

การค้ามนุษย์ในผู้หญิงกลุ่มชาติพันธุ์: กรณีของผู้หญิงม้งในประเทศไทย

ETHNIC FEMALE HUMAN-TRAFFICKING:

THE CASE OF HMONG WOMAN IN LAOS

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การเคลื่อนย้ายของของผู้คนและแรงงานในประเทศไทยนั้นถูกระบุว่ามีปัจจัยทางเศรษฐกิจ นโยบายรัฐบาลและปัจจัยทางสังคม รวมถึงปัจจัยด้านความรุนแรงบนฐานเพศซึ่งถูกระบุว่าทำให้ผู้หญิงนั้นมีความเสี่ยงที่จะย้ายถิ่นฐานแบบไม่ปลอดภัยรวมถึงอาจตกเป็นเหยื่อของการค้ามนุษย์ได้ งานเขียนฉบับนี้ต้องการวิเคราะห์เชิงลึกให้เห็นรายละเอียดของความรุนแรงบนฐานเพศสภาวะในกรณีการค้ามนุษย์ ซึ่งได้ออกแบบการศึกษาวิจัยเชิงชาติพันธุ์วรรณนาผ่านการสัมภาษณ์ประวัติชีวิตเชิงลึกของผู้เข้าร่วมศึกษาหนึ่งท่าน และมีเครื่องมือในการเก็บข้อมูลผ่านการสัมภาษณ์การสนทนากลุ่มและการสังเกตผู้เข้าร่วมอื่นเพื่อข้อมูลที่ครบถ้วนและตรวจสอบได้แบบสามี้ในพื้นที่การศึกษาที่นิครหลวงเวียงจันทน์ สาธารณรัฐประชาธิปไตยประชาชนลาว การวิเคราะห์ใช้วิเคราะห์ประสบการณ์ของผู้เข้าร่วมโดยใช้ทฤษฎี structuration ซึ่งพบว่าการที่ผู้หญิงถูกหล่อหลอมมาในสังคมที่มีวัฒนธรรมชายเป็นใหญ่ซึ่งได้จัดวางตัวตนของผู้หญิงให้มีสถานะเป็นรองผู้ชาย ซึ่งสร้างข้อจำกัดทางโอกาสรวมถึงการสนับสนุนทางสังคมและสร้างความด้อยอานาจให้แก่ผู้หญิง นอกจากนี้ยังเป็นการผลิตข้าความรุนแรงทางวัฒนธรรมเชิงโครงสร้างที่มีลักษณะของความรุนแรงบนฐานเพศสภาวะซึ่งเป็นปัจจัยหนึ่งที่ทำให้ผู้หญิงมีความเสี่ยง หรือตกเป็นเหยื่อของการค้ามนุษย์ หรือมีความเสี่ยงที่จะเข้าสู่การเคลื่อนย้ายถิ่นแบบไม่ปลอดภัยอีกด้วย

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Abstract

Migration in Laos has been influenced by economic factor, government policies and social factor including gender-based violence that has been defined as a factor that leads women to unsafe migration and can possibly become victims of human trafficking. This paper would like to make an in-depth analysis on this issue in order to comprehend the details of gender-based violence. Relating to human trafficking, the ethnographic research was conducted through in-depth life history interview with one key informant. Focus-group interview and observation method were made to collect data in the field, and later triangular method has been applied in order to verify the data. The research study was conducted in Vientiane, Laos PDR. Through the theory of structuration, the analysis was made to analyze the experiences of the key informant. It is found that patriarchal culture, that shapes women and positions the status of women as secondary importance, had rather create limitations than opportunities to women. Moreover, it reproduces the cultural violence and structural violence that have gender-based violence as the main factor and can lead women to risks, or to fall prey to human trafficking, or to be at risks of unsafe migration.

Keywords: Hmong culture, Ethnicity, Human trafficking, Gender-based violence

Introduction

The survey of World Bank (2012) finds that an influx of female Lao migrants from rural areas, who migrate to work in urban areas and neighboring countries, has been increasing every year. Owing to economic reason, decreasing number of land for cultivation, government policies, limited access to natural resources, poverty, lack of land ownership, unemployment rate in rural areas and low labour skill, ethnic population also increasing migrate to work in urban areas and neighboring countries (UNDP Lao PDR, 2012)

According to the assessment implemented by UNDP Lao PDR (UNDP Lao PDR, 2012), it is found that the promotion work on gender equality in Laos is in positive progress because boys and girls increasingly receive basic education. In employment, it is found that the rising number of females enter to labour market; however, their income is different from males. There are more women holding high positions;

nevertheless, there is approximately 72 percent of women who have become victims of human trafficking in Thailand. It shows that having little access to education also has resulted of internal and international migration.

