

Chinese Women and Economic Human Rights

By Lisa Fry

Women's human rights in China have an intriguing history and a challenging present. In ancient China, Confucianism espoused the virtues of silent women who stayed at home. During the Maoist period, on the other hand, gender equality was prioritized by the state, and women were equally appointed to leadership positions and agricultural collectives with men. After Mao's death, the country transitioned to a social market economic system that resulted in a loss of state support for gender equity. Today, the rights of women in China are not clearly defined, protected, or promoted. China's patriarchal traditions have reasserted themselves, obstructing women's economic human rights, such as the right to land and the right to work. There is a wide gap between the rhetoric of the Chinese government regarding women's rights and the actual experiences of women.

Gender-based discrimination in China violates several international conventions to which the country is signatory. These include the United Nations Declaration on Human Rights (UNDHR) and the Convention on Elimination of All Forms of Discrimination against Women (CEDAW). Both of these declarations call for women's rights to be honored equally with those of men, but in practice they often are not. Gender discrimination in human rights is notably prevalent in China, which does not have a particularly strong human rights record.

The right to own property is guaranteed by the UNDHR. However, a recent change in land tenure policy in China has resulted in a systematic denial of land to women. The new policy was designed to encourage investment through thirty-year land tenure for households. This change has especially impacted married women. It has ended the periodic reallocations that allowed recently married women who had moved to a new village to acquire a plot of land in that village. With the policy change, women still technically have land rights in their natal village, but in practice they lose access to that land after marriage as a result of Chinese cultural norms that consider married women to no longer be a part of their natal family.

The thirty-year tenure policy also denies land to women through the titling process. Since land is generally titled to a household as a whole, the name of the man, assumed to be the household head, will appear on the paperwork. In practice, women work with (or instead of) their husbands on the household plot, but in the case of separation, divorce, or widowhood, the woman can be denied access to the land since her name is not on the title. This is a problem that particularly affects women with dependents, since a loss of land can lead to a loss of livelihood. When women do receive land in allocations, it is generally of the poorest quality in the least desirable area. Urbanization is also linked to denial of land to women, because rapid urbanization is causing rural landowners to be forced off their land. Land that is being expropriated for urban expansion is frequently not recompensed. While communities may vote to have land expropriated, women, even if they are land holders, are usually not included in the decision-making process.

The other key economic human right that women in China are being denied is the right to work. Gender discrimination in the workforce is less a result of government policy (as it is with property rights), and more a result of cultural and economic factors. As China has transitioned to a more open economy, increased efficiency has resulted in layoffs, as fewer workers are needed despite greater economic output. Married women are, again, the most affected. Of all workers, they are most likely to face involuntary termination or family-oriented job changes, such as working part-time or

leaving a job for domestic duties. The gender disparity in layoffs is the result of employers' greater freedom over labor and their discrimination against women.

Rural women who migrate to urban areas to look for work face challenges to employment rights that urban women do not. Women are less likely to migrate than men but, when they do, they usually are employed in unskilled labor positions. They also work domestic, canteen, or shop jobs—jobs which urban women consider low-status positions. Another disadvantage to rural women is that business owners must give priority in employment to urban dwellers. Women from rural areas tend to have less education as well, which contributes to their inability to find work.

Despite systematic discrimination, women in China are beginning to fight for their rights. In 2005, the state revised the Women's Protection Law, although there are still major weaknesses; its language is strong, but its suggestions for implementation are weak. The law also speaks of women in a subtly condescending manner that reinforces unequal gender relations. Women are encouraged to express grievances in mediatory rather than legal processes, a policy which reinforces the notion that women are subordinate and also denies them their legal rights. The Chinese Communist Party discourages civil society, particularly feminist organizations, from gaining true power; however, it may not be able to exert authority over even party-approved organizations for much longer. The 1995 Fourth World Conference on Women in Beijing brought together women's organizations from all over China and the world to promote women's human rights. Preparation for the conference gave Chinese women the opportunity to speak out about oppression and their human rights needs. Although women are being discouraged from political participation at all levels, thus weakening their ability to have their economic rights recognized, some are finding other ways to speak out.

Overall, women's human rights in China seem to be increasing despite the best efforts of the government and the traditional patriarchal culture. Although the government claims that, as China develops, the situation of women will improve, some Chinese women have seen that this is not the case, and are fighting for their rights. Unfortunately, the systematic denial of women's rights is so embedded in Chinese society that it is very difficult even for women who are aware of the problem to mobilize domestic support against it.

Annotations

Agarwal, Bina. 1994. *A field of one's own: Gender and land rights in South Asia*. Cambridge: Cambridge University Press.

