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Jane Nolan, University of Cambridge

Introduction

Since its establishment as China's legitimate ruling power in 1949, the Chinese Communist Party (CCP) has regarded gender equality as an important component of its overall modernizing agenda (Edwards, 2004). To this end it has introduced a program of equal opportunities legislation based on the principle that women and men have an equal right to paid work and that 'women's liberation from feudalism and patriarchy' is an important ideological goal. The 1994 *Labour Law*, for example, states that 'women and men shall enjoy equal rights with respect to employment; women may not be refused employment because of their sex' and furthermore, 'equal pay shall be given for equal work'. However, the enforcement of gender equality legislation has been noticeably weak and this has raised questions about the depth and sincerity of political will. Since economic reform began in 1978, women have faced growing discrimination as the official discourse of equality increasingly conflicts with the reality of differential treatment in the labour market. Rapid social and economic changes, such as the re-organisation of agricultural practices, increasing rural-to-urban migration, and the loss of the security provided by the old work-based welfare system (the so-called 'iron rice

bowl'), have changed women's lives in profound ways. Often women are the first to face redundancy and many are compelled to take work in precarious, unregulated sectors of the labour market where both their physical and psychological well-being is at risk (UNRISD, 2005).

Yet China still has one of the world's highest levels of female labour force participation, and one of the smallest urban-gender wage gaps among developing countries. Some groups of women – particularly those who have at least one, and preferably more, of the following attributes: the young, the driven, the well-educated and the well-connected, have indeed found new opportunities and freedoms in recent decades. And when compared to other transition and developing economies, China's reforms are generally considered to have been particularly successful in terms of poverty reduction, increased market efficiency and steady economic growth (Berik et al 2007). In a nation of over 10 million sq km, with a population of over 1.3 billion, understanding the labour market situation of 'women' will, therefore, be complicated and generalizations difficult to make: the working lives of urban professionals; laid-off state employees; migrant factory workers; and agricultural labourers are necessarily distinct experiences (Granrose, 2005).

To plot a course through this complex terrain, this chapter will open with an historical overview of the way in which a focus on 'gender equality' has created practical advantages for the CCP and it will compare this perspective with other co-existing (and to a large degree contradictory) views on the roles of women in Chinese society. Next, the impact of economic reforms on rural, migrant and urban female workers will be

evaluated. Following sections will examine: i) the successes and failures of equal opportunities legislation in relation to recruitment, promotion, and retirement; ii) the causes of gender discrimination including: perceived costs of maternity leave to the organization, access to education, the nature of mentoring and social networking, and legislative weaknesses; and iii) the achievements of female entrepreneurs and the conditions under which they work. The chapter will conclude with an overview of how China compares with other developing countries in relation to protecting and promoting gender equality in the workplace.

Gender equality and the CCP

While the early leaders of the CCP saw improving women's lives as a goal in-itself, women's inclusion in the political realm was also considered important for a number of other, more practical, reasons. For example, through the promotion of a discourse of equality and liberation, rural women could take over farm work from their husbands so that they, in turn, were freed up to join the People's Liberation Army (Goodman, 2000). To this end, party publications from the early 1940s often featured images of the 'labour heroine', working in agriculture or textiles, shown with a strong body and regular, plain facial features set in a determined expression, all of which conveyed to the viewer qualities of perseverance and patriotism (Hershatter, 2007).

Partly through the financial and ideological influence of Comintern¹, China's left wing parties adopted the idea of a 'Women's Department' into their political structure as early as the 1920s. In China, this Department has been known as the All-China Women's Federation (ACWF) since 1949 and is largely administered by women themselves and is concerned with traditionally 'female' issues such as health and education. This structure, argues Edwards (2004), serves to contain women's interests in a clearly demarcated policy arena and ensures that ordinary male members of the CCP, who in the main have had little genuine interest in gender equality, are not alienated by the Party leadership's broadly 'progressive' views on this matter. Yet interestingly, the role of the ACWF has fluctuated over the decades as the needs of the CCP itself have changed. In the 1950s, the ACWF continued to emphasise that 'women's liberation' was linked to their participation in paid productive work. During the Great Leap Forward in 1958, women served, as they had in the civil war of the 1940s, as a 'reserve army of labour', taking over agricultural work from men so that they could be employed in more highly skilled industrial jobs (Hershatter, 2007). Mao's sound bites, such as, 'anything a man can do, a woman can also do' and 'women hold up half the sky', served to create an ideological environment where women's participation in paid employment was normalized (Croll, 1991). Yet while the principle of gender equality served as one ideological plank for the justification of a socialist system, in practice, women were often shunted into jobs with lower skills than men and, subsequently, jobs with lower pay. To some extent, this laid the seeds of disadvantage for later generations of women, as their initial segregation into the 'bottom

¹'Communist International', an organization founded in Russia in 1919 with the intention of uniting national communist movements around a common goal of world-wide revolution.

end' of the labour market meant that they were first in line for redundancy when the reforms came in later decades.

