Chapter 8
Women, Feminism and Femininity

8.1 From Nascent Feminism to the Beijing Conference

8.1.1 The Pre-revolutionary Period

Women's emancipation became a political concern in China in the mid-nineteenth century. Early Chinese-style feminism began to emerge under the Taiping and their leader Hong Xiuquan[1] who founded a kingdom in southern China called *Taiping Tian Guo* (literally "heavenly kingdom of great peace"). This egalitarian and revolutionary movement condemned bigamy, female prostitution, adultery and the practice of foot binding (Elisseeff 1988). It demanded equality between the sexes in work as in war, and distributed land equally among women and men. However, the Taiping governed only a portion of the country, and their rule lasted for just 15 years. After their fall, the troubled period that followed[2] undermined those early demands for gender equality (Kristeva 2001).

When the Nationalists came to power in 1911, they addressed feminist concerns. Their Civil Code provided for marriage and divorce by mutual consent and promoted gender equality. In terms of both theory and militant engagement, the feminist movement that emerged around this time was inspired by actions in the West (Johnson 1983; Kristeva 2001). A few years later, feminists' demands become one of the battle cries of the movement launched on 4 May 1919, which marked the birth

[1]The Taiping revolt was a political movement that shook China from 1851 to 1864. Founded by Hong Xiuquan (1814–1864), who wanted to save China from decadence and establish a new moral and political order, it was supported by secret societies hostile to the Qing dynasty and was crushed in 1864.

[2]In the nineteenth century, and especially after 1850, the Manchu Qing dynasty was challenged by numerous popular uprisings and insurrections in the south of the country. The economy declined and the social climate eroded further. This period of political crisis and social unease was marked by the Opium wars and foreign interference in Chinese affairs.

I. Attané, *The Demographic Masculinization of China: Hoping for a Son*,
INED Population Studies 1, DOI 10.1007/978-3-319-00236-1_8,

of the Chinese revolution. The May Fourth Movement as it became known, demanded equal rights for men and women, the abolition of polygamy and the sale of women as slaves, servants or future daughters-in-law, as well as freedom of marriage. The militant feminists tirelessly pursued their propaganda and education efforts but political unrest during that period and the Japanese invasion gradually pushed their demands off the political agenda (Johnson 1983).

When Mao Zedong entered the political scene, he supported this nascent feminism and became a fervent activist in female emancipation. He wanted to put an end to male exploitation and believed in educating women, raising their political consciousness, and valuing their role in society. He also fought prostitution, the concubine system and family abuses of power, challenged the chastity requirement for women – pointing out that it had never been required for men – and denounced female suicide as a response to family oppression. Just a few months after the Chinese Communist Party (CCP) was founded in 1921, a Women's Department was created and the Communists began a relentless battle against Confucianism. The feminists' demands became an integral part of the revolutionary struggle.

8.1.2 Women Under the Communist Regime

Fundamental Reforms

Despite this nascent feminism and the various attempts at social reform that characterized this period, it was difficult for women to become independent. In politics, in the workplace, and in the private sphere they remained under male domination and their situation only showed signs of improvement in the major cities. Effective mobilization for women's emancipation only began after the Communists came to power in 1949. The new leadership undertook fundamental reforms to eradicate the traditional family and promote women's responsibilities. The first law to be passed by the Communists was the 1950 Marriage Law, which laid down the principle of union by mutual agreement and monogamy as an obligation, and set the minimum age for marriage at 18 for women and 20 for men. It also stipulated equal rights between husband and wife within the family:

> The feudal marriage system, which was founded on an imposed arbitrary recognition of the superiority of men over women and which ignored the interests of the children, was abolished. The "new democratic marriage" was implemented, based on the monogamous partners' free choice, with equal rights for both sexes and the protection of women's and children's legitimate rights and interests (Xiao 2005).

That first marriage law also made divorce easier. Divorce was now granted by mutual consent or, if requested by one spouse only, after an attempt at reconciliation.

At the same time, as part of a comprehensive overhaul of society, the Communists attacked traditional economic and ideological structures by launching the agrarian reforms in 1950. This profoundly anti-patriarchal initiative meant radically reforming the traditional Chinese family – a kinship unit grouped around the symbolic

dominant father figure – which became one of the targets of the class struggle. Marxist theoreticians considered women and poor peasants to be victims of the social order, and the peasant movement, rapidly appropriated by the Communist Party, associated the emancipation of women with the liberation of the people. In the southern provinces of Hunan, Jiangxi and Fujian, where the Communists had first become active in the 1920s, the revolutionaries opposed structured clan organizations by systematically taking the sides of poor relatives against the family authorities. A few years later, the peasant society model that inspired the founders of the Jiangxi Soviets[3] included nuclear families in neighbourhood associations, thus breaking the historical solidarity of kinship (Cartier 1986).

The Impact of the Agrarian Reforms

With the collectivization of agriculture, the peasants were organized into units of several thousand persons and were obliged to pool their resources to create large agro-industrial enterprises. By imposing a communal way of life, the first People's Communes restricted the role of the family unit as a living, consuming entity and the leading social player. A strict separation of sexes was implemented, with children and the elderly being taken care of collectively in day-care centres and old-age homes (Johnson 1983). The teams in charge of implementing the agrarian reforms were assisted by groups that examined individuals' matrimonial situations to eradicate social practices deemed counter-revolutionary, such as forced marriage, arranged marriages, or concubinage. In 1958, the Great Leap Forward[4] extolled collective life within the work unit, which replaced the family, while in the countryside the People's Commune became the basic social unit. Since the goals of the Great Leap Forward required a massive investment in manpower, the leaders sought to liberate women from domestic tasks and free them to enter the labour force (Schram 1963).

