

Commentary: Gender-based Violence among the (H)mong¹

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Hmong Studies Journal
Volume 13(1), 27 Pages

Abstract

Prepared for the Seminar on Cultural Factors in the Prevention and Promotion of Gender-Based Violence held at UNESCO Bangkok on 17-18 May 2012, this article presents the current state of the subject in the patrilineal, patrilocal and patriarchal (H)mong society. After delineating carefully (H)mong GBV through rape, marriage customs, domestic verbal and physical abuses and, in some cases, murder, the author investigates the roots of GBV in different directions: gender asymmetry and inequality; tribal culture and the clan system; the function of the bride price; women's social mobility in the U.S. and values clashes with American values. After a thorough anthropological analysis, the author concludes that GBV has nothing to do with the clan system, the backbone of the tribal society, but rather involves a long-lasting borrowing of Chinese patterns from the (H)mong past in Imperial China, which could be amended. Gender inequality will hopefully regress if shame, a powerful means of social control among the (H)mong, is used to deter GBV.

Key words: tribal culture, clan system, gender inequality, bride-price, pride and shame, Chinese patterns.

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I was asked to present the best of our knowledge on this sensitive subject among the (H)mong and the Yao. Here, I shall only consider (H)mong society which, in my eyes, epitomizes a patrilineal, patriarchal tribal organization in a clear cut treatment of gender problems. I use the word 'tribal' because it depicts perfectly the kind of society the (H)mong are living: an egalitarian structure where kin relations prevail over all other social relations.

¹ (H)mong language has two main dialects: *hmong* and *mong*, the first consonant *hm* is voiceless in *hmong* /m̥/, *mong*, but voiced in *mong* /m /mong. For practical purposes like writing on ordinary typewriters, W. Smalley, who devised in 1953 the Roman Popular Alphabet, the first writing system the (H)mong of Laos ever had, chose to transcribe the voiceless m̥ by *hm* and when the ethnic name, *m̥ong* or *mong*, was later, in 1972, officially acknowledged in Laos, it was Hmong, in the *hmong* dialect spoken and written by the political circles among the (H)mong at this time. This peculiar orthography has been in fact a great help to establish (H)mong identity around the world and to avoid confusion with the Mon-Khmer languages or the Mongolian. However, in recent years, in the U.S., *Mong* speakers have voiced their concern at being officially imposed in legal documents with term associated with the use of the *hmong* dialect instead of their own and have claimed they are an altogether different ethnic group. Moreover the *h* of *hmong* has been widely understood as an aspiration providing *hamong* in Thai writing or H'mông in Vietnamese ! A solution approved by the late General Vang Pao was to write *mh* instead of *hm* but then, in the RPA system, there would have been a real aspiration, so this was not retained. Only the bracketing of this unfortunate *h* can save altogether, ethnic cohesion and the accumulated data under the 'Hmong' term. Consequently, I use (H)mong for the ethnic group as a whole and when the dialect is not specified, and Hmong or Mong when we know which group or dialect is involved.

This society has neither a centrally governing authority nor territorial boundaries. As Marshall Sahlins (1966) explains: “It builds itself from within, the smaller community segments joined in groups of higher order, yet just when it becomes greatest the structure becomes weakest. . . Its economics, its politics, its religion are not conducted by different institutions especially designed for the purpose but coincidentally by the same kinship and local groups: the lineage and clan segments of the tribe, the households and villages, which thus appear as versatile organizations in charge of the entire social life.” Incidentally, what we usually call ethnic subgroups, the White, the Green, the Leng, the Red, the Black, the Striped Sleeves (H)mong, etc., are but different tribes of the same (H)mong tribal society²

Introduction

This article has provided an opportunity for me to revisit my field-notes and two previous papers dealing with (H)mong gender issues³, and above all to discover the extraordinary wealth of new data provided by the (H)mong refugees resettled in the U.S. and in France. For the first time the silent females I have discreetly observed in traditional villages have started expressing experiences and feelings on this subject which is now wide-open to our speculation. Taken at face value in the context of Western societies this evidence and the emerging Western analyses are telling blows for a (H)mong traditional culture already in a generational gap crisis. This makes all the more urgent the necessity to sort out facts and analyze how they relate to (H)mong culture and hopefully try to formulate what, in my eyes, should be preserved and what should be amended. Considering the diasporic character of (H)mong society I present evidence dating from 50 years ago collected in my field work in Laos and published to some extent in my first book on the Lao Green Mong published in 1972 and generally confirmed by Nusit Chindarsi (1976) and W.R. Geddes (1979) who also investigated the Green Mong of Thailand in the early 1960s. The evidence is further supplemented by other fieldwork on the (H)mong in Thailand, in the 1970s conducted by R. Cooper (1983,1984), in France and Laos in the late 1980s and early 1990s by Kao-Ly Yang (1999)⁴, in Thailand by Prasit Leepreecha (2001), Patricia V. Symonds (2004) and in the early 2000s by Maren Tomforde (2006). For the relevant ethnography on the subject among the (H)mong in the U.S. I also engage with various studies and accounts as well as academic and non-academic controversies, spearheaded by educated (H)mong women in the U.S., and, last but not least, my own experiences with (H)mong society through a continuous 50 years relationship with the people I first studied in their village in Laos and who are now scattered between Laos, Thailand, France and the U.S. They (especially outspoken women of the second and third generation of refugees in France) assisted me in updating my vision of gender-based violence in (H)mong culture. This is all one can do for the time being, and I am quite aware that some of my readers, to whom I apologize for my shortcomings, will not be satisfied with my current understanding of the problems.

1. An outline of the facts

² For those who feel that ‘tribe’ has some off-putting ‘primitive’ connotation, I suggest reading Joel Kotkin’s 1993 book: *TRIBES: How Race, Religion, and Identity Determine Success in the New Global Economy*, New York: Random House.

³ “La femme hmong insoumise” (The non-submissive Hmong woman) unpublished paper, 1987; “Fonction et rébellion. La place de la femme à l’intérieur et à la périphérie du monde chinois (Function and Rebellion:Female Social Position Within and Around the Chinese World) in *Social Anthropology* 1997, 5, 3 p.255-277, a paper first published under the same title in Chinese, 1994 : Gongneng yu fankang : lun Zhong Guo yu di zhoubian diju funü diwei in Ma Jianzhao, Qiao Jian, She Ruilo (ed.), *Huanan hunyin zidu yu funü diwei*, Guangxi Minzu Chubanshe.

⁴ Unpublished Ph.D. thesis.

Gender-based violence may occur inside or outside the family. In the latter case we deal with rape, kidnapping and forced runaway marriage matches. Inside the family, gender-based violence is but an expression of domestic violence. It ranges from abusing and beating the wife or husband to incestuous rape, by taking advantage of a status of authority. An idyllic vision of tribal societies would deny the very existence of such excesses, but even if they seldom occur and are even more rarely reported, the few instances of them that have been gathered by field researchers in Laos and Thailand raise the problem of their link with the social framework and the different strategies elaborated by a tribal society in order to deal with them.

Rape

(H)mong society in the traditional village environment has a permissive attitude to sexual freedom as soon as a young girl becomes nubile generally around 13. She is primarily discreetly courted by young male teenagers of her age in the village at night, sometimes in the fields, and in the big festival meetings at New Year by all kinds of bachelors or even married young men looking for young mates. For at least one week, girls leave their houses and go in groups to sleep in other places, sometimes other villages, followed by their suitors. This is the apex of a year of sexual freedom for these girls. They may have had furtive sex and the matter of their willingness to do it is more or less left to the decision of their male partner. A keen observer of Mong village life, Nusit Chindarsi (1976: 69), noted: “A (H)mong boy expects to have sexual intercourse with the girl whom he is courting within three days of their acquaintance. If the girl does not permit him to have this liberty he will not court her any more. Because of this rigid custom, it is very difficult to find in the community a girl still virgin at the time of her marriage.” In other words, a (H)mong girl is expected to be inclined to yield to her suitor.

At this point she is rather “seduced”, not really raped. When a girl complains of rape, it is all the more surprising and unpleasant. Her parents, however, backed by their lineage local leaders seek an arrangement with the family of the “rapist”, including marriage or social punishment in form of monetary compensation. Marriage is a pressing issue if the girl happens to be pregnant. The stigma of having been raped or being an unmarried mother is strong enough for both parties to find a decent resolution to this situation. Cooper *et al.* (2004: 427) remarked that “the right to compensation for an unintended pregnancy relates to “breach of promise” even if nothing was promised⁵. The boy might not have breached his promise, but he has certainly breached custom (*yuam cai*). To keep custom, the boy should really marry the girl. However, nobody will force him to do so and stigma will attach more to the girl than the boy.” More surprising is the attitude towards a still young girl in her twenties regarded already as an old spinster improper for an ideal marriage. Probably, there is a non-expressed feeling of greater promiscuity after so many years of virtual sexual freedom. Moreover, if she has yet to deliver a child she is also suspected of sterility. Finally, her virginity, which would be much praised in other ethnic groups, may cast a doubt on a girl’s attractiveness or capacity to sexual life.

⁵ In the (H)mong understanding this is the right approach because courting as expressed in love songs of both genders is full of promises of eternal love and faithfulness to the point of death. They imply that the seducer has used the same standard device to approach his victim.

