

WOMEN'S AUTONOMY AND THE ISSUE OF AUTONOMY IN THE "NGUYEN DYNASTY CODE" FROM A PHILOSOPHICAL PERSPECTIVE

[AUTONOMIA FEMININA E O PROBLEMA DA AUTONOMIA NO "CÓDIGO DA DINASTIA
NGUYEN" SOB UMA PERSPECTIVA FILOSÓFICA]

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ABSTRACT: In Vietnamese history, autonomy has played a key role in the development of women's freedom. It is a central factor in assessing their gender equality in society. This study aims to clarify the process of changing women's autonomy. They are examined through detailed legal research, from the "Nguyen Dynasty Code", the foundational law of the Nguyen Dynasty, to the constitutional law in the modern period, from a philosophical perspective.

KEYWORDS: Autonomy; Code of the Nguyen Dynasty; Constitutional; women; gender equality

RESUMO: Na história vietnamita, a autonomia tem um papel importante no desenvolvimento da liberdade das mulheres. É um fator central na avaliação da sua igualdade de gênero na sociedade. Este artigo tem como objetivo esclarecer o processo de mudança da autonomia feminina; que é examinada através de uma pesquisa legal detalhada desde o "Código da Dinastia Nguyen", lei fundamental da Dinastia Nguyen, até o direito constitucional na era moderna, sob a perspectiva da filosofia.

PALAVRAS-CHAVE: Autonomia; Código da Dinastia Nguyen; Constitucional; Mulher; Igualdade de Gênero

1. INTRODUCTION

Vietnam's legal history has undergone a marked change in the role, position, and value of women. This is reflected in the legal content of the "Code of the Nguyen Dynasty" during the Nguyen Dynasty monarchy period and the laws of the "Constitution" of Vietnam in the current period. In the social environment under the centralized feudal regime of the Nguyen Dynasty, women were often constrained in family affairs and dependent on male authority figures. Their freedom was limited by social norms, preventing them from participating in the national political system, pursuing careers independently, or making personal choices about education and other interests. As society progresses and awareness of gender equality grows, women's autonomy becomes a vital factor in enhancing their status, freeing their roles and values from past constraints. They have the right to determine their own

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destinies, seek happiness, and contribute alongside men to a more developed society. This study examines women's autonomy, thereby elucidating the process of change in their role and status from early Nguyen Dynasty society to modern Vietnamese society.

2. LITERATURE REVIEW AND METHOD

Women's autonomy is an important topic in the study of gender equality, reflecting their level of freedom and role in society across historical periods. In the context of Vietnam, the change in women's autonomy can be clearly identified when comparing the "Code of the Nguyen Dynasty" – a key legal code of the Nguyen monarchy – and current legal regulations, especially the "Constitution of the Socialist Republic of Vietnam". The "Code of the Nguyen Dynasty", promulgated under King Gia Long in 1812, was deeply influenced by Confucian thought, emphasizing the dependent role of women in the family and society. This code limits their right to self-determination in areas such as marriage, education, and political participation, reflecting the feudal social model of "men over women". In contrast, modern Vietnamese law, based on the Constitution, recognizes gender equality and grants women autonomy in many aspects of life, from personal to societal spheres. This transformation is not only the result of social progress, but also represents the state's efforts to build a progressive legal system aligned with democratic values and human rights.

Previous studies on "Code of the Nguyen Dynasty" have mainly focused on the historical aspect of the law or the influence of Confucianism on the Nguyen legal system, such as the work of Nguyen Quyet Thang (2004) or the Institute of Sino-Nom studies (2011). Meanwhile, modern women's rights studies often analyze the Constitution and gender equality policies, but there is rarely a comprehensive comparison between these two legal periods. This study aims to fill that gap by analyzing the change in women's autonomy from the Nguyen Dynasty to the present, thereby evaluating the process of improving the status of women in Vietnamese society.