However, the type of social organization advocated during the agrarian reforms, so very different from the traditional way of life, led to strong popular resistance, which was as much a rejection of the communal way of life as a reaction to the extreme shortages that resulted from the failure of the Great Leap Forward. Consequently experiments of this kind ceased after 1961 (Cartier 1986) and the peasants reorganized their lives within the structure of nuclear or extended families, becoming agricultural employees working on collective farms. By mobilizing the female workforce, agricultural collectivization released woman from the domestic sphere and enabled them to work outside the home. However, traditional social organization was only affected for a brief period, and the authority of the father and husband within the family remained intact (Johnson 1983).

[3] At the end of the 1920s, the revolutionary combatants, with Mao Zedong and Zhu De at their head, withdrew to Jiangxi province where in 1931 they founded the Soviet Republic of China, also known as the Jiangxi Soviet.

[4] See note 1, p. 16.

Although the gender equality sought by Mao Zedong was not achieved as a result of collectivization, he did advance the process by breaking with the family subordination of women that was a feature of the dynastic period. Women's role in development was now recognized and from then on they could no longer be forced to stay in the home. Before 1949, most women's lives were restricted to the private sphere, with no formal economic activity or personal income. With agricultural collectivization, the Communist regime wanted to strike a blow at the traditional gender division of labour, which was a core factor of women's subordination. According to an editorial in the *Renmin ribao* (*People's Daily*) in 1955:

> The development and victory of [the cooperativization] movement … signifies the complete emancipation of the broad masses of rural women constituting half the rural population. Through the agrarian reform and other democratic reforms, the broad masses of rural women in our country have politically and economically acquired a [formal] status of complete equality with men… However, as small peasant economy based on private property still occupies a dominant position in our country, the majority of rural women are still completely bound to dispersed and fragmentary house labor, economically not being independent and intellectually being unable to develop their intelligence and talents. Their status in family and society cannot be made equal to that of men. Where is the way for women to achieve their complete emancipation? On this question, Engels said in *Origin of the Family and the State*: "The first prerequisite for the emancipation of women is that all women participate again in social labor; to achieve this, individual families are required to be no longer units of the social economy." (Quoted by Johnson 1983, p. 159)

Promoting women's labour served the interests of the revolution first and foremost. Indeed, given the low level of investment, the only way to develop agricultural production was to optimize all the factors of production, and notably the female labour force. As a result, women's formal employment grew rapidly and by the end of 1956, several provinces were able to boast massive female participation in agricultural production, with more than eight in ten women of working age in employment (Johnson 1983). However, while collectivization gave women access to labour, it did not improve their financial independence. First, this new mode of organization did not free them from domestic tasks and child rearing, so they had less time to devote to paid labour than their husbands, and were consequently paid less than the men[5] (Johnson 1983). Second, workers' wages were not considered as individual earnings but as part of the family unit's collective income, so women's wages were paid to the household head. Women's earnings therefore went straight into the pockets of their husbands, who might only pass on a small portion to them, or even nothing at all. With no control over their incomes, women only acquired a very limited economic independence during collectivization (Parish and Whyte 1978). Furthermore, the lack of infrastructure to care for young children or assist women them with domestic tasks remained a major obstacle to full-time female labour force participation during this period (Johnson 1983).

By preventing rural industrialization, thereby holding back economic diversification, and the development of trade and migration, the People's Communes reinforced

[5] In 1956, a minimum of 250 days of labour was set for men, compared with 120 for women, because of their domestic tasks.

the autarkic nature of agricultural society. The rural economy was maintained as a single production model, preventing any challenge to the patriarchal ideology that governed all forms of remuneration. To some extent, rural collectivization even reinforced men's control over women's economic and social lives. By banning any informal or private secondary activity (such as stock breeding, crafts or small trade, criticized for being highly "capitalistic"[6]), agrarian collectivization put women in competition with men in an area where they had no competitive advantage, namely in working the land. In the 1950s, peasant women were prevented from carrying out activities that demanded less physical strength or that involved more flexible working hours, so they profited very little from collectivization. The political upheavals gave them access to employment in the formal sector, but did not lead to any real emancipation (Johnson 1983).

8.1.3 The Gender Issue and the Beijing Conference

The "black years" that followed the Great Leap Forward[7] marked the end of collectivization in the countryside. In 1961 a movement to liberalize rural policy was launched, the size of the People's Communes was reduced and peasants were allowed to work private plots again (Domenach and Richer 1987). The Chinese Communist Party entered a period of internecine conflict that relegated any political action for women's emancipation into second place. In the decade from 1960 to 1970, feminist issues were put on the back burner, if not eclipsed altogether. From 1966 to the end of the Cultural Revolution, priority was given to the class struggle. Gender as a social category was denounced by the state, and any reference to it was treated as wanting to re-establish a hierarchy. The Marxist revolutionaries considered feminism to be a product of bourgeois thought, and propaganda disseminated an image of women entirely devoted to the Revolution, "cleansed" of their class origins and all forms of bourgeois thought, especially regarding female sexuality (Honig 2002). Furthermore, while positive discrimination was applied to enrol women in political organizations, these encouraged women's participation in the proletarian revolution, but did not represent their viewpoint (Johnson 1983).

There was a revival of studies on women's issues in the 1980s but these had no practical repercussions in terms of legislation. These only became a priority for the Chinese government in the following decade, on the occasion of the United Nations Fourth World Conference on Women, held in Beijing in 1995. In the interim period the fate of women had been neglected in politics, even during the third birth control campaign from 1971. While family planning programmes are usually accompanied by measures to improve maternal and infant health, this campaign was an exception. Considerable efforts were deployed to limit births but nothing was done specifically to improve the lot of women (Attané 2005).