Moreover, once the CCP stabilized its rule over China, the role of the ACWF in building grass roots support for the party took second place to its function for disseminating party policies which were important to the development of China as a whole. So, while in the 1950s the ACWF encouraged women to take up paid work outside the home, in the early 1980s, when male unemployment was particularly high, the same department was encouraging them to leave the workplace and 'go back to the wok' (Edwards, 2004; Jacka, 1990). For example, the official publication of the ACWF, *Zhongguo funu*, (Chinese Women), ran an article in 1988 that suggested that as the pace of work in industrial jobs was fast and usually consisted of long hours, it was the kind of employment that 'not only repels women, it is also very stressful for men' (Jacka, 1990, p.6), consequently, they argued, life would be generally easier for everyone if women stayed at home and did the housework for their husbands.

To some extent, this shift was easily tolerated as it chimed agreeably with traditional ideas about gender roles in China which have their roots in Buddhism, Taoism and Confucianism. Confucianism, particularly, is deeply influential in relation to the public and private roles of women and men and firmly positions women in the household while simultaneously elevating male-to-male relationships such as those between studious, loyal sons and wise, just fathers. Couple these views with a legalistic tradition in which the route to high office is through examination, and education and promotion becomes to

be seen as largely a male preserve: women's primary role is as wife and mother and their own self-development is not considered particularly important (Granrose, 2005).

These deep-rooted cultural attitudes sit uncomfortably with the utopian views of gender equality which were introduced to China in the very recent past through international socialism. These more traditional views have also contributed to an environment where lesser value is placed on daughters than sons and the manifestation of a disturbing gender imbalance in the population. China's last census, carried out in 2000, showed 116 male births for every 100 female births (UNDP, 2003) This pattern has become particularly noticeable in rural areas since the introduction of both the one-child policy and modern medical technologies such as sex identification screening and abortion. The implications of this are profound and include the kidnapping and trafficking of women for brides (sometimes from neighbouring countries such as Vietnam) and government fears of the socially disruptive potential of young men unable to find wives, even through the most egregious means (*The Guardian*, May 13, 2002). In short, while the principle of gender equality may well be enshrined in law, there are many opposing messages in Chinese society in relation to the place of women in society. Of course, these differing threads will influence different groups in different ways, and, bearing this fact in mind, the next section looks in more detail at the effects of China's economic reforms on three groups of women: those who have stayed in rural areas, those who have migrated to the cities, and those who have been permanently based in urban areas.

The reform period and its impact on rural, migrant and urban women

If the Maoist era placed a high value on ideology it often overlooked material factors (Hershatter, 2007). Following Mao's death in 1978, the so-called 'reform' era began and a drive for economic efficiency came to the fore. This process was accelerated following Deng Xiaoping's famous tour of southern China in 1992 during which he encouraged the development of personal entrepreneurship and 'opening up' to the West, in terms of establishing business links with foreigners and improving technological know-how (Zhao, 1993). It is with the gendered consequences of these changes that the rest of this chapter is concerned.

Rural women in the reform era

In 1978, in an effort to increase agricultural productivity, the team-based commune farms of the 1950s were converted into small family farms under the 'Household Responsibility System' (HRS) (Lardy, 1983). This change raised concerns about the decline in women's bargaining power within the household, as it reinforced traditional 'home-based' production and reduced women's cash income (Aslanbeigui and Summerfield, 1989). Moreover, feminist scholars argued that the application of the one-child policy in rural areas was in direct contradiction with the HRS which implicitly encourages larger families, with more boys, who are better able to work the farm (Stacey, 1983; White, 1994).

Furthermore, the rising rate of rural-urban migration clearly has implications for those who remain behind in rural areas. While precise data is difficult to come by, a number of studies have shown that as young women (and men of a wider age-range) migrate to the

cities, middle-aged, married women are left in the countryside to run farms largely unassisted (Aslanbeigui and Summerfield, 1989; Liu et al 2006). This so-called ‘feminization of agriculture’ raises concerns because, amongst other things, it means that older women are ‘stuck’ in the low-paying agricultural sector. On top of this, the decollectivization of agriculture led to a collapse in China’s commune-based health system and has left an estimated 80% of the rural population without insurance (World Bank, 1992; Berik et al 2007). In brief, the situation of women in rural China is testing and they appear to have gained little from reform-era policies.

Migrant women in the reform era

Table 1 shows the shifts in the percentage of the population living in rural and urban areas in 1978, 1990 and 2006. While in 1978 just under 18% of the population lived in urban areas, by 2006 this had risen to nearly 44%. China’s residence registration system (*hukou*) means, however, that relocation to the cities is not straightforward, and official statistics have difficulty in tracking the precise extent of migrant labour ²(Banister, 2005)

TABLE 1 HERE

The *hukou* system has been designed to ensure that unmanageable population shifts from the countryside to the cities are avoided and access to jobs and services, such as health and education, are linked to the residential area shown on an individual’s permit (Berik et al, 2007; Cheng and Selden, 1994). The registration restrictions have been relaxed to

² Indeed, while official statistics can be contentious in many parts of the world, in China they are particularly murky (Baniser, 2005; Laux et al, 2003). Nevertheless, for the want of alternatives, they are the best indicators available of overall change, though meaningful analysis is often difficult because some figures are not disaggregated according to gender.

some extent in recent years, but given China's ambiguous property rights, which require use of land for access to land, the overall pattern is that whole families are discouraged from moving and it is more usual that an individual family member will temporarily relocate (Davin, 1999; Zhao, 2002; Zhong, 2005). As mentioned above, there is a tendency for young, unmarried women (known as *dagong mei*, or 'working sisters') to migrate from the countryside and it has been estimated that they comprise some 30-40% of the total migrant population, which in the late 1990s stood at around 100 million (Hershatter, 2007). According to Jacka (2005) *dagong mei* are the majority of workers in textiles, domestic work, toy and electronic manufacturing and sex work and are particularly likely to be found working in the Special Economic Zones (SEZs) of southern China.

