

# **An Analysis of Transnational Marriage in Ethnic Areas of Sino - Vietnamese Border**

## **-- A Case Study of Z Village in Pingbian County, Honghe Prefecture, Yunnan Province**

**Lu Liu**

Oxbridge College, Kunming University of Science and Technology, Kunming, Yunnan, China

**Keywords:** Transnational marriage; Vietnamese brides; Inhabitants of the border area.

**Abstract:** Sino-Vietnamese people have a long history of transnational marriage. Transnational marriage has become a bond of friendship between the two peoples. This paper takes Z village of pingbian county of Honghe prefecture in Yunnan province as an example to illustrate the status of transnational marriage in the ethnic areas of Sino-Vietnamese border. This paper analyses the reasons why such marriage is difficult to register; Why Vietnamese brides are difficult to locate; Why the survival and development of borderline transnational marriage families are severely limited. It reveals that Vietnamese women in cross-border marriages are facing many difficulties because of various factors, which causes a problem of their national and ethnic identity crisis.

### **1. Introduction**

In Guangxi Zhuang autonomous region and Yunnan province of China, there are thousands of miles of border line. There is a large number of transnational peoples on both sides of the border. According to the established ethnic groups in China, There are twelve ethnic groups in the area including the Zhuang nationality, the Dai nationality, the Miao nationality, the Buyi nationality, the Yao nationality, the Yi nationality, the Hani nationality, the Lahu nationality, the Kelao nationality, the Jing nationality, the Hui nationality and the Han nationality. These transnational ethnic groups share the same origin. They have similar language and similar cultures. Although they belong to different nationalities, their relation of internal ethnic culture is very deep. They live across borders for generations, and transnational marriages are common among these transnational peoples. Yunnan province is located in the southwest border of China. The west part borders on Burma, and the south and the southeast parts border on Laos and Vietnam. It has one of the longest border lines in China which is 4060 kilometers. Among them, the Sino-Burmese borderline is 1997 km, the Sino-Laotian borderline is 710 km, Sino-Vietnamese borderline is 1353 km. The long borderline ties the inhabitants of border areas in China, Laos and Vietnam closely together. According to the statistics of relevant department in Yunnan Province, by the end of 2014, there were 45908 foreign nationals entering the country, including 77.39% Burmese, 18.98% Vietnamese, 3.33% Lao and 0.3% of other nationalities. They distributed in 16 prefectures (cities) in Yunnan province. There were 45009 people in the eight border prefectures (cities), accounting for 98.04% of the total. 85 percent of them belonged to transnational marriages, and about 88 percent of border counties were located along the border towns.

This paper selects the Z village (the village committee, Yingpan village, Pingbian Miao autonomous county, Honghe prefecture, Yunnan province) as the research point. The village is not directly linked to the Vietnamese village, and it is 90 kilometers away from the nearest Sino-Vietnamese borderline. However, since 100 percent of villagers in Z village are of Miao nationality, and residents of neighboring Vietnamese villages are homologous ethnic groups, the transnational marriage is also common in this small village.

## **2. The Current Situation of Transnational Marriage of Sino-Vietnamese Border in Z village**

The Pingbian Miao autonomous county is located in the south of Yunnan province, the southeast of Honghe prefecture, where is 300 kilometers from the provincial capital city Kunming, and 50 kilometers from the prefecture capital city Mengzi. It is more than 300 kilometers from the Vietnamese capital, Hanoi.

The east part of Pingbian county is separated with Wenshan county and Maguan county of Wenshan prefecture by a river. The south part borders on Hekou county. The north part abuts Mengzi. Its southwest part adjoins Gejiu with Yunnan-Vietnam railway and Kunming-Hanoi highway passing through. There are 17 kinds of ethnic groups in the county, such as Miao, Han, Yi, Zhuang and Yao. The total population is 156000. The Han nationality constitutes 46% of the population. The minority population, mainly Miao nationality, accounts for 66% of the total population. It is one of the five Miao autonomous counties in China and the only Miao autonomous county in Yunnan province. Z village is located in the village of Wantang, Pingbian county. It is affiliated to the village committee of Yingpan county that is under the jurisdiction of Wantang. It is about 12 kilometers from the township government. The village has 94 households and 370 people, all of whom belong to Miao nationality. Z village is not a village directly connected to the villages of Vietnam, but it is only 90 kilometers away from the boundary and the transportation is convenient. The Vietnamese village residents on the other side of the Bazi river boundary monument are also the Miao people, which share the same language and similar culture with the residents in Z village. Many villagers of Z village often visit the Vietnamese villages by motorbikes, visiting relatives and friends and doing small business.