[6] Since trade was highly centralized at the time, there were considerable restrictions on the free markets, which explain why such activities were severely limited.

[7] See note 1, p. 16.

A Political Turning Point

A new political turn in the 1990s lead to some progress.[8] On the occasion of the Beijing conference, the Chinese government understood that to legitimize its presence among the world powers, it needed to adhere to some major international principles, notably regarding women's rights, and that it was important to support gender equality to ensure harmonious and lasing development in the country's globalization process. It was clear that the majority of women had been left behind by modernization, and that the economic reforms had widened the disparities in their situations across different regions and social classes, especially in terms of subsistence and the protection of their rights and interests. A document issued by the Chinese State Council in 1994 stipulated that:

> China recognizes the principle of gender equality affirmed in the United Nations Charter, and is committed to respecting it […]. The Chinese government believes that gender equality will become a reality when women can take part in development as equal partners to men, but recognized that "there is still a great deal of work to do to improve the situation of Chinese women and for their emancipation to be a reality" (Attané 2005).

Holding the conference in Beijing therefore served to legitimize gender research in the country and led to an increase in publications for both scientific and popular readerships. This period was also characterized by the more systematic introduction of gender indicators in statistics, and more statistics specifically focusing on the situation of women (Tan 2006).

The Beijing Declaration and Platform for Action adopted following the Fourth Global Conference on Women, and the International Population Conference held in Cairo in 1994, marked a decisive stage in promoting women's status in the world:

> The empowerment and autonomy of women and the improvement of their political, social, economic, and health status is a highly important end in itself.[9]
>
> The human rights of women and the girl child are an inalienable, integral and indivisible part of universal human rights. The full and equal participation of women in political, civil, economic, social and cultural life at the national, regional and international levels, and the eradication of all forms of discrimination on the grounds of sex are priority objectives of the international community.[10]

A New Factor

From that time on, the Chinese government attempted to apply these principles. Thus a first Programme for the Development of Chinese Women (1995–2000)

---

[8] Gender Equality and Women's Development in China. Available at http://www.china.org.cn/english/features/cw/140980.htm. Accessed 5 June 2004.

[9] Those are the opening words of Chapter 4 of the Programme of Action adopted during the International Population Conference in Cairo in 1994.

[10] Extract from the Beijing Declaration and Platform for Action, the Fourth World Conference on Women, Beijing, 4–15 Sept 1995. Available at: http://www.un.org/womenwatch/daw/beijing/pdf/BDPfA%20E.pdf. Accessed 28 May 2004.

(*zhongguo funü fazhan gongyao*) was adopted to promote equality between spouses and combat domestic violence, trafficking in women and prostitution, as well as to increase their political participation and their representation in government bodies. This action was pursued in a second programme of the same name covering a 10-year period (2001–2010),[11] which aimed to ensure better protection of women's rights and interests, to improve their educational levels, achieve greater equality between the sexes and enable women to take part in the country's modernization. It reinforced government action, notably in applying the laws governing gender equality, ensuring equal access to employment for both sexes, as well as to economic resources, education and health. This programme also encompassed the Millennium Development Goals (MDG) defined by the UN member states in 2000.[12] More recently, in 2011, the third Programme for the Development of Chinese Women was launched. It contains the same elements as in 2001, but focuses on discrimination against women that persist partly because of the development of the market economy and international competition. Divided into seven major themes (health, education, economics, political participation, social security, environment and legal protection), it sets new goals for the decade: increasing the participation of women at all political levels, promoting access to employment, and ensuring a better implementation of existing laws. The programme also reaffirms the right of access for all women, regardless of their regional origin, to maternity insurance and basic health care.

China joined the World Family Organization[13] in 2001 and adhered to the principles of the Doha Declaration adopted at the 2004 International Conference on the Family, which encouraged equal participation of men and women in family life and condemned domestic violence. That same year China took part in the World Family Summit[14] and promoted gender equality within the family and a harmonious partnership between family members. In 2006, the All China Women Federation published a Green Book in which assessed the progress made in women's status since the 1995 Beijing Conference, especially in the areas of education and employment, political participation, health, development, and the situation of older women (Tan 2006).[15]

---

[11] http://www.china.org.cn/english/features/cw/140979.htm. In: Attané (2005).

[12] The United Nations member states agreed on eight essential development goals to be reached before 2015. These are: to eradicate extreme poverty and hunger, achieve universal primary education, promote gender equality and empower women, reduce child mortality rates, improve maternal health, combat HIV Aids, malaria and other diseases, ensure environmental sustainability, and develop a global partnership for development.

[13] The World Family Organization is a non-governmental organization affiliated to the UN and based in Montreal (Canada). For more information see http://www.worldfamilyorganization.org/wfs5/wfs5.html

[14] The World Family Summit was held in Sanya (China) from 6 to 9 Dec 2004, under the aegis of the World Family Organization and in collaboration with the United Nations. It provided the international community with a forum to discuss the implementation of the Action Programme of the International Conference on Population and Development and the family-related Millennium Development Goals (MDG).

[15] This book, published by Tan Lin, is entitled: *1995–2005: Zhongguo xingbie pingdeng yu funü fazhan baogao* (Report on gender equality and women's development in China, 1995–2005) (Tan 2006).

