Prior to Confucianism, Chinese life was governed widely by prevailing indigenous and animistic spiritual beliefs. The Mosuo people of Southwestern China worshipped a female deity and this image of the mother goddess had a direct social impact within the sexual and social freedom of Mosuo women (Du 254). Similarly, the divinity of male-female unity established by indigenous mythology and cosmology of China’s Lahu minority influenced that society to adopt a “world view...organized around the principle of gender-unity” (Du 256). While these examples provide a limited view of female sex and gender in Ancient China, research does demonstrate the importance of religious ideology in shaping the position of women within the context of any given culture or tradition (Du 253). In pre-Confucian China, the most widely followed organized religion was Taoism and examples of societal views on the position of women can be found within Taoist tradition and thought. In the early 4th and 3rd century B.C., Taoism emerged as a formal religion born from an exchange between and unification of localized indigenous religions (Verellen 328). In Taoism, like many of the indigenous religions it assimilated, the union of masculine and feminine is an important concept in achieving individual balance and harmony. The Tao Te Ching, regarded as Taoism’s essential text, encourages practitioners to “know the masculine, but keep to the feminine.” (Lao-Tzu 27).

The rise and eventual establishment of Confucian ideology as the basis for Chinese life in the Han Dynasty is the definitive factor in the holistic transformation of China from a society with a pluralistic view of sex/gender unity and equality to a pure patriarchy. The establishment of Confucian ideologies, in combination with an ever-tightening application of Confucian morality to the subordination of women, is the basis for the concept of the Chinese patriarchy that we know today. The most indicative of the many moral and social nuances that influenced the Chinese perception of women is the expectation of women to uphold the three subordinates: to her father before marriage, to her husband after marriage, and to her son after her husband dies. It was during this period in Chinese history that the importance of women began to immediately be minimized in relation to men. The decline in women’s rights and position culminated with the establishment of the Tang and Song Dynasties. It was during these dynasties that the practice of foot binding became prominent. Thus, the near complete social subjugation of Chinese women was manifested in the physical act of limiting the mobility and independence of Chinese women. It was not until the Qing Dynasty, that women began to experience a degree of reprieve and an increased level of freedom, especially in terms of educational access. The Qing rulers of the 18th century sought a revitalization of education (Spence 223). The renewed sense of education’s importance to the Chinese state, brought about an increasing desire and willingness for women to participate in education.
and the first official Girl’s School was opened on May 31st, 1898 (Qian 401). The abolishment of the centuries old practice of foot binding also served to demonstrate a move towards women’s rights. The re-emergence of concepts of sex/gender equality during the reforms of the mid 1890s gave Chinese women a sense of purpose and possibility and a desire for a voice (Spence).

Women in Early Communist China: The Rhetoric of Change

The desire of Chinese women for an expanded societal role and position, fostered during the decline of the Qing, perfectly set the stage for early inclusion of women’s issues within the Chinese Communist Party (CCP). In 1921, the founding of the CCP provided an essential outlet for women to work towards a society and government that zealously defended their rights (Spence 290-311). The Party’s objective of eliminating the existing systems of hierarchical oppression included that of overthrowing the patriarchy.

Examples of zealous gender rhetoric were utilized early and echoed often. Party leaders—most notably Mao Zedong, through his writings on women and Chinese society in Changsha newspapers in 1911—provided individual assertions of CCP’s philosophy concerning women (Spence 294). More than individual party philosophy, the language of sex/gender equality and liberation was actively promoted as a reflection of the CCP as a whole:

“The misery that Chinese Women have suffered for thousands of years has now reached a limit. The Trammels of a patriarchal social system and oppression by imperialism and its tools... have kept women from achieving political and economic independence and have literally made them into commodities, playthings, parasites...” (Hong 1)

The energy and passion with which the CCP supported the issues of women’s rights was instrumental in the ascension of the CCP as a grassroots movement, with women being actively involved in the establishment of underground communication and information networks.