It is fair to say that China's 'opening to the world' rested on the creation of the SEZs and, consequently, on the labour of migrant workers. Yet the quality of the employment found in the SEZs is mixed. On the one hand, there is some evidence that those who work in foreign-invested enterprises in areas with a high level of FDI receive higher wages compared to other enterprises and regions. Women working in these areas, however, have received smaller wage gains when compared to men (Braunstein and Brenner, 2007). Moreover, while the wages women receive may be higher than some of the alternatives available to them, it should be noted that a number of researchers have found that the expansion of jobs and wages for young rural women in export manufacturing has been associated with exploitative work conditions (Berik et al 2007). One recent example is Pun's (2007) case study of foreign-owned electronics companies who use the dormitory system. By integrating working and living spaces, employers are able to increase

productivity and profits by using techniques which could, by the International Labour Organization's definitions, be considered forced labour, such as mandatory overtime and continuous working without days off. While these practices are also in breach of China's own labour laws, extensive problems with enforcing China's legal framework means that such violations are relatively easy to commit (Pun, 2007; Burda, 2007). Thus, while women working in these companies may earn comparatively high wages, they sometimes do so both at the expense of their health, through working excessively long hours in poorly regulated industries, and at the infringement of their basic rights in both Chinese and international law (Burda, 2007; Berik et al, 2007).

Urban women in the reform era

In urban areas, until around 1992, China's state owned enterprises (SOEs) and work units, or *danwei*, represented the traditional socialist assurance of life-long job security (Dong et al, 2006). As well as employment, they provided a range of welfare support in urban areas such as subsidized housing, healthcare, education, retirement support and a certain level of child-care. In fact, the social and practical support provided by *danwei* created a situation where almost all working age women were employed full-time; part-time employment and full-time homemaking were practically unheard of. Of course, women were still segregated both horizontally, in that they were most likely to be found in 'female' industries such as social services, manufacturing and trade, and vertically, in that they were most likely to be in the lower-paying jobs in those sectors (Summerfield, 1994; Yee, 2001).

China's transition to a market economy, however, has resulted in changes in the structure of SOEs which have proved particularly disadvantageous to women. In 1992, the central government initiated ownership reforms of the SOEs many of which were either made into joint-stock companies, merged, sold to individuals or made bankrupt (Berik et al, 2007). Moreover, the 1994 *Labour Law* effectively ended life-long job security by allowing employers to dismiss workers. It is estimated that nearly 30 million employees were laid off between 1998 and 2002 (Giles et al 2006; Dong et al, 2006). In the late 1990s, women were made redundant at higher rates than men, found it harder to find new jobs, and were more likely to be in insecure, informal work when they were re-employed (Appleton et al 2002; Giles et al 2006; Du and Dong 2007). While it is certainly true that opportunities in the 'feminised' private service sector also increased during this period, the women most likely to get those new jobs were young, attractive and educated (Summerfield 1994). The group of women who were particularly hard-hit by the restructuring process were the less-educated and middle-aged (Dong et al, 2006). As Liu (2007) notes, the SOE reforms placed a particularly heavy burden on the women of the 'unlucky generation': some of whom had to tolerate the famines of the 50s, the Cultural Revolution in the 60s and 70s, the one-child policy, and the redundancies of the 80 and 90s.

Moreover, the ways in which people in urban areas 'lost' their jobs during the lay offs did not always appear in official statistics. Liu (2007) notes that becoming 'economically inactive' during that period occurred in the following ways:

- i) *Extended maternity leave* In the late 1980s and early 1990s SOEs could extend the 56 day period of statutory maternity leave indefinitely.

- ii) *Internal or in-house retirees* Older workers, who would reach the legal retirement age within 5 to 10 years, could be given a portion of their salary and retain a link with the enterprise, but would receive no further salary increase or bonus until they reached the age of eligibility for state pension (women retire at 55 if they are in professional salaried jobs and 50 otherwise, men retire at 60 and 55). This meant that, as women retired before men, they were much cheaper to lay off because, financially speaking, they became the responsibility of the state, rather than the organization, at an earlier date.
- iii) *Laid off workers (xiagang)* This term actually covers several sub-categories, including: i) those who are called in to work as and when they are needed – *daigang* (‘waiting for a post’); ii) workers on unpaid leave who do not work for the enterprise but who maintain some sort of link with it – *liangbuzhao* (‘neither party looks to the other’); iii) those who entered a re-employment service centre between 1998-2001 and, if they failed to find work in this period, could be registered as unemployed and entitled to benefits.
- iv) *Bought-out workers (mai duan gong ling)* This category includes those who were paid a lump sum and ceased to have any link to the SOE and had to make their own pension arrangements. These ‘buyouts’ were officially excluded from official statistics.

