

Transcript of January 25, 2015 Interview with Leta Hong Fincher

This is *China Law & Policy* and welcome to our podcast. In the past 65 years, the People's Republic of China has come a long way from the way it once portrayed itself in propaganda posters of the 1950s; class struggle is long gone and communal property is on its way out. But as Leta Hong Fincher, a former award-winning journalist and with a PhD in sociology from Tsinghua University in Beijing makes clear in her new book - *Leftover Women: The Resurgence of Gender Inequality in China*, another key icon from that period has all but evaporated: the strong, independent, working woman. Instead, in its place has emerged, well-educated, urban women pressured to marry young at all costs, including missing out on one of the largest accumulations of wealth in Chinese history. After 50 years of ostensibly promoting women's rights, the Chinese government has backtracked and has allowed, even encouraged, traditional gender roles to resurface and take hold in Chinese society.

To understand more this phenomena in more detail, Dr.. Fincher is joining *China Law & Policy* today to discuss her book, *Leftover Women* and the new roles for women in Chinese society.

[01:13] **EL:** *Thank you for joining us today. Let's start with the title of your book - Leftover Women. Can you explain more what this is; when the concept first came about?*

[01:25] **LHF:** The term leftover women or shengnu (剩女) was defined by the All-China Women's Federation in 2007 to mean an urban professional woman over the age of 27 whose still single. And the same year, China's Ministry of Education adopted the term as part of its official lexicon. Ever since 2007, China's state media has very aggressively disseminated the term through its news reports, columns and commentaries. And you also see a lot of cartoons insulting single, urban educated women in their 20s; basically sending the message that these women are too ambitious they should stop focusing on their careers and they should instead look for a good husband before time runs out and they remain single forever.

[02:29] **EL:** *So you mention the state-run media promoting this and that also that this was a term created by the All-China Women's Federation which is a government-backed organization. So is this an intentional concept that the Chinese government is pushing on women and if so, why?*

[02:49] **LHF:** I think there is no question that it is a deliberate campaign. If you look at the news reports that Xinhua put out in 2007 and 2008, there are quite a few of them that re-appear over and over and over again over the years and are still re-appearing even in 2013 with only slight changes in the wording. And maybe they will change the picture.

[03:18] So there's no question that the Propaganda Department wants to get these reports out and is pushing them out continuously. When I looked into the origins of the term, I noticed that in

January 2007 China's State Council issued a population decision which was a very important statement about what they called unprecedented population pressures facing China in part because of the sex ratio imbalance which they described as a real threat to social stability. And they said that China has a problem of so-called low quality of the population which would make it very difficult for China to compete in the global marketplace. So they set a key goal of so-called upgrading population quality. This term "population quality" or [renkou] suzhi (人口素质) can refer to a complex mix of superior genetic make-up, education, a more nurturing environment. The women who are being targeted in this leftover women media campaign are precisely the women who are considered to be of highest quality. So I argue that this campaign is in part an effort to get these highest-quality sort of speak women to marry and have a child for the good of the nation.

[04:59] **EL:** *In your book, you talk about the leftover women and then you tie that concept to the current property market. You argue basically that because of the fear of being leftover, the women end up losing the opportunity to gain from one of the largest accumulations of wealth in Chinese history which is basically the current urban real estate market. Can you explain that tie a little clearer?*

[05:28] **LHF:** First of all, there are a lot of complicated dynamics that go into home buying in China. So marriage is inextricably connected to home buying in contemporary China. Along with very intense marriage pressure there is also intense pressure to buy a home. The norm is that the man is supposed to be the official homeowner and there's a lot of propaganda, real estate developer advertisement and online matchmaking advertisements all perpetuating the notion that a man must own a home in order to attract a bride. And they also spread the notion that Chinese women will refuse to marry a man unless he owns a home.

[06:28] So one of the consequences of this is that Chinese parents tend to only buy homes for their sons and not for their daughters. Women are shut out of property accumulation first of all because their parents tend not to support them in anyway. These homes are too expensive for young people to buy on their own. If your parents are not helping you then you're really stuck. So the women that I've interviewed who are in their 20s and have a boyfriend and they're thinking about marriage, they often will take their life savings and transfer it to the boyfriend to finance the purchase of a home which is then only registered in the man's name. These women who are extremely educated and very, very intelligent and sophisticated and they actually want economic independence and they say that they actually want to own their own home. But then I ask them, well then why when you are buying this marital home, why aren't you putting your name on the deed?