In normal circumstances, the fear of seeing one's daughter deliver a child before marriage prompts the parents to give her away as soon as she is asked. This is why sexual freedom seldom lasts more than two consecutive years. After the New Year, young men from the same or another sometimes distant area rush with their go-between and wedding escort to the girl's parents in order to marry her.

Back to rape, it is striking to see that among refugees in the U.S. it has taken the shape of forced prostitution of the same class of under 15 year old female teenagers who happen to become runaways from their families. This did not occur in the old days of Laos. (H)mong girls would never run away from their parents' home, except for marriage by kidnapping as seen below. The first (H)mong prostitutes in the 1960s were rather runaway married young women seduced by (H)mong soldiers to leave their husbands. It only happened in refugee communities: Samthong, Longchieng, the multiethnic village at Km 10 off Luang Prabang, and they usually ended up in Vientiane. They were very few and so far independent⁶.

“Are you prepared to marry me?”⁷

When rape is the lone case such as described in the Goldstein' article⁸ it is interesting to observe that both parties were willing to solve the case in Hmong terms but were prevented from doing so by the fact that the rapist had already been arrested by the police and jailed by the court. Violence that has infected some younger members of the (H)mong community in the U.S. who now have formed criminal gangs, takes a heavy toll on unprotected young women who often become victims of a gang rape that they dare not report because **shame keeps them from coming forward**.

Sometimes, they feel so irremediably lost to their family and social network that they opt to stay with their rapists. In passing, according to officials with the St. Paul (MN) Police Gang Unit, in 2005, 97 (H)mong men and teenagers were charged with sexually assaulting or prostituting Hmong girls. Some of them were heavily sentenced. This dire circumstance may explain why Laos and Thailand have become a magnet for Hmong male tourists especially at the time of the (H)mong New Year. A UNESCO project on Human Trafficking and HIV AIDS in Laos in which I have participated has uncovered that a small number of urban (H)mong young women, taking advantage of the spread of mobile phones, have become ethnic call girls for these (H)mong tourists from the U.S. or Europe. If violence is present in

⁶ In my unpublished paper (“La femme hmong insoumise”) some 20 years ago I did remark that taking all things into consideration prostitution in the 1960s was the only step towards freedom left to Hmong women.

⁷ According to an article by Pam Louwagie and Dan Browning, published in the Minneapolis-based Star Tribune, March 23, 2012, a 12 year-old young Hmong girl who had been gang raped had the following reaction: **“In the days that followed, she didn't tell anyone about the crime -- not her parents, not a doctor, not the police. Instead, she said, she called up one of the rapists.”** The reason for such a reaction was that **“She feared that if her family found out, they would feel forever shamed. Her culture would require her to marry one of her attackers to save her reputation.”** This Hmong teenager had the right response to what happened to her according to Hmong customary law, this however provoked a baffling reaction in the eyes of the American reporters.

⁸ Beth L. Goldstein, 1986: “Resolving Sexual Assault: Hmong and the American Legal System” in Hendricks, Glenn L. et al.: *The Hmong in Transition*, New York: Center for Migration Studies & the University of Minnesota: Southeast Asian Refugee Studies Center, p. 135-143.

the sexual exploitation of (H)mong teenagers in the Minnesota and California cases⁹, the ‘sex tourism’ of the (H)mong males in Laos may be categorized as almost like a return to normal behavior, if we dismiss the money issue¹⁰, and these situations may even sometimes end up in transcontinental marriages. Unfortunately, these situations may at times also eventually result in human trafficking¹¹.

Kidnapping and forced runaway matches

Kidnapping (or catch-hand marriage) is another traditional way of getting a wife among the (H)mong. Traditional marriage is achieved at the end of a long negotiation between the parents of the girl represented by two go-betweens and two go-betweens of the suitor representing his parents. It is not always fruitful and in some circumstances when a girl and her suitor are in love with each other or when a suitor fears competition from others, they may resort to formal kidnapping, more often, in fact, the girl’s elopement will occur, followed by a negotiation with the girl’s family with exactly the same conditions but with the advantage of having already put on the suitor’s side the object of the negotiation. Sometimes it may be a real kidnapping with three to four abductors dragging the girl away in the evening before she gets to her parents’ house. She is taken to the boy’s house and put with him in the same bedroom for the night. When it is in a faraway village, they may spend the night in a field shack. The fact for a girl to spend publicly a night at a boy’s house amounts to an informal union even when it is imposed on her. Next morning,¹² two representatives of the boy’s parents will come to acquaint the girl’s parents with the situation and start a negotiation. The criteria first considered by the girl’s family are the wealth of the suitor’s family and the amount of bride-price he is willing to pay; his immediate family environment’s social condition; and his ability to work. Whatsoever it may be, the decision of giving away his daughter is entirely in her father’s hand backed by his lineage and the entire local clan segment. Quite often the decision is made taking no account of the girl’s feelings if she does not want to marry or does not want this particular husband. Here we encounter the first landmark of gender inequality: a boy can choose whom he wants to marry but a girl cannot and if she has a real inclination for someone else, she has to resort to all sorts of cunning tricks to obtain him.

Incestuous rape, the unsuspected collateral damage of levirate

At the death of a (H)mong elder brother, it is the custom that a younger brother or cousin may marry his widow. But an elder brother is prohibited to do so. Levirate so far is a well-intended solution to the sudden disarray of a young widow and spares the problem of paying the bride price for her new husband because she already belongs to the family. Among the reasons to stay in her late husband’s family is the fact that, if she leaves and remarries, she will have to leave her children behind to her late husband’s family. The levirate custom may also involve people of different ages and sometimes a mature woman finds herself remarried to a much younger man. If she has a nubile daughter from her deceased husband

⁹ See, for instance, Richard Straka, “The violence of Hmong gangs and the crime of rape” *FBI Law Enforcement Bulletin* 2 (2005) or Paul Gustafson, “Three Hmong girls reportedly prostitute; community demands action,” *Star Tribune*, May 28, 2004.

¹⁰ Taking into account that foreign (H)mong visitors to Laos and Thailand usually make generous money gifts to all their kin, why not to their girl-friends? My feeling, if I am not mistaken, is that they do not regard them as sex workers.

¹¹ David Zander, Council on Asian Pacific Minnesotans, 2005: “Human and Sexual Trafficking of National and Local Concern as well as International.”

¹² Some say “after three days”.

there is a strong suspicion in the community that her uncle has had sex with her and this sometimes does occur.

Considering the rule of clan exogamy she should be protected but her (true or classificatory) uncle may use his power on her to secretly bypass the rule, *a fortiori* when she is put in the custody of a brother or matrilineal cousin of her mother who belongs to a different clan. Whenever an incest story surfaces the close kin of the girl may impose a fine on the culprit and press for the girl to be married away. If the “uncle” now acting as “father” opposes the girl’s marriage she may elope with a selected suitor and be married as a kidnapped wife¹³.

Abusing and beating the wife and provoking suicide

After enjoying gender equality and one or two seasons of sexual freedom a (H)mong teenager woman is suddenly married to a stranger¹⁴ who takes her away to another neighborhood or to another village immediately after the wedding ceremony. The wedding ceremony itself is celebrated as soon as the go-betweens of the suitor and her father have agreed on the amount of a massive bride price paid in silver ingots (8 to 14 in the early 1970s). In these conditions there are only three ways for her to have a say about her marriage:

- 1) having the boy she loves ask her first;
- 2) having the boy she loves kidnap her; or
- 3) have an incident of bad omen¹⁵ occur before the go-betweens have sealed their agreement on her marriage.

If she is shy or undecided at this time, the ceremony is celebrated and at the end she will have to leave, and nobody and nothing can prevent her from departing, not even her tender age. Her cries and wailing at her house gate while departing from her parents, brothers and sisters are supposed to be conventional¹⁶. However, they are indeed, most often real, and she leaves her parents’ house in a heavy emotional climax. Having been rather spoiled by her own mother(s) she will be taught the household duties by her mother-in-law, such as always being the first step to taking on the family chores. Even if she has been mentally prepared for marriage all her young life, she suffers from the sudden change, and it is her first critical confrontation with adult life preparing her for the trials yet to come: blind submission to her husband, sharing his love with a second wife, repeated pregnancy and multiple child delivery, and finally, remarriage to a young brother or cousin of her husband if he happens to die.

If we look at her ritual introduction in her new house, we see that her soul is first put in the custody of the guardian deity of the front gate, then, after three days, solemnly called back. Subsequently, she will not use her name and former clan identity in her parents’ house – except with her husband. Other people will only address her as “wife of so and so” that is: her husband’s personal name. All these changes show eminently that she has lost her past

¹³ I shall not elaborate, however, I may stress the fact that I am alluding to real cases I have met in the field.

¹⁴ She may have met him in the courtship meetings but unless he is her boy friend, she has no idea of who he really is!

¹⁵ I remember a girl of Pha Hok who was bold enough to throw down her silver tray where the silver ingots of her bride-price were arranged at the very moment the go-betweens were ratifying their agreement, de facto interrupting her wedding process.

¹⁶ In my 1997 paper I have integrated (H)mong wedding tears into a multiethnic South China cultural tradition of resistance to patrilocal residence called *bulofujia* by Chinese anthropologists.

identity to be reborn in another family and hereafter belongs to a different lineage in a different clan¹⁷.