Adapted from Liu (2007) p. 132-133

While *xiagang* appear in official statistics, the other categories listed do not. It is clear, then, that from the definitions above, women in urban areas were particularly prone to be

invisibly 'laid off' by both the enforced extended maternity leave and the early retirement policies. Liu (2007) estimates that while women consisted of around 40% of the labour force, they totaled around 60% of those who lost their jobs. Moreover, when spouses work in the same organization, it has been common practice for the wife to be laid off before the husband (UNDP, 2003). Employers often argue that women should be the first to go because they can still rely on their husband's salary, reinforcing traditional gender stereotyping based on men as 'breadwinners' and women as 'homemakers' (Wang, 2000; Liu, 2007). It can also be harder for laid off women to find new jobs because their social connections (*guanxi*) are often more limited than those of their male colleagues. Liu's (2007) qualitative study of women made redundant in Nanjing found that while women could use the connections of their father and husband to find new employment with relatively little outside interference, it was more difficult for them, unlike their male colleagues, to use relationships with their previous supervisors. Liu's participants noted that there was a presumption of sexual impropriety if this line of connection was used and some experienced peer-group gossip about their 'immoral behaviour' if they attempted to pursue new employment opportunities in this way.

It has been argued that China's membership of the WTO may lead to a revival of certain industries where women are more likely to be employed, such as textiles and clothing. However, as we have seen, employers in textiles factories have a preference for young female migrant workers, and the growing service industries, often termed 'youth occupations', are usually closed to the over 30s. It seems unlikely, therefore, that the urban women made redundant during the restructuring of the SOEs will benefit from these new employment opportunities (UNDP, 2003).

Gender discrimination in employment

The previous sections outlined the different contexts in which Chinese women encounter the labour market, and the difficulties they face when doing so. The following paragraphs will look in more detail at some of the barriers to women's advancement. Cooke (2005) notes that indirect and direct gender discrimination exists in government policies and employer attitudes in relation to recruitment practices, promotion opportunities and retirement regulations. Following her structure, the next section will examine each of these areas in turn before evaluating in more detail the sources of women's disadvantage.

Recruitment

During the 1980s and early 1990s, SOEs were to some extent obliged to take on quotas of female graduates, though some have argued that even under state instructions they were reluctant to take the numbers of women allocated to them (Granik, 1991). With the end of the allocation system in the mid-1990s, the problem of a gender bias in recruitment became more apparent. In a survey of a 1,000 graduates conducted by the Shanghai Women's Federation in 2004, 55.8% of female graduates said they felt they had been discriminated against when job-seeking. Interestingly, the ways in which employers expressed a preference for men over women, without directly saying so, were sometimes quite creative: one example cited in the report was a recruitment advertisement that stated that applicants must be able to play football (*China Daily*, August 9, 2004). Similarly, a

poll conducted by the ACWF in the province of Jiansu, showed that 80% of female survey respondents felt they had experienced discrimination in recruitment with many participants in this survey reporting that employers had been quite explicit in stating their preferences for men with bald statements in their advertisements such as ‘male graduates only’. Moreover the organizations which followed this practice included not just private companies, but government departments, SOEs and foreign invested companies. When women were recruited, some found that they were issued with (illegal) contracts which included such terms as ‘no birth for five years’ (Chao, 2003).

According to Cooke (2005), now that the state is retreating from business and employers have greater control over their recruitment methods, gender-biased attitudes are becoming far more noticeable. Some of the key reasons for this include the perceived costs to the organization associated with maternity leave and an assumed decline in women’s motivation following childbirth (Ebrahimi et al, 2002). On the one hand, Chinese women seem to have a good deal of employment protection against these sorts of prejudices in recruitment, for example, Articles 21 and 22 of the 1992 *Law on the Protection of Rights and Interests of Women* states that ‘no unit should refuse to hire women or set a higher threshold for hiring women on the sheer basis of sex’ (Burda, 2007, p265). In principle then, the legal framework is in place that could be used to challenge the discriminatory behaviour of employers. However, as in other areas of legislation in China, there is a significant gap between regulation and implementation. One reason for this is that there is very little detail in the laws on quite *what* the specific requirements are for ‘the same rights’ and quite *how* the law should be implemented (Burda, 2007). As it

stands, a job can be classified as ‘unsuitable’ for women by the employer and this is, to all intents and purposes, the end of the matter.

From January 2008, however, a new *Employment Law* will provide employees with labor arbitration and a new right to sue against discriminatory practices. One of the features of the law is a *specific* list of jobs which are deemed as ‘unsuitable’ for women, such as mining, lumbering, and the installation and removal of scaffolding (*Beijing Review*, November 6, 2007). On the one hand, having a list of jobs which are ‘unsuitable’ for women seems contradictory to the general notion of equal rights for all. But some have argued that by explicitly stating which jobs are unsuitable for women, it becomes harder for employers to use this line of reasoning to exclude recruiting women in an arbitrary way. Liu Shen, a Professor at China University of Political Science and Law, has said that, as it stands, the ‘unsuitable’ category makes gender discrimination in recruitment very easy for an employer. For example, by simply stating that a job requires frequent business trips and the need for extra working hours (or the ability to play football) employers have been able to designate a new post as ‘unsuitable’ for women and, to date, such job descriptions have been largely immune from legal challenge (*Beijing Review*, November 6, 2007).