In the past recent years, Laos has also been viewed as a source country for human trafficking (Jun, 2017; Gerin, 2018). Further, the report on an Exploratory Research about Migration and Human Trafficking to China In Luang Namtha Province and Phongsaly Province, Lao PDR from UNIAP (2013) demonstrates that there is high number of local girls and women who have married to Chinese men in the northern region of Laos. The study shows that the youngest age of the brides from Akha, Yao and ethnically mixed groups who have stepped into marriage is 13 years old, and many of married girls have disappeared after their marriage. Among these married girls, they have been trafficked by their husbands in China or in special economic zones.

Apart from low level of education and the gap of urban and rural development, the attempt to escape from the gender-based violence within their family and society has ironically made them to become the victim of human trafficking instead (Sweeney, 2015).

According to the documents studying on the migration of labour and human trafficking, there are many factors that can trigger the situations. Among these are gender-based violence-related factors. Although these factors have often been mentioned in the studies on human trafficking, limit of the studies clearly discuss about them. This research; thus, intend to analyze and examine the depth of the factors that induce gender-based violence which is structurally ingrained in some culture, and reproduced resulting that women become prey to human trafficking, and have risks on unsafe migration. Gender-based violence or the violence that is caused by the discrimination on gender or gender stereotype; or by unequal gendered power relations that can cause physical, sexual, and mental harms or sufferings, including the violence that is caused by culture and tradition, and socio-economy based on the ground of gender (UNHCR, 2009).

This paper studies Hmong ethnic group in Laos through the experiences and stories of a Hmong woman. Hmong is the ethnicity that has a particular culture and their culture clearly takes part in shaping the roles of gender in their societies. In Thailand, the report of BBC (2017) presents news in Thai language on the article of

“rab lūk sāo klab bān: kha-ngad khwām mai thao thīam thāng phēd nai chumchon Hmong dūai phithīkān” [Welcoming daughters back home: elimination of gender inequality in Hmong communities through rituals]. This issue was advocated by a group of Hmong women and it reflects structural violence which is steered by gender. Women standing up to negotiate and make new rules is a progress in social mobilization that tries to fight with gender-based violence.

Even though there is no research evidently focusing on gender-based violence in Laos, there are some studies on violence against women and girls. The study of Multiple Indicator Cluster Survey, Laos PDR (2006) found that over 80 percent of males and females agreed that husbands hitting wives was acceptable for various reasons. Committee on the Elimination of Discrimination against Women (2009) pointed out that Laos still lack information regarding violence against women and girls, and lack information about the scales of violence, and the causes, including structural violence. This research is to study through the case of Hmong woman who has been identified as a victim of human trafficking in Thailand, and rescued and returned to Laos.

Based on Ethnic Minority and Indigenous People (2019), Lao PDR is one ethnically diverse country in Southeast Asia. Among these numerous ethnically diverse groups, Hmong is the third largest of all group in Laos. The broad aspects which the Hmong differentiate themselves from other Laotian people are “their ethnicity, language, culture and religion” (Hmong Statistics Population, 2017). Even though there is limit research study that can identify particularly about the migration of Hmong to Thailand and the number of Hmong immigrating to Thailand. Hmong people have a long history of migrating across Thai-Lao border in the past. Palmgren (2011) suggests that it was not only political discrimination against Hmong during the past three decades of ethnic tension in Laos, but unequal distribution of resources has also pushed the Hmong population to flee to Thailand.

Further, from the initial research, the work particular on Hmong Lao female relating to human trafficking in Thailand has not been found.

Materials and Methods

Research Design: The ethnographic research was carried out resulting in the compilation of both primary data and secondary data. The data collection was conducted from March 2015 to December 2018. The interviews took place in the neighborhood of garment factories in Vientiane, Laos.