In what is a sometimes harsh environment generated by bitter criticisms by their parents-in-law, some of these tender wives can become exasperated to the point of taking their lives, only the boldest ones try to runaway back to their father's home. However, no matter how long she stays with him, her father will ultimately give her back to her husband when he comes to ask for her. Social customs are here enforced by the fact that her father may not want to refund his son-in-law with the heavy bride price he has pocketed, to which may be furthermore added the expenses of the wedding ceremony (sacrificed pig and chickens provided or paid by the son-in-law).

Moreover, marriage negotiations are the opportunity to right the wrong between families and lineages of different clans. A compensatory fee previously perceived by some family of the boy's lineage on the occasion of a marriage with a member of the girl's family may be cleverly recovered by the girl's father invoking a similar or another breach of custom by the present wife taker. It is more a matter of pride than the actual refunding of lost money because the boy's party has to yield to the requirements of the girl's father putting aside its pride while the girl's father has washed his family honor. Again, pride is a matter difficult to give back.

For such very practical reasons, the bride price her husband pays not only guarantees her submission and hard work but may also be used by him as an insurance against divorce¹⁸. I have personally witnessed a desperate Mong daughter shouting in despair at her father when he finally returned her to her husband after she had spent several months back in her parents' family: "You sold me!"

This, then, is the point: the bride price has become the cornerstone of gender inequality in traditional (H)mong society. Her submission to her husband and to his family is expected as part of the deal and, in case of adultery or even in the course of a domestic row, her husband may feel he has (at least) the right to beat her, "because I have bought you a heavy price from your father" would he only comment. Patricia Symonds (2004, pp. 41-42) puts it very clearly: "The bride-price payment...ties a woman to her husband and his lineage, giving them rights to her labor, sexuality and reproduction."

From this time on she must be submissive to her husband and her parents-in-law. In my opinion, this remark can be softened: the expected initial submissiveness of a (H)mong woman is nevertheless limited by her education as a spoiled child. (H)mong primary family relationships are built on mutual love. During my experience in the field, in passing, I have

¹⁷ One could say that she is only adopted as a child would be. Moreover she keeps her original clan name for genealogical purposes. However, Kao Ly Yang (1999, 286) impressively equates rituals for the social rebirth of a new wife to rituals for a new-born.

¹⁸ The bride price is also presented as insurance for the bride of not being ill-treated by her husband because she could run away without repaying back the bride price to him, a circumstance I have never seen nor heard of. The influence of male orientated ideology is quite interesting to observe here. I read in Peng Xuefang's paper about the bride price: "It constitutes social insurance for women. If a wife is abandoned or mistreated by her husband, bride wealth cannot be demanded back after she returns to her parents' family. However, if a wife misbehaves or commits adultery, her husband has the right to divorce her and insist on the return of the bride wealth." (P. Xuefeng, (n.d.) "Sociocultural Perspectives on Gender Relations of the Hmong in Thailand", *asianscholarship.org*). No comment.

noticed that parents seldom scold children and never punish them, at least publicly. However I am told now by refugee children¹⁹ that physical punishment could be very tough... One reason motivating the parents' behavior is that a scorned child's soul may well leave and go reincarnate somewhere else. On another hand, we must also take into account that (H)mong education greatly differs from Western canons. There is no such category as a childhood differing from the world of grown-ups. A child – probably because he is but the reincarnation of a passed away adult – is treated with the same respect given to a living adult individual. Kao Ly Yang (2003)²⁰ from her phenomenological perspective views the process of socialization of the child in much the same way:

“Through all stages of socialization, from conception of the embryo stage to marriage then to the ritual of 'Giving a Name of Maturity' (*tis npe laus*), Hmong people clearly represent the process of socialization of the child as a process depending on the child's capability to move forward. The principle of socialization in the Hmong culture is based on the desire, the will or the wish of the child whether or not to do and to be... The child would be responsible for her/his own socialization. Parents would only follow her/his desire, will or wish to be. Indeed, Hmong parents perceive a child, at any stages either embryo, fetus, infant, child, teenager or young adult, as being able to think, to decide, and to take action by herself /himself, and to express emotions such as joy or fear.”

The result is that, growing up, (H)mong children become rather outspoken and very heady strong teenagers. Being abused and, worse, beaten by her husband, may be met by a married young woman with a violent reaction and the dispute may result in a greater offense, making her husband lose face, leading to statements like “See this child, it is not yours!” Such a high level of dispute may only occur when the couple has settled apart from the house of her parents-in-law. Beforehand, the latter participate in educating their daughter-in-law and at the same time, hopefully may exert a restraining influence on the young couple. From the fact that, as a first husband's duty, her husband is supposed to educate his wife, his attitude may change in some cases from very charming when he was courting her, into fussy and cumbersome once in his parent's home where he wants above all to show his filial piety and gratitude for their having paid for his marriage. If, on the top of it, she feels verbally abused by her mother-in-law, a brother-in law's wife or any other older woman in the house, she may as well feel deeply offended and take her life by eating raw opium, hanging herself with her turban in the forest, or by running away back to her father. One may understand that usually the members of a large extended family who have paid for her an expensive bride price care about her feelings even when she may have made a mess of rice cooking²¹. And when the young couple has already started an independent household, it is typical that a beaten wife does not go complaining to her clan relatives in the vicinity but to her parents-in-law, asking that her husband be strongly admonished by the authority under which she is now.

¹⁹ Kao Ly Yang (1999). Could it that be that the physical punishment of children is more developed among the Hmong than among the Mong I field researched?

²⁰ K.L. Yang: 2003, “Socialization of the Hmong Child: Educative Stakes within the Reproduction of the Ethnic Identity in the West”. *Hmong Contemporary Issues*.

<http://www.hmongcontemporaryissues.com/KaolyintheNet.html>

²¹ Kao Ly Yang (1999, 179), however, tells the story of a daughter-in-law taking her life after being scolded by her father-in-law because, inadvertently, she had forgotten to first dip in water the rice she prepared and it was too hard. My argument can be easily reversed because the high price paid for her may also be a source of further bitterness when her parents in law are not satisfied with her work.

When a married man takes a second wife, the first one is in the position of a mother-in-law on one side with the duty to educate this “mother’s help” if she is young and inexperienced; but, on the other, she is the jealous competitor of a preferred woman. Hard words may filter out of a complex situation that her husband cannot always manage even when he is a quite good diplomat. Again the specter of taking her life is evoked by the offended party, and suicide sometimes occurs. The fact remains, and it is what the voices of (H)mong women in the U.S. have finally revealed: a (H)mong married woman becomes *de facto* the physical and economic property of her husband.

The sense of pride and shame in masculinity and femininity

Why should a young woman commit suicide after being verbally abused? Ironically it is for the same reason that a husband beats his wife. In both cases their pride has been hurt. In most rural societies where proximity of the villagers makes a shameful circumstance difficult to hide, and a subject of unwanted gossip, the sense of shame is very developed. The sense of shame and of the accompanying pride are taught to young children in order to educate them to proper (H)mong behavior (“a (H)mong would not do that!”). Shamefaced is expressed in (H)mong language by the descriptive compound *txaj muag* which literally means “itching face” alluding to the sudden rise of blood when someone is blushing and the slight itching that goes with this phenomenon. Kao Ly Yang²² has observed that mothers scratch their own cheek and sometimes that of their child while saying “your face is itching” in order to impress his (her) memory with the concept of shamefulness. She tentatively hypothesizes that by doing so the parents build up a reaction of self-censorship based on the sense of shame and guilt in the young child. All the same, an adult may invoke shamefulness to explain that he cannot do something.

Shame and guilt remind us of a major debate in the anthropology of the 1960s when “shame societies” were contrasted with “guilt societies”. Shame culture opposed to guilt culture was used much earlier by Ruth Benedict to contrast the psychological makeup of Japanese and Americans²³. For the (H)mong, shame and adherence to the group seems a better explanation because the group is the focus of collective love. Love of others and the feeling of being loved permeates (H)mong entire life with an apex at the time of the funeral when each participant sheds tears and voices loudly lament upon the corpse of the dead. Funeral rites themselves are seen as a manifestation of mutual love *kev sib hlub* and mutual help *kev sib pab* in popular language. Thus, when someone takes his (her) life it may be out of the sense of shame but also with the feeling that nobody loves him (her) and that he (she) is left alone. This is a feeling difficult to sustain for a (H)mong individual, especially for a young wife estranged forever from her family of birth. It is quite interesting to consider the importance of shame among the (H)mong. I am not saying that guilt does not exist. The various judgments and fines imposed on anyone found guilty of breaching custom – or customary law – give a clear indication of the use of guilt for maintaining or restoring social

²² Yang Kao Ly: 1999, *Naître et grandir : les processus de socialisation de l'enfant en milieu hmong*, thèse de doctorat d'anthropologie, option ethnologie, Université Aix-Marseille – Université de Provence.