[07: 35] A lot of them say that it's simply because they are at the age where they're considered leftover. Which can start as early as even before 25 years old. Some women can already start feeling that way. So they're very anxious to get married. They're own parents are pressuring them to get married. They're certainly coming under a lot of pressure from the media. They're

coming under pressure from their teachers, the educational system, and their own doctors who tell women in their 20s that they really need to have a child in their so-called best child rearing years which is before the age of 30. Even doctors tell them that if they wait until past 30 to have a child, their child will have a birth defect.

[08:32] So there is intense pressure on these women to marry because they genuinely believe that time will run out for them. These women, when it comes down to it, are very often unwilling to walk away from an unequal arrangement even if they really want that. And in most cases they do want equality. But the pressures against them are just so intense.

[09:00] *EL: I guess in reading your book, that was the hardest part for me to understand, that you have these very well-educated women. Most of the women you interview are at least college educated if not PhDs. Very urban and sophisticated. They seem like this modern woman. It just seems so hard to comprehend that you have so many so willing to give up their equal economic rights in a relationship because of this concept. Is it just this media campaign - I guess if you can talk more about how strong this media campaign is. Or is it also something with the education system itself, that women aren't questioning this propaganda. I just think if you were in a Western country, there would be more questioning of it.*

[09:54] **LHF:** Well it's certainly not just [media]. I talk about the leftover women campaign. But when it comes to home buying, that's simply one factor that's shutting women out of property ownership. The fact that homes are so expensive is a huge factor as well. If homes were not so expensive then these women would be able to save up enough money on their own. Most of the women I interviewed wanted their own homes. So if they were able to afford it on their own, they would buy their own homes.

[10:33] So part of it is China's privatization in housing and the subsequent real estate boom has created these tremendous new pressures on everybody in Chinese society: on the parents, on men and women. Even if the woman actually transfers her life savings over to the man to finance this loan [to buy the house], usually the man's family ends up putting in more money than she does simply because the man's parents have been saving all their lives. So then it may come down to the fact that the man's family says: "well we put in more money therefore you have no right to put your name on the deed." It may be the man's parents who are really fighting with her and maybe her boyfriend would support adding her name to the deed. But it's a very complicated transaction involving extended families pitted against each other.

[11:43] But because of this fear that women over a certain age in their mid to late 20s are not going to be able to find a husband, it often winds up being that the parents of the daughter may actually help her finance the purchase of the home but they don't want the daughter to insist on adding her name because they're afraid that her boyfriend or fiancé will walk out on her.

[12:12] So even the parents of the daughter are urging her to stop being so assertive and not fight with the boyfriend and to just give in. In fact a lot of these young women again argue a lot; they can get into very heated arguments with their fiancés over the issue of putting their name on the property deed. So it is not as though they just blindly go into it and willingly give away all of their money and don't think about it. Although that said there are some women who do that.

[12:48] But it's just a multi-layered form of discrimination against women. It also has to do with state regulations on the purchasing of property. For example, one woman I interviewed who was a PhD candidate, extremely educated, she desperately wanted her name on the property deed but her boyfriend and her own parents were telling her that it's not worth putting her name on the deed because then if they want to buy a second home, then they would have to pay a much higher down payment. So that was the reason she gave for leaving her name off the deed. But she felt very bad about that. Then when I asked her well can you afford to buy a second home, are you going to buy one, she said no we can't afford to buy it. So there are just many layers of obstacles for these women.

[13:56] *EL: To switch gears a bit, you mention in your book some of the laws that impact this. You discuss the Supreme [People's] Court 2011 Interpretation of China's Marriage Law. You basically argue that this Interpretation - which in cases of divorce only allocates property to those whose name is on the deed absent some exceptions - denies women even more rights in the property market. Can you give a little bit more background on this Interpretation? Also, do you have any background on what caused the Supreme People's Court to issue this Interpretation?*

[14:32] **LHF:** Effectively the Marriage Law was originally a real cornerstone of the Communist Revolution and it gave women rights to property, the right to divorce, all sorts of new rights. Over the years actually women's rights to common marital property were strengthened. But in 2011, with this new judicial interpretation, effectively if the woman is unable to prove through legal, financial receipts that she put in a certain amount of money toward buying the home, she's not entitled to that home in the event of a divorce. None of the women that I interviewed kept any receipts of their financial contribution to the homes. Moreover, money is fungible. So there are many ways in which women's money - if they are working women working for pay - there are many ways in which their pay is supporting the household. The man's money may be going directly to paying off the mortgage so there is a receipt for the man's contribution to the home.