Data Collection Tools: The researcher used the semi-structured interview to interview the one key informant (Chi). The focus group discussions were conducted with 4 government officers, 3 Hmong females, and 3 factory workers in the factories. The focus group interview was organized to understand Hmong culture and tradition through the eyes and experiences of Hmong females and the context of migration in Laos. In addition, the secondary data was collected from available literature from the reliable source including research studies, international achieves and other relevant documents.

Participants: The life of Chi was selected to be a case scenario resulting from the oral history of the female Hmong migrant. According to the key informants, the in-depth life history interview was conducted with the Hmong female who works at a factory and used to be a victim of human trafficking.

Data Analysis: Considering Experiential Analysis by Reinhartz (1992), this study has assessed women's experience. It is believed that placing women's lives in the center of the study can bring about creative aspects which widens the boundaries of conventional methods. Triangulation was then employed to ensure the credibility and validity of research findings. The analysis followed the theory of structuration (Giddens & Pierson, 1998) by examining women's identity that is reproduced in order to understand women's position in the society and particularly marginalized arena.

Results and Discussion

The Hmong female's Life before Human Trafficking

Chi is a 21-year-old Hmong who has worked at a factory for over a year. She shared her story, spanning four years to the time before she came to work in Vientiane. She used to live, with her father and younger brother in a village, 40 kilometers away from Vientiane. Her mother passed away when she was young, and her older sister had married and joined her new family. Chi had to work inside and outside the house. She did household chores and took care of the family farm and their cattle. Her work

started at five o'clock in the morning and ended in the night. She dropped out from school after primary school grade 2 because the school teaching was carried out in Lao language which was not her mother tongue. As Chi grew up speaking only Hmong language, she had difficulty comprehending the lessons in the Lao language. She left school without improving her reading and writing skills to and instead work on the farm.

In her leisure time, she sometimes made visits to other villages. One time, Chi met a Hmong woman to whom she quickly felt connected, and who later altered the course of her life. The woman told Chi about her life experiences living in Thailand which made Chi want to visit the country. Consequently, Chi decided to travel to Thailand without telling her father. At that time, Chi still had no travel document. She met the woman again by the riverbank, expecting that she would guide her to cross the border. However, the woman suggested her to cross alone. Although Chi had the feeling that something might not be right, she decided to follow the woman's for believing that the Hmong woman would not have done anything bad to her. At the point of border crossing, her life has changed forever. She was trafficked, rescued, returned to her home country, but not to the home where she was once belonged.

Challenges of Hmong Females in Education

According to the 2015 Results of Population and Housing Census (Lao Statistics Bureau, 2015), there are 54.4 percent of Lao children, aged between 6-25 years old, currently attending school, and 7.1 percent have never attended school. Although, these numbers cannot be disaggregated specifically regarding the education of ethnic children, the number of children who have never attended school and the ones who no longer attend school is quite high, at 42.9 percent.

Chi had only attended school for two years and decided to quit because of the language barrier, since Lao is not her mother tongue. The story of Chi, however, reveals that there are more factors that limit Hmong girl's access to education; which are 1) the government policies, and (2) the Hmong clan system.

1. Education of Hmong Children under the Government's Agenda

Despite the fact that children from a very young age are able to acquire a proficiency in second language, it may be complicated if living in an environment where the second language is not commonly used (Macnamara, 1973; Hu, 2016). With little understanding of the pedagogical language in the classroom, the ethnic children

unaccustomed to Lao from their community may face considerable challenges in the educational system and subsequently withdraw. More broadly, it may be that poor communication skills of the second language contribute negatively influence to children's interests and school performance, resulting in their decision to discontinue school.

Focusing solely on limited communication skills may be too narrow to identify the real cause. However. It can be argued that the Government's approach towards the establishment of national identity among people with diverse ethnic backgrounds can be problematic for the education of ethnic children. This is because the Government tends to emphasise on building Lao identity by enforcing the Lao language as the official language of instruction in school (Schlemmer, 2017). This inclusive policy can make learning in schools difficult for students like Chi and many other ethnic children who do not speak Laos as the first language. Indeed, children can learn the second language quicker when they have strong foundation of their first language (Farzaneh & Movahed, 2015). Nevertheless, more support provided to ethnic children to learn with second language may be useful, such as providing the same ethnic teacher assistant, and providing extra learning hours for language course. In the case of Chi, it shows that there was an absence of support to help her through the transition from one language to another. Therefore, it became difficult for her to feel motivated for performing well in school.