²³ As it was first revealed in Ruth Benedict's famous book: 1946 *The Chrysanthemum and the Sword: Patterns of Japanese Culture*. Boston: Houghton Mifflin. A fascinating paper, Millie R. Greighton, 1990, “Revisiting Shame and Guilt Cultures: A Forty-Year Pilgrimage,” *Ethos* 18(3):301 has shown that (in a way very similar to (H)mong culture) the Japanese society “values harmony and group-oriented cohesiveness”, and “there is a functional fit between these ideals of the social order and an emphasis on unity, interdependency, and shame sanctions in individual development.”

balance. However, in my opinion, these fines exert little influence on individual self-censorship; they are rather viewed as the necessary punishment of a mishap. Shame, on the contrary, may be a lasting experience of social disapproval and possible rejection. Shame also accounts for the very discreet and uncommitted (H)mong attitude towards any intrusion of the outside world. Most important, the whole household will wait for the household head to come and deal with the visitor, before attempting to communicate with him. A more outspoken attitude would certainly be perceived as shameful by other household members.

What we incidentally learn from the (H)mong refugees in America is that each household has a moral status to preserve while also being responsible for the good reputation of the lineage that it belongs to. Children who misbehave are told that they will bring shame not only to themselves but also to their parents and the other families in the whole patrilineage. This concept is so real that before asking to marry a girl the groom's family inquires not only into the girl's family but also into her lineage to know if there is a bad girl or a bad woman (for instance, a divorcee) among the girl's close kin.

When a (H)mong man beats his wife, he is, I suppose, restoring his male –manliness– pride, badly hurt by some of his wife's behavior (real or supposed adultery, verbal offenses, etc.). Beating must seem to be an ultimate resort to save his family's patriarchal order centered on his prominent position as the head of his family. In doing so he looks not very different from males in most Mediterranean cultures, which have coined the term "machismo" to describe this kind of behavior. But, again, in the traditional (H)mong society that anthropologists of the 20th century have studied, a man beating his wife was admitted to as a matter of fact but not boasted of²⁴. It never happened publicly to my knowledge²⁵ and was only casually known as a result of a woman's complaining. If it could be proved that it happened for no good reason, her husband could indeed be heavily sanctioned by his father-in-law, so said the informants. This is what we, anthropologists, all thought likely.

However, since (H)mong women started voicing their plight, a hidden side of (H)mong social life has come to light in the midst of hot debates triggered by young (H)mong women educated in the United States. Reacting to physical abuses from their parents before marriage and from their husbands after, they depict a stern enforcement of family control on individuals' behavior leading to domestic violence, child abuse, and condemnation from the Hmong community²⁶. Furthermore, this may also amount to murder (especially in adultery or divorce disputes). In the words of Lora Jo Foo about (H)mong wife killers: "These Hmong

²⁴ In the late 1960s, I had however recorded among the encouragements to a bride in tears when she was leaving the house of her parents this surprising injunction of her elder brother: "Go! He will not beat you."

²⁵ However, Cooper et al. (2004) mentions that according to their interviewees a woman convicted of adulterous sex may be publicly beaten by her husband and subjected to lasting shame. In all the years I spent with the (H)mong I have never come across such an ordeal. But some of my educated informants in the 1960s would readily explain that the punishment could go as far as burying alive the adulterous couple. It may have only been a product of their fantasy but depicts quite well the horror of a woman's adultery in traditional lore. Needless to say a man's adultery is considered normal.

²⁶ "My father was abusive, so it was bittersweet when he left. I was 12 years old. I thought life would be better now. Little did I know that it was just the beginning? Without a father-figure in the home, the Hmong community looked down on my family—my mom being a single mother, taking care of 7 children. The Hmong friends I grew up with started shying away from my siblings and me, more-so the girls in the family. At first, I was confused with the changes in demeanor of these people (children and adults) whom I had grown up with. It wasn't until I overheard one of my best childhood friends' mother telling her to never bring me over again because *nws niam thiab txiv yog neeg tsis zoo, nws yog lawv noob, yuav phem ib yam li lawv* (her parents are bad people, she is their seed, she will be just as bad as them)." Quoted from the blog: *A Hmong Woman*, <http://ahmongwoman.com/2012/06/02/my-mermaid-prologue>.

men did not kill their wives because of the stress of adjusting to American culture. They did it because they thought they could and had right to do so.”²⁷ Last but not least, there have been a few cases of manslaughter by an outraged husband followed by his suicide. Again, I quote from the Web: “Murder-suicides among Hmong couples are part of a well-documented trend, reported in newspapers in communities across the Midwest and California. Hmong leaders have attributed the trend to the fracturing of traditional Hmong culture, where women, who are expected to be subservient to their husbands' wishes, have been influenced by American culture to assert some independence.”(O’Malley, 2008)

“Hmong women divorce, Hmong men kill.” (Mai Na Lee)

Let us take a further look at this murderous behavior which has occurred in a few documented – rather exceptional – cases in France and in the U.S. If we except that a loss of control may trigger manslaughter, that also happens in Western Societies, and if we look closer at the cultural roots of such behavior what we surprisingly find is that traditional (H)mong society is, first of all, extremely moral, in the Confucian way. There is no instance of theft in such a social environment. Everyone’s property is carefully respected and this includes the wife and the children of the head of the house. Adultery, rape and divorce may to the contrary amount to an unbearable breach of someone’s property, giving him license somehow to exert violent punishment unless it is duly sentenced by a council of elders and compensated by an appropriate fine imposed on the culprit. The concluding remarks of Mai Na Lee (2000), despite her humorous formulation, were quite pessimistic:

“If Hmong women had committed as many killings of Hmong men as Hmong men have of Hmong women, you can bet your hides that all our non-profit organizations (most of which are headed by Hmong men) would have considered it a major problem and called a global council already. Why is this not happening? Because the beating (and to some extent killing) of Hmong women is considered normal in Hmong society.” (Quoted from *Hmong Men and Violence – soc.culture.hmong* /Google Groups groups.google.com August 2000).

Mai Na Lee’s bitter remarks have made headway however. In 2009, a (H)mong statewide conference was held in Wausau (Wisconsin) on “domestic violence and healthy family relations in the Hmong American community”, members of the statewide 18 Clan Council²⁸ participated, along with local leaders in the (H)mong community. The keynote speaker was none other than the late General Vang Pao who had been selected “knowing his position would encourage state and local clan leaders to attend and respect conference outcomes. The General spoke out against domestic violence and international marriage (the practice of taking multiple wives)” and advocated for “allowing young women more educational opportunities”...As a result of the conference, the Wisconsin 18 Clan Council created a special task force for addressing domestic violence...Two years later, the Hmong 18 Clan Council adopted a set of protocols generated by the task force...On July 9, 2009, over 60 Hmong clan leaders were trained in mediation skills.”

(Programs & Events, Wisconsin Institute for Public Policy and Service, <http://jupiter.digitial.com/wipps/programs/HmongPastPresentFuture.php>).

The traditional gender roles

²⁷ Lora Jo Foo 2002: *Asian American Women: Issues, Concerns, and Responsive Human and Civil Rights Advocacy, Part 4*, New York: Ford Foundation.

²⁸ See below p. 12

In 1975, (H)mong refugees in America came primarily from Military Region 2 in Laos, most of them from Long Cheng, a fortified camp, but also the first (H)mong urban settlement in Laos with an administration, schools, small businesses and markets; some other (H)mong refugees were already living in Laotian cities, and, finally a smaller percentage of them, such as members of the village I studied in Saiyaboury province, came directly from the mountains and traditional village life. They were Green Mong (Mong Njua), while refugees from Long Cheng were mostly White Hmong and eventually Mong Leng²⁹ from the Xieng Khouang stock. The differences arising between their respective behaviors may result from different living conditions in Laos but also disclose a measure of their tribal subculture. In both cases it seems interesting to review from the way of life of the natural villagers the cultural aspect of domestic violence as it seems ingrained in traditional gender roles.

In old mountain village life, their respective sexes were naturally and spontaneously assumed by young children who walked entirely or half naked in their house or the village and there was no differential treatment for boys or for girls. They spent their first three years in their mothers' arms or on her back, tightly tied to her by a very practical baby carrier. If, plagued by heavy work or she could not take care of them, an older sister or brother tended the baby, carried in turn in the baby carrier. At three, their mother was usually busy with a newborn child and their father substituted for her, taking the young infant everywhere with him teaching him or her to eat at the table with the adults. At age five, the father had to take care of the new infants and the young child joined his elder sisters and brothers in their playful activities. Between five and six, the first gender differentiation took place, boys continuing to eat at the table with other males while girls joined their mother and elder sisters on the kitchen side, eating with the females of the house. They also started wearing a skirt and an apron to hide their sex when they squatted; boys were given trousers to wear. Girls were initiated to some of a woman's duties, carrying water in bamboo pipes, learning cooking and needlework. Boys went with their fathers to the fields and learned how to hunt birds and small rodents with a crossbow. Between seven and twelve years of age, boys and girls learned the skills and proper behavior expected from their gender role. They first and foremost were taught the courtship songs they would use while courting the other sex. Some of them began learning musical instruments like the qeej or the flute. Girls started very early preparing their trousseau³⁰, learning sewing and embroidery from their mother who spared no pains in grooming them to be a shy and well-mannered teenager and a good wife after marriage. They wore their first beautifully plaited skirts at New Year when they tossed small fabric balls back and forth with a line of boys and young males of the surroundings "dressed in their finery" (Symonds, 2004) and tried their love songs in these gorgeous courtship meetings organized in every village. Both genders attended in the hope of also finding a suitable marriage partner and showing their wealth. Boys and girls exhibited heavy silver necklaces on their luxurious costumes, to which some boys added impressive sunglasses and brand new wristwatches. This was not only a decorative luxury but a way of showing wealth, that is: an ability to buy on the male side; and value, that is: the perspective of a heavy bride price on the side of a girl.