In the village of Z, there are 19 Vietnamese brides. Due to their way of entering China is neither by the national port with border resident certificates, nor dealing with the marriage formalities by relevant evidentiary materials with their "husbands". Thus, their identities are defined as "three illegals". (illegal immigration, illegal residence, illegal employment) Although they have in fact become Chinese wives for many years, and have their children, they still can't get China's household registration and nationality. They have to be the unregistered people. In Z village, there are 19 households of transnational marriage between China and Vietnam in total, accounting for 20.2% of the total number of households in the village. The director of the village committee told me that the proportion of the transnational marriage is an average in their township, and in the other villages of the township, there are many more international marriages.

There are 19 Vietnamese brides in the village of Z, but the author has only obtained the basic information of 13 Vietnamese brides, and now here is the analysis of these 13 Vietnamese brides' situation. As can be seen from the above table, the formation of the transnational marriage in Z village are all since 2000, which means that there is no transnational marriage for decades. The maximum age difference between married couples is 13 years, the minimum age difference is 1 year, and the average age difference is 6.5 years, which has basically reached the proper marriage matching age. Couples in transnational marriage are generally less educated. Of the 13 Vietnamese brides, 10 of them have been to primary schools and 3 have been to middle schools. Their husbands are also less educated. Among them, only one person has been to a middle school while others have only been to primary schools. Speaking of the children, in addition to the 10 children in the table listed above, there are still three Vietnamese brides being pregnant. The number of children is in the normal range. In the aspect of children's settling down, Among the 13 couples listed in the table, there are 10 children in transnational marriages. Only one girl born by Mei-Fen Yang has been settled down in 2008 and the other nine children are still unregistered. In addition, the Chinese ability among 13 Vietnamese brides of Z village is generally weak. There are 8 brides can't speak Chinese. The proportion is up to 61.5%. 3 of them have good Chinese language ability. There are only 2 of them can basically communicate with others in Chinese.

Table: Vietnamese brides in Z village

| Name<br>(transliteration) | Birth   | Education         | Chinese ability        | Time of<br>coming | Husband's<br>name  | Birth of<br>Husband | Education of<br>Husband | Children                       | Settle<br>situation of<br>children |
|---------------------------|---------|-------------------|------------------------|-------------------|--------------------|---------------------|-------------------------|--------------------------------|------------------------------------|
| Xiu-Ying<br>Wang          | 1992.07 | Primary<br>school | Basic<br>communication | 2012.03           | You-Yuan<br>Xiong  | 1985.08             | Primary<br>school       | One<br>daughter                | Unsettled                          |
| Tian-Mei<br>Xiong         | 1985.09 | Primary<br>school | No                     | 2013.09           | Lin-Yuan<br>Gu     | 1989.12             | Primary<br>school       | One<br>daughter                | Unsettled                          |
| Li Zhang                  | 1990.03 | Primary<br>school | No                     | 2014              | Jin-Tian<br>Xiong  | 1982.04             | Primary<br>school       | Non                            | No                                 |
| Li-Shan Wang              | 1991.06 | Middle<br>school  | No                     | 2013.06           | Zi-Xiang Gu        | 1986.07             | Primary<br>school       | One<br>daughter                | Unsettled                          |
| Wen-Fen Hou               | 1978.09 | Primary<br>school | No                     | 2014.06           | Jin-Cheng<br>Xiong | 1977.02             | Primary<br>school       | Non                            | No                                 |
| Xiao-Xian<br>Yang         | 1972.10 | Primary<br>school | Good                   | 2006.01           | Zi-Cheng<br>Wang   | 1982.07             | Primary<br>school       | One son<br>and one<br>daughter | Unsettled                          |
| Xiao-Hua<br>Huang         | 1982    | Primary<br>school | Basic<br>communication | 2012              | Bao-Fu<br>Wang     | 1975.96             | Primary<br>school       | Non                            | No                                 |
| Mei-Fen Yang              | 1968.03 | Primary<br>school | Good                   | 2007.08           | Bao-Fu<br>Xiong    | 1975.02             | Primary<br>school       | One<br>daughter                | Settled                            |
| Mei-Xian Yang             | 1994.05 | Primary<br>school | No                     | 2014.02           | You-Ming<br>Xiong  | 1981.09             | Primary<br>school       | Non                            | No                                 |
| Qiong-Fen Li              | 1993.02 | Primary<br>school | No                     | 2014.03           | Jin-Wu<br>Yang     | 1982.02             | Primary<br>school       | One son                        | Unsettled                          |
| Fen Zhang                 | 1992.03 | Primary<br>school | No                     | 2013.02           | Yu-Guang<br>Yang   | 1986.07             | Primary<br>school       | One<br>daughter                | Unsettled                          |
| Shi-Shui Ruan             | 1987.06 | Middle<br>school  | Good                   | 2011.03           | Yue-Li<br>Cheng    | 1986.02             | Middle<br>school        | One son                        | Unsettled                          |
| Qing Tao                  | 1991.02 | Middle<br>school  | No                     | 2012.04           | Bao-Qiang<br>Xiong | 1987.01             | Primary<br>school       | One son                        | Unsettled                          |