[15:49] This law is really detrimental to women's property rights. Now, what I have heard anecdotally - I wasn't specifically researching why the court issued this new judicial interpretation - but what I've heard anecdotally from some lawyers is that the Court was deluged with letters from parents of men who wanted to protect their sons when they got married. They didn't want the wives of their sons to have any share in the home because the parents tend to put up so much money to buying these homes for their own sons. Because of China's rapidly rising

divorce rate, I've also heard that the Court simply wanted to simplify divorce rulings; just get these cases through the court fast.

[16:53] But it has been an incredibly controversial interpretation and a lot of women across China are very upset about it but there's no organized movement to protest it because organizing and protesting is so difficult [in China].

[17:12] *EL: I guess in looking at the Supreme People's Court interpretation and how that has a negative impact on women, one of the things though that has happened recently is that China has had its first gender discrimination lawsuit in employment. That seems like a positive development in terms of women's rights. So how do you gel the fact that in a country where the court can reject cases, so they allowed obviously this case to be heard and even though it settled, they did allow it and its been published in the newspaper. How do you gel that kind of a development with the leftover women and the 2011 Marriage Law Interpretation?*

[17:58] **LHF:** Well, Chinese society is certainly not static and there are some legal success. That gender discrimination lawsuit was very important and it set an important precedent. But the fact is that there are so many other systemic ways in which women's rights and gains are being reversed in the past two decades. One successful lawsuit here or there doesn't fundamentally change the situation for the vast majority of women. Most notably there is still no specific law on domestic violence. Feminist lawyers and activist had been lobbying for over a decade to pass a law. And they've drafted the language, it's all ready, but it simply hasn't been passed.

[19:42] *EL: To go back to that because your book ends where you do discuss some individuals that are trying to change things a little bit, incrementally, but I have to admit it didn't seem like there was going to be a lot of change from them even though they're brave in what they are doing. It sounds like, based on what you say you don't see a lot of change happening soon. Is that correct? Or if you do see any change, where do you see it coming from?*

[20:11] **LHF:** I certainly don't see change coming from an organized nationwide women's rights movement simply because the political atmosphere is too severely oppressive for that to happen. But what does give me hope is that individual women can make choices in their own lives to avoid getting trapped in a very discriminatory system.

[20:27] For example, there are women in their late 20s who have told me that they refuse to ever get married because marriage is a bad institution for women in China. They see this as an empowering choice. That doesn't mean that they're never going to have a lover or a boyfriend or maybe they're lesbian. But there are individual ways in which women can act to empower themselves. But once they enter the institution of marriage it is very, very difficult. Marriage as an institution doesn't protect women's rights.

[21:19] Contrary to the myths that are spread by the propaganda of the state media that single women in China are extremely miserable and lonely, I see the reverse. Single women are the ones who tend to do better. They don't have husbands holding them back, telling them what to do; they have a lot more freedom. Women who are married, if there is any problem at all in the marriage, they're extraordinarily vulnerable.

[21:55] *EL: And just in closing, you're book is a fascinating book and I do recommend for everybody to read, especially if they really want to understand China today and women in China today. But why do you think the rest of the world should be paying attention to this issue if at all?*

[21:13] **LHF:** Well the thing is that, let's put aside the issue of fair treatment for women. Obviously women are being treated unfairly in China and are being discriminated against. But, as an economic issue, it's very important. China's obviously becoming increasingly a driver of global economic growth. The fact that women are basically being told by the government that they should stop working so hard and return to the home is going to end up having very damaging long-term economic consequences for China.

[22:57] There's already a declining labor force participation among women, particularly in the cities according to the latest census results; there's a dramatically widening gender income gap. These are the most talented women in the country and if you're telling the most talented female workers in China - it's okay just leave the workforce - that's going to hurt China's economy. Of course if China's economic development is hurt, if it is destabilizing, that's going to affect the rest of the world. So it is something the rest of the world should be interested in.

[23:41] *EL: I want to thank you again for spending time with China Law & Policy. Just so our readers know, **Leftover Women: The Resurgence of Gender Inequality in China**, that can be purchased at amazon.com. Thank you again.*

[23:55] **LHF:** Thanks so much for having me.

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