The main deliberate purpose of these highly colorful meetings was to find a spouse, and both sexes knew well that marriage was first and above all sanctioned by the payment of a bride price. Conversely, among the love songs of the (H)mong young men there is a large

²⁹ Mong Njua and Mong Leng speak different words of the same Mong dialect, that is: using the same words with marked differences in their pronunciation.

³⁰ Up to 15 plaited skirts for a Mong girl at the time of her wedding.

number of “orphan’s song” depicting the misery of a male orphan who has lost all social support and finds himself deprived of the means to pay a bride price. Furthermore, various folktales show that kind of hero, supported by a beautiful young lady who has fallen in love with him, overcoming intractable trials devised by her father and finally winning his agreement to their marriage. These songs and stories are ironically praising the triumph of love above all social constraints, a circumstance which was seldom met in actual life. And, paralleling the orphan songs, on the girls’ side there were the numerous complaints of a daughter-in-law forestalling the plight of these beautiful tender youths if they made – or were forced to make – the wrong choice.

Masculinity and femininity are carefully delineated by (H)mong custom. A man should have a sense of interdependence with his family and lineage and the accompanying submission to the same; he should also be a hard worker, responsible for his family, hospitable and compassionate to his kinsmen and strangers, and considerate towards his wife and children when he is married. When running at last his own household his authority cannot be competed with: he is the only decision maker, even if he may have discussed the matter privately with his wife. The qualities expected from a woman are shyness and discretion, hospitality, politeness and her submission to her parents and her lineage before marriage and, once married, her devoted submission to her husband and consideration to her in-laws. She must be obedient and patient. She is not supposed to talk back³¹ and must obey her husband’s every command. She must not be lazy and should do most of the daily chores, take care of her children, and provide food for everybody in the house. Her pride is to do all these duties quite naturally without ever complaining. Symonds has noted that (H)mong women do not express suffering when they deliver their baby. This marital condition is, needless to say, in sharp contrast with a young woman’s courtship time when suitors were so sweet and kind to her, singing beautiful love songs. But her education has prepared her to adapt and she knows from the example of her mother that a girl cannot escape marriage and that there is no other way to be somebody’s wife, when she is (H)mong born. The critical observations of her family and her behavior exerted by other (H)mong women in the neighborhood provides her incentives to become the perfect image of the devoted (H)mong wife that everybody is expecting from her.

The wedding ceremony at her parents’ house ends up usually with the lineage elders’ strong recommendations exhorting the newlywed to lead a decent life together (*ob tug ua neej zoo*). This exhortation expressly includes the wife’s submission to her husband and the latter’s duty to teach her the rules and behavior in use in her new family environment. There should involve a harmony between the individual fates (*moov/hmoov*) of both the husband and wife who comprise the new couple³². If, after some time, a couple’s life appears to be definitely unbalanced, a shaman is called in to view the problem and restore the couple’s balance of fates.

2. The roots of gender-based violence in gender inequality

³¹ This is the stumbling block that most males refer to as the reason they end up beating their wives.

³² This may be the result of an empirical discovery or again the adoption of Chinese concepts on the necessity of matching together the fates of spouses, through a comparison of their hours and dates of birth according to the Chinese horoscope. The Yao have borrowed from the Chinese the *hehunshu* “marriage pairing (horoscope) book”, *hepunsou* in Yao Mien pronunciation; as for the illiterate (H)mong, the idea may well have transited through the shamans’ Chinese heritage.

For many (H)mong women, adult life involves a wavering between rebellion and resignation. But they put their pride in successfully filling their gender role. They all know that there is no way back: they would not even be allowed to give birth or die at their parents' home. These opposite feelings are expressed in their differential attitudes toward, on one hand, tender love and permissiveness towards their own daughters, and of stern authority towards their daughters-in-law on the other. Furthermore, I cannot avoid thinking that they also educate their boys to be "men" the (H)mong way...

(H)mong society is now a well-known example of a tribal culture, a culture which is dominated by kinship ties, maintaining throughout this kind of society a relation of cooperation and nonviolence. Before their last diaspora, they expanded from the mountainous provinces of South China to the neighboring mountainous areas of Vietnam, Laos and Thailand. Their social fabric obviously shows some similarities with Chinese peasant society at the kinship and family level, but it ignores as much as possible Chinese competition for land ownership and its segmentary lineage dialectics. The resettlement of thousands of Hmong as political refugees in Western countries did not subdue this tribal organization despite the relentless efforts of religious circles (among others) to break this system³³ and incorporate these people as individuals into a modern crowd of the common collective faith and duty encompassing every community.

Tribal culture and gender based violence

The social framework paragon of traditional (H)mong society consists of a large extended family in patrilocal households with patrilineal descent. At the death of the family head, his married sons may stay together or split. Then, the married brothers establish their own house generally close to their father's house now headed by one of them who takes care of their mother and unmarried younger brothers and sisters. In (H)mong villages such close kin natural clusters form a localized segmentary lineage headed by the oldest among the households' heads. Such localized lineages maintain a link with other segmentary lineages sharing the same line of descent at different levels in time and even deeper into the time -- when the genealogical memory has disappeared-- under a common clan name³⁴.

Clan names delineate descent groups of real or classificatory brothers and sisters, forbidden to marry each other according to (H)mong traditional rules. These clan names are also used in the village social space to encompass a group of lineages sharing or not the same area but acting as a single political unit at the village council of elders. The clan's representative may be called a "clan leader" although his followers seldom encompass more than one village³⁵. Sometimes a "big man" emerges whose influence extends over a few

³³ The most shocking behavior to the non-Christians is the Christians' refusal to share a communion feast of sacrificed meat for (H)mong funerals, which creates a split between members of the same lineage.

³⁴ There also exists a link of common descent, expressed by the sharing of peculiar ritual practices between lineages who may not know in detail their common genealogy but considering their common ritual duties and food taboos assume that they belong to the same initial lineage split in the process of segmentation. Most authors call this lineage a sub-clan. But, in sharp contrast with the Yao Mien who have really created sub-clans for marriage purposes, the so-called (H)mong sub-clans do not open a door to marriage inside the same clan. For this reason they can hardly be called sub-clans. Technically they are only multilocal remnants of former lineages and this only enables people sharing these common supposed ancestors and inherited taboos to settle together and share the same local clan group. Doua Hang, 1986, tracing his own "descent wheel" from a Chinese ancestor, has largely illustrated this fact.

³⁵ In Vietnam and Laos, due to the French colonial administration, local (H)mong chiefs have emerged called *Caytong*, pronounced *kia tong* by the Hmong, a Vietnamese word for local petty administrator of a few villages,

surrounding villages. He generally attempts to regulate the amount of the bride price which has always been the main concern of the villagers because an uncontrolled bride price may increase following the trend of the moment and needs of the family concerned and become a primary source of bitterness and disharmony between lineages of different clan names. To this end, he convenes a meeting of the local clan segments' representatives in the targeted villages and induces them to commit themselves to that the prices charged do not exceed a certain amount. After a democratic debate, if they all agree³⁶ and take an oath to implement this agreement, the clan representatives are bound to check that the marriage negotiations respect the fixed amount. This is the main political achievement of such a big man because marriage involves an alliance with people from different and sometimes far away villages. Subsequently this agreement will be cited as precedent in the negotiations of the bride price and may be implemented or not, - especially when the wife takers do not come from a village participating in the league.

Back to the refugees in the U.S., it seems to me that in the midst of a long period under the rule of their “big man”, General Vang Pao, this clan organization at the village level has been further developed in the American way by creating local clan associations and more recently by the establishment of the 18 Clans Council in each U.S. state, an organization ultimately intended to “govern” all the (H)mong communities in the U.S. Needless to say the main topics of these meetings revolve around the bride price, marriage rules and organizing the (H)mong New Year Festivities. In this modernized clan system, representatives are elected and decisions are made by majority instead of in unanimity as they would have done in the old days. This recent development appears to represent the institutionalization of an ancient and informal traditional system, which is now criticized by some (H)mong women’s associations, for the conservative institutional attitudes that have been shown towards the situations of (H)mong women.

Simply put, the clan system obviously is the backbone of (H)mong tribal society. It has enabled the (H)mong to survive against all odds under the most disastrous circumstances in their history. Scattered all over (H)mong society and throughout different dialects and tribal subgroups, the multi-local (H)mong clans are acephalous (lacking a head) inasmuch as the (H)mong have no traditional leadership. In contrast with the otherwise acephalous society but as a general feature among cultures influenced by the Chinese, a strict hierarchy is maintained following order of birth and age entailing respectful behavior from the younger towards the older. Households form a basic independent economic unit pooling all resources together in the hands of the house head, generally the oldest male. All of the members of the family living in the same household are subordinate to him. The hierarchy of sexes derives from the fact that, descent being patrilineal, males succeed each other while women are exchanged. A father will marry out his daughter and acquire daughters-in-law for his sons. Women’s capacity of reproduction is entirely controlled by men under this system of gender asymmetry.