Annotation: In this groundbreaking book, Agarwal argues that the most important economic human right for women is the right to property. Property rights are presented as key to welfare and efficiency of the community as well as to the equality and empowerment of women. She draws on extensive field research throughout South Asia as well as economic, cultural, legal, and political sources to support this argument. In her study, she also examines women's resistance to gender inequality in relation to land struggles. The book represents the first major study on the relationship between gender and property rights. It is an important text for anyone interested in women's rights, gender relations, issues in property rights, or South Asia.

Apodoca, Clair. 2006. "Measuring Women's Economic and Social Rights Achievement," in B. B. Lockwood (ed.), *Women's Rights: A Human Rights Quarterly Reader*. Baltimore: The Johns Hopkins University Press.

Annotation: This piece emphasizes the importance of measuring women's economic and social rights separately from the aggregated measures typically used in rights measurement. Apodoca analyzes several indices that measure women's development: the Gender-related Development Index; the Gender Empowerment Measure; and the Women's Economic and Social Rights measure. It is important to use the indices in development and policy work to ensure that women's rights are being addressed and to focus policy on weaknesses. The article is a good overview of metrics relating to women's rights. It is written for policymakers and researchers to address the importance of measuring gender-differentiated indicators, but it is easily accessible to the educated reader.

Appleton, Simon, John Knight, Lina Song, and Quingjie Xia. 2002. "Labor retrenchment in China: Detriments and consequences." *China Economic Review* 13: 257-275.

Annotation: The authors use econometric and probit models to determine what social groups were at greater risk for retrenchment though recent policy regarding state-owned enterprises in China. They use data from a 1999-2000 household survey to build their models. The authors conclude that there were several factors that made a worker more likely to be retrenched. These include gender, low education level, low skill level, age, and local employment. The authors also wished to determine the likely duration of unemployment after retrenchment. Through their models, they determine that the same factors contributing to retrenchment also contributed to longer unemployment periods. The article is an interesting analysis of the gendered impacts a supposedly gender-neutral policy can have. However, the article relies heavily on econometrics, so it will be challenging for anyone unfamiliar with high-level economics.

Berik, Günseli, Dong Xiao-yuan, and Gale Summerfield. 2007. "China's Transition and Feminist Economics." *Feminist Economics* 13 (3/4): 1-33.

Annotation: This article is a synopsis of the gendered aspects of China's transition to a social market economy. The authors argue that women's economic opportunities have expanded as China's economy has opened, but also that disparities in entitlements and capabilities have emerged as well. In conclusion, they advocate policy reforms to promote gender equality. They also suggest that more research needs to be done on feminist economics of China. The article is a good, fairly straightforward overview of current feminist economic issues in China.

Brandt, Loren, Jikun Huang, Guo Li, and Scott Rozelle. 2002. "Land Rights in Rural China: Facts, Fictions, and Issues." *The China Journal* 47: 67-97.

Annotation: Brandt et al. examine the impact of China's land rights policies on rural citizens. They note that surveys have determined that farmers in some regions prefer a system of periodic land reallocation rather than the privatization or extended tenure that the new policies require. The article then examines reasons for land redistribution in rural villages. The authors make a policy recommendation based on their analysis of the current land rights policies and practices. They find that the current change in policy to thirty-year contracts is a step in the right direction for development, because it encourages farmers to invest in the land since they have security of tenure. The information and studies are presented in a logical, organized manner, and quantitative data is presented graphically to make it easy for the reader to understand. However, there is not a gender dimension to any of the data or analysis, and the reasons for farmers' preference of periodic reallocation over extended tenure is not explored in depth.

Brems, Eva. 2006. "Enemies or Allies? Feminism and Cultural Relativism as Dissident Voices in Human Rights Discourse," in B. B. Lockwood (ed.), Women's Rights: A Human Rights Quarterly Reader. Baltimore: The Johns Hopkins University Press.

Annotation: This piece analyzes the common ground between feminism and cultural relativism—two alternate views of human rights that are in conflict. Brems notes that both groups feel they have been excluded from the "universal" nature of human rights created by a dominant group. Both dislike the current human rights discourse's emphasis on civil and political rights. However, it is there that the similarities identified by Brems end. Feminists, she argues, tend to consider cultural relativists as anti-women, since women are dominated by men in so many cultures. On the other hand, cultural relativists tend to consider feminists a product of Western dominant thought. The author pleads that the two groups emphasize their similarities and work together to challenge dominant human rights thinking. This essay is repetitive; it ends up focusing more on the differences between the two groups and begging for them to join forces.

Bunch, Charlotte. 2006. "Women's Rights as Human Rights: Toward a Re-Vision of Human Rights," in B. B. Lockwood (ed.), Women's Rights: A Human Rights Quarterly Reader. . Baltimore: The Johns Hopkins University Press.

