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# When Socialist Legacy Meets International Norms: Gender Quota Adoption and Institutional Change in China

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## ABSTRACT

Gender quotas have a long history in China, with the earliest gender quota introduced in 1933 in the Chinese Communist Party's (CCP) border regions. Yet, research on China's gender quotas has been scarce. This study addresses the gap by examining the process of gender quota adoption in China's subnational Party-States and the People's Congresses. Using an institutional approach, we argue that quota adoption in China was a process of 'institutional layering' that lasted from the late 1980s to the 2010s. During this process, domestic actors contested the CCP's existing personnel rules and strategically exploited the CCP's ideological commitment to gender equity and its need for an improved international image during the second wave of global gender quota adoption. Two changes have happened during the 'layering' process: the slow diversification of domestic actors, including both state and non-state ones, and the shifting of the actors' working strategy from an informal and network-based approach to an institutionalized one that operated through formal channels. In so doing, this article expands the comparative literature on gender quotas, which has been preoccupied with quotas in elected parliaments, and enriches our understanding of Chinese politics.



## KEYWORDS

Gender quota; Chinese politics; norm diffusion; gender lobbying; institutional change

## Introduction

The status of women in China has been plunging in recent years based on the newly released Global Gender Gap Report—out of the 146 countries included in 2022, China's rank has dropped from 63rd in 2006 to 102nd. This setback owes, in no small part, to women's underrepresentation in politics across the bureaucratic and legislative departments. The apex of China's state power, the Politburo Standing Committee of the Chinese Communist Party (CCP), for instance, has not admitted any women since the CCP's rise to power in 1949. While the proportion of women in the national legislature has reached 20% as early as in the 1970s, it has since stagnated. Contrarily, countries in Africa and Latin America have started making substantial progress in women's representation since the second wave of global gender quota adoption in the 1990s.<sup>1</sup>

This grim picture of women's representation in China is at odds with the regime's adoption of a wide array of gender quotas. Compared to countries that joined the first (1950–1960s) and second (1990s)

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<sup>1</sup>Pippa Norris and Drude Dahlerup identify three waves of quota adoption in the national parliament: the use of quotas in the Communist states throughout the 1950–60s and in Nordic countries during the 1970–80s, a second wave starting with Argentina's adoption of a 30% quota in 1991 and reaching its peak after the 1995 Beijing World Conference on Women, and the third-wave amendments of the original quota law. See Pippa Norris and Drude Dahlerup, 'On the Fast Track: The Spread of Gender Quota Policies for Elected Office', *SSRN Electronic Journal*, (2015).

waves of quota adoption,<sup>2</sup> China was late in its move. It was not until 2007 that the national legislature passed the resolution adopting a gender quota of 22% reserved seats for the subsequent election. However, the 22% quota at the national legislative department is only one small part of China's multi-dimensional gender quota system. With the Communist Party's ideological commitment to gender equity, the CCP introduced its first 25% gender quota in the parliament back in 1933, before it even founded the current regime (1949–present).<sup>3</sup> Within the government, the legislature was also not the first one to adopt a gender quota. For instance, the early 1990s witnessed the birth of the 'at least one woman' quota for (deputy) governor and (deputy) Party secretary positions across all levels of subnational government. Vertically, the national legislature is far behind its local counterparts, as local congresses started their quota adoptions right after the promulgation of the 1992 Law on the Protection of Women's Rights and Interests, with the quota threshold ranging from 20 to 30%.

This article takes a fresh look at this complex set of policies related to gender quotas in China and addresses the questions of why and how gender quotas are adopted in contemporary China, especially in its reform era. Here, we include the discussion of two types of quota in Chinese politics: 1) quotas for appointed positions in the local Party-States such as governors and Party secretaries, and 2) quotas for elected bodies, including the national and local People's Congresses.<sup>4</sup> Gender and politics literature has extensively studied the adoption of gender quotas, broadly defined as policies that 'share similar concerns to increase the numbers of women elected to political office despite their attention to distinct aspects of the selection process'.<sup>5</sup> However, most research focuses on quotas for the legislature, including reserved seats, political party quotas, and legislated candidate quotas.<sup>6</sup> We know less about quotas for the executive or judiciary branches, which are equally important, if not more so in single-party regimes such as China where power sits in the agencies of the ruling party and executive departments.<sup>7</sup> Studying gender quotas within these departments therefore offers a more accurate and pertinent depiction of women's status in politics.

Gender and politics literature explains quota adoption using two theoretical frameworks: the normative argument for justice and the more practical one based on the potential benefits associated with quota adoption, including, for example, international image and voters' support.<sup>8</sup> While the pragmatic explanation for international recognition is undeniably an important concern in the CCP's adoption of gender quotas, there is much more to say about *who* the actors of change were and *how* they disputed the existing rules. The insights together could offer answers to the question of *why* China continues to adopt/adapt institutions initiated in its pre-reform socialist era. This is because, even with the same international pressure, variation in domestic conditions leads to different outcomes.<sup>9</sup> Tracing the process of quota adoption helps us understand how international pressure, domestic change actors, and the state interact, and in the case of China, how domestic actors took advantage of the opportunities arising from the CCP's need to use quotas and women's representation to improve its international image in the 1990s and pushed the institutional changes through.

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<sup>2</sup>Ibid.

<sup>3</sup>ACWF, *Zhongguo funü yundong shi* (The History of Women's Movement in China) (Chunqiu Chubanshe, 1989).