Interestingly, in some sectors, such as manufacturing, it is men, rather than women, who may face discrimination in recruitment. To say of someone that ‘they were born in the 80s’ implies that they lack a work ethic, and this is particularly so with ‘only child’ boys who are thought to suffer from ‘the little emperor’ syndrome – spoilt and over-indulged by parents and grandparents, in later life they are thought to make demanding, difficult and unproductive employees. *The Economist* (August 16, 2007) reported that Liam Casey,

the manager of a contract-manufacturer in southern China had observed that girls (because of their lower social worth) were less likely to be spoiled than boys and he reasoned that if he hired them and showed them loyalty, they would be more loyal to him in return. He argues that his hunch was correct and that this is one reason why his business has much lower rates of staff turnover than his rivals'. It would seem, therefore, that while graduate women may be considered 'unsuitable' for white collar managerial jobs, the lower value placed on women as a whole makes them entirely 'suitable' for recruitment into repetitive manufacturing work.

Promotion

It is difficult to know precisely how many women work in managerial positions in different sectors of the labour market. Data from the ACWF (2006) compared figures from 1990 and 2000 and found that while there had been increases in the numbers of urban women working in senior management, professional and technical work, the numbers employed in these sectors was still small (Table 2).

*** TABLE 2 HERE***

Cooke (2005) notes that even when they are employed in occupations of higher skill and status (such as doctors, scientists, lecturers and government administration) women are likely to be found in lower level jobs, with fewer promotion prospects and lower earnings – a classic example of gender vertical segregation found in almost all parts of the world. Focusing particularly on women working in government, Cooke found that while policy tends towards the use of affirmative action to ensure that women have the opportunity for

promotion, this has, in some cases, been counter-effective with women receiving grand-sounding titles yet in practice having little authority to act (Reskin and Ross, 1992).

Others argue that the reason that fewer women receive promotion can be linked to gender stereotyping and negative attitudes towards women in management. Korabik (1994) has suggested that these sorts of views (which are found throughout the industrialized world) influence women's self-perception and lowers their motivation to manage. This, in turn, creates a vicious circle of lowered career expectations amongst women themselves and, consequently, lower levels of women seeking, or gaining, promotion into top positions. Moreover, corporate hiring generally seems to value 'masculine' traits in managers such as assertiveness, ambition and drive, all of which are seen to be particularly unattractive qualities in the traditional Chinese wife (Chen et al, 1997; Chow, 1995). Interestingly however, Ebrahimi et al's (2001) study of Chinese managers showed no significant gender differences in either participants' motivation to manage, or personality traits such as assertiveness and competitiveness. They argue that the under-representation of women in managerial positions cannot be reduced to individual level variables amongst women, and other factors need to be considered such as organizational practices and government policies.

Retirement

As mentioned above, the retirement age for professional women in urban areas is 55 and for other female workers it is 50; for men, it is 60 and 55. While the Ministry of Personnel has released a number of documents which provide the legal basis for female professorial experts to work until 60, the decision ultimately rests with the employer and is based on their needs for expertise, rather than on the wishes of the employee (Lou,

2000). One of the obvious consequences of such an early retirement age is that fewer women manage to make it to the top positions for the simple reasons that the lengths of their careers are shorter. Moreover, because of this 'short path', employers are less likely to train and promote women in the first place as they represent a 'poorer return' on investment than men, in terms of labour time (Cooke, 2005). Women's earlier retirement age serves, therefore, to truncate their career opportunities (Korabik, 1994).

Given that pension payments are linked to final salaries and length of service, this legislation also means that women's pensions are reduced. And, as already discussed, the earlier retirement age for women also acts as an incentive for employers to lay off women before men because this means they have to pay them the redundancy allowances for a shorter period of time. The retirement law is at odds with the constitutional right of women and men to have equal access to employment and in August 2005, Ms Zhou Xianghua, an employee at China Construction Bank became the first woman to challenge the legality of the mandatory retirement age. While Zhou did not win her case, it provoked a lively debate in the Chinese media and in March 2006, the Beijing University Women's Legal Research and Services Centre made a formal request to the National People's Congress (China's 'parliament') to review the constitutionality of the State Council regulations on retirement age (*Xinhua*, July 24, 2006). Whether or not anything will come of the lobbying remains to be seen and, for the time being at least, the consequences of gender differentials in the retirement age are largely to the disadvantage of women in terms of both career progression and pension entitlement.

Causes of discrimination

The reasons why women face a tougher time in the labour market in China are probably similar to those faced by women in other parts of the globe: the economic costs associated with maternity leave, differential access to education and associated human capital differences, and poorer social networks and mentoring systems. On top of this, China has particularly weak law enforcement in this area, though this is not to say that legal systems are entirely reliable in the West either. Each of these causes will be examined in turn and as discriminatory social attitudes underlie some of these factors, this issue will also be considered, as relevant, under each heading.