Annotation: Bunch examines human rights violations that are perpetrated specifically against women via gender discrimination and violence. She analyzes and then addresses the four main excuses offered by governments and organizations for not addressing human rights violations against women. These excuses include: gender discrimination is trivial and will be addressed with further development; abuse of women is a cultural rather than political issue; women's rights are not human rights; and that women's abuse is so pervasive that it is impossible to address. As part of her proposition, Bunch makes four excellent suggestions to link women's rights to human rights. These linkages will promote women's rights as both attainable through policy and necessary to development. Her recommendations are realistic and logical. The article is easily accessible to any interested human rights student.

Burda, Julien. 2007. "Chinese women after the accession to the world trade organization: A legal perspective on women's labor rights." *Feminist Economics* 13 (3/4): 259-285.

Annotation: Burda analyzes the potential for China's World Trade Organization (WTO) accession to be used as leverage to improve women's labor rights in China. He points out that, although China has labor laws and labor unions, the laws are frequently not enforced and the unions are not independent of the government. Thus, the country's WTO membership and increasingly open economy is detrimental to workers, especially women. Burda uses a legal analysis to argue that the WTO is not, in fact, the best forum to address women's labor conditions in China. Instead, he concludes that an incentive approach, based on integrated cooperation among multilateral organizations, is the best option. The article is a fresh approach to the much-debated issue of labor standards in China. Although Burda does not make any specific policy recommendations, he does lay the groundwork for future research and policy-making.

Chan, Jenny Wai-ling. 2006. "Chinese Women Workers Organize In The Export Zones." *New Labor Forum* 15 (1): 19-27.

Annotation: In this article, Chan reviews the negative experiences rural migrant women encounter while working in urban factories. As a result of lax labor law enforcement, working conditions are harsh and workers are treated abusively. Women workers frequently do not sign labor contracts, leaving them vulnerable if they become ill or are laid off. However, Chan reports that women workers are now organizing to fight for their rights with the help of the Chinese Working Women Network (CWWN). CWWN educates women about their rights and helps to create democratically-elected worker committees to monitor factory conditions. The article is a good overview of the condition of urban women workers in China and what they are doing to change it.

Chen, Junjie, and Gale Summerfield. 2007. "Gender and rural reforms in China: A case study of population control and land rights policies in northern Liaoning." *Feminist Economics* 13 (3/4): 63-92.

Annotation: Chen and Summerfield discuss the interactions between population policy and land policy that reinforce traditional gender inequalities at a practical level. Both policies implicitly disadvantage women, although, in recent years, both policies have been less strictly-enforced. The authors also note that disparities in power, class, and health also impact the gendered lives of villagers. The article is an illustration of the gendered impacts of the two policies and disparities through a report of ethnographic fieldwork in a rural village in Northern China. It is presented as a case study and does not present a detailed analysis. However, it is a practical illustration of how population and land policies contribute to gender discrimination.

Edwards, Louise. 2000. "Women in the People's Republic of China: new challenges to the grand gender narrative," in L. Edwards and M. Roces (eds.), Women in Asia: tradition, modernity and globalization. Ann Arbor: The University of Michigan.

Annotation: In this chapter, Edwards provides an analysis of the modern history of women's rights in China based on the disconnect between government rhetoric and women's actual experiences. She argues that, during the communist period, women were encouraged to participate in economic and political development, but that the "Great Leap Forward" and the Cultural Revolution undercut any gains women may have experienced. Edwards also argues that, after the transition to a market economy, the state retreated from its role as the "liberator and protector of women" without a corresponding increase in the role of civil society to continue to support women. Thus, women's rights have been pushed aside, and the gender situation remains unequal with regard to unemployment, job retrenchment, sexual discrimination, female infanticide, and domestic violence. Edwards points out that the government's argument that women's situation will improve as China develops is flawed, given the continued disadvantage of women and the economic and political development of the state. This chapter is a good starting point for the scholar interested in gender issues in China.

Fan, C. Cindy. 2003. "Rural-Urban Migration and Gender Division of Labor in Transitional China." *International Journal of Urban and Regional Research* 21 (1): 24-47.

Annotation: This article focuses on the relationship between migration and the gender division of labor in China. Fan argues that men and women are channeled into gender-segregated jobs in urban areas as a result of a combination of a capitalist-like labor regime and Confucian patriarchal traditions. Gender segmentation is further fostered by the prioritization of economic goals over human development, as well as the state's continued control over labor and the economy. Fan uses both qualitative and quantitative data from macro-level studies and field studies to support her argument. The article is detailed and statistical, making it somewhat challenging to read. However, it is an important contribution to gender and labor studies of China and is well worth the effort required.