Thus, while the burden of social reproduction is carried by women, men exchange, or rather sell and buy their reproductive capacity that is: their sexual rights, their children and

and, in some places, Chinese terms also survive such as *tsong ka* for zong guan, “manager”. These ranked administrators have sometimes become “big men” such as Lo Mblia Yao, Touby Lyfong, Lo Faydang, and Gen. Vang Pao, but more in the eyes of the external political system in their capacity of middlemen (Mai Na M. Lee, 2005 p. 6 writes “power brokers”), with part of the (H)mong populations than in the eyes of the (H)mong themselves except for those under their direct administration and influence.

³⁶ Traditional (H)mong democracy is based on decisions taken by unanimity and not by majority.

their work in the house and in the fields. Contrasting with an ambience of general harmony and affectionate love, they maintain a strict control over women's lives, so essential it is for a family's fortune. Ironically, the word for parents in (H)mong is *niam txiv / nam txwv (txiv)* "mother-father" giving precedence to women, but, without denying their key role in the life of the family, especially in child raising, the reality of gender precedence when children are grown up is rather "father-mother", as the marrying-out tender daughters learn to their expense.

Your mother's womb is what you borrowed³⁷

This was the peremptory statement of a father aimed at telling his contesting daughter on her wedding day that she did not belong to her family anymore if she ever did and that her mother-in-law was to be her real mother from this day on. For the (H)mong, unmarried young women are already considered as "other's wives". They are brought up with the idea that they are bound to enter another family as they embark on their future social life. The first part of their lives in their parents' home is seen as provisional until they find by their marriage their real place in society. Hence the blunt remark quoted above from a father on the occasion of his daughter's marriage.

The social function of the bride price

This idea of raising a young woman in one's family before delivering her to another one helps in understanding the (H)mong practice of paying a bride price for her. It is not a betrothal gift as some would make believe but a real payment for the person or her "head" as they say in (H)mong; it includes the price of her mother's milk and of the food she was provided by her parents. It may also include a fine imposed on the groom in the case of an elopement or kidnapping. Kao Ly Yang, a Hmong female anthropologist has the following anthropologically positive view of the bride price:

"As for the bride price, it is the social core of the wedding, in fact a matrix of socio-temporal meanings. Erasing it will lead to annihilation of the social contracts, worse to conflict, disputes, and/or revenge because it symbolizes the social contract where two human beings and two clans acknowledge the pact of the social system of differed exchange in the Hmong society...In terms of money, the bride price is insignificant; in fact, it is the current preoccupation of all future grooms; theoretically, the sum becomes a burden in marriages because it may reach phenomenal amount from \$5,000 to \$25,000 in 2003 in the United States and from 3,000 Euros to 15,000 Euros in France in 2005."

However, as a Hmong woman, Yang cannot refrain from adding:

"The bride price has the symbolic function to modify a social reality, e.g. to overcome the unimaginable (act) of giving a human being away and forever³⁸. When a woman gets married, she totally integrates the new clan from the spiritual and

³⁷ See Deb Pleasants "May Kao Hang talks about Hmong culture, clans and women" in *Daily Planet*, April 22, 2009, <http://www.tcdailyplanet.net/article/2009/04/22/mn-voices-maykao-hang-talks-about-hmong-culture-clans-and-women.html>. This paper was criticized by Hmong readers of the new generation as reflecting more the past than the present time in the U.S.

³⁸ Giving away a sister or a daughter is what happens in all patrilineal, patrilocal societies, but selling her away is certainly shocking to many people, especially when she is still in her teens.

materialistic perspectives. This poses a problem at the humane level. Could one give away a sister or a daughter without taking (into) consideration her status as a human being?"

(Kao Ly Yang: 2005, "Criticism of the Bride Price"
Hmong Contemporary Issues, February 21, 2005,
<http://www.hmongcontemporaryissues.com/archives/CritiqueBridePrice0605.html>.)

The results that come from the paying of a bride price are well expressed in the following statement:

"In the Hmong society, women are not free. Young or old, they remain minors. Having sons is not safe, yet. They depend on their father, step-father, husband and chief of lineage. The bride price always reminds Nalia that she is just a woman, a less important human being in the Hmong society".

(Kao Ly Yang: 2007, "A \$1,000 Bride: The Bride Price of a 60 Year Old Widow"
Hmong Contemporary Issues,
<http://www.hmongcontemporaryissues.com/story/A1000Bride123007.html>)

Finally, within the male gender role, there is a monopoly upon religious performances: death rituals, birth rituals, rituals to ancestors and wedding rituals. Women are strictly excluded from conducting any of those rituals and, sometimes, in the migration context when they are divorced, have no other means to secure at death a decent funeral than to join a Christian church:

"A woman absolutely needs a man to accomplish the rites. If single, she has to wait for her father or brother to initiate it. If married or widowed, she has to lean on her husband or the religious chief of the lineage. If her husband comes to die, she could remarry another man of whom she has to adhere to the beliefs. She will change her beliefs to his... The religious problem emerges within the cases of death of divorced women. The unmarried divorced women form the group at the margin who questions the native theorization of funeral practices. Theoretically, after a divorce, a woman would be reintegrating her lineage of birth, and so when passed away, she would be buried accordingly to the funeral tradition of her lineage of origin. But, in practice, this reintegration is perceived as a very negative act or return, quite harmful and fatal... Observed situations showed that funerals of divorcees constitute a headache to relatives and lineages. One group would like the other to take care of the funerals. Waiting for a solution, the corpse is exposed outside the houses; no one rapidly took the initiative to properly bury divorced women. In the traditional settings in Southeast Asia, the corpse is left outside in front of the door, in the mortuary in the West... Some of the divorcees, instead of going back to their lineage of origin, would prefer converting to Christianity... They believe that churches offer compassionate solidarity basing more on individual's faith than the clan's interested support. The most unspoken aspect of their decision to join the church is the guarantee of a decent funeral." (Kao Ly Yang³⁹)

³⁹ Kao Ly Yang: 2003, "Hmong Women's Issues on Freedom of Beliefs", *Hmong Contemporary Issues*,
<http://www.hmongcontemporaryissues.com/archives/ConflictBeliefs123103.html>

Social mobility of (H)mong refugee women

In the context of the great Lao (H)mong migration to the West after Laos' political revolution the traditional pattern of (H)mong society has been exposed to different external rules. If one can remark that the lineage solidarity worked beautifully on one hand to bring in to the third countries much of the original social networks, on the other, gender asymmetry was shaken by education within the Western system. The economic role of women has become overwhelmingly conspicuous first through their needle work in the refugee camps, which has been for years the only source of cash for their families, then in their faster adaptation to salaried work, in their more successful access to University degrees and a variety of employment when resettled and educated in Western countries. At the peak of their upward social mobility, one of them, Mee Moua, has been elected a State Senator of Minnesota. But the most important feature was the possibility of initiating divorce according to Western laws. In the traditional environment only a woman's husband could divorce while, if she wanted to part from him, she could only be a runaway woman, *nkauj faa*, with the connotation of being an adulteress (*fa/faa*⁴⁰).

For (H)mong males, individual freedom is so important that many of them genuinely think that their ethnic name has the meaning of "free". In fact there are technical terms for expressing this idea: *twj li* in hmong, *ywj pheej* in mong, both borrowed from the Chinese language, the closest from the vernacular language remaining *ywj sab/ ywj siab*. However, many of them continue to perceive that freedom is constitutive of their social being and it does apply in their management of their nuclear family ending up as an independent household. However, the household's economic independence and entrepreneurial spirit do not imply selfishness. It is counterbalanced by an acute sense of solidarity and hospitality. Women who do not want to live alone have to marry and to yield a part of their own freedom to their husband in order to achieve with him an independent household. In the past, a few widows chose not to remarry in order to keep their freedom and at times could have raised their children by themselves. The feasibility of divorce in Western countries and the women's possibility to choose freedom has changed the particulars of the relationship between husband and wife. Conflicts are voiced and debated and to keep in line with the ideal of social harmony, which still pervades (H)mong culture, a husband has to show respect to his wife. For instance, polygyny is becoming very rare⁴¹ among middle-aged couples. Girls are attending schools and universities at an equal status with boys with the resulting collateral damage that qualified young men are worried about marrying brilliant and educated young women whose bride price has also been skyrocketing. Many are now trying to find a supposedly more traditional wife in China, Laos or Thailand.

However, the (H)mong in Laos and Thailand are evolving too, first of all, in the fact that they have been forcibly induced by their respective states to abandon swidden agriculture and settle in sedentary villages. Girls have started attending schools in sizable numbers and developing the ability to write and speak several languages as well as to drive cars or motorcycles. (H)mong women have become in the words of Peng Xuefang (n.d.), "good business people" noticeable in the markets of Chiang Mai or Luang Prabang and Vientiane. The (H)mong of Vietnam and China and in the Lao PDR are now living in a changed social

⁴⁰ This word is probably borrowed from Chinese *fang* meaning liberated, released, emancipated, loose, which enters also in a variety of compound expressions of debauchery, license, self-indulgence etc.

⁴¹ In Laos, I have been told of a Hmong middle-aged man in St. Paul who fell in love and had a child from a young woman he met as a tourist in Laos; he committed suicide when his wife and kin forbade him to go back and marry her.

environment with different ways of sorting out gender based violence, for example in China, through state organized sessions of individual or collective indoctrination of (H)mong husbands guilty of violence. It may be predicted that the gender relations associated with the old ways will quietly disappear from a New Age (H)mong society already evolving towards a new balance of genders within the family and a better deal for women.