The above scenario demonstrates that the Government's education policy has little understanding about handling diversity. Whereas primary education is fundamentally important and useful for all children to explore other essential knowledge, the government fails to tackle with communication issue through giving extra support to ethnic children. Unintentionally, ethnic children have been forced to have low level of literacy or become illiterate. Through this unfulfilling policy, the Government may further lead the country to the opposite direction of the Sustainable Development Goals (SDGs), i.e. SDG 4 'to ensure primary education to all children'.

2. Hmong clan system, and its impact on female education

Considering the Hmong clan system, the term is literally different from the culture, customs, and traditions. However, all these terms, sometimes, are inseparable as the concept of the clan comes along with spiritual beliefs and practices that have

great influences on people's ways of lives. Thus, all these terms shall be discussed as one concept.

In Hmong society, males are socially valued.

"In Hmong culture, gender plays an important role in the way that it defines the importance of individuals in their society. Males are more desirable because it is believed that they are the one who can pass on the clan legacy to the next generation. In fact, males' roles are not only defined to lead the ancestor worship ceremony, many life events from birth to death have to also be led only by male." (Neng Noi, Interview, 25 April 2018)

Females are seen as being of less intrinsic value. It is also evident that the clan has effectively devalued females and systematically forbidden female from ownership and access to resources. In such case, Hmong females are deprived of their choice to remain single and independent. Neng Noi (Interview, 25 April 2018) pointed out that lacking power and resources made Hmong females to remain passive and silent in the marriage. Males are given the opportunity to choose their partners, while females who remain single are considered a dishonour to their family and often blamed for being unwanted by men because of their laziness. Thus, marriage becomes obligatory for Hmong females. Moreover, Hmong parents often expect that their daughters will eventually belong to other clans (Cha, 2010). The work of Moua (2003) also support this argument, he explains that the "bride is another form of being accepted to the husband's extended family; and they become more important after giving birth to their first son." Thus, daughters are seen as less desirable, a mere 'asset' which temporarily belong to the biological families. Together with the idea of clan rivalry, the parents tend not to fully invest for the girl's future as their possible level of attainment may contribute to the benefit of their husband's family clan, rather than their own (Sudprasert, 2008). These ideas has created the ramification problem to education of Hmong females, that the families would have less expectation and have little motivation to support their girls' education for considering them as a short-term family member. The statistics of children from all major ethnicities, including Hmong, illustrates that although both males and females have the opportunity to attend school, the number of literate females is lower than males across all major ethnic

groups (Lao Statistics Bureau, 2015). In case of Chi, she decided to drop out of school at a very young age. The reaction of her father toward her school dropout seems questionable because he did not show any interest in motivating his daughter to try harder in education. The passive parental reaction is likely the result of attitude constructed by the male-dominated family clan system.

The clan system has not only reduced societal expectations for female potential, but the influence from living in the male-dominated society has also discouraged female from discovering their potentiality. As the power for making decision on every life matter is taken nearly all by males (Cha, 2010), the result is females' tendency to internalise themselves as powerless and dependent, without awareness that such characteristics of them are socially constructed.

Below Chi describes the day of her border crossing into Thailand, which reveals her sense of powerlessness when confronted with the man at the Thai border.

"When I reached the Thai side, a man with a motorbike was waiting for me. I was afraid but I did not know what to do. The motorbike taxi man also did not take me back to Laos. I did not know the place. So, I had to go with that man" (Chi, Interview, 17 September 2018).

This situation demonstrates that the unequal power relations between genders comes to play its part in this confrontation. Despite her distrust, Chi was in fear and felt too powerless to disobey the man. It is likely that Chi did so due to her submissive personality which has been forged under the male-dominating society where the right to express her opinion and the right of her own body are denied to her. Such mentality might seemingly made Chi unaware of her own power and potential for resisting authority and/or negatively influence Chi's decision making as she did.

In sum, the clan system greatly impact the reproduction of the incapacitated gender norm for women. Based on their constructed gender norm and belief that females could become the adversary of their own family, the clan system then regards females as ones who have little value. Hence, it maintains this perspective by inserting the concept of 'good' females which shaped by clan system of male-dominant and inevitably making females to feel disempowered and inadequate to achieve their own life goals.