Fleisher, Belton M., and Dennis T. Yang. 2003. "Labor laws and regulations in China." *China Economic Review* 14: 426-433.

Annotation: This piece traces the evolution of China's labor laws and regulations throughout the transition from strict communism to a social market economy. These laws and regulations include the dissolution of communes, the mobility of excess agricultural labor, and a change in grain procurement policy. Each of the changes has led to an increase in nonagricultural activities in rural areas. However, there are still inequalities within and between rural and urban labor opportunities. Fleisher and Yang argue that a reorganization of legal restrictions on migration and of social policies is still necessary for sustained economic growth through labor mobility. The article is concise and presents a strong analysis of the policy changes thus far. Unfortunately, gender is not discussed in relation to the labor policies, but the impact of these policies on women's labor can be inferred.

Gao Xiaoxian. 2008. "Women and Development in China." *Chinese Sociology & Anthropology* 40 (4): 13-26.

Annotation: In this article, the author traces the history of women's participation in the rural labor force in China from the communes of the 1950s to the present restructured rural economy. Gao notes that women were mobilized to participate equally in rural development and agriculture throughout the Maoist period. They became the majority of the rural labor force as men were moved to large-scale infrastructure projects, but still encountered lower pay and still had full responsibility for domestic duties. Since the market transition, women's role in rural development has continued to be promoted by the state, but the state no longer officially supports it through policy and programs. Gao argues that women are still considered to be subordinate to men throughout China, despite their prominent role in the rural economy. As a result, Gao claims that the state should continue to intervene by guaranteeing women's status in national development plans and laws. The article is a strong overview of the changing status of women in rural China throughout its economic growth.

Han, Jialing. 2004. "Economic Growth and Women's Development in China's Western Areas: A Case Study," in T. Jie, Z. Bijun, and S. L. Mow (eds.), Holding Up Half the Sky: Chinese Women Past, Present, and Future. New York: The Feminist Press.

Annotation: This short piece uses a weakly-defined case study to determine the deficiencies in development policies in China that infringe upon women's rights rather than promoting them. Despite the brevity of the article, Han makes several important points. First, there is a marked reluctance for government spending on low-cost, long-term development projects. Instead, most funds go toward quick-fix projects that do not have much impact on the underlying causes of poverty. Another issue is that infrastructure improvements can be costly for the intended beneficiaries. They can have strings attached that prevent them from benefiting those who need assistance the most. Finally, Han notes that development projects can increase the work of women instead of empowering them. Han then makes the suggestion that education, healthcare, and access to credit be increased in order to empower women. This article is accessible to any reader, but does not contain any surprising insights into the relationship between development and women's rights.

Hare, Denise. 1999. "Women's Economic Status in Rural China: Household Contributions to Male-Female Disparities in the Wage-Labor Market." *World Development* 27 (6): 1011-1029.

Annotation: Hare uses economic analysis to determine the relationship between rural women's work opportunities outside the household and wages. She finds that, while women have increased work opportunities, they still receive lower wages than men. Hare argues that the wage difference can reinforce the gender inequality within households. Her argument is a different take on the usual view by feminist economists that women working outside their home are empowered by earning a wage. Hare notes that her research sample was small, so the results may not be representative of all rural Chinese communities. While the article

contains economic analysis, the graphs and statistics are well-explained, making the article accessible to any interested scholar.

Hare, Denise, Yang Li, and Daniel Englander. 2007. "Land management in rural China and its gender implications." *Feminist Economics* 13 (3/4): 35-61.

Annotation: This article looks at the dynamics between gendered access to land resources and property rights policy. Since women have a significant role in Chinese agriculture, their access to land is a key component of development. Hare and her colleagues analyze empirical data collected from a survey in two provinces to determine what characteristics and practices create gender disparities in land ownership. They conclude that marriage is the most influential factor contributing to women's landlessness. The authors also find that policies implemented during China's WTO accession, intended to improve agricultural efficiency, have in fact contributed to gender inequalities in regards to land access. This detailed article is accessible to any interested scholar.

Jiang Yongping. 2004. "Employment and Chinese Urban Women Under Two Systems," in T. Jie, Z. Bijun and S. L. Mow (eds.), Holding Up Half the Sky: Chinese Women Past, Present, and Future. New York: The Feminist Press.

Annotation: Jiang analyzes the status of women's employment under China's centrally-planned system from 1949-1978 and after the transition to a market-oriented economy. By the late 1970s, as a result of the communist government's focus on women's equality in all things, including employment, more than ninety percent of women were employed. However, the transition removed the government structures that guaranteed employment to women, and women's employment quickly fell as a result. Uneducated women have a particularly difficult time finding work. Jiang argues that the elimination of low-skilled workers as businesses streamlined, followed by a return to a patriarchal system, combined to undermine all the gains made in women's employment. However, Jiang also argues that some men are used to the double income and that the political and historical history of women's employment will continue to sustain working women. The article is well-written and accessible to all readers.