<sup>4</sup>Quotas also exist in grassroots organizations including the village committees and neighborhood residential committees. We exclude the discussion of quotas there for two reasons: 1) the rationale behind quota adoption in the grassroots organizations is different from that in elected bodies and appointed positions, and 2) the limited length of this article. See Tamara Jacka, 'Increasing Women's Participation in Village Government in China: Is It Worth It?' *Critical Asian Studies* 40(4), (December 2008), pp. 499–530.

<sup>5</sup>Mona Lena Krook, *Quotas for Women in Politics: Gender and Candidate Selection Reform Worldwide* (Oxford: Oxford University Press, 2010), p. 6.

<sup>6</sup>Ibid.

<sup>7</sup>Pamela Paxton and Melanie M. Hughes, *Women, Politics, and Power: A Global Perspective* (SAGE Publications, 2013), p. 181.

<sup>8</sup>Anne Phillips, *The Politics of Presence* (Oxford: Oxford University Press, 1995); Drude Dahlerup and Lenita Freidenvall, 'Quotas as a "Fast Track" to Equal Representation for Women', *International Feminist Journal of Politics* 7(1), (2005), pp. 26–48; Lonna Rae Atkeson and Nancy Carrillo, 'More Is Better: The Influence of Collective Female Descriptive Representation on External Efficacy', *Politics & Gender* 3(1), (2007), pp. 79–101; Sarah Sunn Bush and Pär Zetterberg, 'Gender Quotas and International Reputation', *American Journal of Political Science* 65(2), (2021), pp. 326–41.

<sup>9</sup>Gretchen Bauer, 'A Lot of Head Wraps': African Contributions to the Third Wave of Electoral Gender Quotas', *Politics, Groups, and Identities* 5503 (November 2015): 1–18; Alice J. Kang and Aili Mari Tripp, 'Coalitions Matter: Citizenship, Women, and Quota Adoption in Africa', *Perspectives on Politics* 16(1), (2018), pp. 73–91.

To address these questions and incorporate the agency of domestic actors and the structural constraints/opportunities they face, this article adopts a feminist institutionalism (FI) approach, which incorporates gender in analyzing both formal and informal institutions and their interactions.<sup>10</sup> Specifically, with the institutional approach, this article characterizes quota adoption in China as a process of gradual *institutional change* as it alters the rules of political appointment and election.<sup>11</sup> To understand how this change unfolds, we trace the process with specific attention to four elements: change agents, how change agents dispute established rules, the rise of opportunities, and material or discursive resources possessed by change agents—namely, conditions for gender quota policy to be layered onto existing rules for appointment or election.<sup>12</sup>

This article analyzes policy papers, memoirs of China's political elite, and publications of the All China Women's Federation (ACWF), as well as the authors' fieldwork notes in China from 2016 to 2021.<sup>13</sup> With the institutional approach, we argue that the introduction of gender quotas in China has been a process of institutional layering—a type of institutional change in which new rules are introduced alongside or on top of existing ones<sup>14</sup> During this process, domestic agents, mostly institutional insiders such as the ACWF, worked through the CCP's existing rules for selection and appointment and exploited the opportunities arising from the CCP's need to improve its international image and to showcase its progress in women's representation as the host of the 1995 World Conference on Women during the 1990s. Change agents started from small goals and built on them for bigger ones, and eventually inserted affirmative measures advancing women's participation into the CCP's personnel management regulations and the electoral rules of the People's Congresses. Based on the differences between change agents and strategies they use to dispute existing rules, the study breaks down the layering process into three periods: the 1980s to the early 1990s, the 1990s, and the early 2000s. Both the working strategies and agents of this decades-long battle have evolved during the process: 1) the working strategy has shifted from an informal and network-based approach to an institutionalized one that operates through formal channels such as legislative sessions and routine meetings within the CCP, and; 2) regarding change agents, this battle has clearly evolved from a solo effort of the ACWF, the state-sponsored women's organization, to a movement participated in by both state and non-state actors thanks to the opening of social space and China's (re)socialization into international society during the 1990s. While the first shift is seen in the lobbying efforts for both types of quota, the second shift is more prominent in the lobbying for a reserved seats quota in the legislature, which was adopted about a decade later than the 'at least one woman' quota.

In so doing, this study contributes to three veins of literature. It first extends the well-developed literature of gender and politics, in particular the theory on gender quota adoption. Along with the diffusion of global quotas, a great deal of work has been produced centering on the effect from the diffusion of international norms on states' quota adoption—that is, adoption reflecting 'a degree of socialization to international norms' through international imposition, transnational emulation, and international tipping, among other mechanisms.<sup>15</sup> With the case of China, this study shows how a single-party regime is also susceptible to the influence of international norms, exemplified by the 'tipping'

<sup>10</sup>Mona Lena Krook and Fiona Mackay, *Gender, Politics and Institutions* (Palgrave Macmillan, 2011).

<sup>11</sup>Georgina Waylen, 'Informal Institutions, Institutional Change, and Gender Equality', *Political Research Quarterly* 67(1), (2014), pp. 212–23; Melanie M. Hughes et al., 'Global Gender Quota Adoption, Implementation, and Reform', *Comparative Politics* 51(2), (2019), pp. 219–38.

<sup>12</sup>Tania Verge, 'Political Party Gender Action Plans: Pushing Gender Change Forward Beyond Quotas', *Party Politics*, 26(2), (2020), pp. 238–48.