(H)mong values clash with American values

During the past 40 years of adaptation to their new country, Hmong Americans have seen their children go to school, and be confronted with another value system. The values of interdependency and the shame sanctions learned at home are confronted by the opposing values of independence, self-reliance and guilt sanctions learned in school. The confusion experienced by the new generation is often expressed on the internet. For example, this young woman explained her quandary this way:

“My name is Mai Bao (Maiv Npauj)... I am American Hmong... I have a convoluted relationship with my ethnic culture... You breathe, eat, and drink Hmong at home. You are immersed in the American culture once you leave your doorsteps. With both worlds colliding in front of you, what do you do? My heritage brings me a sense of family values and interdependence. The mainstream American culture teaches me to think for myself, dream big, strive for my goals, and be an individual.” (*A Hmong Woman Blog*: 2010, “About,” <http://ahmongwoman.com/the-blogger/>)

On the (H)mong side however individualism also exists but it is limited to the economic realm and at the household level. An individual household may stay apart, away from the lineage cluster in the village settlement. It is not severed by much from its lineage or from its clan. However, individualism does not apply to individual members of a family. What this young woman means is that, as long as she belongs to a (H)mong household she has to follow the family line devised by the house head, her father or her mother, who, in turn, is free to choose whatever seems suitable to him or her and his/her family, independent from the other households of his/her lineage. Accordingly, no one can be an individual inside his/her own family except for the family head who decides for everyone. This is a real break from the relationship between parents and children as it is generally practiced in Western culture.

Some view (H)mong culture as threatened by their naturalization as American or French citizens so long as their new country's laws compete against their customs. For instance, divorcing in the U.S. the American way may sometimes lead to unexpected consequences for a (H)mong man such as in the striking case of Thaying Lor, 43, who “was convicted of 6 counts of sexual and attempted sexual assault by Judge Kevin Martens last December... The case began when a bailiff overheard the victim testify in her divorce early last year about how she was kidnapped, raped and essentially sold into marriage at age 12. The victim never wanted to involve police out of respect for the Hmong culture, but the bailiff alerted law enforcement and Lor was charged 10 days later... It was that initial kidnapping of the then 12 year old girl which led to the longest sentence, 8 years... [The case] drew nationwide attention among Hmong-Americans, who feared it could lead to unfair judgment of their culture and an upsurge in Hmong wives making similar claims years after their weddings.” (*Victimized over the AOC blog*: 2010, “Hmong immigrant receives 8 years

out of 40 max for raping wife,” June 29, 2010,
<http://victimsover18.blogspot.com/2010/06/hmong-immigrant-receives-8-years-out-of.html>.)

Sadly enough, the wife in this story also said that after this unexpected condemnation of her husband, she was threatened that she would be “hunted like a squirrel in the woods”. The fact is that, according to (H)mong rules, her husband, who kidnapped and raped her but finally married her with the ascent of her parents, did not “breach the custom”. Unfortunately for him, he had taken no account of the current law in the country where they were living and the prohibition of underage marriage, not to mention rape.

To lessen the severity of Western laws, some have imagined that they might introduce laws regulating (H)mong marriage customs. In Minnesota in 2006, a bill was proposed in the legislature to give (H)mong “Mej Koob”, the traditional go-betweens in the marriage negotiations, the power to solemnize a marriage, in the same way a priest or a Rabbi currently does. Written into the bill, there were also stipulations meaning that they would be required by law to report illegal incidences such as an underage marriage. Needless to say this idea was fought by the women’s associations and the clan leaders as well, as they noted that in (H)mong marriages, the mej koob had no religious role and no responsibility for decisions in the marriage process. How could occasional go-betweens be expected to interfere with the parents’ will to marry their children?

A matter of patterns

This last occurrence lays open the question of the origin of the (H)mong so-called traditional culture now at stake. As an ethnologist of China, I have a strong sense of familiarity with the customs found in traditional (H)mong marriage. Furthermore, almost all ritual roles are referred to by a Chinese loan-word: mej koob (meigong) “go-between”; nyaag (niang) “daughter-in-law”; pes (bai) “to kowtow”; phij laaj (pinlang) “best man”; kaav cawv (guanjiu) “butler who has charge of the alcohol”, kaav xwm (guanshi) “overseer”; tshwj kaab (chuguan) “in charge of cooking” and if for the bride price, they use a (H)mong word, the dowry is called by a Chinese word: pob phij (baopin) in Mong and phij cuam (pinja) in Hmong. This is not a random list of Chinese loan-words; these words indeed involve the typical indications of a structural loan. In other words, (H)mong marriage aims at reproducing the pattern of Chinese marriage and this is why the fixed social roles for the marriage negotiations and the celebration are named with a Chinese word. Only the groom, nraug vauv, and the bridesmaid and chaperone, niam txais ntsuab, are called by (H)mong words.

If we compare traditional (H)mong marriage and traditional Chinese marriage we may see numerous similarities. The bride price and the dowry of the bride are also current practices of the Chinese but they put a particular emphasis on the dowry of the bride, an emphasis which, to my knowledge, does not exist among the (H)mong who give as dowry a few silver jewels together with their daughter’s trousseau. I am not saying that the whole tradition of (H)mong marriage, the ritual exchanges between the mej koob and their singing for each part of the action⁴² in the wedding ceremony that makes the celebration of marriage a real opera are not genuinely (H)mong, but that the Chinese concept of marriage may have pervaded the (H)mong ideas on marriage while changing its traditional significance. For

⁴² Carefully detailed and translated in Yves Bertrais 1978: "The traditional marriage among the White Hmong of Thailand and Laos", mimeographed by the author.

example, the ancient book of rites (Liji) has this statement on marriage⁴³: “The ceremony of marriage provides for the propitious union between two [families of different] surnames”, that is xing in Chinese and xeeb in (H)mong a word which would be better translated as “clan”. This remark is echoed by Kao Ly Yang when she writes that the bride price of the (H)mong “symbolizes the social contract where two human beings and two clans acknowledge the pact of the social system of differed exchange in the Hmong society”. (K.L. Yang: 2005, “Criticism of the Bride Price,” *Hmong Contemporary Issues*). However, the Liji does not mention a bride price. Nevertheless, it has become a general feature of Chinese marriage, still at work among Chinese and others in the People’s Republic of China (Ocko: 1991) where it is also called a “betrothal gift”.

Thus, it is not difficult to understand that the (H)mong living in China had no special tradition related to marriage but that they only applied the uses they observed in the empire. It was the same for polygamy. Among the ideas and behavior also shared among Chinese and (H)mong traditions we find gender inequality, patrilocal residence in a patriarchal family, wifely deference and submission, the concept of couple harmony⁴⁴ and on the top of this, verbal and physical abuse of married women by their husbands. The (H)mong who fled China and settled in the bordering mountains of the Indochinese Peninsula two centuries ago brought with them this Chinese tradition that soon became their own age-old tradition with the exception of a few Chinese loan words that betray a strong Chinese influence on (H)mong marriage; and they sincerely see marriage customs as their own genuine tradition. Having left China and its neighboring countries, where Chinese tradition is still felt, the (H)mong have come to live in Western countries where they are confronted with yet a different tradition. In my opinion, they will sooner or later adopt the laws of their new country much to the satisfaction of their children and grandchildren.

Will such a change endanger (H)mong culture and (H)mong ethnicity? I may be mistaken but I doubt the clan system can be destroyed by abandoning such Chinese loans. It certainly preceded the meeting of the (H)mong with Chinese civilization and allowed them to resist and survive all attempts at conquest and annihilation. I have tried to represent graphically the formation of this system in the following figures. In the first diagram (from Lemoine, 1997), one can see clearly how (H)mong lineages⁴⁵ build themselves from within, encompassing all the families descended from the same original extended family. They have separate economies but share the same clan name and the same ancestors, knowing exactly their genealogical ties and relationships to each other and usually living close by in the same cluster. Other lineages sharing the same clan name but, perhaps, different ancestors, form a loose --never ending-- thread of a clan kin that runs across village communities, being represented in each community by one, two or three of these lineage clusters which together constitute the local segment of their clan. A village may have a few different clans generated the same way. The clan segments choose their leader among the lineage heads of the different clusters. He will represent them in the village council of elders for discussing current issues regarding the village community or problems occurring between members of different clans.

Due to the rules of exogamy, the different clans exchange women, forming a multi-local network of kin and affine that twists them together in a kind of never-ending social rope. It may be cut in some point by war, epidemic and migration; it will form up again

⁴³ As translated by Susan Mann: 1991, p.209.

⁴⁴ Susan Mann *ibid.*: “ the Li-chi stressed that husband and wife interact to demonstrate harmony”

⁴⁵ Some authors seem to prefer to name them “extended families” but this is functionally irrelevant.

elsewhere in the same way it has, for example, happened before our very eyes in France and the U.S. And conversely, the rope will join together again with the people left behind while, simultaneously, some individuals spin new links with yet unknown clansmen from China, Thailand or Vietnam, marrying with their help young women there (where the bride price is generally lower) and bringing them back to their new country. Strictly speaking the (H)mong clan system is not a political organization but a powerful lever for ethnic expansion across national boundaries.