Judd, Ellen R. 1994. Gender and Power in Rural North China. Stanford: Stanford University Press.

Annotation: Judd's book is the result of extensive field work on the gender aspects of three areas in which the political economy of rural Chinese villages has changed since the policy transformation. The areas are agriculture, village-level enterprises, and household commodity production. She examines the relationship between supposedly gender-neutral official policies and the observed and reported experience of actual activities. Judd concludes that state-driven women's empowerment has largely failed. Interestingly, she also concludes that patriarchy is not based in the family, but is in fact only one part of complex hierarchical relations in China. The book is a comprehensive analysis of the gender issues facing rural North China in terms of gendered economic and political rights. Judd's straightforward, detailed style is easily accessible to any interested scholar.

Judd, Ellen R. 2007. "No Change for Thirty Years: The Renewed Question of Women's Land Rights in Rural China." *Development & Change* 38 (4): 689-710.

Annotation: In this piece, Judd analyzes the impact of China's 1994 land tenure policy, which provides for thirty years tenure for the landholder, on women's access to and control of land in rural China. During the early 1980s, Judd explains, villages were in charge of allocating land to households based on a per capita calculation. Land was periodically reallocated as household composition changed through marriage, births, and deaths. The 1994 policy ended these reallocations. Judd argues that there have been two major effects on women's land rights. First, if they marry patrilocally, they lose access to their allocated land, which is usually in their natal village. Second, children are excluded from land rights for up to thirty years. Judd also argues that the policy has resulted in uneven household land rights and wider changes in rural society. This article is an important analysis of the land tenure policy's effects on women and society.

Kai-sing Kung, James. 2006. "Do Secure Land Use Rights Reduce Fertility? The Case of Meitan County in China." *Land Economics* 82 (1): 36-55.

Annotation: Kai-sing Kung discusses the effects of an experiment in Meitan County conducted by the Chinese government to lower rural fertility rates by increasing security of tenure through prohibiting land reallocation. The author argues that this policy was ineffective because there are numerous factors that impact the decision to have children. He feels that land tenure is a weaker factor than the cultural desire to have a son and the mother's education level. His small-scale study confirms that there is not a significant comparative reduction in fertility between families that were part of the land reallocation experiment and those who were not.

Li, Xiaoyun, Dong Qiang, Liu Xiaoqian, and Wu Jie. 2008. "Gender Inequality and Poverty in Asset Ownership." *Chinese Sociology & Anthropology* 40 (4): 49-63.

Annotation: The authors analyze the asset-based distribution of resources in rural households and the gendered dimension of decision-making regarding those resources. They argue that land is the most gender-unequal resource, and that lack of control of household resources can increase vulnerability. Gender inequality is primarily found in four dimensions of land control: the land-distribution system; ownership of land contracts; decision-making about land cultivation and contracts; and transfer of contracts. The article is based on research conducted in five poor regions of China with a variety of different methodologies. It is easily accessible to any interested reader and provides strong support for not considering the household as a unit with mutual interests.

Li Zongmin. 1999. "Changing Land and Housing Use by Rural Women in Northern China," in I. Tinker and G. Summerfield (eds.), Women's Rights to House and Land: China, Laos, Vietnam. Edited by Boulder: Lynne Rienner Publishers, Inc.

Annotation: This article focuses on how changes in Chinese rural land and housing rights have affected the gendered distribution of labor and resources within the household. Li uses a case study from a village outside Beijing to explore the link between farmers, the new land tenure system, and how it impacts women's agriculture. The system, Li argues, disadvantages young married women and divorced women. However, it has changed the power relationships within the household: many of the couples interviewed said that the wife was included in decisions about the household land. Overall, Li found that women's roles were expanding, but this led to an increased, rather than decreased, workload because they were still doing traditional work as well as non-traditional work. The article is well-written and accessible to anyone interested. However, it does quote some irrelevant statistics, such as how much the village paid to renovate its school.

Lin, Zhibin, and Zhang Lixin. 2006. "Gender, Land and Local Heterogeneity." *Journal of Contemporary China* 15 (49): 637-650.

Annotation: This article discusses the myriad land allocation practices even within one village in rural China. It analyzes the impact of the Rural Land Contract Law of 2003 on the gendered dimensions of land reallocation. Li and Zhang's research supports the previous author's arguments that marital relations, kinship, social networks, and low political representation contribute to women's lack of access to land. They find that the relationship between women and land is also changing as a result of cultural, economic, and political institutions. This an interesting article because of the unique qualities of the village studied: it has a local theatre group that campaigns for gender equality in land allocation, for example. However, this means that the findings from the study may not apply to other villages in China.