Research Methodology: This study applies dialectical materialism and historical materialism to analyze the process of women's autonomy transformation in relation to socio-economic conditions and internal contradictions of legal forms through historical periods. First of all, the historical materialism method is used to examine the content of the Nguyen Dynasty Code as a product reflecting the mode of production and social relations under the feudal regime, focusing on regulations related to marriage, inheritance, education, and the social role of women. Original documents such as the text of the Nguyen Dynasty Code, along with related research works (such as Nguyen Thi Thu Thuy 2013), are analyzed to clarify the context of its creation and the influence of Confucianism in shaping the legal status of women, viewing it as a manifestation of feudal ideology in accordance with the socio-economic structure of that period. Second, the dialectical materialist

method is applied to compare the provisions of the Nguyen Dynasty Code with the provisions of the current Constitution (2013), in order to highlight the movement and development of law in protecting women's autonomy, reflecting the contradiction between the old production relations and the requirements of new production forces in the modern context. In addition, the study combines qualitative analysis of secondary documents such as books, scientific articles, and policy reports to supplement the theoretical basis, examining the dialectical development of legal thinking under the impact of material conditions. Data collection is carried out from reputable reference sources, ensuring accuracy and objectivity in the evaluation process, in accordance with the historical materialist principle of placing legal phenomena in the movement of specific history.

3. RESEARCH RESULTS

3.1. Women's autonomy under the monarchy of the Nguyen Dynasty

Autonomy plays a crucial role in establishing women's freedom, a core factor in assessing their status relative to men in key societal areas, namely education, politics, and the economy. In the process of social reform, transforming the structural nature of the feudal model of "respecting men over women" into a model that values progress, fairness, equality, and democracy requires urgently addressing women's autonomy. When examining the entire text of the "Code of the Nguyen Dynasty", it is evident that its origins greatly influenced its content. In 1811, King Gia Long tasked Nguyen Van Thanh (as editor), along with courtiers, with compiling a distinct national law; by June 1812, the code was compiled. Officially named the "Code of the Nguyen Dynasty", it was promulgated when the Nguyen Dynasty adopted the national name Vietnam (1804–1838). This code served as a standard criminal law and a model for subsequent kings after Gia Long to further develop and refine the Nguyen Dynasty's legal system (1802–1945).

When studying the full text of the "Code of the Nguyen Dynasty", it is not difficult to realize that there is an influence of Confucian thought on the legislative content in the code. Throughout the centuries, Confucian classics such as the "Four Books" and the "Five Classics" have conveyed the basic teachings of this ideology. Confucian thought has contributed to shaping and having a great impact on the social model as well as the cultural identity of feudal Eastern societies, including Vietnam. The principles of Confucian thought were institutionalized through the connotation of the legal document "Code of the Nguyen Dynasty" to support the Nguyen Dynasty under the reign of King Gia Long to build a legal system. The instillation of the idea of Confucian values has established moral regulations and a close relationship with the position of each family member. According to the specific regulations of the "Gia Long Law", women have many obligations and responsibilities in

relationships with family and society, but the issue of their right to self-determination and personal autonomy almost does not exist. Freedom in marriage and equality in political participation are all important bases that determine the degree of autonomy in people's lives in 2 aspects: family and career. The above two aspects have separate importance and impact on the formation of roles and values for each individual in the community. But women who lived during the Nguyen monarchy did not have this freedom, because women's values were mainly judged by their roles as daughters in the family, so they did not have the right to self-determination. Meanwhile, women's right to self-determination, which is a basis that contributes to determining their place in society and is also one of the conditional bases for determining the level of autonomy and for evaluating gender equality, has been greatly limited under the legal impact of this period. The content of the laws restricting the autonomy of women is strictly regulated in the "Code of the Nguyen Dynasty" in particular and the laws of the Nguyen dynasty monarchy in general.