Costs associated with maternity leave

The reform of the SOEs has meant that their traditional role as providers of social welfare has been shifted to some extent onto the employee, the state and insurance companies (Croll, 1999; Razavi, 2007). While this eases some of their organizational costs SOEs are, nevertheless, still required to make some contribution towards employee welfare programs (Leung, 2003). The more young women an organization has, therefore, the more likely it is that it will have to contribute towards maternity costs at some point. In some sectors of the labour market, this can discourage the initial recruitment of women (Cooke, 2005). However, the introduction of the employment contract system in the mid 1980s meant that employers could *avoid* paying these costs by hiring women on short term contracts. This practice, in turn, creates a discontinuity in women's employment patterns which, in-itself, exacerbates the problem of women's lack of professional experience and human capital (Cooke, 2005).

Differential access to education

The differential access to educational opportunities experienced by the majority of women in China also contributes to their lower level of human capital accumulation (Granrose, 2005). The widespread belief that education is more important for men than women remains entrenched in rural areas. In 2006, for example, 4.8% of Chinese men were classed as illiterate, compared to 13.7% of women, the majority of whom were clustered in rural areas (China Statistics Yearbook, 2006). While an aggregate figure may mask generational change, there is also evidence that the rural-urban divide in relation to access to higher education continues. In Table 3, for example, we can see that, in 2006, while roughly similar numbers of women and men were attending college and higher education in Beijing, in Sichuan, a less-developed and more rural western province, there were nearly twice as many men in higher education than women.

TABLE 3 HERE

There is, however, some evidence of change in relation to parental expectations of only child girl children in urban middle-class families. Fong (2002) compared the experiences of singleton daughters born in the 1980s with those of their mothers and grandmothers and found that they received significantly greater levels of parental and educational support, which could be explained in part because they did not have to compete with brothers and were seen to be able, through their new found access to higher paid jobs, to provide financially for their parents in later life. However, while the one-child policy has meant that some girls in urban areas from wealthy families may now have more educational opportunities, they are the exception, rather than the rule.

Moreover, much as in the West, there are also gender differences in the subjects studied at university, with greater numbers of men found in the sciences. Again this has long-term career consequences, in that graduates in science and technology are more likely than arts graduates, in the long term, to find high-paying managerial and professional work. Interestingly, however, while the numbers of women and men studying science has never been equal, during China's reform period there has been a rapid decrease in the numbers of women studying sciences. For example, in the 1970s, women constituted more than 1 in 3 of physics students in two of China's best universities: Beijing and Nanjing. In 2001, however, the number had dropped to less than 1 in 10, see Figure 1 (*Science*, January 11, 2002).

FIGURE 1 HERE

The reasons for the relatively high numbers of sciences students in the 1970s includes the old educational assignment system, which meant that bright students were allocated to physics courses even if they did not apply for them directly, a stronger desire amongst women to assert themselves in the 1970s (inspired in part by the socialist discourse of gender equality), and the state provision of childcare which made a career in science a realistic and workable option for women (*Science*, January 11, 2002). The sharp decline in numbers in recent decades has been blamed on both the decline of state support for women in science and media messages which display female scientists in unflattering terms (*Science*, January 11, 2002). Indeed, the portrayal of professional women as cold hearted and unattractive is not uncommon in some parts of China's media and this has had important implications for young women's career choices (Cooke, 2005).

Social networking and mentoring

It has been well-documented that women in most industrialized economies are at a disadvantage in terms of accessing informal mentoring through social networks. This can occur because they are excluded from 'after-work' get-togethers by the nature of the activities, and lines of conversation, which can sometimes occur in groups dominated by men (Simpson 1998; Fox and Schuhmann, 2001). In the Chinese case similar problems arise for women, particularly in relation to the establishment and maintenance of *guanxi* (loosely defined as mutually beneficial relationships established over the long term). For promotion or personal advancement, people often turn to their *guanxi* for help and information. As we have seen, for women, establishing *guanxi* with men who are not their relatives can sometimes lead to rumors developing about some form of sexual liaison. This need not just tarnish the reputation of women, however, but also of men and can act as a disincentive for them to act in a mentoring role towards women in the first place (Liu, 2007; Yang, 1996). Wylie's (2004) qualitative study of women in managerial positions in Beijing and Shanghai found that many felt that networking with their male managers required of lot of flattery which, in turn, made them feel uncomfortable and insincere. Wylie suggests that new technologies could provide the opportunity for new forms of social networking for women in the future. Although their influence is poorly understood, there are now a number of websites aimed at Chinese women, including female professionals and entrepreneurs, which have the potential to open up new support avenues for women. At the moment, however, there is no evidence that this is how they are used and it remains to be seen to what extent new technologies can substitute for more conventional forms of social networking.

Weak enforcement and bias in existing legislation

While the new *Employment Law*, effective January 1 2008, takes a tougher line on the use of temporary contracts, debates are taking place about how the law will be enforced, and against who it will be enforced, with a view that foreign companies, rather than local ones, will be the main group of employers targeted (*Forbes*, April 25, 2007).