Matthews, Rebecca, and Victor Nee. 2000. "Gender Inequality and Economic Growth in Rural China." *Social Science Research* 29: 606-632.

Annotation: Matthews and Nee analyze the changes in gender relations that have occurred in rural China since the transition to a market economy. They use data from the China-Cornell-Oxford survey of rural China and the Fujian Rural Survey to determine employment opportunities for rural women off their farms, their relative contribution to the household income with off-farm work, and the power that women remaining on the farm wield within the household. Matthews and Nee conclude that there are several contexts in which market-driven economic growth does benefit women in relation to empowerment and labor opportunities. For example, sustained market-driven growth provides more job opportunities for women, significant income contribution to the household, and increased household power for women with migrant worker husbands. Readers unfamiliar with statistical analysis may have difficulty with this article, as data results and methodology are painstakingly recorded. Overall, however, this source is an excellent analysis of the benefits that economic growth can have on women's rights.

Milwertz, Cecilia, and Wei Bu. 2007. "Non-Governmental Organising for Gender Equality in China - Joining a Global Emancipatory Epistemic Community." *International Journal of Human Rights* 11 (1): 131-149.

Annotation: In this article, the authors explore feminist non-governmental organizations (NGOs) in China and how interactions with international feminist NGOs have strengthened the Chinese feminist movement. The authors argue that the Chinese NGOs learned about women's human rights and how to advocate for them through both their engagement with outside women's movements and through their experiences of discrimination and violence. They also note that the years leading up to the 1995 World Women's Conference in Beijing gave Chinese women's organizations the impetus to strengthen and increase activism. The article is an excellent discussion of the transformation of women's NGOs in China from weak, government-directed organizations to grassroots-driven members of the international feminist community. While the article uses some technical language, it is still accessible to interested scholars.

Palmer, Michael. 2007. "On China's Slow Boat to Women's Rights: Revisions to the Women's Protection Law, 2005." *International Journal of Human Rights* 11 (1): 151-177.

Annotation: This article is an overview and discussion of the 2005 revisions to the Chinese Women's Protection Law. The author argues that, while the law is an attempt to increase women's human rights in China, it is still very weak and limited in the extent of reforms it creates. Palmer argues that these limits are a result of several factors. The first is the continued paternalistic attitude of the state. Second, the party-state discourages the emergence of civil society. Finally, the language of the law is primarily exhortatory rather than a concrete plan of action. Palmer feels that the law reinforces women's traditionally subordinate position in Chinese society. The article is a thorough analysis of the legislation that is useful for any gender scholar focusing on China.

Sargeson, Sally. 2006. "Introduction: women and policy and institutional change in rural China." *Journal of Contemporary China* 15 (49): 575-583.

Annotation: Sargeson uses this piece to introduce a series of articles regarding the interaction between policy and institutional change and women, a relationship she feels is missing from the body of work on women in China. She argues that the Chinese Communist Party has already done much to reduce gender inequalities and empower rural women. Sargeson uses the case studies presented in the series to make her argument. She presents the idea that institutions can reinforce or change gender roles. This article is a good introduction to the idea that institutions impact gender equality, particularly in rural China. It is accessible to any reader interested in the interactions between policy, institutions, and women.

———. 2007. "Governing Women's Capabilities in China's Urban Expansion." *International Feminist Journal of Politics* 9 (2): 154-175.

Annotation: In this article, Sargeson discusses the effect of urban expansion on the capabilities of rural Chinese women. She argues that rural women have been excluded from planning the incorporation of their areas into urban spaces. Further, she finds that this exclusion reduces women's capabilities, as they have no ownership or control over assets, particularly land. Sargeson's argument is based on an analysis of Amartya Sen's capabilities approach as it relates to the plight of rural women in China, as well as interviews with government officials and government and press documents. One shortcoming of the research is that it does not include the views of the impacted women themselves. Overall, however, this article illustrates the gendered impact of China's rapid urbanization.

- . 2008. "Women's Property, Women's Agency in China's 'New Enclosure Movement': Evidence from Zhejiang." *Development & Change* 39 (4): 641-665.

Annotation: Sargeson explores the gendered impacts of land expropriation for Chinese urban expansion in this intriguing article. Using qualitative methods, she argues that geopolitical institutions give women an extra disadvantage when it comes to land expropriation and compensation. However, Chinese women in Zhejiang have been using selective laws and norms to manipulate the amount of compensation they receive and to ensure its distribution to the villagers on an equal gender basis. Sargeson argues that it is precisely because of the regulatory and social environment in which women advocate for increased equality in compensation that they are able to be effective. The article is well-written and clearly shows that, while women may appear to lack agency, they are able to work within cultural and legal constraints to produce positive results.