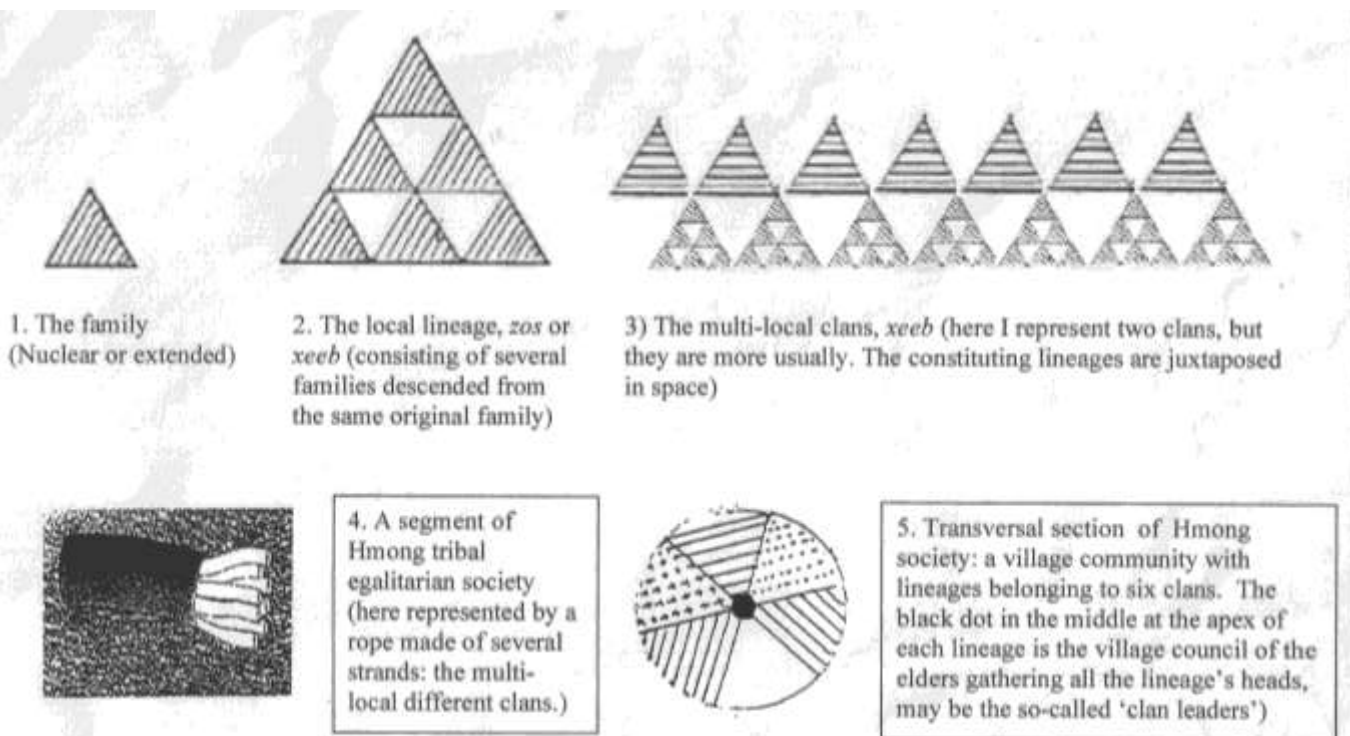


Fig. 1: A graphic view of the acephalous and egalitarian segmentary Hmong tribal society from the family to the village and the clans: The expansion of a patrilineal extended family leads to a patrilineal local lineage, It belongs to one of the 15 or 20 clans into which all the Hmong are distributed, forming a loose association of kins and affines. The Hmong of Xieng Khouang or Luang Prabang, for instance, are only a segment of this clans' network. In each village community, we find a section of the social system: lineages belonging to various clans juxtaposed and associated through their head in the democratic council of elders which maintains customary rules and democratic balance between them.

Turning now to Fig. 2 (from Geddes, 1976), we can appreciate how well surrounded a (H)mong individual may be inside his/her tribal society. At no level, is he/she left alone because he/she has social roots connecting him (her) to the social network where he/she can address his (her) real or classificatory kindred. He/she belongs to a society where all the men are brothers or brothers in law, all the women are sisters or sisters in law.

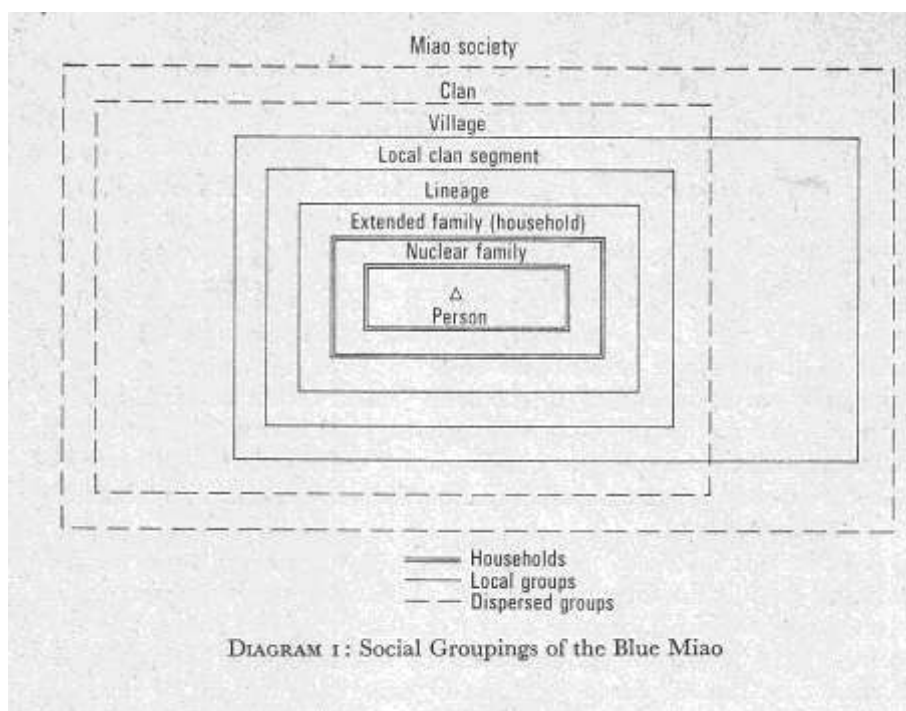


Fig. 2 W.R. Geddes (1976) has the same structure: household-lineage-clan that he shows in this diagram from the point of view of a (H)mong individual. It is complementary of Fig.1 where I depict the global pattern of (H)mong society.

By way of conclusion

Anyone who wishes to assess the significance of gender-based violence in Hmong society must assess the two specific domains in which they operate: rape and marital life. And both have a relationship with gender inequality. Rape is a way of asserting male superiority and female inferiority, particularly in gang rape. In marriage, the payment of a bride price is comparable to exerting violence, especially since it seals a pact between two families often taking no account of the feelings of the concerned woman. Again we can consider that her willingness is “raped” and that such a marriage in the first conjugal relations is akin to rape. The choice of an adolescent woman says enough for the desire to find less resistance. Should we then remove the bride price entirely? The bride price also exists in other cultures but with a different connotation. For example, among the Lao, Lue, and Tai Dam etc..., for whom primary residence is matrilineal, it looks like some sort of recognition of the social status and qualities of the bride by the groom who aspires to join that family as a son in law and enjoy the sexual services of the young woman. As high as it is, in the eventuality of divorce, it is not repaid.

Among the (H)mong, the bride price has a different function of buying physically and

morally a human being, because gender inequality leads to the subordination of a wife to her husband simply for the reason that she is a woman and he is a man. Let us dream for a while: if gender inequality disappeared, the bride price could then only be a betrothal gift. It would only imply the capacity stated by the groom that he is able to provide decent living conditions for his wife and children to come, showing altogether his concern toward the parents of the young woman, provided she agrees to this marriage. Then the bride price would serve as a real insurance for her future.

If the bride price was not used to buy a daughter from her parents against her own will and at an age when she is not sufficiently mature to be able to choose her own future, the bride price would remain a gift. Then, in the case of divorce it should not be refunded. I may be mistaken but I can't see that this approach might endanger the clan system, the backbone of the (H)mong tribal society, the ties of that never ending family, which is still the best asset for the survival of their culture and their continuous development in a globalized world. One may object that gender inequality will not disappear that easily for the good reason that it derives from the (H)mong patrilineal and above all, patrilocal social organization. Western societies have to some extent solved a similar problem in the course of the past 20th century by developing neo-local residence. However, at the dawn of the 21st century, the West is discovering that, given the scarcity of employment for the young and the often distressing loneliness of the old people, the multi-generational large households associated with the Hmong, are in the end, more satisfying. In this respect, (H)mong family organization is still well adapted to a large households' economy and should survive in the West provided gender-based violence is mastered by individuals under social control, that is: under the supervision of clan leaders and the (H)mong society at large, and it is definitely considered by all as a "shameful behavior". As we already know, shame will act as a more powerful deterrent in the (H)mong minds than guilt in the American or French tradition.

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Acknowledgements:

I would like to acknowledge the Ophidian Research Institute for funding the research for this paper.

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