‘Enforcement’ was rarely an issue in the old SOEs, in that regulations were followed, more or less, because the organizations were actually owned by the state in the first instance. However, as companies have become more profit-focused, and the state has withdrawn from its supervisory role, a gap has opened up between legislation and practice. Add to this a deficiency of highly skilled and informed legal experts, a judiciary which often lacks impartiality, and a court system which is in dire need of further support and development and it is no surprise that law enforcement is weak (Clarke, 2007; Potter, 2001).

Moreover, the nature of punishment, when it is administered, does not act as a great incentive to change employer behaviour as it usually entails token administrative penalties and warnings. Furthermore, low levels of awareness of regulations by both employers and employees mean that employers do not know how to manage legal disputes and employees do not realize they are able to raise grievances through legal channels in the first place (Cooke, 2005). In sum, China’s legislation is largely rhetorical in its support of gender equality. This is not entirely without value in that it ‘makes a point’ about ideal standards, but it does mean that, in most cases, it is of little practical use in reducing discriminatory practice.

Female entrepreneurs

The reforms, while being particularly difficult for some groups of women, have, nevertheless, opened up new opportunities for others, and female entrepreneurs are one example of such group (McLaren, 2004). Tracking women's entrepreneurial activity in China is still in its infancy, with vast differences in the numbers recorded in official statistics. For example, according to the State Industry Bureau, in 1998, there were more than 18 million women registered as private enterprise owners. This survey used a definition of ownership which could include those selling goods on the streets or in small shops. A much lower number was given in the China Statistical Yearbook for 1999, which reported a figure of 7.5 million women employed in 'enterprises of ownership' (Wylie, 2004). Nevertheless, despite these ambiguities, it is probably fair to say that the economic reforms have led to an increase in the number of women engaged in entrepreneurial activity of some sort. A survey of 1.5 million enterprises run by women, conducted by the China Association of Women Entrepreneurs in 2000, showed that 90% of them were engaged in manufacturing and service industries, and that the business failure rate was only 1.2% (*Xinhua*, July 24, 2006). Moreover, the UN (2005) reported that, between 1995 and 2005, over 300,000 poor people, most of the women in rural areas, had benefited from micro-finance projects which focused on capacity development such as building business skills.

While entrepreneurial activity may provide women with new employment opportunities, they still face a number of gender-specific barriers. Micro-credit systems, for example, can be biased against women as the application procedure is based on the family unit and

requires the name of the householder in the permanently registered residence (UNDP, 2003). In China, as the husband is usually the registered householder, in some cases this means that men hold the right of loan applications, which can potentially restrict the start-up and employment activity of women. In addition, the scale of the businesses run by women is rather small. For example, it has been estimated that only one third of the products produced by female entrepreneurs are directly or indirectly sold to the international market, with most of their annual sales less than US\$100,000 (UNDP, 2003)

Nevertheless, the arena of entrepreneurial activity draws our attention to the active, engaged roles which China's women have carved out for themselves during the reform period. Goodman's (2004) survey of elite cadre and 'new rich' circles in Shanxi province showed how women were certainly not the submissive chattels of their husbands, but were dynamically engaged, often as financial managers, in jointly-run household enterprises. Within these elite circles, the power of networking was also strong, be that in the context of their membership of the CCP or in relation to local knowledge which they gained through family networks. However, one of the main points which Goodman makes is that these women were not passively following their husbands' lead in their businesses, but were responsible for financial planning and management in their own right. Moreover, while it is true that women's entrepreneurial activity is usually locally contained and based on modest revenues, there are a number of high profile Chinese women in international business. In 2006, for example, Cheung Yan, the 49-year-old head of Nine Dragon Papers, a recycling company, was said to be worth \$3.4bn, making her the richest self-made woman in the world that year, beating both JK Rowling, worth \$1bn, and Oprah Winfrey, who earned \$200m (*The Guardian*, 11 October, 2006).

While Chinese women as a group may face many discriminatory hurdles, these need not necessarily translate into insurmountable barriers to their economic success and it is important to flag up some of their considerable achievements.

Conclusions

What can be concluded from the range of evidence presented above? On an optimistic note, women's employment opportunities in certain areas of manufacturing are growing and some of these jobs have relatively high levels of pay. Moreover, entrepreneurial activity is on the increase and this has given some women new levels of autonomy and financial freedom. On a more pessimistic note, for the majority, conditions of employment remain poor and labour laws are inadequately enforced. Middle-aged women in rural areas can be 'stuck' in low-paying agricultural work, young migrant women can find themselves in, if better paid, then usually more insecure and unregulated employment, those working in SOEs are likely to be the first in line for redundancy and often find it difficult to find new jobs. Furthermore, a reduction in public services has led to many women picking up extra responsibility for unpaid care work.

There are also numerous examples of the ways in which social values and attitudes contribute to discrimination against women in the workplace. This has manifested itself in biases against women in relation to education, recruitment, redundancy and promotion. Indeed, as discussed above, in line with 'reserve army of labour arguments', there have been occasions, particularly during periods of high male unemployment, when patriarchal values have re-surfaced in state-sponsored media which have implied that women should

‘return’ to more subordinate roles in the family (Summerfield, 1994; Yee, 2001). Such remarks sit uncomfortably with the CCP’s official endorsement of gender equality. But as we have seen China’s labour laws in relation to gender discrimination operate at a largely rhetorical level, and change is hindered by a lack of expertise, poorly functioning courts and questionable political will.