- Shenjing, He, Liu Yuting, Chris Webster, and Wu Fulong. 2009. "Property Rights Redistribution, Entitlement Failure and the Impoverishment of Landless Farmers in China." *Urban Studies (Sage)* 46 (9): 1925-1949.

Annotation: The authors discuss the difficulties farmers in peri-urban villages face from rapid urban expansion. Some farmers become impoverished because they lose their land, a source of livelihood, and are unprepared for the urban job market. The authors argue that urbanization has a negative impact primarily where there is weak industry or weak kinship networks. They argue that clearly-defined property rights would strengthen the prospects of farmers who are in danger of losing their land. These arguments are supported by empirical data. This article is detailed and examines several theories relating to land rights and urbanization.

- Sudo, Mizuyo. 2006. "Concepts of Women's Rights in Modern China." *Gender & History* 18 (3): 472-489.

Annotation: In this piece, Sudo provides an interesting discussion of the history of the idea of "women's rights" in China in the early 1900s. Sudo notes that the concepts of "human rights," "civil rights," and "women's rights" came to China from the West through Japan, a path that influenced Chinese perception of these concepts. There are four images of women's rights that Sudo presents. The first is women as mothers; the second regards

women as equals of men; the third finds women in search of new societal roles; and the last is the rejection of women as citizens. Sudo argues that these paths form the roots of each of the major paths of feminist thought. Finally, Sudo argues that the only difference between each conception of women's rights is the perception of gender roles. The article is an unusual perspective of gender in China.

Tinker, Irene. 1999. "Women's Empowerment through Rights to House and Land," in I. Tinker and G. Summerfield (eds.), Women's Rights to House and Land: China, Laos, Vietnam. Boulder: Lynne Rienner Publishers, Inc.

Annotation: Through this engaging analysis, Tinker reviews women's rights to land and shelter in developing countries. Gender roles and household structures are changing as a result of rapid economic growth. Thus, the usual assumption that households are male-headed, and therefore that only men should have property rights, is increasingly outdated. Tinker suggests laws and practices that can increase women's land and housing rights. She also emphasizes that women's property rights are important because women without husbands or kin networks to fall back on are usually mothers with children, making their shelter needs urgent. This is a strong review of women's land and housing rights and their importance in developing countries.

United Nations. 1948. "United Nations Declaration on Human Rights." Available online: <http://www.un.org/en/documents/udhr/>.

Annotation: This declaration is the most important international document of the past century. It affirms the equality of the rights of all individuals, regardless of age, gender, nationality, or class. The document calls for recognition of the rights acknowledged in its thirty articles for the dignity and worth of all human beings.. It continues to be highly relevant in its call for a universal equal treatment of all people.

United Nations. 1979. "Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)." Available online: <http://www.un.org/womenwatch/daw/cedaw/text/econvention.htm>.

Annotation: This United Nations Convention, known as CEDAW, was created in 1979 in response to the growing women's movement throughout the world. CEDAW proclaims women's rights to be human rights. The document defines gender equality. It outlines an international women's bill of rights and sets out a plan of action for signatory countries to follow in order to improve gender equality among their citizens. This is a key document for any gender scholar or for any woman seeking to know her rights. China signed the Convention in 1980.

United Nations. 1995. "Beijing Declaration and Platform for Action." Fourth World Conference on Women. Available online: <http://www.un.org/womenwatch/daw/beijing/beijingdeclaration.html>.

Annotation: This Declaration was created and adopted by the United Nations Fourth World Conference on Women in Beijing. It is considered a landmark, not only for the promotion of women's human rights throughout the world, but for the Chinese recognition of women's human rights as well, since the conference was held in China. The Declaration emphasizes the importance of the equality of women and men in regards to human rights. Women's empowerment and advancement in rights, opportunities, and access to resources have been linked to poverty reduction and the consolidation of democracy. The Platform for Action lays out the mission, critical areas of concern, and institutional and financial frameworks to promote women's equality in human rights and other aspects of the socio-political structure. The document is well-organized and presents an organized plan for governments to adopt for promoting the position of women.

West, Jackie, Zhao Minghua, Chang Xiangquin, and Cheng Yuan, (eds.). 1999. Women of China: Economic and Social Transformation. Hampshire: MacMillan Press, Ltd.

