recorded the participation of women delegates. If the percentage of women participating in the first National Assembly is only 3% (with 10 delegates), this proportion in the XIV session increased to 26.8%. And, the 15th National Assembly has recorded the highest amount of women delegates with 30,26% (151 women/499 delegates), and higher than 3.54% in comparison with the previous term⁶. In general, the 14th and 15th National Assembly have achieved significant results in the guarantees of gender equality in political life, especially in the 14th National Assembly, it is the first time a female representative has ever held the position of the President of National Assembly - the highest State authority and among "four pillars" of the State. Notably, on August 25th, 2019, the President of National Assembly, Nguyen Thi Kim Ngan was nominated to hold the Vice President of the Executive Committee of the 40th General Assembly of the Inter-Parliamentary Council of Southeast Asian Nations (AIPA40)⁷. In addition, during the period of the 10th term and 15th term, Vietnam has been assessed by the Inter-Parliamentary Union (IPU) to have a high proportion of parliamentarians. According to the figures of IPU, Vietnam ranked the 60th of 233 countries, while the average proportion of women in parliament in Asia is 19.7% and in the world is 23.4%. It can be said that this is a remarkable result for the realization

of the Party's guidelines and the State's policies and laws on ensuring women's political rights.

However, from the practice of women's political participation in Vietnam, it shows that the significant gap in political theory between men and women may still exist in both the political system and the State apparatus. This has a negative effect on female cadres in the process of striving on the career path. Therefore, although female cadres have "sprinted" on the "political race" and they may be mature even 4-5 years earlier than men, the effect of "top position is privilege solely to men" is still present at all levels of the political system. This issue may be illustrated via the proportion of women's participation in the Party committee for the term 2020-2025 despite the growth compared to the 2015-2020 term. In the sub-national administrative units, women hold 25.6 % of the deputies in the provincial Party committee, 4.9% higher than the previous term; for the district level, the figure reaches 20.1%, an increase of 1.9 % from the past term, and among 63 Secretary of Provincial Party Committee are 9 women. These figures show that although the percentage of women's participation in the Party committees has seen significant changes, women's membership, in fact, is still much less than that of men. With such limited participation of women in the Party committees, women's membership has not represented a large number of women in society. In addition, the lack of female cadres in some important fields generates challenges in making and implementing policies in gender equality. Even in the National Assembly, although the proportion of female deputies to the 15th National Assembly reaches 30.26%, this ratio does not remain similar among the units when up to 25 provinces owed the under-20% proportion of female delegates. It can be seen that the Party and State's goals on gender equality have not yet developed steadily, have not achieved the target of 35% in the National Strategy on Gender Equality and the percentage of female representatives has not been evenly distributed among the subnational administrative units. This demonstrates an imbalance between individuals and groups of men and women in accessing opportunities and resources as well as enjoying the benefits in society, creates gender-based discrimination because of the impact of gender bias.

On the other perspective, it can be seen that the difference in assessing the capacity of men and women based on gender is rather common in offices and organizations in Vietnam. Some qualities and abilities are automatically associated with men, such as leadership, assertiveness, flexibility, dynamism, creativity.

These are the qualities requiring a lot of the “masculine” factor expected by the majority in society, especially leadership and assertiveness. Therefore, the image of men as leaders and managers remains a usual part of society’s perception. For instance, in a research project conducted in Thua Thien Hue from 2017 to 2018 on “*Ensuring the implementation of women’s political rights in Thua Thien Hue*”, the results of the survey on the opinions of cadres, officers about the decisive capacity of leaders and managers show that: At the provincial level, 67% of respondents think that men are assertive than women, the contrast opinion only holds 3.3%. At district level, these figures are 51% and 26.7% respectively and at grassroots levels in Hue City, the proportion of men’s assertiveness account for 56.7% and the latter is 12.35⁸. The results indicate that the governmental agencies remain the differences in the leadership’s assessment and management capacity of men and women. Meanwhile, Vietnam’s history has proven that Vietnamese women, when participating in political life, still show many unique strengths in terms of moral qualities, capacity, responsibility, fairness, simple productivity style, creativity, and generated certain influences in the process of building and defending the country. Consequently, Vietnamese women have the unique way of leadership and management and they can gain certain developments in the political sector, as well play an important role in the cause of building and defending the country.