Most legal regulations of this period reflect Confucian ethics, with the "Code of the Nguyen Dynasty" constructed on the basis of Confucian doctrine, as noted in *Classics and Laws of Medieval Vietnam*: "Due to the influence of Confucian thought, in directing the compilation of the Hoang Viet set of laws, King Gia Long was guided by the concepts of the three principles and five ordinances when addressing relationships between king and servant, father and son, husband and wife, form and ceremony, virtue and the rule of law" (Institute of Han-Nom Studies, 2011). The category of ceremonies, drawn from the Confucian canon *Book of Rites*, shaped the legal provisions in the "Hoang Viet Rules". Concepts from this text, such as the three subordinations and four virtues, defined women's familial roles, stipulating that their duties primarily revolve around obligations throughout their lives. The three subordinations are interpreted as follows: "Women are bound by three subordinations: at home, they obey their parents; when married, their husband; and after their husband's death, their sons" (Phan, K. B., 2006).

From the content of the concept, it can be seen that women in the era of the Nguyen dynasty monarchy did not have autonomy, their freedom was dependent on the father, husband and eldest son of the husband's family (after the death of the husband). The trilogy ideology placed women in a system that was strongly dominated by men, making them dependent, deprived of their inherent power and without the right to make independent decisions on their own important issues. The above moral codes have dominated and profoundly influenced the social status of women in society under the monarchy of the Nguyen Dynasty. This has narrowed women's freedom of choice in their personal lives and also caused them to lose power in social affairs, limited to family work. The centralized monarchical society of the Nguyen Dynasty was a place where the important issues of individual women had to be agreed upon because men played a key role in the family. This is a manifestation of the lack of equality that forces women to follow the arrangement of a society dominated by the power of men.

In addition to complying with the content of the concept of the three

virtues, women must also follow the rules of the four virtues: "So in the old days, three months before women got married, the ancestral temple (theirs) was still kept to teach them there. When the ancestral temple is no longer kept, teach them at their church (with their husbands). Teach them about the virtues of women such as words, makeup, and the profession of a woman." (Nguyen, T. N, Trans. & Ed., 1999). Thus, in addition to the three virtues, the four virtues that women need to have have also established strict evaluation principles for them. Women living during the monarchy of the Nguyen Dynasty not only had to fulfill their family responsibilities but also had to follow strict regulations on behavior in their actions, attitudes, deeds and words. This compliance leaves women bound within a pre-existing framework and incapable of exercising their own personal will, freely controlling their actions to decide their lives. Choosing a husband, deciding on a career or owning property has almost no place for feminism. The status of women in the community at that time was almost worthless if it was not associated with the role of wife or mother. Their position in the community is always commented on through the achievements of their husbands, so the best role of women under the centralized monarchy of the Nguyen Dynasty is only to support, assist and assist their husbands in building their careers. The highest position that they are recognized is to become an excellent cabinet minister in the family, because from the perspective of society, they have the merit of mastering household chores to help their husbands become a successful person, achieving achievements in economic or political aspects. The Confucian doctrine shaped the tasks and functions of women in the community and family, helping the society of the Nguyen Dynasty to build a stable foundation, but also made women incapable of controlling their destiny according to their own will.

2. WOMEN'S AUTONOMY IN THE "CODE OF THE NGUYEN DYNASTY"

Autonomy, which is one of the important factors in assessing gender equality, has been constrained and limited in the legal framework of this era, which can be pointed out in the charters of the "Code of the Nguyen Dynasty" as follows:

"Article 1. Book VII. Marriage is presided over by grandparents and parents. If both parents have died, another relative will preside over the marriage. In case the husband dies, the wife takes that daughter to marry someone else, that daughter is married by her mother." (Institute of Han-Nom Studies, 2011).

"Article 1. Book VII. The marriage of the subordinate is owned by the father or the patriarch, if after the subordinate is far away, the patriarch has arranged the marriage for them, but the subordinate in a distant place does not know, and marries himself, in the case of marriage, it cannot be changed, so they still marry each other as before. if they have not yet married, they must marry according to the decision of the patriarch, and those who resist will be

fined 80 rods. If the father or the patriarch is far away, the subordinates are at home, the two parties have asked and decided to get married, they will also settle it accordingly" (Institute of Han-Nom Studies, 2011).