### 3. The Dilemma of Vietnamese Women in the Sino-Vietnamese Transnational Marriage

#### 3.1 The Transnational Marriages are Mostly Illegal.

At present, the main applicable legal norm for cross-border marriage is the Measures for registration of marriage between Chinese border residents and the border residents of neighboring countries which has been put into force since October 1st of 2012. Article 6 of the Measure says: The border residents of neighboring countries who want to do marriage registration should issue the following supporting documents (1) A valid passport, an international travel document or an entry permit for entry and exit of a border area; (2) The certification of the person without a spouse issued by the notarized institution of the country or the institution with the right, approved by the embassy or (consulate) of the People's Republic of China in that country or the embassy (consulate) of that

country in China, or the certification of the person without a spouse provided by the embassy (consulate) of that country in China, or the certification of the person without a spouse issued by a government of the same level in China as the local people's government of the neighboring country.

According to the rules above, few Vietnamese brides can provide the materials they need. First of all, most Vietnamese brides only hold Vietnamese identity cards, very few have the border resident certificates. That Most of them enter China is to cross the border from the rustic roads rather than from the open ports of the country. Only from the way of entry, they will be classified as the "three illegals" in China, which makes them be the subject of repatriation.

Secondly, many Vietnamese brides believe that their marriage with our country's border residents belongs to intermarrying within the same ethnic group. That's been true for centuries. As long as the bride's family is give money for their marriage and hold the banquets in both villages, they will become husband and wife. That means they do not need to transact legal marriage formalities.

Thirdly, the Vietnamese bride's marriage with border residents of China may be illegal in Vietnam. In the investigation, the author learned that the government issued new regulations on the household registration in order to prevent the loss of national population. For example, if Vietnamese women were to marry into other countries, they would have to go through the approval of the external management agency. If they were married without approval, their nationality would be cancelled. It also stipulated that Vietnamese citizens who had been active in the Sino-Vietnamese border would need to return regularly to their villages. If they did not return to their native places for three months, their permanent residence certificates would also be cancelled.

### **3.2 The Household Registration of Children in Transnational Marriages.**

Nationality is the legal qualification of a person or a citizen of a country. It is a stable legal connection between a particular individual and a particular country. The main manifestation of this connection is that the individual enjoys the rights and obligations under the constitutional law of the state. The acquisition of nationality is mainly because of the birth and the application. The issue of the nationality of the children of transnational marriage is mainly adopted in the way of the birth. Once you have established your nationality, you can apply for a permanent residence certificate. China's main provisions for citizenship are in the Nationality Law of the People's Republic of China: Article 4 Both parents are Chinese citizens or one of them is Chinese citizens, and the person itself was born in China, then he or she can have a Chinese nationality.