DISCUSSION

Based on feminist theory shows, cultural factors (masculinity and femininity) and social customs serve as barriers to gender equality in public and political life in Vietnam, which is reflected through the gender-based assessment of qualities and capacity in leadership and management. This has influenced the image of leaders and managers in both men and women. For instance, the typical leadership styles of men are associated with an autocratic and commanding manner helping them to show strong leadership, while women are only appreciated for some qualities and abilities requiring many feminine elements such as advocacy, skillful behavior with colleagues, sophistication in employee management. However, the stereotype for women in leadership and management creates barriers to women’s participation in politics. Accordingly, the images of men and women in leadership positions are built in two completely different models. It is the impact of gender bias that leads to the fact that women, when participating in leadership and management, are often scrutinized and evaluated

more rigorously than men, even if having any mistakes on their duty, women are judged as concentrating on their family and are underestimated than men when they participate in the same positions. This results in the fact that men rarely expect their leaders to be women and even women themselves dislike their leaders to be of the same gender as them. Thus, it is the stereotype of leadership image that makes the female leaders are perceived as quite blurred compared to the men in the political system at all levels. This issue seriously affects their political career and generates the barriers women keep facing on their path from the stage of personnel selection.

To sum up, it can be stated that the feminist theorists have satisfactorily and rationally explained the barriers for women’s participation in political life around the world as well in Vietnam, especially in strategic positions in the public and political sector.

Through the analysis of the barriers to women’s political rights from the perspective of feminist theory, it is shown that, in order to improve the effectiveness of the legal guarantee of women’s participation right in politics in Vietnam, in association with achieving the goal of enhancing gender equality in the political field, The author believes that: it is necessary to continue to implement synchronously the following measures:

Firstly, it is necessary to improve the legislative and policy framework for women’s political rights substantively and effectively. To be specific:

- The Government should ratify the International Convention on Political Rights of Women in 1952. Although Vietnam has been a state party of CEDAW since 1982 and other international conventions on human rights, but the content of CPRW 1952 provides detailed provisions on women’s political rights and measures to ensure women’s political rights, so ratification of this Convention will contribute to perfecting the legal mechanism to ensure effective participation of women in political life.

- To consider promulgating the Law on Protests to concretize the Constitution, to ensure that citizens, including women have conditions to exercise their constitutional rights that are complementary to their political rights, to express their legitimate aspirations to the State in a peaceful and orderly manner, within the legal framework.

- To review and modify the regulations on the age of planning and appointment to state management that is suitable for each group of professions and fields of operation under the spirit of the CEDAW Convention.

- To set specific targets on the percentage of women’s participation in leadership and management in the

process of policy-making and implementation in governmental agencies and consider it as a criterion to evaluate the level of performance of competent agencies, organizations and individuals.

- To add the specific legal sanctions to strictly and promptly inflict those who fail to enforce or enforce the guarantee of women's political rights ineffectively, especially for planning, training, fostering, employing and appointing female cadres in the political system. *Secondly*, it is necessary to improve the capacity of institutions ensuring women's political rights and promote the responsibilities of organizations, agencies, levels and sectors in implementing women's political rights.

- The Party and State need to establish the policies on material and spiritual support for female cadres regarding training and fostering so that they are qualified to surpass themselves to reach prominent positions in the political field.

- To strengthen the role of advisory, enforcement and supervisory of the Women's Unions, the National Committee for the Advancement of Women, the Vietnam General Confederation of Labour, the Ministry of Labour, Invalids and Social Affairs and other social organizations in ensuring women's political rights...

Thirdly, to raise the awareness of legal subjects on women's political rights, it is necessary to concentrate on media activities and diversify forms of propaganda and advocacy on gender equality towards the abolition of gender prejudice and backward social customs deeply ingrained in the Vietnamese's mind, which is detrimental to women's political participation. Additionally, this may contribute to change men's thoughts in family positively, as well promote the role of family and community in supporting women to pass pressure on gender bias at home and in the workplace.

Fourthly, Vietnamese women themselves also need to avoid the mentality of peace, fear of striving, guilt, inferiority and must strive to overcome all backward prejudices and make positive contributions to the social activities, and assert their role in the political field.

Finally, to promote international cooperation (multilateral, bilateral, non-governmental) to take account of the positive experience of countries around the world, especially those with high gender equality index in political participation (Sweden, Norway, Finland...), and consider to creatively and appropriately apply in the economic and social context of Vietnam.

CONCLUSION

In summary, by studying the content of feminism theory and the legal guarantee for women's political

rights and explaining the barriers to the legal guarantee of women's political rights in Vietnam today. Today, it has been shown that the legal guarantee of women's political rights is very necessary today, because this is the most vivid proof of the fairness and equality of a country. It is also one of the basic elements of all democratic politics. Vietnam is moving towards a society of "rich people, strong country, just, democratic and civilized society", so it is necessary to raise the voice of women in politics and in policy making. That has great significance for the cause of building a socialist democracy in Vietnam in general and for gender equality in particular.

LIST OF ABBREVIATIONS

CEDAW : The Convention on the Elimination of all Forms of Discrimination against Women

CPRW : The International Convention on Political Rights of Women

IPU : Inter-Parliamentary Union

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COMPETING INTEREST

The authors declare that they have no conflicts of interest.