"Article 2. Book XV. If a husband beats his wife to the point of breaking, he is not guilty" (Institute of Han-Nom Studies, 2011).

"Article 2. Book XV. Ordinary wives who beat their husbands (if they hit them, they will be punished with 100 staffs)" (Institute of Han-Nom Studies, 2011).

"Article 15. Book VII. The woman who returns means that she must follow her husband, the husband can leave his wife, but the wife must not break with her husband. If a person betrays his husband and runs away, he shall be fined 100 staves and sold to his husband. Whoever runs away but reforms himself will be punished. The husband is his wife's neighbor, but if he leaves his husband to follow someone else, it is already great to be a person. Whoever leaves without any news, does not know whether to live or die, must wait beyond 3 years before being reported to the official, so that the official can judge and settle it, if within 3 years, without reporting to the official, he will be fined 100 rods, if he arbitrarily changes the price, he will be fined 100 rods" (Institute of Han-Nom Studies, 2011).

The rules linked to the marriage clause of the "Code of the Nguyen Dynasty" clearly show the unfairness and mandate that men's rights are higher than women's. Specifically, they do not have autonomy in their own marriage because social standards and laws protect men's rights to a much higher extent than their rights. According to the "Code of the Nguyen Dynasty", marriage is a decision of the family and clan, not a separate decision of the woman herself. Therefore, when a parent or relative dies, the right to decide on the marriage of the daughter is transferred to the person with power in the kinship, and women living during the authoritarian monarchy of the Nguyen Dynasty do not have the right to choose a mate but can only agree to the arrangement from the family. clans and clans. In addition, some charters on women's interests in marriage have also noticed shortcomings in the handling of laws in this period. Specifically, in the case of the husband beating his wife, although the husband has physically insulted the wife, the wife does not have the right to actively terminate the marriage before a violent act and rough treatment of men. In the long run, a bad precedent may appear and force them to consent to abusive actions from their husbands. Women cannot leave their husbands, if they run away or have any actions that are condemned by their husbands as "betrayal", they must receive a heavy punishment from the law: "sanction 100 staffs" and "according to the husband to marry", so that women's freedom in this situation is almost completely deprived. In the right to marry, inequality is also reflected in the fact that men are free to expand their marital relationship. In the social context at that time, women only had one husband, while men had many concubines. This not only reflects the distinction in rights between the two sexes, but also shows the strict control of the penal law over female marriage. Women have to live within the framework of strict rules, are not able to choose or change their personal lives at will while men, although there are some

restrictions on the rules of concubines, are generally freer in marriage than women.

In the law of the monarch of the Nguyen dynasty, the crime and punishment if a woman makes a protest move, the content of the charter is as follows: "Article 15. Book VII. If the maid betrays the patriarch and runs away, she will be punished with the same crime as the child's wife, but if the price is only 100 staffs, 5 steps lower than the child's wife. The wife and the maid have the same status for the patriarch, but the meaning is different, so the crime of running away is the same, but the crime of reform is punished more lightly. The eldest wife, the little wife, and the fugitive maid mentioned above are all guilty people, others are not allowed to harbor themselves, nor are they allowed to be wives" (National Assembly of Vietnam, 2021). The content of this charter clearly shows the disproportionate benefits that men still enjoy many privileges in marriage, while women are forced to submit, endure and accept. The legal system of this period maintained and strengthened the role of men as well as minimized the right to self-determination that women deserved. When the husband dies, the marriage relationship of women is no longer available, but their rights are still bound. "Hoang Viet Lu Le" explains this issue as follows: "Article 4. Book VI. A woman whose husband dies without children and worships her husband who wants to inherit her husband's status must ask the patriarch to choose a person of the same rank as the heir. Whoever improves the price, the husband's family inheritance and jewelry are all owned by the previous husband's family" (National Assembly of Vietnam, 2021).