In addition, education could play an important role in opening the door of economic opportunity for women. If Chi had attained better and higher education, she would have developed self-esteem and could possibly empowered herself to accomplish her life goal. Through education she would have understood Thai better if she could have had learned Lao. That is because Lao and Thai languages share many similarities in writing and speaking. Though being educated does not guarantee that Chi could avoid or certainly escape from the situation of human trafficking. However, it might slightly increase her confidence and capability in figuring out possible ways to avoid or escape from such situation more quickly.

Kinship, Social Bond, and Trust in Hmong Culture

Needless to say that there are some factors from the Hmong kinship system that weaken Chi's judgement. It is evident that the kinship system is likely to promote a sense of trust. In Hmong culture, the pronouns used to mention a stranger are the same ones that used to refer their relatives. It is the practice of showing respect for others and gaining it in return. Therefore, the pronouns can automatically include strangers as family members (Moua, 2003). In addition, the kinship system can promote the senses of belonging, inclusion, sameness, and insider, particularly, to those who share common characteristics with the clan members. In contrast, the term "otherness" sets the boundary and gives the sense of exclusion, difference, and outsider which make ones to be prepare and maintain the boundary with the others (Rawls & David, 2006). Eventually, this suggests that the social bond and trust between the strangers can quickly develop under the concept of kinship system.

Similar to Chi's case, her unsafe migration had started at the point when she developed a social bond with another Hmong lady whom she firstly met in another village.

"When I arrived (at the meeting point). My friend took me to get on a boat. She told me to go before her. She would drop her mother first and then follow me. At that moment, I told her that I did not want to go anymore and asking her why she let me go alone. She said that she would go shortly after me. So, I took the boat. There was a boat taxi man coming with me." (Chi, Interview, 17 September 2018)

Trust is developed quickly, when common values are shared. Chi felt that she shared many commonalities with the lady who disingenuously spurred her to cross the

border, such as the same ethnicity, gender, and language. Therefore, she built her trust with the lady and befriended with her. It is argued that peer effects made Chi trust that lady very quickly. However, the study of Gardner & Steinberg (2005) on Peer Influence on Risk Taking, Risk Preference, and Risky Decision Making in Adolescence and Adulthood demonstrates that, in gender perspective, it is unclear whether “peers would greatly have influence on risk-taking behaviour and decision-making”. Nevertheless, the consequence of peer effect should not be completely disregarded in Chi’s case. Instead, it should be considered as a contributing factor that increased her level of trust and elevated her risk-taking behaviour to support her decision-making. Indeed, a social bond had been developed. The framing of this bond stems from the kinship system in the way that makes the members feel a sense of belonging to the same society, and allows the members to support each other. Chi admitted that she felt her friend’s behaviour at the border was peculiar, But at the same moment, she still thought of her friend as a trustworthy fellow Hmong. She thus decided not to refuse but follow that lady’s instruction. In fact, there are two sides of the same coin. The sense of unquestioning intimacy may simultaneously blind any sense of ‘otherness’ which makes Chi unable to foresee the possible danger of trust.

Safe Migration Information

The lack of information about safe migration may cause the feeling of vulnerability and dependency on the limited available sources. In this case, Chi decided to cross the border without any legal travel documents because she had trust in the Hmong lady and reliance on her existing knowledge. Chi went with the man who waited for on the motorbike because he claimed that her Hmong friend, whom she trusted, requested him to pick her up. This scenario suggests that one’s reaction can be controlled by the trust that is developed through the sense of kinship among members of the same ethnic group.

Chi was trafficked and forced to work at a karaoke bar where they provide sex service in Nong Khai province of Thailand. Not having knowledge about safe migration makes it hard for Chi to realize that she was being trafficked. According to Chi, when she reached the karaoke bar, she felt unsafe, and frightened, confused and not knowing what to do. The explanation given to Chi was that she owed money to the bar owner who paid the cost for her border crossing. Thus, Chi had to start working to

entertain customers on the very first day of her arrival. The pattern of trafficking had been intentionally misled by the term “debt”, which obliged Chi to live under the operation of bondage slavery. As a result, Chi seemed to acknowledge the trafficking as the returning of the debt.