<sup>13</sup>Snowball sampling is used during our selection of interviewees, including the two quoted interviewees in this article.

<sup>14</sup>James Mahoney and Kathleen Thelen, *Explaining Institutional Change: Ambiguity, Agency and Power* (Cambridge University Press, 2010)..

<sup>15</sup>Aili Mari Tripp and Alice Kang, 'The Global Impact of Quotas: On the Fast Track to Increased Female Legislative Representation', *Comparative Political Studies* 41(3), (2008), pp. 338–61; Krook, *Quotas for Women in Politics*; Mona Lena Krook, 'Reforming Representation: The Diffusion of Candidate Gender Quotas Worldwide', *Politics & Gender* 2(3), (2006), pp. 314; Bauer, "'A Lot of Head Wraps'".

effect caused by the 1995 World Conference on Women, when domestic actors gained new sources of legitimacy to justify their campaign for gender quotas during the late 1990s.

Second, this study also engages with the literature of China's political appointment. Studies of Chinese politics have been especially preoccupied with the CCP's appointment of personnel.<sup>16</sup> However, just as Celis, Krook, and Meier expand the definition of 'electoral reform' by recognizing quota adoption as 'among the widest-reaching electoral reforms in recent years',<sup>17</sup> scholarship on Chinese politics would benefit from a dialogue with research on gender quotas, because the appointment and election of women is an essential part of the selection of the CCP's personnel.

Finally, the study also speaks to the literature of lobbying in authoritarian regimes, which has identified various strategies used by state and non-state actors to influence the policy-making process and outcome despite the processes' seemingly centralized and exclusive look.<sup>18</sup> More specifically, we show how state and non-state actors form coalitions during the lobbying process and how they use both informal and formal channels to push their agendas for women's inclusion. The use of an institutional approach also enables the study to identify the structural conditions against which the lobbying takes place, and in so doing, helps address the question of timing, namely when and how political space is open for institutional changes to happen.

### Institutional Change and Gender Quota Adoption

The feminist institutionalist approach offers important insights for our inquiry, which applies gender analysis to the study of the production, reproduction, and the function of norms, rules, and practices in political institutions.<sup>19</sup> Emerging from and actively contesting the neo-institutionalist movement, feminist institutionalism not only underlines the interaction of formal and informal institutions but also engages with historical institutionalism (HI) on institutional change.<sup>20</sup> Building on previous HI work, scholars view institutions as legacies of historical struggles that have change-inducing distributional consequences.<sup>21</sup> As a result, institutional scholars argue that institutions are not naturally cohesive or equilibrating, as Sociological and Rational Choice Institutionalism has suggested, but are subject to contestations and conflicts from within.<sup>22</sup> Such changes are likely to be internally driven by 'losers' under the old system,<sup>23</sup> and take a variety of forms, including displacement, layering, drift, and conversion.<sup>24</sup> While displacement and layering are more visible ways of placing new institutions, drift refers to old institutions taking on new meanings because of environmental shifts, and conversion refers to the changing interpretation or implementation of the institution.

Feminist institutionalists further incorporate gender analysis in the examination of institutional change and have so far produced a sizable literature analyzing conditions for institutional change to improve gender equality or resist such changes through formal and informal institutions.<sup>25</sup> However, while gender quotas have been one of the widest-reaching institutional changes in the past few decades, the literature have so far focused mainly on the outcome and implementation of

<sup>16</sup>Georgy Egorov and Konstantin Sonin, 'Dictators and Their Viziers: Endogenizing the Loyalty-Competence Trade-Off', *Journal of the European Economic Association* 9(5), (2011), pp. 903–30; Dongshu Liu, 'Punish the Dissidents: The Selective Implementation of Stability Preservation in China', *Journal of Contemporary China* 28,(119), (2019), pp. 795–812.

<sup>17</sup>Karen Celis, Mona Lena Krook, and Petra Meier, 'The Rise of Gender Quota Laws: Expanding the Spectrum of Determinants for Electoral Reform', *West European Politics* 34(3), (2011), pp. 515.

<sup>18</sup>Andrew Mertha, "'Fragmented Authoritarianism 2.0': Political Pluralization in the Chinese Policy Process', *The China Quarterly* 200, (2009), pp. 995–1012; Dongya Huang and Minglu Chen, 'Business Lobbying within the Party-State: Embedding Lobbying and Political Co-optation in China', *The China Journal* 83, (2020), pp. 105–28.

<sup>19</sup>Krook and Mackay, *Gender, Politics and Institutions*.

<sup>20</sup>Waylen, 'Informal Institutions'.

<sup>21</sup>Mahoney and Thelen. *Explaining Institutional Change*.

<sup>22</sup>Ibid.

<sup>23</sup>Waylen, 'Informal Institutions', p. 217.

<sup>24</sup>Mahoney and Thelen. *Explaining Institutional Change*.

