

# **Migrant Women Workers and The Emerging Civil Society in China**

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Over the past two decades, China's Pearl River Delta has enjoyed the fastest economic growth in the world. The economic achievements can be attributed to primarily the following three factors: (1) the Chinese government's preferential policies toward the special economic zones in the Pearl River Delta, (2) the inflow of foreign capital brought by the large number of foreign investments, and (3) the cheap labor that the processing industry in Guangdong has been able to absorb. Much data and numerous reports have been published about the favorable policies and about the foreign investment. However, little information about labor migration has been released so far, and even less has been done to study and improve the situation of migrant women workers in the region.

This paper intends to address issues facing migrant women workers by analyzing their uniquely disadvantaged position in an attempt to identify and isolate the causes that lie deep in China's social structure. Exacerbated by the social and economic transition facing China today, the plight of these women is just one example of how China must change its attitudes and policies on the labor needed to continue the advancement of its economic reforms and more specifically, how these affect the rights of women. To improve the migrant women workers' social status, the paper advocates for the development of civil society in which the NGOs, the media, corporations and scholars, as well as women workers themselves, interact positively with one another. This kind of citizens' participation will create pressure for the improvement of social policies and services with regard to the treatment of women workers. Through network building, NGOs joined by migrant women workers and other forces can formulate a strong social support system to protect migrant women workers' basic rights and security.

### Background

In the early 1980s China's economic reform policy allowed some regions and some people to get rich first. As Asia entered the 90s, an economic boom hit Hong Kong and Taiwan. The expansion of transnational companies, compounded by the further opening of China's coastal region and the much lower wages for Chinese workers, brought overseas investment to Southern Guangdong, which was eager to benefit from its supply of cheap labor. Taking advantage of the Pearl River Delta's geographical location, the new economy focused on the processing industry which relies primarily on overseas raw materials, as well as foreign technology and machinery. In return for the transfer of technical knowledge, the local government has offered preferential treatment in trade agreements. This economic structure is based on a new tripartite relationship between capital, labor and the local government.

The 2000 national population census estimated that there are over ten million migrant laborers in Guangdong, more than 60% of whom are women.<sup>1</sup> Migrant workers tend to work in foreign invested companies, joint ventures, and township-village enterprises that produce consumer goods, such as toys, clothing, footwear, and electronics. Female

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<sup>1</sup> Statistics published by Guangdong Statistics Bureau, 2000

workers usually come to Guangdong from poorer provinces situated within the Yangtze River region such as Sichuan, Hunan, Hubei, Jiangsu and Jiangsi. These workers get into factories in Guangdong through labor bureaus' recruitment, or introduction by their relatives and friends, or through word-of-mouth.

China's Pearl River Delta region has been recognized as a successful model for economic development. Over the past ten years, Guangdong's average economic growth has been over 14%. Guangdong has accounted for approximately half of the country's total growth in GDP.<sup>2</sup> Most of China's foreign trade has taken place in the coastal provinces, and Guangdong alone generates more than 40% of that trade.<sup>3</sup> While both the central and local governments have recognized the great and indispensable contribution of migrant labor, so far government policy has provided migrant labor few protections.

### Labor Migration

In the late 70s, the "household responsibility system" was introduced to rural China by the Chinese government. This system provides each household in China's rural areas with limited farmland. In 1995, the government renewed the land tenure policy, guaranteeing farmers another 30 years of land use.<sup>4</sup> While the government-amended policy encourages long-term investment on the farmland, the limited supply of land cannot absorb the large supply of surplus labor in the countryside. At the same time, the cost of agricultural products has increased by 10 percent each year over the last ten years. In the international market, China's agriculture products have already lost their comparative advantage.<sup>5</sup> Farmers often find it difficult to sell their products in domestic as well as international markets. In recent years, as basic foodstuffs are no longer in high demand, the government has cut back input into agricultural development. These factors make rural life more and more difficult. Because of rural poverty, large numbers of farmers have left their land to find jobs in big cities such as Beijing, Shanghai and Guangdong.