"Article 11. Book VI. The son of the eldest wife, unless there is a warm official, must first of all be the eldest son of the eldest wife and the true grandson. The division of the estate is regardless of whether it is due to the concubine, or the maid who was born only by the number of sons. If there is no person in the clan who is worthy of inheritance, the household shall inherit the property, and in case there is no daughter, the local official shall clearly report it to the superior company for consideration of expropriation" (Institute of Han-Nom Studies, 2011).

In feudal society, the issue of inheritance of estates has always been managed at a high level and is governed by social concepts and strict regulations of the law. In the charter mentioned in the "Code of the Nguyen Dynasty", the property division clause mainly only takes into account "sons". Specifically, whether they are the sons of the eldest wife or the concubine, these people have the right to inherit the family property, while even if they are biological children but have a female gender, they are not inherited. When women marry new husbands, the inheritance belongs to the former husband's family, which reflects the injustice that women suffer in dividing the inheritance. Women have an important position in family relations, but they are not free to use the family's property, the ownership belongs to the husband, when the husband loses this right, it is transferred to the eldest son, if there is no eldest son, the right is transferred to the second son, Only when there is no "son" can the "daughter" have the right to inherit. This regulation has created injustice, reducing the social status of women. They are seen as people who do

not have the financial autonomy of their own family. This has reinforced the idea of dependency on men and lowered the status of women. Not only is women's right to self-determination in marriage less autonomous, but they also have no autonomy in terms of education and political participation. The "Code of the Nguyen Dynasty" specifies these issues as follows: "Article 2. Book IV. Officials of all ranks, not raised by the path of selection but vaguely hoping to be used, running away, competing, obstructing and undermining the rules of recruitment [officials], are all guilty of being disqualified from public service" (Institute of Han-Nom Studies, 2011).

The "selection path" mentioned in the code is the scientific path, a method of selecting talents according to Confucian specifications. The Department of Confucianism began in the Ly Dynasty and flourished in the Nguyen Dynasty. In the work "Calendar of the Dynasty Charter of the Kind of Solstice" records those times as follows: "The Le Dynasty founded the country, first of all opened the Faculty of the Association; in the reign of King Le Thai Tong (1434-1442), the exam was fixed for 3 years and one faculty, the exam for four different schools, which was passed down to the Nguyen Dynasty" (Phan, H. C, 2006). Because the laws and ideologies of this period were based on Confucian doctrine, the political structure of this period was completely held by men (including the emperor and his subordinate officials). Important issues of the country such as education, politics, economy, military... are all given and resolved by men. The re-recruitment contest to select people who are capable of participating in the political system has always had absolutely no place for women, because this examination requires mastery of Confucianism: "The exam, before the exam, alludes to the Y Quoc Thien and the Heavenly Son Story to eliminate; Then came the Kinh Nghi exam (asking doubts in the sutras), the scriptures, and poetry using the ancient form, the Five Words of Eternal Heaven, taking 4 characters Tai, Nan, Xua, and Pheasant as the remainder, and Phu using the 8 rhymes. The 3rd school takes exams, preparations, and tables. The fourth school takes the literature exam" (Phan, H. C, 2006). The educational method and rules of the Confucian exam are the official way for men to participate in politics. That gives men access to an exclusive education system that helps them pass their studies and return to politics and join the political apparatus. Women do not have the opportunity to participate in this contest, so they cannot have the opportunity to join the government. Especially in the era of King Gia Long, the era when the "Code of the Nguyen Dynasty" was compiled, this contest was extremely respected: "King Gia Long after reunifying the country, although he knew that martial arts was an important thing, but if he wanted to build the country, he could not help but focus on scientific education. In the Year of the Rabbit (1807), the king went down to the mat: "The nation prays for the people of the country. The Fairy Dynasty is a gesture, a great friend celebrates... (If the country wants to find talented people, it must be selected by science. In previous generations, the faculty was organized)" (Pham, D. T. D., & Vinh, C). During the existence of the dynasty, officials were selected mainly by faculty: "Along with the existence of the dynasty, the education and faculty of the Nguyen dynasty

lasted 117 years (from 1802 to 1919), 47 Huong exams were held, 5,397 bachelors passed; 39 semesters, 558 doctors, vice presidents" (Nguyen, N. Q, 2011).