<sup>25</sup>Waylen, 'Informal Institutions'; Rebecca Tildesley, Emanuela Lombardo, and Tània Verge, 'Power Struggles in the Implementation of Gender Equality Policies: The Politics of Resistance and Counter-Resistance in Universities', *Politics & Gender* 18(4), (2022), pp. 879–910.

institutional change, especially on how informal gender norms compete with or undermine new gender policies. For instance, it is argued that Spanish universities' failure to implement formal gender equality rules in higher education arises from the belief that gender equality is not a priority.<sup>26</sup> Literature on gender quota adoption, on the other hand, has been largely centered on the argument that there are practical benefits associated with quota adoption, such as improved international reputation or voters' support.<sup>27</sup> Or, in some cases, quotas are also supported by international norms, and therefore the adoption of quotas by states is considered a process of 'socialization'.<sup>28</sup> While there are some studies analyzing domestic conditions for quota adoption in liberal democratic contexts,<sup>29</sup> we still know very little of how different political conditions play out during the process of quota adoption, especially in authoritarian regimes where domestic change actors face many more constraints and a different political appointment system is in force.

In this article, we adopt the institutional approach and conceptualize the process of gender quota adoption as 'institutional layering' over other types of institutional change because quotas are introduced on top of the existing rules and the change is often 'gradual, endogenous, and potentially more achievable'.<sup>30</sup> Following previous institutional work, this study looks at four conditions for gender change to happen: change agents, how change agents dispute established rules, the rise of opportunities and material or discursive resources possessed by change agents.<sup>31</sup> This framework provides two theoretical advantages for our analysis. First, compared with cost-benefit analysis on quota adoption, which emphasizes the role of the state or party but often fails to account for the variation of quota adoption outcomes despite the benefits, the institutional approach recognizes agency and conflicts, making it possible to theorize not just the agency of domestic actors but also the interactions/conflicts between the state, international pressure, and domestic actors. Second, the concept of 'layering' affords room for a process-based analysis including both victories and setbacks—in most cases, lobbying for quotas is not a linear process.

## The History of Gender Quotas in China Under the CCP

The CCP has a long history of quota adoption. Its first gender quota was issued in 1933 during the Chinese Soviet Republic era (1931–1937), when the CCP was under the imperative to mobilize women in service for its fight against the Nationalist Party and its broad class revolution.<sup>32</sup> The gender quota was part of its 'gender equity' package, which also included other initiatives such as land distribution, marriage reform, and the establishment of a Women's Department in charge of 'women's work' following the model provided by the Comintern. While these initiatives did bring more women into the labor market and

<sup>26</sup>Tildesley, Lombardo, and Verge, 'Power Struggles in the Implementation of Gender Equality Policies'.

<sup>27</sup>Rainbow Murray, Mona Lena Krook, and Kathrine A. R. Opello, 'Why Are Gender Quotas Adopted? Party Pragmatism and Parity in France', *Political Research Quarterly* 65(3), (2012), pp. 529–43; Bush and Zetterberg, 'Gender Quotas and International Reputation'.

<sup>28</sup>Krook, 'Reforming Representation'.

<sup>29</sup>Lisa Baldez, 'Elected Bodies: The Gender Quota Law for Legislative Candidates in Mexico', *Legislative Studies Quarterly* 29, (2004), pp. 231–58; Mona Tajali, 'Gender Quota Adoption in Postconflict Contexts: An Analysis of Actors and Factors Involved', *Journal of Women, Politics & Policy* 34(3), (2013), pp. 261–85; Kang and Tripp, 'Coalitions Matter'.

<sup>30</sup>Waylen, 'Informal Institutions', p. 219.

<sup>31</sup>Verge, 'Political Party Gender Action Plans'.

<sup>32</sup>Christina Gilmartin, 'Gender in the Formation of a Communist Body Politic', *Modern China* 19(3), (1993), pp. 299–329; David S. G. Goodman, 'Revolutionary Women and Women in the Revolution: The Chinese Communist Party and Women in the War of Resistance to Japan, 1937–1945', *The China Quarterly* 164, (2000), pp. 915–42. The Central Executive Committee of Chinese Soviet Republic released its 22nd Order, which stipulates that 'at least 25% of the National Congress representatives are working women', see 'Funü canzheng xuyao peizezhi de huhang baozhang' (Women's Political Participation Needs Gender Quota), (*China Women's News*, 2016), accessed January 7, 2024, [https://www.women.org.cn/art/2016/1/18/art\\_25\\_131468.html](https://www.women.org.cn/art/2016/1/18/art_25_131468.html).



grassroots politics,<sup>33</sup> there were also observations that women were just filling the vacuum left by men, who were out fighting against the Nationalists.<sup>34</sup> Despite the mixed motives, this gender quota had a long-term impact, as this socialist legacy is often seen as the origin of contemporary quotas. One senior researcher from the ACWF recounted: ‘2007’s 22% quota (in the national legislature) is our own export which then gets sold back . . . . I think Western states’ use of reserved seats is learning from our experience in the 1930s’.<sup>35</sup>

Inheriting the revolutionary spirit and the Maoist notion of women’s liberation, the socialist legacy’s influence continued into the first congressional election in the CCP’s China, during which the Party’s Central Committee issued a decision in 1953 that at the township, county, and provincial level, women should make up 15–20% of the representatives.<sup>36</sup> Just as during the 1930s, this quota was part of the CCP’s ‘gender equity’ package that targeted women and women’s labor as symbols for its vision of socialist modernization.<sup>37</sup> The package included the promulgation of the Marriage Law in 1950 and land reform, which were also conducive to women’s political participation, as women, especially those from rural areas, were mobilized to attend political meetings to learn about these newly released policies.<sup>38</sup>

With the same rationale of mobilizing women’s participation, the CCP brought gender quotas back during the Cultural Revolution in the 1970s. This time the gender quota policies were intertwined with the political dynamics during the Cultural Revolution, which, according to Johnson, ‘confused and mixed the political participation as a mechanism to mobilize populace into a movement . . . [and] aimed to recreate and strengthen one’s “proletarian consciousness”’.<sup>39</sup> As a result, a large number of workers, peasants, and soldiers rushed into politics during this period as the political purge intensified and more positions were opened. The gender quota, therefore, served again as the CCP’s mobilization mechanism to achieve the class-based revolutionary purposes.