8.1.4 Representations of Chinese Womanhood

The Idealized Revolutionary

Immediately after the 1949 revolution, Chinese women were suddenly encouraged to move out of the domestic sphere. Yet at the time, promoting gender equality and women's status mainly consisted of asking women to resemble men. In one of his poems, Mao described the ideal of the young women soldier:

> How bright and brave they look, shouldering five-foot rifles. On the parade ground lit up by the first gleams of day. China's daughters have high-aspiring minds, they love their battle array, not silks and satins.[16]

The Communist's idealized image of women was a faithful reflection of the principles stipulated in their marriage law. The ideal marital relationship promoted at the time was based on equality and good companionship, with no regard for sex. Any allusion to the fact that a woman might be less educated than her husband was deemed "sexist ideology" (*nanzun nübei*). A "revolutionary" couple was a activist one and a "revolutionary" husband could not ask his wife to stay at home to serve her husband and children. Wanting a "virtuous wife and a good mother" (*xianqi liangmu*) (Meyer 1987), was incompatible with the needs of collectivization and considered egotistical. A woman who wanted fulfilment in marriage and a family life would be told that she had the wrong priorities and that she should set a revolutionary example to her children by focusing on interests outside the domestic sphere. Any women who placed too much importance on conjugal love would be criticized for her "narrow mind" and told to channel that love to "serve the revolution better" (Evans 2002). During this period, therefore, women were never encouraged to assert themselves for what they were, but were required to raise themselves to the level of men. They were required to resemble men and meet criteria and standards established by men. During that revolutionary period the ideal wife had to strike the perfect balance between making sacrifices to support her husband and acquiring the necessary male skills for entering the public sphere.

This negation of femininity reached its apogee during the Cultural Revolution when feminism, along with any discussion of issues specifically relating to women, were declared "bourgeois" and allusions to any kind of female identity were denounced (Honig 2002). Official discourse advocated greater involvement of women in political activities, and called for them to be educated so as to renounce their "egotistical attitudes", which consisted of being more concerned about their families than matters of state. Women who complained about having too many domestic tasks or being the victims of discrimination at work, could be accused of "individualistic bourgeois" behaviour (Johnson 1983). In 1957 during the

[16]Translation from: http://www.marxists.org/reference/archive/mao/selected-works/poems/poems28.htm. Accessed 10 Sept 2012.

anti-rightist movement,[17] militants advised women to set aside their vanities and promote intellectual values, as though they needed to be snatched away from the domain of seduction and reproduction, in which they tended to take too much pleasure:

> "We were all wearing army uniforms because it was very considered very glorious […] All the girls put on caps, like the boys, and we tucked our hair up under our caps so we looked like boys. We rolled up our sleeves and we wore leather belts …" explained a former Red Guard (Honig 2002, p. 257).

During the Cultural Revolution, communal life was accompanied by greater social prohibitions on sexuality. People no longer dared to discuss sex, and sex outside marriage was forbidden. Some people reported that during the most fanatical period of the regime, even married couples did not dare to hold hands in the street. Young girls with large breasts were ashamed of them and women wore men's trousers and large jackets, altered their way of walking, and did everything possible to be inconspicuous. It was quite unthinkable to wear an item of jewellery, a dress or any kind of adornment that might betray their sex. Individuals lived for the community, and their private lives and interests came second (Attané and Imbot-Bichet 2003).

Nevertheless, Communist China's egalitarian ambitions did not relieve women of their age-old duties as wives. They were still born to be mothers and, because of that, continued to carry out most domestic tasks. Representations of women disseminated between the 1950s and 1970s clumsily suggested a competition between their essential duties, which were to serve their husband, their family and the state. Any woman who showed too much thirst for knowledge or interest in acquiring professional skills might be accused of neglecting her domestic duties. Ultimately, the revolutionary feminine ideal could be summed up as a transposition of the male one. Women were able to occupy a broader public space, so long as they did not overshadow their male counterparts.

> First the steel workers, eager peasants and political activists with steadfast convictions, robust, vigorous and healthy women, cheeks flushed with revolutionary fervour and their tireless efforts to serve the country, their eyes shining with revolutionary zeal. Then, fragile young beauties, languid, well-to-do city dwellers, dressed in the latest Western clothes, adorned with expensive accessories and representing all the benefits of the consumer society. Only a few decades separate this striking contrast between two ideals of womanhood (Attané 2005).

Forged by radically different forms of political discourse, these two models are founded upon entirely different expectations regarding relationships between individuals and the group, or the state. They reflect the sea-change initiated by the economic reforms of in the late 1970s.

---

[17] The 1957 anti-rightist movement followed the 100 Flowers campaign launched on 27 April of the same year to encourage intellectuals to express themselves. The students' discontent and the intellectuals' complaints against dictatorship, along with social demands by the workers and peasants, were all aired in public. Critics demanded a greater role for democratic parties and some advocated political democracy rather than the Party's monopoly. In June 1957, the Party put an end to the protest with the anti-rightist movement through violent repression of Chinese intellectuals, but also of all those, workers and peasants included, who had dared to take part in the protests (Godement 1990).