“All the money I had made was given only to the bar owner, so that they could deduct my debt.” (Chi, Interview, 17 September 2018)

Human Trafficking in the form of debt bondage is commonly used in Thailand (United States Department of State, 2015). Similar examples of the claim can be seen in the case on case law database, SHERLOC (UNODC, 2012), in which the victims were similarly lured and forced to work to return the debt. This is owing to the fact that the penalty under human trafficking law is more severe than that under the labour exploitation. Trafficking is the case between the state against trafficker, while labour exploitation involves employer and employee (International Labour Organisation [ILO], 2008). Therefore, many traffickers tend to manipulate the situation by claiming that they offer the wage. Nevertheless, the victim is unlikely to receive the wage to return all the debt as they are bound to ceaselessly pay their on-going living expenses during their stay.

During the time she had worked at the karaoke bar, police sting operations were occasionally conducted. The bar owner, however, seemed to be aware of the coming operations.

“In the early days, when police came, the owner would know prior to their visits. They would then take us to the forest, and we hid there.” (Chi, Interview, 17 September 2018)

Chi remained in bondage at the bar for a total of one year and three months. Later, she was rescued by her customer actually was an undercover policeman. After the rescue, Chi was taken to Udon Thani province—in the north-eastern part of Thailand that borders the southern part of Laos. The court defined her as a “victim” of human trafficking accordingly to the wage-offering technique that the trafficker used to manipulate the victim. If her age have been over 18 years, Chi would instead have been considered a victim of labour exploitation (ILO, 2008).

Taking Chi’s case as lessons learned, it suggests that information about safe migration is crucial for several reasons. Firstly, it helps people who want to cross

borders understand about essential requirements and documents such as border pass, visa, etc. In Chi's case, the lack of a travel document could be the reason for her not daring to ask for help from anyone. In addition, there was also a possibility of her being informed that her undocumented status could bring her into more trouble. This kind of reason would give rise to the trafficker to confine the victims and set themselves free from legal action. This kind of reason would give rise to the trafficker to confine the victim and set themselves free from legal action.

Secondly, it can increase an understanding about the situations and harms that may possibly occur due to migration; e.g., sexual harassment, sexual violence, exploitation, smuggling, trafficking, etc. In the case of Chi, for not knowing how a human trafficking are operated, she did not instantly perceive herself as a victim of this operation. In her view, she understood that she was only a client of a labour smuggling business who had to pay debt that incurred from the arrangement of helping her to cross Thai border by working for the bar owner.

Lastly, it can help people to mentally prepare for any challenges or possible harms, be able to protect themselves, and where to reach out for help. In this stance, information about safe migration could significantly boost confidence and capacity for confronting or/and handling dangerous situations.

Life after Human Trafficking

After the rescue, Chi was brought to the protection centre for victims of human trafficking and had stayed there for several months, until the Thai Government returned her to the hands of Lao Government. Under normal circumstances, the victims of human trafficking would be happy to return home, but not for Chi. She felt a dilemma; she was happy with returning to Laos, for the fear of confronting with her father's anger. Instead of returning to her family, Chi decided to attend a vocational training organised by Lao Government and a non-governmental organisation (NGO). After completing the course, she did not know where to go and what to do next. Observably, Chi's fear of returning to native village implicitly caused by her past experience of growing up in male-dominated Hmong culture, as expressed in her anticipation of her father's anger toward her as a "misbehaved" girl which might follow by physical punishment as well as a psychological ones from the whole clan members.

“People at home would think that I am damaged. They also put the blame on my father. When I arrived to Vientiane, I called my father and he cried. I do not know how I can go back. My father has never asked me to go back. He only said that I should study hard. My father feels embarrassed. Other people in the village also knew what I did in Thailand. In my village, nobody has done this.” (Chi, Interview, 17 September 2018)