Though several scholars have discussed the quota policies during the 1970s in their work, there is no published account of the policy, a common problem for that era.<sup>40</sup> Analyses show that the ‘gender quotas’ during the 1970s were made up of a wide array of administrative orders implemented in a top-down fashion across legislative departments, the CCP, and bureaucratic agencies. For example, it was recorded that Jiang Qing<sup>41</sup>—Mao’s wife and the deputy director of the Central Cultural Revolution Group—once announced a 30% gender quota for the Revolutionary Committee and an ‘at least one woman’ quota for leadership positions.<sup>42</sup> The directive to recruit women was then passed to local governments and worked through the upper-level government’s authority to veto the nominations made by the local government.<sup>43</sup> These administrative orders significantly improved women’s representation in the 1970s. From the Second People’s Congress in 1959 to the Fourth Congress in 1975, the number of women participating increased from 12.23% to 22.6%,

<sup>33</sup>For example, Xingguo county in Jiangxi province elected women as over 30% of its representatives to the township congress, and in Shang Caixi Village of Fujian Province, women made up 60% of the representatives in the district congress. See ACWF, ‘Zhongguo funü.’

<sup>34</sup>For instance, in 1933 in Caixi Village, only 11% of the total population aged between 16 and 55 were men. See ACWF, ‘Zhongguo funü’; Delia Davin, ‘Women in the Countryside of China’, *Current History* 69(408), (1975), pp. 94–99.

<sup>35</sup>Authors’ interview transcript, August 26, 2016.

<sup>36</sup>CCP Central Party Committee, ‘Guanyu geji renmin daibiao dahui zhong funü bili de guiding’ (Regulations on the Proportion of Female Representatives in People’s Congresses at All Levels), (1953).

<sup>37</sup>Gail Hershatter, *Women and China’s Revolutions* (Rowman & Littlefield, 2018), p. 221.

<sup>38</sup>Ibid.

<sup>39</sup>Kay Ann Johnson, *Women, the Family, and Peasant Revolution in China* (The University of Chicago Press, 1985).

<sup>40</sup>Joan Maloney, ‘Women Cadres and Junior-Level Leadership in China’, *Current Scene: Developments in the People’s Republic of China* 8(3–4), (1975), pp. 17–18; Johnson, *Women, the Family*; Dongchao Min, ‘Guanzhu pei’e, chaoyue shuzi: Bijiao Zhongyin liangguo funü canzheng zhong de pei’e’ (Quota Beyond Numbers: Comparing Affirmative Actions of Women’s Participation in China and India), *Funü yanjiu luncong* [Collection of Women’s Studies] 1, (2012), pp. 62–70.

<sup>41</sup>We put the family name first when citing Chinese names in this article as many are historically known and habitually spelled in such a way.

<sup>42</sup>Xianglan Yang, *Xin Zhongguo funü canzheng de zuji* (Women’s Participation in the People’s Republic of China) (Zhonggong Dangshi chubanshe, 1998).

<sup>43</sup>Johnson, *Women, the Family*.

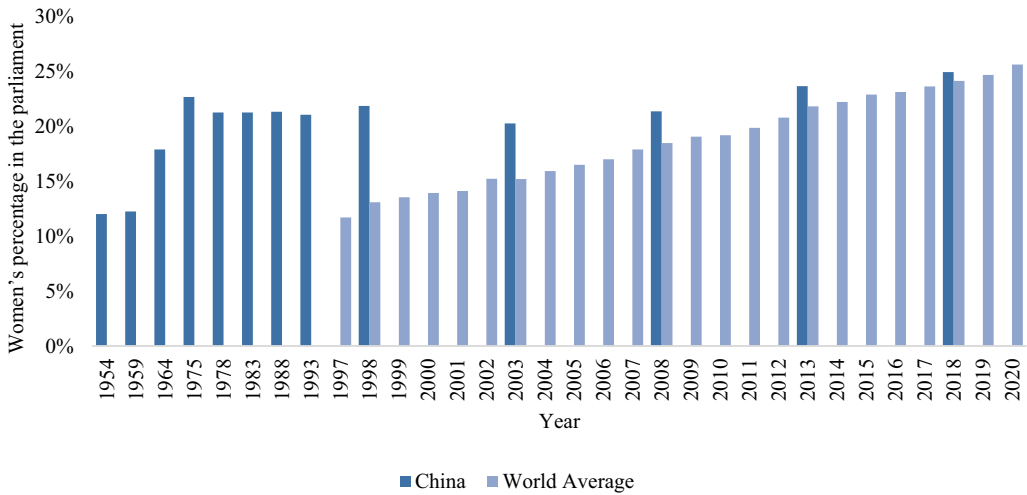


Figure 1. Proportion of female representatives in the National People's Congress.

a record that was not broken until 2013 (see Figure 1). Similar trends also occurred in Party Congresses. For example, 25.8% of the representatives in the Fourth Party Congress of Shanghai (1970) were women.<sup>44</sup>