However, the current residential permit system prevents migrant laborers from staying in the big cities permanently. The rural-urban dichotomy has characterized China's personnel and societal systems for many years and survives today. The most forceful means of control initiated under the planned economy was the residential permit system (Hu Kou). Without an urban Hu Kou, farmers were not allowed to live and work in the cities. Because of this system, farmers and rural workers were never really included in the "socialist system," and were not allowed to benefit from the social safety net the Chinese government provided urban citizens. From 1949 to the early 1980s, the large majority of rural population remained tied to the land. Rural population mobility was

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<sup>2</sup> p27, China Development Review Vol. 3, No. 2

<sup>3</sup> p27, China Development Review Vol.3, No. 2

<sup>4</sup> Ministry of Agriculture Circular May 6<sup>th</sup>, 1995

<sup>5</sup> South Daily, February 4, 2001

out of the question. For generations, land was the only resource rural people could rely on. Under the planned economy, Mao's strategy of developing China's heavy industry sacrificed the interests of 70% of Chinese population who live in the countryside.

At the same time, the urban residential control system made it hard for rural farmers to fit into the system. In urban areas from 1949 to the mid-80, everyone's identity, as well as social welfare, was tied to the working units. These units delivered public goods and services on behalf of the government. The personnel and labor management assumed that everybody worked for the state-owned enterprises or institutions. Separate agencies with different standards and management channels managed personnel and labor. This added to the complication and unfairness of labor and personnel mobility. For a long time China didn't have a job market in a real sense, since job assignment was basically handled by the state. Urban planning regarding transportation, housing, water supply and drainage systems was designed and developed according to the needs of the registered urban population. This kind of rigid residential-permit- system plus state-controlled social safety net made it difficult for any non-registered residents (outsiders) to live and work in the cities.

To ease the pressure of the big cities caused by rural migration and to absorb a large quantity of surplus labor from the countryside, the government has made tremendous efforts to create small towns and cities around China's countryside. But because of poor infrastructure and the under-developed market mechanism, these small towns and cities have so far failed to attract large amounts of labor.

Even though China is not ready for the process of urbanization, it has been happening at an unprecedented pace. In the past ten years, despite the difficulties they face, large numbers of migrant laborers have flooded the big cities. This wave of migration has broken the original rigid system in many ways. Local farmers are no longer tied tightly to their farm land. They can move to big cities whenever there are jobs and they can manage to make some kind of living. This in many ways suggests a degree of progress in the opening of the society. However, social policies and government practices have not caught up with the changes in the society. Thus far each city handles migrant labor at its own discretion. The policy changes from time to time according to political, economic and social circumstances. Often the rules and policies discriminate against migrant laborers. Official reports on migrant labor tend to emphasize the negative side. Even in the places like the Pearl River Delta, where a larger labor force is needed and the migrant laborers supply the main labor force driving economic development, the system still refuses to guarantee migrant labor's quality of life and job security. In Shenzhen City, where economic growth has been the fastest and most sustained over the past twenty years, migrant laborers have been responsible for as much as 70 percent of the growth of industrial output in the mid-90s.<sup>6</sup> Nonetheless, the contribution of

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<sup>6</sup> Liu Kaiming's presentation at the conference on "Services and Innovation—Social Policies on Migrant Labor" in December 21-22 2000 in Guangzhou.

migrant labor to big city development and expansion has not been recognized.

Basically, migrant laborers are excluded from the urban political, cultural, educational and social arenas. Urban residents and the local city government regard migrant workers as “the outsiders”. They are confined to isolated factory communities or industrial complexes. Today’s urban modernization has nothing to do with these people. Chinese laws and regulations recognize citizens’ “equal rights in employment and selection of jobs,”<sup>7</sup> yet their rights and interests are often violated.

More often than not migrant workers face significant problems in the work place: (1) Most of the laborers don’t have contracts with their employers. Even those who have contracts simply follow the terms and conditions offered by the employers. Migrant laborers have minimal negotiating power when determining working conditions and benefits. (2) It is common for migrant laborers to work long hours. The average number of working hours per days totals 11 to 12 hours. Many factories do not observe weekends and workers work seven-day work weeks. (3) Migrant wages are often lower than the minimum wage set by the local government. Some factories force workers to pay fees the government intended factories to pay so that workers receive even less than their set wage. (4) The large majority of migrant laborers do not enjoy benefits, such as medical insurance and social welfare services, to which local citizens are entitled. (5) Supervisors often infringe upon migrant laborers’ personal rights and personal dignity. Physical assault and personal humiliation are not uncommon occurrences. (6) Labor injuries happen from time to time, often because factories do not pay any attention to labor standards, and do not take adequate precautions or follow safety regulations. Workers are exposed to industrial hazards and pollution. (7) Few of the non-state owned factories have organized Labor Unions, therefore workers lack an appropriate channel in which to voice their opinions. Even the factories that do have a Labor Union are sometimes unable to improve the working environment.<sup>8</sup>

#### Migrant Women Workers:

Although Chinese women are known as “holding up half of the sky”, their needs and demands have never been included in China’s policy-making processes. Development programs tend to overlook women’s roles and rights. The existing policies do not favor women’s employment and career development. Even compared with ten years ago, Chinese women’s social status has decreased in many ways.<sup>9</sup> Chinese rural women are even more marginalized in the process of modernization, as rural women are pushed more and more to the bottom of the social hierarchy.