It is unknown if Chi performed sex services while she was working at karaoke bar. However, there are two cultural intricacies that made it impossible for Chi to defend herself in Hmong culture. Firstly, women are less preferable within the clan. The work of Cha (2010) affirms this by making a comparison of the treatment to son against daughter, “... a looser son will mature and wise up... A daughter, on the other hand, has to conduct herself properly If she is mischievous and becomes old, she will not likely to marry into a decent family, and she will be a disgrace to her parents.” This means that Chi would not have given a second chance as would Hmong males. Furthermore, women are expected to be good daughters, wives, and daughters-in-law. The qualities of the good girl could be described as being “obedient” (Cha, 2010), and “subservient” (Lisuk, 2015). Furthermore, Lisuk added that “protecting one’s sexuality is also defined a good girl.” However, this notion does not only specify the protecting of virginity, but it also defines the dress code that females should wear to cover their body, specifically their sexual parts. Failing to follow the social expectation, the women would be blamed for being bad in any event which “brings shame to family” (Lisuk, 2015).

Apart from that, the cultural view of “leaving home” plays vital role in her way of thinking as expressed below.

“My sister is an example. She married at the age of 15, then she moved to her husband’s house. When she leaves, it means she leaves forever. For Hmong females, when we leave home, we leave for good. If we are not in the age to have a husband, we must be with our father or older brother. When we marry, we must be with husband. When the husband dies, we must be with a son. Widows cannot return home. When we leave, we leave permanently. My sister, she rarely makes a visit. For me, I do not have any

husband, but I did not-so-good things. So, I do not want to return home. It is because of this reason.” (Chi, Interview, 17 September 2018)

From her story, it can be understood what made Chi decided not to return home. Nevertheless, it can be argued that her way of thinking is strongly based on Hmong cultural practices because humans are likely “to adapt to the dominant culture under which we live (Cha, 2010). The culture has shaped her view of life about who she is, how much burden she can become through the social expectation of being a good girl. To avoid making herself an imperfect girl, who would shame the family and the clan; she has been imposed through this traditional belief to make a sacrifice.

Hmong daughter’s Life and soul

Chi has become a factory worker, a member of the ethnic clan but due to her culture and customs she has been given no option to return. Although she still talks with her father on the phone, her father shows no sign of trying to have her back. The rejection is unspoken, but it seems both sides are aware of what to do, and not to do. The cultural barrier for her return is stronger than the blood bond. Her father can reveal his care and concern only through phone conversations, but he has to live his life accordingly to the rules of clan system by not making any invitation to his daughter. Most likely, taking Chi back would bring disgrace to the family and whole clan members living in the same community. Chi explains, she views herself being excluded from her origin and abandoned to live alone in an unknown state. Not only being excluded in the physical world; but also, excommunicated in the spiritual world, the exclusion from reunion in family life after death. This argument can be affirmed through the customs and rituals for the death which is very important to the Hmong. According to Chi, they believe that all creatures have souls, and “the soul can be reincarnated in another body” after the person has passed away. However, this observance necessitates the presence of a male family member of the clan to perform the funeral rituals. Through this ritual, it is believed that the soul will reunite the deceased ancestor, and then reincarnate (Cha, 2010). Furthermore, whether or not the soul will live abundant life after death, it depends on the living male family members who continue performing ritual for the soul (Cha, 2010). Although Chi does not get married and leave her family, nor traditionally leave her family as any other Hmong women who have been married off and are no longer allowed to return to their

original families as mentioned earlier, the way how Hmong females have been educated always focuses on the sensitivity of sexual orientation which is considered essential. Thus, entering to sex work, for Chi, it is considered as a forbidden sin in accordance to the teachings on Hmong culture and traditions. With this regard, it can be seen that the cultural and social establishments, and gender inequality structure, that have educated women, make women feel guilty and automatically blame themselves when they behave differently from what the culture shapes her. For Chi, this sense of wrongfulness on sex is an important part that makes her feel vulnerable, worthless, and damaged. Having negative record on sexual orientation is a taboo for Hmong women. That her father has rejected her from returning or visiting are the expressions of non-welcoming from her family clan. Even though she is not married off to another family clan in accordance to Hmong culture in order to leave the family, Chi sees herself as “doing wrong” to the traditions and she will be defined as a having a lonely soul after death.

With respect to Chi, she currently works at a factory, living in an accommodation that the factory has provided. Nonetheless, her future remains largely uncertain. Chi told that she was not afraid of going back to Thailand if she did not have any other places to go. Indeed, she cannot return home. She sees that crossing to Thailand may be an option in the future.