New Femininity

With economic modernization and globalization, China opened up to the world. The West penetrated society through TV series and department stores. Femininity, which had been disapproved of throughout the Communist period, became bankable again, although these changes mainly affected the middle classes and the well-to-do. With economic liberalization, society became "gendered". The changes were particularly radical in urban society. Contemporary representations of women now cover a far broader spectrum than during the Communist decades, when uniformity was the norm. They can be the perfect housekeeper, the gentle and helpful companion of a busy husband, devoted to the child's education, the working mother brilliantly combining professional and family life, the emancipated independent woman, or the sensual modern lover. Today women can give up their jobs and devote themselves to their families or, on the contrary, be "strong women" (*nü qiang ren*), combining both public and private activities (Evans 2002). The current re-feminization of women's image is a response both to the uniformity of sexes promoted during the revolutionary years, and to the new opportunities for assertion and emancipation available to women in the market economy. Today, the feminine ideal is embellished with all the symbols of the consumer society: sophisticated clothing, jewellery, a successful husband, an apartment equipped with luxury furniture and the latest household appliances. These symbols, placing value on the ephemeral and on appearances, are a clear corollary of the reforms. Families who have become rich are quite happy to show it, as though wellbeing depended solely on access to the consumer society and to this modern, very westernized world.

While the feminine ideal is now undergoing radical transformation in collective representations, change is far slower in reality. Both the popular press and academic publications continue to depict women as being submissive (*tinghua*) to their husbands, taking care of their needs, and being "gentle and tender" (*wenrou*), while the men state that a good wife must know how to "avoid conflict and give a spark to a marriage to prevent it from growing dull". They want women who are "willing", "considerate" and "discreet" (Evans 2002).

In today's society, women are still first and foremost wives and mothers, and the vast majority of Chinese women marry and have children. Few women remain single by choice and such women are usually perceived by society as being hopelessly flawed. Marriage, sexual activity and reproduction are still closely linked. Reproduction was considered woman's "natural duty" (*tianran yiwu*) in the 1950s and nothing much has changed since. Without a husband or child, a woman is still perceived as being "incomplete and unfulfilled". If she shows no signs of pregnancy some months after marriage she will be mocked and rumours will spread that she is "ill", or "too old", or that her husband is "too weak" (Evans 2002). By presenting contraception only as a means to limit family size, the birth control policy reinforced the link between marriage and reproduction. At no time was birth control perceived as a providential tool for sexual liberation enabling Chinese women to disassociate sexuality and childbearing. Prudishness still holds sway, both officially and in most people's minds, and for most Chinese, sexual activity

should be confined to marriage – and then mostly for reproduction (Attané and Imbot-Bichet 2003).[18]

8.2 The Chinese Government's Response to Discrimination Against Girls and Women

Successive political regimes in recent Chinese history have attempted to overturn the patriarchal society and fight discrimination against women (see above, p. 99 sq.). However, this long march for Chinese women, which started more than a century ago, has yet to achieve its end, despite a considerable arsenal of legal measures and the economic and social modernization of the past decades. The shortage of young girls is indeed part of a broader social attitude to gender, which in China keeps women in a secondary role. That is why the measures taken by the Chinese authorities to restore the balance in the sex ratio at birth and at young ages, such as the laws and regulations protecting women's rights and interests, target the social and economic discrimination that prevents women from achieving independence and thereby improving their status. These measure also seek to improve the overall environment for young girls and combat the traditional preference for sons, while enhancing women's image.[19]

8.2.1 What the Chinese Law Says

A considerable corpus of laws was progressively introduced from the 1950s to promote gender equality and protect women's fundamental rights. Women's interests are now protected by law and any form of discrimination, ill-treatment, or persecution is forbidden. Marriage, the family, mothers and children, are all protected by the state. Article 48 of the Constitution of the People's Republic of China (1982) stipulates that:

> Women in the People's Republic of China enjoy equal rights with men in all spheres of, political, economic, cultural, social, and family life. The state protects the rights and interests of women, applies the principle of equal pay for equal work for men and women alike and trains and selects cadres from among women (ZRGX 1983).

Women's status in the public sphere is governed by several laws. The 1992 Law on the Protection of Women's Rights and Interests (*zhonghua renmin gongheguo funü quanyi baozhang fa*), protects women's basic rights and interests in the political and social spheres, including culture, education, work, property, marriage and the

[18] Various direct accounts have confirmed that couples sleep in separate rooms after the birth of their first child.

[19] China to take 5 measures to curb rising trend of disproportionate sex ratio in births. *Renmin ribao* (*People's Daily*) 13 Aug 2004.

family. Article 3 of the 2002 Population and Family Planning Law (*renkou yu jihua shengyu fa*) states that, "The population and family planning programs shall be combined with the efforts to offer more opportunities for women to receive education and get employed, improve their health and elevate their status". The 1985 Law of Succession (*zhonghua renmin gongheguo jicheng fa*) establishes full equality between men and women for inheriting family assets (articles 9 and 10).

Since 1950, relations between men and women within the family and marriage have mainly been governed by three successive marriage laws (*hunyin fa*). The first one (1950) marked a decisive and highly symbolic step in the fight against traditional social practices (notably by forbidding polygamy and arranged marriages, setting a minimum legal age for marriage, making divorce easier, and so on), and laid the foundations for the emancipation of women in the family. Those principles were reasserted in the second marriage law passed in 1980, which, among other things, raised the minimum marriage age by a further 2 years to 20 for women and 22 or men. The third law of 2001 made considerable advances by reintroducing a unilateral right of divorce for both husband and wife and, for the first time, mentioned bigamy, desertion, domestic violence and other forms of ill-treatment as legal grounds for divorce (article 25). At the same time, criminal law was amended in 1997 to include measures for punishing the abduction, trafficking and sale of women and stronger penalties for perpetrators of such crimes.[20]

Other laws and articles specifically designed to protect women and girls, were also passed, including the Law on the Protection of Minors (*zhonghua renmin gongheguo wei chengnian ren baohu fa*) (1991) (Article 8), and the above-mentioned law to protect the rights and interests of women (1992), which forbids the drowning and abandonment of infant girls, as well as any ill-treatment or discrimination against women who are childless or who have only given birth to girls (article 35). These practices are also forbidden by the 1994 Law on Maternal and Infant Health (*muying baojian fa*), which was the first to ban prenatal sex selection (article 37).