According to the Nationality Law of the People's Republic of China, the children born through the illegal marriage may obtain Chinese nationality according to the Article 4. However, according to the author's survey, only 1 of the 10 children in the village of Z has been successful in obtaining the Chinese nationality. So what causes these children to be unable to settle down? It is found that the parents' identification are needed if the children want to be settled down in the local place. If the Vietnamese mother cannot provide documents, it works if there is only Chinese father's identity document. But the key is that it is needed to provide the Birth Certificate to prove their parent-child relationship. Because the Vietnamese brides in the illegal marriage is unable to obtain Chinese nationality, the social rights and interests are difficult to be guaranteed and they cannot participate in the new rural medical insurance. What's worse, because of the high medical costs, some Vietnamese women give birth to children at home, which makes them unable to obtain the Neonatal Medical Records provided by the related institution, so that they can't obtain the Birth Certificate.

The other scenario is that the Vietnamese bride pays by herself to go to the township health clinic, and the clinic has no qualification to provide the Birth Certificate, which means that the bride must go to the county level maternity and child care hospital. However, the bride is a Vietnamese citizen. Her Vietnamese household registration has been cancelled, and her identity card is invalid, so she cannot provide the valid identity information as a mother of the newborn. Thus she can't transact the Birth Certificate.

### **3.3 The Identification of Vietnamese women in Transnational Marriages.**

In border areas of China and Vietnam, the different cross-border ethnic groups have been living together for hundreds of years. They share the marriage circle, the sacrifice circle, and the circle of

life. These circles have not been interrupted by the demarcation of the border between the two countries and the establishment of national sovereignty. Therefore, when Vietnamese brides are married into China, there is no problem with ethnic identity. The 13 Vietnamese brides of Z village in the investigation belong to the Miao nationality. They said the ethnic customs of the Vietnamese Miao nationality are the same as the ones of Z village. There is no difference in the national language. All of them speak Miao language, and the communication among family members is unobstructive.

The problem of identity of Vietnamese women mainly exists in the identification of the country. The author interviewed 13 Vietnamese brides in Z village, when asked whether they were Vietnamese or Chinese since they have lived in China for many years and their Vietnam household registration have been cancelled, three of them treated themselves as Chinese. But they don't know if they can be counted as Chinese as they don't have Chinese household registration. Ten brides treated themselves as Vietnamese. When the author asked if they wanted to settle in China, the answer was very uniform. Thirteen Vietnamese brides said they were eager to get a Chinese household registration. With no Chinese household registration and the language barrier (they can't speak Chinese), it is hard for them to integrate into the society.

#### **4. Conclusion**

China and Vietnam are neighbors. The transnational marriage in border areas of Yunnan has a long history. This is the embodiment of our country's good-neighborly relations with our neighbors and a bond of friendship. But in the aspect of the law, the illegal marriage between China and Vietnam has already violated China's border management laws and regulations due to the illegal entry of Vietnamese brides. It also brings many problems to social security administration. In addition, because the Vietnamese brides are unable to obtain Chinese nationality, they can only live in China as "three illegals", which also brings a lot of difficulties to local government departments. If they were forced to be repatriated, it would undoubtedly bring great pain to the families and increase social instability. And these brides, as they live in China longer and longer, they are facing more and more difficulties. Therefore, it has been a matter of urgent concern to solve the life difficulties and meet their actual needs of Vietnamese brides in the premise of safeguarding national sovereignty, and not violating the laws and regulations of the state.

#### **Acknowledgement**

Project: The final report result of the scientific research fund project of Yunnan Provincial Department of Education: Jurisprudential Analysis on Illegal Entry and Exit in Yunnan Border Area.

#### **References**

- [1] Hong-Jiang Ji, Xin-Min Ren. Sino-Vietnamese People 's Marriage: Institutional Dilemma and State Administration [J]. Academic Research, 2016(10).
- [2] Yue-Ping Bao. The Subjective Characteristics and Institutional Dilemma of Cross - border Marriage Behavior Choice - Taking Yunnan Border Area as an Example [J]. South China Population, 2013 (4).
- [3] Jian-Xin Zhou. A Study on the Relationship between the Chinese and Vietnamese Cross - border Ethnic Groups and Their Relationship [M]. Beijing: The Ethnic Publishing House, 2002.
- [4] Yao Long, Liu-Ning Luo. On the Political Socialization of Transnational Marriage Children in Sino - Vietnamese Border Areas [J], GUANGXI MINZU YANJIU, 2007 (4).
- [5] Zheng-Huang, De-Hao Xiao. The Anthology of Historical Data of the Sino-Vietnamese Border [M]. Beijing: Social sciences academic Press(CHINA) , 1993.