With the formation of the PRC in 1949, the newly mandated socialist government of the Chinese people was tasked with matching the rhetoric of women’s rights with governance, a task that the First Plenary Session of the Chinese People’s Political Consultative Conference (69 women were present at the conference, accounting for 10.4 percent of delegates) pursued immediately when it was convened in Beijing (Rosen 316).

Legislating Equality: De Jure Fallibility

The PRC established gender equality as an immediate legal priority as reflected in article 6 of the Common Program of the Chinese People's Political Consultative Conference — From the first plenary session of the Chinese People’s PCC, September 9th, 1949:

“The People's Republic of China shall abolish the feudal system which holds women in bondage. Women shall enjoy equal rights with men in political, economic, cultural, educational and social life. Freedom of marriage for men and women shall be put into effect” (Shanshan).

The strong declaration of commitment to women, by the PRC’s first governing body, was followed by a number of laws intended to further establish a sense of equality.

The first of these legal measures was the Marriage law of 1950. From a purely pragmatic analysis, the Marriage Law of 1950 was a document composed of 27 articles that aimed to establish a legal system for the contraction and dissolution of marriage. From the CCP promoted social standpoint, the law sought to create measures and equal recourse for women and men to dissolve a marriage that was deemed mutually unsalvageable (Diamant 173).

In 1954, the newly ratified Constitution of the People’s Republic of China emphasized the objectives of the First Plenary PCC by restating the principles of the equality and protection of women in Article 96: “Women in the People’s Republic of China enjoy equal rights with men in all spheres of political, economic, cultural, social, and domestic life” (Constitution of the People’s Republic of China).

Despite the immediacy and the strength of the language injected into these legal statements, it is important to understand the de facto reality of Western concepts of law in China. Historically, from the introduction of Western concepts of law to China during the Qing dynasty, there has been a preference for “rule by internalized morality to rule by law” (Ruskola 2532). Essentially, the tradition of Confucian morality has had lingering effects on the way in which law is viewed within Chinese society, relegating it in status to “a secondary form of social control.” Such idealistic presuppositions of law render the concrete social aspect of law as completely ineffectual state apparatus (Ruskola 2532).

Beyond the underlying cultural misalignment of Western legal concepts within the PRC model, were the all-encompassing nature of Maoist reforms and the agents of the Communist Party. Under Mao’s leadership, the rule of state played a subordinate role to the rule of Mao.

The Casualties of Change: De Facto Representations

It is convenient to view the reality for women in today’s modern China as a vast improvement from a historical legacy of foot binding and concubines. It is undeniable that there are countless women who have benefited from the movements and reforms of Mao Zedong and Deng Xiaoping. The economic reforms of the 1970s brought China to the forefront of the world
stage as an economic and political superpower. While the elevation of the Chinese state through economic reform is undeniable, the devaluation and objectification of women—as shown through the development of the sex trade and increase in sexual violence—in the wake of those reforms is equally undeniable.

Prostitution has existed at some level and with varying degrees of governmental acknowledgement—even so far as being taxed and regulated during the Song Dynasty—throughout the course of Chinese history (Cao and Sacks 532). The first contemporary/modern acknowledgement and subsequent action taken to end prostitution occurred during the formation of the Republic of China under the Nationalist government in 1911(Cao, et al. 532). The Nationalists understood the problems posed by prostitution and attempted to mitigate its prevalence by enacting a ban in 1929 (Ebenstein and Sharygin 3). The act was intended to garner support through the championing of the rights of oppressed Chinese women, however, the political tumult of the ensuing years rendered enforcement unachievable.

With the ascent of the PRC, true ideological, moral, social and legal opposition to the ideals of prostitution emerged, leading to a sharp decline in prostitution rates. Under the totalitarian leadership of Mao and his regime, the sex trade was almost entirely neutralized in the 1960s (Ebenstein, et al. 3). In 1979, the Criminal Law of the PRC made the forcing and luring of women into prostitution illegal (Ruskola 2257).

