

Chapter 4

Cultural Characteristics of the Means of Indicating Devices of Rejection in Criminal Litigation in Vietnam

Hanh My Thi Tran

Ho Chi Minh City University of Law, Vietnam

Hai Minh Thi Pham

Ho Chi Minh City University of Law, Vietnam

ABSTRACT

Cultural understanding is a crucial component of legal education, particularly in an increasingly globalized world. This chapter investigates the cultural nuances of rejection in Vietnamese criminal litigation and their implications for international legal education systems. By examining the techniques and language tactics used to convey rejection in Vietnamese courtrooms, this study reveals the cultural characteristics that shape legal interactions. The findings underscore the necessity of integrating these cultural subtleties into legal education programs, especially for foreign students and professionals engaging with Vietnamese law. The chapter aims to provide a framework for incorporating cultural and educational

DOI: 10.4018/979-8-3693-8317-9.ch004

requirements into legal curricula, thereby promoting a legal education system that is globally aware and culturally responsive. This research contributes to the broader discourse on cultural competence in legal education, highlighting its significance in fostering effective cross-cultural communication and understanding in legal education

1. INTRODUCTION

In an increasingly globalized legal environment, cultural understanding has become a crucial component of legal education. Legal professionals and students must navigate not only the complexities of their own legal systems but also the intricate cultural landscapes of foreign legal traditions. In this context, the study of how cultural characteristics influence legal processes is vital. Vietnamese criminal litigation, with its distinct cultural markers, provides a compelling case for examining how cultural nuances shape legal communication, particularly in the use of rejection devices during litigation.

Rejection in criminal litigation serves as a key interactional strategy between opposing parties, where each side seeks to refute the arguments of the other while maintaining a certain level of decorum. However, in Vietnam, the act of rejection carries unique cultural connotations, heavily influenced by societal values around politeness and face-saving. The concept of “face” (the public image of an individual) plays a significant role in Vietnamese communication, particularly in adversarial settings like courtrooms. Rejection, though adversarial by nature, is often mitigated by linguistic and non-linguistic strategies that seek to minimize confrontation and preserve the dignity of all parties involved.

This chapter investigates the specific means of expressing rejection in Vietnamese criminal litigation, focusing on both the linguistic markers and the cultural values that underpin them. Drawing on the framework of Illocutionary Force Indicating Devices (IFIDs), as introduced by Searle and Vanderveken (1985), the chapter examines how these rejection devices are culturally embedded and how they function to maintain the delicate balance between assertiveness and politeness in a legal setting. IFIDs, which include verbal predicates, sentence structures, and situational cues,

20 more pages are available in the full version of this document, which may be purchased using the "Add to Cart" button on the publisher's webpage: www.igi-global.com/chapter/cultural-characteristics-of-the-means-of-indicating-devices-of-rejection-in-criminal-litigation-in-vietnam/380693

Related Content

Islamic Modernism in the Works of Jamaluddin Al-Afghani and Syed Ahmed Khan: Contrast and Relevance

Priyanka Chandra (2017). *Intercultural Relations and Ethnic Conflict in Asia* (pp. 68-85).

www.irma-international.org/chapter/islamic-modernism-in-the-works-of-jamaluddin-al-afghani-and-syed-ahmed-khan/162030

Cultural Characteristics of the Means of Indicating Devices of Rejection in Criminal Litigation in Vietnam

Hanh My Thi Tran and Hai Minh Thi Pham (2025). *Integrating Cultural and Educational Needs Into Foreign Educational Systems* (pp. 63-84).

www.irma-international.org/chapter/cultural-characteristics-of-the-means-of-indicating-devices-of-rejection-in-criminal-litigation-in-vietnam/380693

Emotional Management in Spanish Institutions: When Institutional Trust Draws New Horizons

Simone Belli (2017). *International Journal of Civic Engagement and Social Change* (pp. 48-60).

www.irma-international.org/article/emotional-management-in-spanish-institutions/191237

"The Modern Daily Life" in Turkey in the 1950s in Popular Play Scripts of the State Theater

Baak Akar (2019). *Handbook of Research on Consumption, Media, and Popular Culture in the Global Age* (pp. 137-161).

www.irma-international.org/chapter/the-modern-daily-life-in-turkey-in-the-1950s-in-popular-play-scripts-of-the-state-theater/227470

Understanding the 'Public and Private' of Public and Private Partnerships

Luke Strongman (2015). *International Journal of Civic Engagement and Social Change* (pp. 20-33).

www.irma-international.org/article/understanding-the-public-and-private-of-public-and-private-partnerships/142485