Some of these patterns seem to indicate a degree of ‘convergence’ with the trends found in other transition economies where labour market discrimination against women sharpened in reform periods, particularly in relation to the older, the less educated, and the less entrepreneurial in spirit. There is also some indication that service sector jobs rest on youth and good looks, with some arguing that increases in women’s consumption choices has intensified their concern with physical appearances, as indicated by a growing interest in beauty pageants, plastic surgery and other forms of cosmetics (Xu and Feiner, 2007). In this regard, China also seems to be converging on a more ‘commodified’ Western attitude towards femininity and beauty, which contrasts markedly with the images of strong-bodied ‘labour heroines’ working the fields and factories during the Maoist era.

Yet there are also important ways in which China diverges from the patterns of industrialization found in other parts of the world. One of the key differences with similar reforms in the former Soviet block and Latin America has been a divergence from the neo-liberal ‘shock’ therapy of rapid and far-reaching transformations in markets and political institutions (Berik et al 2007). Instead, China has adopted gradualism and

resisted exposing every aspect of its economy simultaneously to market forces. In addition it has made few adjustments to its political institutions and takes punitive measures against those who try to lobby for dramatic change. Certainly, there have been new employment opportunities for women under this system, with the growth of rural industries, foreign invested enterprises and so on, and China's 'gradualist' approach has most definitely minimized the kind of gross hardships and poverty seen in other developing countries (Qian, 2003). Yet the distinctiveness of China's transition has failed to prevent the surfacing of greater disadvantage for women compared to men (Berik et al 2007). When evaluating these changes, therefore, whether or not women are now leading 'better' lives, rests to some extent on the indicator of well-being which is adopted (Nussbaum, 2004; Sen, 1999). New employment opportunities, if they are in precarious jobs with bad working conditions, may not necessarily enable individuals to live better lives, as they themselves might define them, even if their salaries are higher than the available alternatives. In sum, it is probably true to say that equality of opportunity for women in China has taken second place to the drive for market efficiency, and that entrenched social prejudices against women's labour force participation, coupled with institutional weaknesses in the implementation of China's own labour laws, remain major obstacles to fair play.

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Table 1 **Percentage of population in urban and rural areas**

	1978	%	1990	%	2006	%
Urban	17245	17.91	30195	26.40	57706	43.90
Rural	79014	82.09	84138	73.60	73742	56.10
Total	96259		114333		131448	

Source: China Statistical Yearbook, 2006__Unit: 10,000 people

Table 2 Urban women in management, professional and technical work

	1990	2000
Senior Management	2.9%	6.1%
Professionals and Technical	17.4%	22.8%

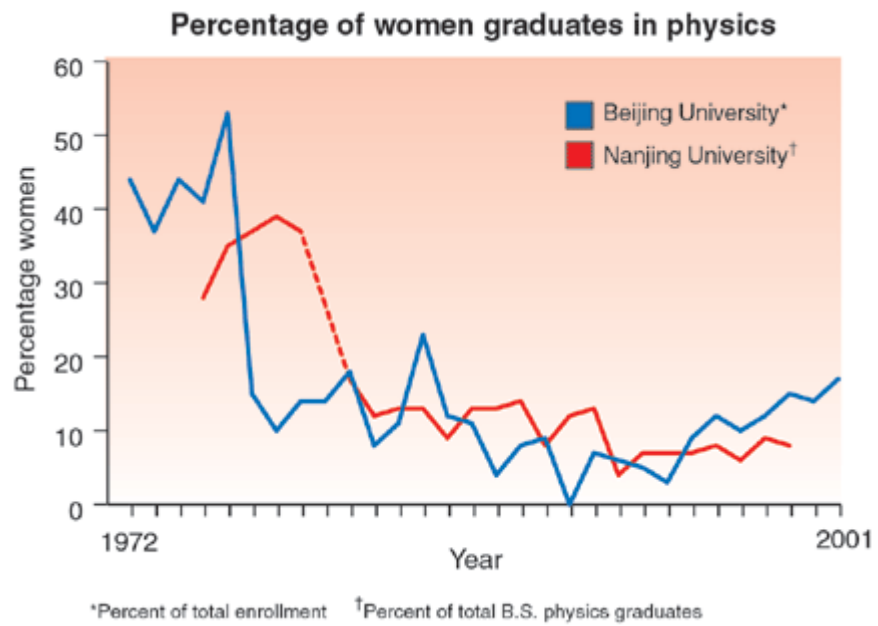
Source: ACWF (2006), No baseu provided

Table 3 **Numbers of women and men in college and higher education in 2006**

Region	Total	Men	Women
National	69,581	39,525	30,056
Beijing	4042	2053	1989
Sichuan	3239	2144	1095

Source: China Statistical Yearbook, 2006__Unit: 10,000 people

Figure 1³



³ Permission request needed.