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<sup>7</sup> See Chinese Constitution

<sup>8</sup> see page 17, in Rural Labor Mobility and Gender by the Institute of Sociology of the Chinese Academy of Social Sciences published in 2000

<sup>9</sup> All-China Women’s Federation Survey in 2001

Migrant women workers face all of the above problems. In addition, these women are even more marginalized than their male counterparts. Though statistics show that the migrant labor male to female ratio nationwide is 2:1, in the Pearl River Delta, the ratio is reversed. Job segregation in the Delta region pushes women into the unskilled, labor intensive, and lower paid industries such as the garment, footwear and toy industries. The average monthly salary for a migrant woman worker in Guangdong is 300 to 500 Yuan (US \$37-62). Salary levels have remained unchanged since the early 1990s. Given inflation and increase in the cost of living, their salary in real terms has decreased.<sup>10</sup>

Lack of social welfare is another major concern for women migrants. China's Labor Law guarantees women workers maternity leave and protection for their reproductive health. Yet, today's high labor mobility enables employers to take advantage of high turnover rates. Employers often refuse to pay maternity leave or simply fire women workers when they become pregnant.

In many factories, the working conditions and environment are harmful to women's health, particularly in the footwear and garment factories. The chemical fumes, unbearable heat, and long hours of standing not only affect their general physical health, but are also detrimental to their reproductive health.

Migrant women workers usually have little experience in self-protection and their employers find them easier to control than local women or male hires. Sexual harassment and personal abuse often occur in the work place. The few cases in which migrant women workers became mistresses of the Hong Kong or Taiwan businessmen caused concern among the local Women's Federation personnel. The Women's Federation now identifies migrant women as a threat to the stability of marriages and family. Government-sponsored "strike hard" campaigns launched in Guangdong Province often target these mistresses who at the same time are already marginalized migrant women.

Migrant women workers in the Pearl River Delta also often shoulder a large family responsibility. The money they remit home is often the main source of income and essential support for family expenses such as house construction, parent hospitalization, and sibling education or marriage. For those migrant women aged 18-25, the opportunity cost for them is simply too high. They are trapped by circumstance. On the one hand because they will never be accepted as residents, they can not stay in the big cities forever, on the other hand, home may no longer have a place for them either. After living in the cities for sometime, re-adjusting to rural conditions becomes problematic. These women sacrifice their youth for their family's benefit, not knowing what the future will bring. The new and unstable position they find themselves in presents not

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<sup>10</sup> See Rural Women Labor and Mobility

only psychological issues, but real life dilemmas.

#### The Government's Responses to Migration and Women's Needs

The government has recognized the constraints of the original rural-urban dichotomy guaranteed by the Hu Kou system established in the early 1950s. Recently, various agencies of the central government have suggested some strategies for abolishing the overall Hu Kou system. It is said that in the next five years or so, China's Hu Kou system will change. However, for now, the local protectionism continues to resist fundamental changes in the system. The current status quo of having migrant workers come and go and provide cheap labor does not challenge the urban planning, neither does it affect urban social welfare structure. The local governments views this practice as the most efficient and beneficial system for the local economy. As the migrant population is supposed to pay large fees every year to the local authorities, migrant workers become easy cash cows for local bureaucracies. In Shenzhen, for example, taxes levied on migrant laborers account for 70 percent of local taxation.<sup>11</sup> Local governments therefore have significant incentives to maintain the status quo. Local officials also tend to be ambivalent about the poor labor standards of overseas-invested companies. Because overseas investments offer the majority of revenue for the local economies, local governments generally would rather protect the interests of the companies than to protect the rights and interests of the migrant workers.

Since any changes in the current system will threaten their own benefits, local officials and urban residents have formulated strong interest groups that oppose changes in the system. In Beijing, until last year, over a hundred kinds of jobs were not open to migrant labor. In Shenzhen, the most open city in China, only the white-collar workers with higher education could be offered local Hu Kou. While changes in the Hu Kou system are inevitable in a long run, the local governments that are the actual beneficiaries of the current system will resist fundamental changes. Until such a change occurs, migrant labor's disadvantaged position will continue.