Although there are more than 5000 bachelors, according to the detailed records of the names and genders of those who passed the Nguyen Dynasty in the work "The Dynasty of the Continent", all of them are men, no one is female. Women's exclusion from the faculty is not only a form of gender discrimination but also a deprivation of their freedom to decide their own fate. In the social context at that time, individuals can change their status in society through exams. Those who succeed in the faculty can attain the rank of official and become powerful and influential in society. If men can easily take the exam and gain social status, have the opportunity to present to the king decisions that will determine the fate of the whole country, then women are completely excluded from contributing to the fatherland. They are locked in society's gender stereotypes. The lack of the right to participate in the election makes women lose the opportunity to express their intellect and talents, and lose the opportunity to have political power on an equal footing with men. Therefore, the inability of women to participate in the education system with equal rights deprives them of their freedom to build a career, indirectly lowering their status in society.

3. THE ISSUE OF WOMEN'S AUTONOMY IS REFLECTED IN CURRENT VIETNAMESE LAW

The free development of each individual is a condition for society to become more and more progressive and civilized, as noted in the "Manifesto of the Communist Party" with the following content: "The free development of each person is a condition for the free development of all people" (Marx, K., & Engels, F, 2021). This is an important issue for the community in all times. Freedom is not only the right to self-determination in one's own life, but also the right to participate in social activities without being discriminated or coerced by gender. One of the factors that make up women's freedom is autonomy. They are given autonomy in personal matters such as education and marriage, as well as autonomy in social matters such as career choice and political participation. Vietnamese law through the "Constitution of the Socialist Republic of Vietnam" stipulates women's autonomy through a number of specific laws as follows:

"Article 16. Everyone is equal before the law. No one is discriminated against in political, civil, economic, cultural, and social life" (National Assembly of Vietnam, 2021).

"Article 26. Male and female citizens are equal in all aspects. The State has policies to ensure gender equality rights and opportunities. The State, society and family create conditions for women to develop comprehensively and promote their role in society. Gender discrimination is strictly prohibited" (National Assembly of Vietnam, 2021).

"Article 35. Citizens have the right to work, choose their profession, employment and workplace. Salaried workers are guaranteed fair and safe working conditions; are entitled to salary and rest regime. It is strictly forbidden to discriminate, coerce labor, and use workers under the minimum working age." (National Assembly of Vietnam, 2021).

"Article 36. Men and women have the right to marry and divorce. Marriage follows the principle of voluntariness, progress, monogamy, equality and mutual respect. The State protects marriage and family, protects the rights of mothers and children". (National Assembly of Vietnam, 2021).

The above provisions clearly state that women's autonomy spans a wide range of areas, from personal to social issues. These are the authentic interests of women that have been protected by Vietnamese law. Analyzing each content, it will be seen that the value and status of women are enhanced, reflecting the end of gender prejudices against the status of women affected by Confucian thought in "Code of the Nguyen Dynasty". Article 16 of the "Constitution" clarifies the equality of all citizens, which is an important foundation in the protection of women's rights today. When the Constitution defines this equality, then the law provides certainty that women have autonomy in their personal affairs without being bound by any gender factor. This equal right also creates conditions for women to participate in the country's government apparatus.