The Population and Family Planning Law (2002) reinforced this legal arsenal by renewing the ban on ultrasonography or other techniques to determine foetal sex or any practice for the purpose of sex-selective pregnancy termination (article 36).[21] It also stipulated that, "Discrimination against and maltreatment of women who give birth to baby girls or who suffer from infertility is prohibited." (article 22). Lastly, in 2003 the government issued "Regulations banning prenatal sex determination and sex-selective abortion for non-medical purposes" (*guanyu jinzhi fei yixue xuyao de tai'er xingbie jianding he xuanze xingbie de rengong zhongzhi renshen de guiding*) that re-asserted the ban on selective abortion for non-medical purposes. It also stipulated that prior authorization must be obtained from the provincial family planning committee for any prenatal sex determination of the foetus, and that such

[20]Gender Equality and Women's Development in China. Available at http://www.china.org.cn/english/features/ cw/140980.htm. In: Attané (2005).

[21]Extracts of these laws can be found on the following website: http://www.women.org.cn/english/duomeiti/english/flfg/index.htm. Accessed 24 Oct 2006.

examinations must be carried out under the supervision of the local family planning bureau (article 6). In 2005 the Ministry of Health issued regulations governing the administration of family planning services, notably to improve controls over practices such as prenatal examinations and selective abortions (article 5 of the document entitled "*2005 nian weisheng gongzuo yaodian*" – key issues for health work in 2005).[22] All the provinces officially adopted procedures to control abortions carried out beyond 14 weeks of pregnancy and provincial birth control regulations were modified in line with the 2002 Population and Family Planning Law to forbid sex-selective abortion. This stipulated, amongst other things, that at least two technicians must be present at any prenatal ultrasound scan, to prevent prenatal determination of the child's sex (Zheng 2007).

In 2002, the National Population and Family Planning Commission drew up a document, in partnership with several ministries,[23] suggesting ways to address the imbalance in the sex ratio at birth. This stipulated the need to define the responsibilities of each department concerned by improving coordination and cooperation between them, developing information, education and communication, promoting new concepts regarding marriage and reproduction, improving maternal and infant health, developing a social security system in rural areas and implementing laws and regulations to combat sex-selective abortion. The document suggested that a legal framework be established for prenatal examinations. It reasserted the ban on selective abortion for non-medical purposes and suggested various forms of punitive action such as fines, the confiscation of a trading license or criminal sanctions, and recommended improving controls over the sale of abortion pills, which should no longer be available over the counter but only on medical prescription. Finally, the document suggested setting up a more systematic system for recording infant deaths, to include a death certificate issued by a doctor. It suggested that parents should be obliged to declare such deaths within 48 h if they occurred outside a medical establishment, and that delivering a fake death certificate should be considered a criminal act (Zheng 2007).

In legal terms, the rights and interests of Chinese women in a range of family, social, economic and political areas are thus extensively protected.[24] But while numerous aspects of women's lives are fully covered by Chinese law, major obstacles to implementation still remain. That is why one of the government's current priorities is to reinforce their application, notably by improving women's access to legal aid and by communicating more effectively about gender equality in the media. It has also encouraged NGOs to set up telephone help lines and legal aid centres for women who are the victims of a failure to respect the law.[25]

---

[22] Gender Equality and Women's Development in China. op. cit.

[23] Namely the information, education and communications departments of the CCP and the ministries of Education, Public Security, Civil Affairs, Labour and Social Welfare, Agriculture, Health, the Bureau of Statistics and the Federation of Chinese Women.

[24] Gender Equality and Women's Development in China. op. cit.

[25] Ibid.

8.2.2 The "Care for Girls" Campaign

The main government initiative specifically aimed to fight the elimination of girls was launched in 2000 with a campaign called "Care for Girls" (*guan ai nühai xingdong*). The objective is to promote the concept of gender equality, make the environment for young girls more favourable to their survival and development, and improve the living conditions of families with only one female child, in order to gradually rebalance the sex ratio at birth.[26]

The Programme's Objectives

The campaign has the following objectives:

1. To promote the emancipation of women and gender equality by encouraging education, training and women's participation in economic and social life;
2. To protect women and children's rights and interests and fight discrimination against them by ensuring a more rigorous and systematic application of the laws and regulations in place in order to improve their social status;
3. To change mentalities regarding the preference for sons and transmit the idea that boys and girls are equal in all areas (access to education, caring for elders, inheriting family assets, etc.), notably by encouraging uxorilocal marriage;
4. To improve girls' education and give them better access to employment. This mainly consists of encouraging girls to stay in school, especially in poor regions, and enabling them to complete the mandatory 9-years of schooling[27];
5. To help families who have respected birth control regulations, especially those who only had girls, so that their standard of living is at least equivalent to that of other families. To this end, some local governments have implemented measures to fight poverty in these families by giving them priority in land allocation contracts, access to employment, technical training, health services, trading licenses and tax rebates, and by adopting preferential old-age insurance measures;
6. To organize information campaigns to combat the drowning and abandonment of infant girls and sex-selective abortion. Abandoning a baby is now punishable by a 5-year prison sentence, while infanticide is treated as murder and liable to a sentence ranging from 10 years imprisonment to the death penalty (DDZG 2005).

"Care for Girls" also promotes gender equality in the media and stressed girls' right to survival and development. The project also includes administrative measures to eradicate the practice of prenatal sex determination and selective abortion, and to prevent female infanticide and abandonment. To this end it reinforces family planning measures by reducing the number of undesired pregnancies as much as

[26] Ibid.