As part of the central government's efforts to join the international regimes of laws and treaties, in the past twenty years, the Chinese government and women's organizations have joined and ratified over 20 international treaties and agreements to guarantee and protect women's equal rights. China has ratified the "Convention on the Elimination of All Forms of Discrimination Against Women" passed by the United Nations in 1979. The Platform of Action set forth by the Fourth International Women's Conference in Beijing in 1995 also established specific standards for the realization of women's advancements in all fields. China has recently ratified the UN International Covenant on Economic, Social and Cultural Rights, committing China to the protection of all citizens' basic rights.

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<sup>11</sup> Liu Kaiming's paper presented at the conference "Services and Innovation—Social Policies on Migrant Labor" in December 21-22 2000 in Guangzhou.

China is also trying to move in the direction of the rule of law. In recent years, China has passed several national laws and regulations to protect women's rights. Among all nations, China is among the top few countries in terms of protecting women's rights by law. However, the actual enforcement of these laws and treaties is questionable. Thus far, law enforcement agencies have failed to perform their duties with regard to protecting women. As such, the position of migrant women workers has not been improved. Chinese society is also based on a patriarchal-structure, and women's issues are never regarded by the government as important as trade and economic growth. This kind of attitude contributes to the poor record of the government agencies in protecting the statutory rights of women.

### The Emerging Civil Society

China's economic reform has also helped open up the whole society. In the past ten years, China's non-governmental organizations have emerged to play an increasingly important role in delivery of social services. Horizontal linkages among NGOs, as well as between NGOs and other sectors, in China and abroad have enhanced NGOs advocacy capacity. In Guangdong Province, linkages between NGOs (Chinese and foreign), multinational corporations, as well as scholars, are quietly and gradually forming. Joint activities in this region include the provision of services and assistance to migrant labor.

Several groups have begun to focus attention on and provide services to migrant women workers. The following are just some examples.

Over the past five years, a team of scholars has conducted a series of studies about the disadvantaged position of migrant laborers. They have published their findings in a series of books and articles to push for policy change. Following the study, they have also provided education and training for migrant women workers.<sup>12</sup>

Some traditional mass organizations, such as the Labor Union and Women's Federation, have shifted their approaches and strategies from a Party line focused approach to a service focused approach. With the support of foreign foundations and companies, they have turned their attention to the well-being of migrant women workers, addressing issues such as their legal rights and health conditions.<sup>13</sup>

The Chinese media plays an increasingly important role in raising awareness about the situation of migrant labor. Guangdong newspapers work closely with the Women's Federation, Labor Union, and the judiciary departments, and the media has exposed many major labor accidents and serious legal cases

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<sup>12</sup> see Rural Labor Mobility and Gender

<sup>13</sup> The Asia Foundation's programs

involving migrant labor.

A network of mutual help is emerging in Guangdong Province. Some migrant workers have organized themselves into various support groups. They provide each other information and arrange lodging for workers arriving from the same provinces.

Foreign NGOs and foundations are actively involved in helping migrant workers. Their staff members work with local NGOs to provide services and training for migrant workers, particularly focusing on female workers. For example, The Asia Foundation has been active in Guangdong over the past three years working with the local Labor Union, Women's Federation and university-based research centers to provide counseling and services to migrant women workers. Oxfam Hong Kong has provided women workers with a van which is not only used as transportation vehicle, but also as venue for medical care and other social service activities.

Numerous multinational corporations that benefit from their own business and investment in the region have also begun to recognize the importance of addressing some of these issues. Some multinational corporations support intermediaries and NGOs in their work concerning labor standards, rights, and justice for women workers.<sup>14</sup>

These various players are not only helping migrant workers successfully solve legal issues, but are also creating pressure on society to improve the working and living conditions of migrant workers.

The development of civil society has created a means of enhancing women's roles and rights. Both the state and the market have failed in the past to provide women with equal opportunities or necessary protections. Citizen participation can help avoid future failures in the delivery of public goods and the protection of rights. As NGOs play an increasingly important role in China, they are becoming tangible outlets of services for needy people. Gradually, they are also playing an advocacy role for societal change. This kind of bottom-up approach will lend itself to further opening and will gradually change the Chinese society.

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<sup>14</sup> Levi Strauss Foundation provided funding for the Asia Foundation to implement projects concerning women workers health and legal services in Guangdong.