The objectification of women has increased exponentially since Deng Xiaoping’s economic reforms in line with socio-economic developmental trends. Although exact figures are hard to discern, 2010 estimates place the number of “active” sex workers between 3 million (estimated by the PRC) and 10 million (as estimated by the US) (Ebenstein, et al. 4). The number may seem insignificant in relation to the total population of the PRC; however, those numbers represent a very conservative estimate of a small demographic of “professional” sex workers. Official statistics representing all Chinese women engaged in monetary sexual transactions are unavailable, but those numbers could be as high as 20 million women (Ebenstein et. al. 4). In terms of financial valuation, the estimated value of the sex trade in China is roughly $73 Billion a year, the most of any country by far, outpacing the next country, Spain, by almost three times (Jinghao).

Specific examples of the startling trends in prostitution rates can be found in more localized information. Official records show that Canton in 1979—the year after Deng Xiaoping’s reforms—only 49 pimps, prostitutes, and customers were caught (Ren 1413). In 1985, this number had increased to approximately 2,000. In one month of 1987, 11,946 participants in the sex trade were caught (Ren 1413). Official Chinese arrest records of prostitutes reveals a 260% increase from 11,500 total arrests in 1982 to 246,000 total arrests in 1993 (Ren 1414).

The history and prevalence of sexual violence against women in China is not as easily definable as the history of prostitution, however, the limited data and statistics indicate that the occurrence of acts of sexual violence are increasing, while the willingness to report acts of sexual violence are decreasing. In the 1990s, the incidence of rape and sexual assault cases grew at a staggering rate as evidenced in this data from Hong Kong, from 800 in 1981 to 12,500 in 1998. It is also important to note that 1998 is the year after the PRC reclaimed Hong Kong (Chan 18).

The most frightening statistics, however, are those demonstrating a decrease in reporting incidents of rape and sexual assault. From 2000 to 2004, Hong Kong police documented annual unreported cases of rape at twice the amount of reported cases (Chan 17). From 1993 to 2002 Hong Kong Police saw reported rates of rape remain neutral at around 100 reported cases of rape per year. Data from the Association Concerning Sexual Violence Against Women shows that rape cases increased from 27 in 1997 to 191 in 2001 (Chan 18).

The objectification of women in China is not isolated to the sexually transgressed acts of engaging in the sex trade or sexual violence. The increased social and economic competitiveness brought forth by the economic modernization of China places value on women in relation to youth and beauty that impact the women in every possible setting—not just the brothel or the dark alley (Ren 1425). The entrance into and mobility of women within the workforce—one of the true highlights of PRC governance—is increasingly becoming a tool to objectify women. It is not uncommon to see Chinese businesses post advertisements for open positions “…specifically to solicit for single, beautiful women younger than 25 years old” (Ren 1425). It is not hard to imagine the continuous sexual pressure and coercion that these women face within the workplace. Chinese society, increasingly motivated by the competitiveness and materiality of consumerist culture, is beginning to apply a standard of valuation and worth on the women in its society.

Implications for the Future

Perhaps the greatest concern facing Chinese women in the future is the unavoidable fact that more and more Chinese men will be unable to marry due to the damaging effects of the One Child Policy. By 2020, China is expected to have 24 million men who are unable to marry due to the gender imbalance that is just now becoming an issue (Ebenstein, et al. 9). The impact that this will have on the demand for the sex trade in China is yet to be seen, however, it is very likely that recent trends will continue and potentially worsen. China’s literal gender imbalance is a stark contrast with the figurative harmony and balance embodied by the Yin and Yang.
As Chinese hurtles into the future, the fate of Chinese women is uncertain. During the sixty-four years that the PRC has led China, women have seen increased access to education and work. They have seen their rights defended, defined and protected by law. They now hold roles in government, business and academia, and are undeniably responsible for much of China’s modern successes; however, for increasing numbers of Chinese women, those successes are coming at an unimaginable cost.

Works Cited