Conclusions

This paper has been developed around the probability that some aspects within the system of ethnic cultures and traditions can instigate unsafe migration on female members of an ethnic group. It begins by exploring the interrelation between the socio-cultural system and the construction of gender norms which eventually instill the mind-sets of ethnic members; then follows by investigating how such mind-sets and cultural practices of people in the system can possibly create vulnerabilities for ethnic females and lead them to unsafe migration. This study focuses on exploring cultural system and the construction of gender norms and identity of Hmong ethnic group living in the rural areas of Laos.

In case of Chi, she has been shaped in the patriarchal society where females have subordinating status in daily life roles, traditions, family clan system and rituals.

The violence that Chi has faced has not been presented through her physical body, but it is cultural and structural violence which implies the characteristics of gender-based violence. This is one of the factors that makes women become vulnerable to human trafficking. Regarding to Chi's case, it can be divided into 3 issues as followed.

Gender and Access to Education

The traditions are seen as constraints that have limited the female's opportunities for education and socio-economic development. Females seem to be restricted by traditional ways of living amidst the changes outside their community. Education seems to be unachievable. However, the female dropout is not because they are incompetent, but it tends to cause by structural problems, on both national and community levels. On the national level, the government is run by a single party and is more likely to put a lot of effort on the development of national identity, precisely through the use of Lao language. Thus, they appear to ignore the challenges that ethnic children speaking different languages must tackle in this educational standard. On community level, the ethnic Hmong communities in remote areas outside Vientiane tend to move at a slow pace towards national integration and show little interest in adaptation to the contemporary world. As a result, the paternally ingrained attitude toward females of the Hmong remains the unchanged, this makes it difficult for both parents and children to see the importance of their education, As a result, many children, especially girls, become school dropout at a very young age and later find themselves possessing little autonomy in making a living in their community. In this regard, insufficient education can later have tremendous effects on an understanding about life, safety and migration. Lacking education due to those reasons also make women vulnerable to obtain career and economic opportunities. In Chi's case, human trafficking was also induced by the education factor which limited the opportunity of ethnic woman like her to gain proper access to education.

Gender and Power Relation

The organisation of the kinship family support system is highly valued within Hmong culture. The presence of the male clan leader of the same family plays an important role for the social interaction within the family and the village. The crucial duty and responsibility of the clan leader is to mediate disputes among the members of the same clan. Any matters transpiring within the family or community, are left to

the discretion of the male members. While family clan system allows men to have more power than women in cultural structure, this issue is considered as gendered power relations. Apparently, the male-dominated clan system has contributed to the construction of unequal social and cultural norms. It has also perpetuated the reproduction of gender relations of power which manifested and affected vulnerabilities for women in various ways, including Chi's case when she became the victim of human trafficking. The ways that women have been shaped to live in powerless status make it nearly impossible for Chi to make negotiations nor to resolve the problems occurred to her. Chi points out that she accepts that she is powerless when she became the victim of human trafficking. This is because she has never been trained to make any negotiations or argument even once in family. The ways that shape women to surrender to the higher power within the cultural structure is the reproduction of the weaknesses on women, making them vulnerable when confronting with unanticipated situations, and making it impossible for them to protect themselves.

Cultural limitations and women

It can be seen that cultural limitations have been passed through various prohibitions. The family clan system that passes on male members give more power to men than women. These cultural limitations have not only been constructed but also reproduced through the society. Women are as well a part of the reproduction by themselves. It can be seen from the case of Chi who has confronted with cultural limitations when she became the victim of human trafficking. She has been stigmatized as a "bad woman". It is the stigma that Chi reproduces the cultural limitations on women by herself although during the time of research Chi has never confronted her original community even once.

Therefore, Chi's case reveals the mechanism of gender-based structural violence. It firmly shapes the perceptions about identity of women; and at the same time, women are the ones who reproduce these perceptions and identity by themselves. Further, it also reflects the unequal gendered power relations that limits women from the opportunity for self-development. All these factors are the parts that caused Chi become the victim of human trafficking. In addition, Chi's case also demonstrate the gender-based structural violence under patriarchal culture that does not contribute any social support to women although they are victims, and violated or

trafficked. Referring to Chi, the ways that she does not receive any social support from community or family are seen as risks that may lead her to another unsafe migration, including becoming victim of human trafficking again.

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