[27] For instance by implementing positive discrimination for access to schooling, especially at lower secondary level, by making the entrance criteria more flexible for girls.

possible, by improving child health and fighting "unnatural" infant deaths, by punishing organizations and individuals who take part in sex-selective abortions, and resolutely fighting all forms of discrimination against women who have not had a son or who cannot have children, and lastly by banning all discriminatory practices against infant girls and fighting the abandonment, drowning and trafficking of girls (DDZG 2005).

Limited Scope

This campaign was implemented in several stages.[28] A pilot project was first launched in 2001 in Chaohu county, Anhui province, and then extended to the entire province (for details, see the Appendix to this chapter). In this county, households with one or two girls and no sons were entitled to a one-off allowance of 2,000 yuan. They were also exempted from agricultural tax and school fees for their daughters until they reached marriageable age.

In a second phase starting in 2003, "Care for Girls" was extended to more regions. The project was implemented in 11 cities and counties selected from 11 provinces that had a particularly marked imbalance in the sex ratio at birth. The programme was then gradually extended to other regions. By the end of 2005, 300 counties were involved in the project,[29] the aim being to create an environment that was more favourable to girls and re-establish the balance in the sex ratio at birth by the year 2010.[30]

The campaign was promoted by the use of several slogans, such as "Cherishing girls is cherishing our country's future" (*guan ai nühai jiu shi guanzhu minzu de weilai*), "Achieving equality between the sexes and promoting social progress" (*shixian nan nü pingheng, tuijin shehui jinbu*), "Educating our daughters, creating a happy family" (*peiyu nühai chengcai, jianshe xingfu jiating*) and "Girls are not inferior to boys: Who said that girls weren't as good as boys?" (*nü'er bu bi nan'er cha, shei shuo nüzi bu ru nan*), all to promote the status of girls and change the social prejudice to which they are subjected. In Anhui, Jiangxi, Fujian, Guangdong and Hubei provinces, for instance, local governments used comics to promote the campaign and distributed leaflets informing people that girls were entitled to free medical treatment. Expressions such as "Men and women are born equal" and information to discredit discrimination against girls were added to school textbooks in

[28] Some of the following information about the campaign's implementation was kindly provided to me in 2005 by Zhu Chuzhu, Professor at Xi'an University in China. I would like to take this opportunity to thank him. Zhu Chuzhu worked closely on the launch of this campaign, under the aegis of the National Population and Family Planning Commission.

[29] Information provided personally by Zhu Chuzhu at the end of 2005.

[30] The Chinese population: more consideration for girls. Published on 4 Nov 2003. Available at www.china-news.org. Accessed 5 July 2004; Ma Zhijian (2004). New incentives offered to families with girls. *China Daily,* 12 August 2004.

rural primary schools in these provinces.[31] One facet of this campaign consisted of encouraging the practice of uxorilocal marriage, viewed as a means of promoting gender equality by allowing families without a son to acquire the manpower they needed to work the land and take care of parents in their old age (Li and Jin 2006).

In August 2003, some 50 agents and doctors from the National Population and Family Planning Commission were sent to five provinces (Hebei, Inner Mongolia, Ningxia, Gansu, and Qinghai) to disseminate reproductive health information and observe the living conditions of girls in these regions. The team granted 500 yuan (about €50) to 300 girls who had left school early to encourage them to return.[32] In Fujian, the authorities paid 20 million yuan to 490,000 households with girls, and a further 100,000 girls in this province were exempted from school fees. In other provinces, families with an only female child, received assistance with housing, employment, education and social welfare.[33]

To date, the impact of this campaign has been barely perceptible. On a national scale, the sex ratio at birth showed no sign of readjustment in the 2000s. Some experts even say that the "Care for Girls" campaign has so far done more harm than good, as "by compensating parents of girls in various ways, the government reinforces the idea that girls are not as valuable as boys".[34] Actually, it is difficult to gauge the impact at local level not only due to a lack of detailed data but because the campaign is not implemented on a wide scale or in a standardized manner, but depends very much on the goodwill of the local authorities.

Appendix

Five Pilot Implementations of the "Care for Girls" Campaign

Anxi County, Fujian Province

The local Anxi county government launched a programme called "The Five Projects" for implementing Care for Girls, namely, "prosperity, settlement, talent, safeguarding, and care". Here, prosperity meant "assisting families with only girls to be better off"; settlement meant "obtaining decent housing for these families", talent consisted of "facilitating access to education and training for girls",

[31] Ibid.

[32] China mobilizes to tackle gender imbalance. *Renmin ribao* (*People's Daily*), 15 Aug 2003.

[33] Chinese given perks to have girls. BBC News, 12 Aug 2004, 09:33 GMT.

[34] Eklund L., China's 'Care for girls' Campaign has done more harm than good. Available at http://www.medindia.net/news/Chinas-Care-for-Girls-Campaign-Has-Done-More-Harm-Than-Good-86493-1.htm#.#ixzz264trvOYS. Accessed 10 Sept 2012.

safeguarding implied "creating a system of social security for families who only have girls" and care meant "helping those families in their daily lives". This programme had a budget of 10 million yuan (€1 million) in 2004 and 15 million yuan (€1.5 million) in 2005.

To date, the project has carried out the following actions:

- assistance in planting at least one *mu* (or 0.0667 ha) of land with green tea for poor families without sons, together with a practical and technical training programme on tea growing;
- the payment of a monthly allowance of 70 yuan to families without sons;
- the establishment of a vocational training centre to improve peasants' skills and help lift them out of poverty.