AUTHOR CONTRIBUTIONS

The author conceived and designed the analysis, collected the data, processed the data, performed the analysis, wrote the paper.

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TÓM TẮT

Các công ước quốc tế về quyền con người luôn thừa nhận, mọi người sinh ra đều tự do, bình đẳng về nhân phẩm và quyền lợi, không có sự phân biệt nào dù là nam hay nữ, con trai hay con gái. Nhưng trên thực tế, trải qua nhiều thế kỷ, sự phân biệt đối xử với phụ nữ vẫn đang tồn tại ở nhiều nơi trên thế giới. Mặc dù họ là nhóm người dễ tổn thương và chịu nhiều thiệt thòi về sức khỏe, giáo dục, đào tạo, cơ hội có việc làm, tham gia quản lý xã hội và các nhu cầu khác, rất cần được quan tâm và bảo vệ. Phụ nữ thực sự chưa được công nhận và đối xử một cách bình đẳng tương xứng với sự đóng góp của họ vào phúc lợi của gia đình và sự phát triển của xã hội. Chính vì thế, trong lịch sử nhân loại có khá nhiều các phong trào đấu tranh cho quyền lợi của người phụ nữ đã diễn ra. Điển hình là phong trào nữ quyền – một phong trào chính trị - xã hội nhằm khẳng định và đấu tranh cho quyền của phụ nữ đã phát triển rất mạnh mẽ ở Phương Tây vào khoảng cuối thế kỷ thứ XVIII, đầu thế kỷ thứ XIX. Phong trào này nhằm mục tiêu xóa bỏ sự thống trị của nhà nước tư sản đối với phụ nữ và thúc đẩy vai trò của phụ nữ trong đời sống xã hội và là cơ sở để hình thành lý thuyết nữ quyền với nội dung rất phong phú và đa dạng. Chính sự đa dạng của lý thuyết nữ quyền đã hình thành những cách thức lý giải khác nhau về nguyên nhân dẫn đến sự áp bức đối với phụ nữ và đưa ra mục tiêu xóa bỏ sự bất bình đẳng đối với phụ nữ, cũng như chỉ ra con đường giải phóng phụ nữ trên các lĩnh vực: chính trị, kinh tế, xã hội, gia đình và cá nhân một cách hiệu quả. Chính vì thế, phong trào nữ quyền có ảnh hưởng mạnh mẽ đến hoạt động bảo đảm bình đẳng giới trên nhiều lĩnh vực ở các quốc gia trên thế giới, nhất là trong lĩnh vực chính trị.

Ở Việt Nam, trong những năm qua, Đảng và Nhà nước luôn khẳng định ủng hộ chính sách bình đẳng giới trong mọi lĩnh vực của xã hội, thể hiện thông qua việc ban hành các chính sách, pháp luật cụ thể cũng như các chương trình hành động trên thực tế. Tuy nhiên, thực tiễn thực thi pháp luật cho thấy, vẫn còn tồn tại sự bất bình đẳng lớn giữa nam và nữ, đặc biệt là trong lĩnh vực chính trị. Nhận thức được tầm quan trọng về sự tác động của thuyết nữ quyền đối với đời sống xã hội, trong phạm vi bài viết này, tác giả đã đi sâu phân tích nội dung của thuyết nữ quyền cũng như mối quan hệ giữa thuyết nữ quyền với vấn đề bảo đảm pháp lý quyền chính trị của phụ nữ. Bên cạnh đó, tác giả cũng đã đề cập đến thực trạng bảo đảm pháp lý quyền chính trị của phụ nữ ở Việt Nam hiện nay, từ đó, tác giả đã mạnh dạn vận dụng những hạt nhân hợp lý của các lý thuyết nữ quyền để lý giải về những rào cản và thách thức đối với vấn đề bảo đảm pháp lý quyền chính trị của phụ nữ trong thực tiễn. Chính điều này là nền tảng quan trọng để tác giả tìm ra các giải pháp phù hợp nhằm nâng cao hiệu quả bảo đảm pháp lý quyền chính trị của phụ nữ, góp phần giúp Việt Nam thực hiện tốt Mục tiêu thiên niên kỷ thứ ba "Tăng cường bình đẳng giới và trao quyền cho phụ nữ".

Từ khóa: nữ quyền, quyền phụ nữ, quyền chính trị của phụ nữ

Trích dẫn bài báo này: Thúy M T D. Lý thuyết nữ quyền với vấn đề bảo đảm pháp lý quyền chính trị của phụ nữ ở Việt Nam hiện nay. *Sci. Tech. Dev. J. - Eco. Law Manag.*; 5(S12):41-49.