### Triggers for Gender Quota Campaigns

The push for gender quota adoption in the reform era was initially triggered by several factors: the sudden drop in the number of women in both elected bodies and appointed positions, the abolition of gender quotas from the 1970s, and the CCP's personnel reforms in the 1980s. Characterized as the most crucial step towards the institutionalization of the CCP's personnel management in the post-reform era, the 1982 administrative reform under Deng Xiaoping abandoned the class-based political selection rules and enforced merit- and competence-based criteria instead.<sup>45</sup> This reform directly affected those who entered politics under 'protection measures' such as quotas, or for revolutionary reasons during the 1970s, the majority of whom were women. At the provincial level, approximately one- to two-thirds of female cadres were immediately removed from the Party and state leadership positions.<sup>46</sup> As the national legislature draws a large number of representatives from these leadership positions, the number of women in the Standing Committee of the legislature soon dropped from 21% to 9% in 1983.

In parallel, women's representation in grassroots organizations was also challenged by China's introduction of competitive (s)election for village committees as well as the township/county level governor/Party secretary positions in 1987. Despite the accolades these reforms have received for marking the CCP's more open stance on competition, they also blocked women's political careers in villages, townships, and counties due to electoral/appointment concerns that women did not fit the traditional image of leaders.<sup>47</sup> Data from Henan Province shows that while there was at least one

<sup>44</sup>Yang, *Xin Zhongguo*.

<sup>45</sup>Jérôme Doyon, 'Clientelism by Design: Personnel Politics under Xi Jinping', *Journal of Current Chinese Affairs* 47(3), (2018), pp. 87–110.

<sup>46</sup>Yang, *Xin Zhongguo*; Qi Wang, 'In Tailwind, in Headwind: Gender Quotas in China', *Indian Journal of Gender Studies* 22(3), (October 2015), pp. 387–407.

<sup>47</sup>Jude Howell, 'Gender and Rural Governance in China', in *Women's Political Participation and Representation in Asia: Obstacles and Challenges*, ed. Kazuki Iwanaga (NIAS Press, 2008), pp. 55–80; Shen Tan, 'Dangdai zhongguo funü zhuangkuang de fenxi yu yuce' (Analysis and Prediction of Women's Status in Contemporary China), *Shehuixue yanjiu* [Sociological Studies], 3, (1994), pp. 69–77.



woman in every township government in 1984, only 30% of them continued to have a woman after 1987.<sup>48</sup> Nationwide, only 5% of leadership positions at the township and village levels were held by women in 1990.<sup>49</sup>

Facing both international and domestic pressures since the late 1970s, the ACWF made its first move to push for the adoption of gender quotas in 1979. Defined as the CCP's designated department for dealing with 'women's work', the ACWF has constantly struggled to position itself between the Party's needs and its normative commitment to Chinese women,<sup>50</sup> and therefore often needs to camouflage its agenda in line with the Party's priorities.<sup>51</sup> Concretely, instead of openly challenging the Party for its failure to fulfill its commitment to gender equity, the ACWF submitted a document titled 'The Report to the Party's Central Committee on Training and Selecting Female Cadres' in 1979, urging the Party to address the underrepresentation of women.<sup>52</sup> In 1982, a similar report was submitted again to the Party's Central Committee, underlining the urgency of this issue. This time, a slightly more positive response was issued by the Central Committee, declaring that '[the Party] should overcome the prejudice against women, and should promote female cadres of both virtue and competence to leadership positions at all levels and in all domains'.<sup>53</sup>

However, despite the sudden drop in women's representation in the 1980s and the ACWF's contestation, the CCP did not make a move on quota at the time. Several factors were at play here, the first being the state-initiated shift in gender discourse at the beginning of the economic reform. While the Cultural Revolution marked an era during which women were encouraged to be active in politics, the downfall of Jiang Qing, who once advocated for women's inclusion in politics, was accompanied by a rejection of the 'Cultural Revolution models for womanly behavior—striving to be as good as a man in a man's domain'.<sup>54</sup> Underlying this shift was also the change of the state's development strategy, which shifted from the Maoist economic model emphasizing state planning and social equality towards one featuring marketization and economic growth. Along with the shrinking of the state sector, women were then directed to 'make themselves attractive ... [and] support their men and children at work and school'.<sup>55</sup> In fact, women's labor participation and discussion of womanhood were two out of the three major debates on Chinese women's status in the 1980s.<sup>56</sup>

Another reason for the CCP's inaction during that time came from a concern that women were not 'qualified' for politics. Women's improving representation in the 1970s was considered a 'hollow victory' because many women were said to be 'forced' into politics under the CCP's mobilization.<sup>57</sup> Since the socialist revolution did not redefine women's role in the private sphere, their political participation became the 'third burden' in addition to domestic labor and work in the field or state-owned enterprises.<sup>58</sup> As a result, women's political participation, despite the fact that it had reshaped the sense of possibilities women had,<sup>59</sup> also stigmatized women in politics due to their having to struggle with triple burdens. The same perception is attached to gender quotas, which were phrased

<sup>48</sup>Yang, *Xin Zhongguo*.

<sup>49</sup>Howell, 'Gender and Rural Governance in China'.

<sup>50</sup>Yunyun Zhou, "'Being a Good Daughter of the Party'?: A Neo-Institutional Analysis of the All-China Women's Federation Organizational Reforms in China's Xi Era', *China Perspectives*, (2), (2019) pp. 17–28.