Article 26 of the "Constitution" affirms the equality of men and women, there is no bias in all fields. This is an essential law in protecting women's rights. Accordingly, the state is committed to implementing policies committed to creating a basis for gender equality, supporting women's comprehensive development and promoting their capacity. This is a legitimate right that women deserve, clearly demonstrating the attention of the state and society to women. The State and society have the responsibility to create favorable conditions to help women have the opportunity to develop their capacities as well as actively contribute to the overall development of the community. Article 35 of the "Constitution" protects the freedom to determine future work. This helps women to have the autonomy to choose the profession they like and the working environment suitable for their circumstances. Women are no longer subjected to harsh circumstances such as being discriminated against because of gender, receiving salaries and bonuses that are not worthy of the effort they have put in the work, and not being guaranteed personal interests at work. When a woman enters the labor market, she will be provided with a safe working environment and receive salary as well as insurance benefits depending on the specific situation in reality. Article 36 affirms the right to autonomy in marriage. Women have the right to choose the object of marriage, the right to decide marriage according to their own personal will and aspirations, and not to be coerced by the family. This indicates the country's commitment to protecting the autonomy of its individual affairs. Although the "Constitution" clarifies women's autonomy, in practice, implementing these rights still faces many challenges. This situation persists primarily in remote areas. Gender discrimination and prejudice remain prevalent in these environments, alongside unfair treatment of women. Due to the lingering

influence of outdated cultural norms, entrenched local conservatism, and limited awareness of gender equality, women in these regions struggle to fully establish their autonomy. To enhance women's autonomy, it is essential to promote the implementation of solutions such as raising public awareness of gender equality alongside practical measures. The State should advance education and campaigns on gender equality, foster an equitable work environment, and increase women's participation in leadership roles. This represents a critical step toward achieving true gender equality.

Vietnamese law has clearly demonstrated the State's commitment to protecting women's rights. However, in order for women's autonomy to be truly protected and promoted, in addition to implementing the set policies, it is also necessary to promote education and propaganda for the masses. Only with the consensus and support of the masses can the state thoroughly solve the remaining social problems. In modern society, women's autonomy is not only a human rights issue but also an important factor for the development of the country. "Women's working ability and conditions, cultural level, social position, material and spiritual life have a profound influence on the development of future generations, the prosperity of the homeland and the country" (M. L, 2001). Currently, in Vietnam, women's autonomy is clearly and strictly protected in the "Constitution". This has recognized the development of women's roles and positions in society through the lens of law. From the laws of the monarchy of the Nguyen Dynasty with the "Code of the Nguyen Dynasty" to the development and perfection of today's legal system, it is a progress towards the civilization of society. Since then, it has built an increasingly complete legal foundation to affirm the right to gender equality, demonstrating the great role of the country in the development and improvement of women's status.

4. CONCLUSION

This study has traced the transformative journey of women's autonomy in Vietnam, from the restrictive legal framework of the "Code of the Nguyen Dynasty" to the progressive provisions of the current Constitution. Under the Nguyen Dynasty (1802–1945), the "Code of the Nguyen Dynasty," rooted in Confucian ideology, severely curtailed women's autonomy, confining their roles to familial obligations and subordinating them to male authority figures—fathers, husbands, and sons. Legal provisions on marriage, inheritance, education, and political participation reinforced a feudal model of gender inequality, denying women the right to self-determination and relegating them to dependent, secondary status. In contrast, Vietnam's modern constitutional law, particularly the 2013 Constitution, marks a significant shift by enshrining gender equality and granting women autonomy across personal and societal spheres. Articles 16, 26, 35, and 36 affirm their rights to equal treatment, career choice, political engagement, and voluntary marriage, reflecting a legal system aligned with democratic values and human rights.

The transition from the Nguyen Dynasty's patriarchal constraints to today's egalitarian framework underscores the profound impact of social progress and state intervention in elevating women's status. However, challenges persist, especially in remote areas where cultural conservatism and limited gender equality awareness hinder the full realization of these rights. To bridge this gap, the state must intensify efforts in education, public awareness campaigns, and equitable workplace policies to empower women and enhance their participation in leadership roles. Women's autonomy is not merely a matter of individual freedom but a cornerstone of national development, influencing future generations and societal prosperity. By building on this legal foundation and addressing practical barriers, Vietnam can continue to advance toward true gender equality, affirming the vital role of women in shaping a modern, progressive society.

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