The provincial family planning and agriculture authorities invested 2.4 million yuan (€240,000) in planting Longan trees to provide an income for 1,500 families without sons.

In the "talent" part of the project, schools and kindergartens organized exhibitions on the Care for Girls campaign and telephone help lines were set up for female students. The vocational training college in Anxi opened a class entirely devoted to providing a free education to girls from poor families . For the "safeguarding" aspect, the local civilian affairs and health authorities, together with the banks, either provided a grant to families without sons or reimbursed their medical expenses. To help change mentalities regarding girls, local county-level government cadres succeeded in persuading 32 families to re-draw their family trees to include their daughters.

Hong'an County, Hubei Province

This county was selected to be the pilot site for the Care for Girls project and adopted a series of measures to protect girls' rights and combat the causes of the gender imbalance at birth. At the end of 2004, the sex ratio at birth in Hong'an had fallen to 116.4 vs. 148.1 a year earlier. The actions carried out in this county may be summarized as follows:

- Priority was given to propaganda and education. A mass education campaign explained the impact of the imbalance in the sex ratio at birth, its causes and consequences. Each village painted at least two slogans on its walls, such as "A boy or a girl is good" and each township selected a street for carrying out propaganda for the Care for Girls campaign. Thousands of promotional items and information pamphlets featuring gender equality slogans were distributed. Dedicated television programmes were broadcast twice daily, four times a month on local channels. Teams worked to promote the Care for Girls campaign In more than 40 locations.
- The fight against the prenatal sex determination and sex-selective abortion was considered a key element in re-establishing a balance in the sex ratio at birth. In June 2005, 20 medical workers were punished for having been involved in these illegal practices.

- Measures were taken to control the imbalance in the sex ratio at birth, which included 20 rules governing pregnancy, ultra-sound examinations and giving birth. Women were monitored from their first pregnancy in urban areas and their second child in rural ones, and all medical establishments wishing to purchase an ultrasound machine were required to obtain prior authorization and register with the county-level family planning committees. Ultrasound technicians are now obliged to hold a license and every ultrasound examination carried out on a pregnant woman has first to be authorized by the local family planning authority. A system has been put in place to record all births, abortions, and cases of foetal death, and individuals or establishments involved in the practice of prenatal sex determination or selective abortion are sanctioned.
- Preferential measures were implemented to help poor families, including tax rebates, medical treatment at a reduced price or free of charge, microcredit, and technical training.

Yangdong County, Guangdong Province

This county has devoted more than 12 million yuan to the Care for Girls project since 2004, and has implemented the following actions:

- Some 300,000 free promotional items such as calendars and bags have been distributed. The local government has also spent 800,000 yuan (€80,000) on building 23 panels (each measuring more than 100 sq m) and has painted more than 6,800 slogans in 2,300 villages.
- Families with only girls have received financial support and land for farming. The country authorities have assisted 921 projects of this type and have helped 1,200 families increase their annual incomes by 2,500 yuan.
- Families without sons are given greater employment opportunities. The county authorities have designated 60 companies to hire parents without boys and train them in their new jobs. These measure have benefitted 2,800 persons.
- School fees for girls have been reduced to improve their school enrolment rate; a 500 yuan allowance is paid out to couples without sons who were sterilized after the birth of the first or second daughter, once their daughter enters lower secondary education, 3,000 yuan are paid to families whose daughter enters 3-year higher secondary education, and 5,000 to those whose daughter enters 4-year university education.
- Couples without sons who were sterilized (the men or the women) after the birth of the first or second daughter receive a monthly allowance of 50 yuan per spouse, and those reaching retirement age (age 60 for men and 55 for women) who had two girls, a single girl child or no children, receive 100 yuan per month per spouse;
- Women of childbearing age and pregnant women are closely monitored with a system of registration for ultrasound examinations, abortions, and the sale of abortion pills. A team has been set up to investigate practices such as selective

abortion, abandonment, drowning of infant girls and trafficking in women and children. In 2004, 22 such cases were dealt with; a nominative system of recording births, abortions and infant deaths was established and the information obtained is checked and analysed by the county authorities.

Baoshan County, Shanghai Municipality

In the Care for Girls campaign, special attention was paid to Baoshan county's large proportion of migrants (460,000 persons in 2004). A system of recording births (live or stillborn) and abortions was established at county level, and the statistics were then transmitted to the higher authorities. Propaganda campaigns were launched to disseminate new concepts relating to marriage and reproduction, and advertising campaigns were broadcast on television and in other media to promote gender equality. A decree now forbids prenatal sex determination and abortion for non-medical purposes. The migrant population receives advice and services relating to contraception and reproductive health, and poor mothers receive financial assistance.

The Huzhu and Minzhe Autonomous Counties, Qinghai Province

These counties were selected in 2004 to be pilot sites for implementing the Care for Girls project. They both have large proportions of ethnic minority Tu people.

- Minzhe county adopted regulations banning prenatal sex determination by ultrasonography or chromosome tests for non-medical purposes, as well as criminal acts against girls and women.
- Huzhu county covered the schooling fees of 944 girls from poor families. It spent a total of 116,000 yuan to enable these girls to pursue their secondary education.
- Since 1991, Huzhu county has spent approximately one million yuan (€100,000) on pensions for 2,460 households with an only child, 204,000 yuan to reward 68 families with female only children, and a further five million yuan to help approximately 10,000 households with one or two daughters.

Information taken from de "*Guan ai nühai*" (Care for Girls) in *Dangdai zhongguo renkou* (DDZG 2005).