<sup>51</sup>Zheng Wang, *Finding Women in the State: A Socialist Feminist Revolution in the People's Republic of China, 1949–1964* (University of California Press, 2017).

<sup>52</sup>Yue Sui and Yan Bai, 'Process and Experiences of The Party's Cultivating and Selecting Female Cadres since the Reform' (China Women's News, 2018), accessed January 6, 2024, [https://www.women.org.cn/art/2018/11/6/art\\_25\\_159091.html](https://www.women.org.cn/art/2018/11/6/art_25_159091.html).

<sup>53</sup>*Ibid.*

<sup>54</sup>Gail Hershatter, *Women and China's Revolutions*, p. 250.

<sup>55</sup>*Ibid.*, 252.

<sup>56</sup>Xianliang Wen, 'Bashi niandai zhongguo funü wenti sanda zhenglun pingshu' (Three debates on Chinese women in the 1980s), *Funü yanjiu luncong* [Collection of Women's Studies], (3), 1995, pp. 6–9.

<sup>57</sup>Hershatter, *Women and China's Revolutions*.

<sup>58</sup>Gail Hershatter, *Women in China's Long Twentieth Century* (University of California Press, 2007), p. 47.

<sup>59</sup>Hershatter, *Women and China's Revolutions*, p. 250.

as *'Baohu Cuoshi'* (protective measures) and *'Qingxie Cuoshi'* (favorable rules) in Chinese. In other words, women needed protections from the state, without which they would not make it due to their incapability.

### **'At Least One Woman': The First Gender Quota in Local Party-States**

The beginning of the 1990s brought changes for both change actors and the structural conditions they faced. First and foremost, the CCP appointed a new chairperson for the ACWF, Chen Muhua. As perhaps the most powerful woman in China in the early 1990s, having just finished her politburo tenure (1977–1987) and retired from the position of Vice Premier of the State Council,<sup>60</sup> Chen's leadership at the ACWF brought much greater resources to the lobbying process. Second, China's preparation for and hosting of the 1995 World Conference on Women, as well as the signing of several international agreements on gender equity, made gender equality a politically prominent matter and a major concern for the CCP's international image. The conference in particular provided a new source of legitimacy for domestic actors.

#### ***The ACWF's Lobbying of the CCP for the 'At Least One Woman' Quota in the 1990s***

Soon after assuming her leadership role of the ACWF, Chen approached the CCP's Central Organization Department, the department in charge of the CCP's personnel management. With her status within the Party, Chen was able to talk directly to the head of the Organization Department, Lü Feng, in 1990. As Chen recounted, the key was to ally with the Organization Department because the ACWF alone could not shake up the existing appointment and promotion rules.<sup>61</sup> Lü agreed first to cohost a 'Conference on Training and Selecting Female Cadres' in Changchun (hereafter Changchun Conference) with representatives from about twenty provinces, most of whom were leading figures of the CCP's provincial Organization Department and ACWF's provincial chapters.<sup>62</sup> It was during this conference in 1990 that the ACWF, together with the Organization Department, set the goal to have 'at least one woman at all county-level government and Party leadership positions in five years', and ensure that '50% of the townships meet this requirement' (see Table 1). This time-specific, incremental goal on women's participation in local political leadership positions became not only the first institutionalized gender quota designed to improve women's representation in China's Party-States but also the template for future quotas of this kind.

Women's representation soon improved after the Changchun Conference, largely boosting the ACWF's confidence on the effectiveness of gender quotas and enhancing its bargaining power for its continuing lobbying efforts. To make sure there was enough of a 'supply' of women to meet the quotas, the ACWF started to build a 'talent pool' of qualified female candidates and provided training sessions for women in politics to enhance their governing capacity right after the conference.<sup>63</sup> Its local chapters followed suit and started providing similar training sessions for female cadres at the grassroots level.<sup>64</sup> As a result, the following county-level leadership changes included major improvements on women's descriptive representation. For instance, the number of counties with at least one woman in governor/Party secretary positions within Hubei province increased from 36 to 89; and 98% of county units within Beijing appointed at least one woman to leadership positions.<sup>65</sup>

<sup>60</sup>Stanley Rosen, 'Women and Political Participation in China', *Pacific Affairs* 68(3), (1995), pp. 315–41.

<sup>61</sup>ACWF, *Chen Muhua funü ertong gongzuo wenji* (Record of Chen Muhua's Career on Women and Children's Work) (Zhongguo funü chubanshe, 1999).

<sup>62</sup>*Ibid.*, 476.

<sup>63</sup>*Ibid.*, 249–50.

<sup>64</sup>*Ibid.*, 249–52.

<sup>65</sup>Yang, *Xin Zhongguo*.