Annotation: This book is an excellent overview of many of the issues that have faced Chinese women since 1978. Each of the chapters discusses a different aspect of the disconnect between the state's propaganda of equality and the reality that women in China's economic and political arenas experience. Most of the chapters focus on the variety of economic changes that women have experienced, such as decreased employment, increased role in the household, the feminization of agriculture, and the class division between urban and rural women seeking work in urban areas. Other chapters focus on the return of social and political rights of women to their former Confucian-based patriarchal ideals after the collapse of the state structure of gender equality. The book is a good review that is accessible to educated readers. While several chapters are based on data analysis and calculations, they are not complicated and are well-explained.

Xiaorong, Li. 1995. "Gender Inequality in China and Cultural Relativism," in M. C. Nussbaum and J. Glover. (eds.), Women, Culture, and Development: A Study of Human Capabilities. Oxford: Clarendon Press.

Annotation: Xiaorong argues that the capabilities approach (advocated by Nobel Laureate in economics, Amartya Sen, and his colleague Martha Nussbaum) is a way to address the issues that cultural relativists raise in relation to women's rights. Xiaorong identifies three cultural expressions of the role of women in China: the government, Confucianism and Taoism, and women themselves, noting that each of these expressions creates a "false consciousness" that reinforces the patriarchal status quo. The article argues that culture reinforces inequality rather than acknowledging women as human beings deserving of human rights. In contrast, Xiaorong argues, while citing Nussbaum extensively, the capabilities approach reflects culture in a way that acknowledges women as human beings with rights. The article is repetitive and somewhat dense and difficult to read. Unfortunately, Xiaorong advances no new thinking in the rights versus culture debate.

Yang, Cao, and Chiung-Yin Hu. 2007. "Gender and Job Mobility in Postsocialist China: A Longitudinal Study of Job Changes in Six Coastal Cities." *Social Forces* 85 (4): 1535-1560.

Annotation: This piece is a discussion of the job market restructuring that has occurred in China during the economic transition and the specific impacts that the changes have had on women. Yang and Chiung-Yin find that women's participation in the workforce is shrinking in the six cities in which their research was conducted. The authors feel that there are two complementary theories that explain the decrease in female labor force participation. The first is the market transition theory, which states that a transition to a market economy favors human capital and entrepreneurship in the labor force. The second theory is that the role of the state in promoting gender labor equality has decreased, thus allowing traditional patriarchal practices to resurface. Yang and Chiung-Yin use an empirical evaluation of their longitudinal data to support their argument. The article is clear and articulate. It is a valuable resource for any gender or labor scholar.

Yang, Li, and Xi Yin-Sheng. 2006. "Married Women's Rights to Land in China's Traditional Farming Areas." *Journal of Contemporary China* 15 (49): 621-636.

Annotation: This article provides an interesting insight into the differences between *de jure* and *de facto* land rights of recently married women in rural China. The authors argue that, as a result of the land policy changes of 1994, in practice, women are denied land rights when they leave their natal villages as a result of marriage. The 1994 policy did not take into account the importance of periodic reallocations as village populations shifted. While the policy calls for women to retain their land rights in their native villages, this does not occur in reality because of the traditional practice that a married woman is no longer a member of her natal family. This article is easily accessible to the average reader interested in land rights in China.

Zhang, Heather Xiaoquan. 2003. "Gender difference in inheritance rights: observations from a Chinese village." *The Journal of Peasant Studies* 30 (3-4): 252-277.

Annotation: In this article, Zhang uses her own qualitative field research and the results of a national Chinese survey to argue that inheritance practices in rural China are highly gender-unequal. While women and men have equal inheritance rights under the law, in practice, men are much more likely to inherit land and other resources in all situations. However, as economic and household structures change, women have greater power to bargain for equality in inheritance rights, particularly if they are in an uxorilocal marriage. Unfortunately, Zhang notes, the laws remain limited and gender power relationships remain unequal, thus reinforcing the structural issues that limit women's equal inheritance. This article, while an important part of the body of literature about women's property rights in China, is needlessly jargon-filled. The argument is difficult to understand without a thorough grounding in the topic.

Zhang, Ye. 2002. "Hope for China's Migrant Women Workers." *China Business Review* 29 (3): 30-36.

Annotation: This article is a discussion of migrant labor in China's Guangdong Province. Zhang notes that, throughout China, male migrant workers generally outnumber female

migrant workers two-to-one, except in Guangdong, where the numbers are reversed. Zhang argues that civil society groups are emerging to help women migrants with the myriad issues they face, both in regards to rights violations that all workers experience, as well as those that only happen to women. Zhang presents the causes of the particular problems for women in Guangdong factories and the solutions that are being applied, such as increased rights of education. Although the article is short, it is thorough in its coverage of the subject and the current work being done to address it. It is recommended not only for scholars, but also for entrepreneurs seeking to do business in China.