**Table 1.** Policy documents on China's gender quotas in the local Party and state leadership

Year	Document	Issuer	Quota Requirements
1988	<i>The Opinion on Enhancing Training and Selecting Female Cadres in the Opening up and Reform</i> (在改革开放中加强培养选拔女干部工作的意见)	CCP's Central Organization Department, ACWF	'In 3–5 years, all county level and township level Party branches and governments should have a significant increase of female cadres ... so that nearly every county leadership should have female cadres'.
1990	<i>Meeting Minutes of the Conference on Training and Selecting Female Cadres</i> (培养选拔女干部工作座谈会纪要)	CCP's Central Organization Department, ACWF	'By 1995, there should be at least one woman in county level leadership positions; 50% of township governments should have at least one woman'.
1992	<i>Law on the Protection of Women's Rights and Interests</i> (妇女权益保护法)	The 5th Session of the 7th National People's Congress	'State bureaucracies, social institutions, government-affiliated institutions, and companies should adhere to the principal of gender equality and pay attention to the training and selecting of female cadres for leadership positions'.
1994	<i>State Report on 'The Nairobi Forward-looking Strategies for the Advancement of Women'</i> (提高妇女地位内罗毕前瞻性战略国家报告)	The State Council	'Before 2000, the State Council should have female vice premiers and female state councilors. ... Provincial, prefectural, municipal, county, and township-level leaderships should have women'.
1995	<i>The Outline for Women's Development in China 1995–2000</i> (中国妇女发展纲要 1995–2000)	The State Council	'Women's participation in the decision-making bodies of the state should improve; the inclusion of women in all government leaderships, and women in bureaucratic department leaderships should be aimed for'.
1995	<i>Meeting Minutes of the Conference on Training and Selecting Female Cadres and on Recruiting Women Party Members</i> (全国培养选拔女干部、发展女党员工作座谈会纪要)	CCP's Central Organization Department, ACWF	'By 2000, provincial level governments should have at least one woman in leadership positions; governments below the provincial level should have one woman, and work to have two in leadership positions; 50% of governments, from provincial to county level, should meet this target'.
2001	<i>Opinions on Training and Selecting Female Cadres, and on Recruiting Women Party Members</i> (关于进一步做好培养选拔女干部、发展女党员工作的意见)	CCP's Central Organization Department, ACWF	'By 2005, provincial and prefectural level governments should have at least one woman in leadership positions of the Party, government, legislative department, and political consultative conference; half of the functional departments at national, provincial, and prefectural level should have women in leadership positions'.
2001	<i>The Outline for Women's Development in China 2001–2010</i> (中国妇女发展纲要 2001–2010)	The State Council	'All levels of Party and government leadership should have more than one woman. More than half of the leadership positions of central, provincial, and prefectural bureaucratic departments should have at least one woman'.
2011	<i>The Outline for Women's Development in China 2011–2020</i> (中国妇女发展纲要 2011–2020)	The State Council	'Government above county level should have more than one woman in Party and state leadership positions; the number should increase gradually. ... Leadership positions in national, provincial, and prefectural bureaucratic departments should have more women than currently'.
2021	<i>The Outline for Women's Development in China 2021–2030</i> (中国妇女发展纲要 2021–2030)	The State Council	'The ratio of female cadres in local Party and government leadership above the county level should gradually increase; the proportion of female cadres among all leading cadres at the same level should gradually increase'.

Building on these achievements, the ACWF moved to the next stage and aimed to enlarge the pool of qualified women cadres and expand the application of the ‘at least one woman’ quota to all levels of government. To enlarge the pool of women cadres, the ACWF first identified the source of the problem—the lack of female CCP members. Under the one-Party rule of the CCP, only CCP members are qualified to be promoted to leading positions in most cases, and women only accounted for 15% of CCP members when the quota was introduced in the early 1990s. Chen, again, made an unanticipated move by writing directly to Hu Jintao, president of China between 2003 and 2012 and a member of the Politburo Standing Committee then. In this letter, Chen showed Hu the number of female CCP members and specifically emphasized the importance of women Party members in improving women’s overall status in politics.<sup>66</sup> After reading this letter, Hu ordered the Organization Department to arrange for another meeting on women’s representation in politics and, also, on women’s representation in the CCP. Under pressure from the leading figures of the CCP, the Organization Department soon called for another national meeting in February 1995 to show its support for the ACWF, entitled ‘Conference on Training and Selecting Female Cadres, and on Recruiting Women Party Members’.

This Conference also expanded the application of the ‘at least one woman’ quota to all levels of subnational government. As Chen recalled later, she repeatedly emphasized the abysmal number of women’s representation across higher levels of government during her lobbying efforts of the CCP—women only made up 7% of cadres in provincial government, including both leaders and rank-and-file government employees, and 6.96% of the prefectural-level government cadres.<sup>67</sup> The recognition of women’s lack of representation at almost all levels of government by the CCP directly drove the Organization Department’s decision to support the ACWF’s motion. In their jointly released policy document from the 1995 conference, both provincial and prefectural governments became required to adopt the ‘at least one woman’ quota.

### **Opportunities from the World Conference on Women in 1995**

The 1995 World Conference on Women in Beijing was a watershed moment for the ACWF’s lobbying for quota adoption. Despite the fact that China had signed almost all the international agreements on gender equality since the 1980s (e.g. *The Convention on the Elimination of All Forms of Discrimination against Women* and *The Nairobi Forward-looking Strategies for the Advancement of Women*), the international pressure generated from the 1995 Conference was unique. At the very least, China was the host. But there was far more than that at stake—it was also a critical period during which China was focusing on (re)cultivating relations with the global community and urgently needed to improve its image, exemplified by its repeated bids to host the Olympics and to join the World Trade Organization.<sup>68</sup>

The ACWF smartly utilized this pressure during its push for the adoption and implementation of gender quotas. The shift was most obvious in the discourse used by the ACWF. While Chen used to justify the need for gender quota with reference to the lack of women in politics or the CCP’s ideological commitment to gender equality, she immediately switched the discourse by referring to China’s endorsement of international agreements on gender equity during and after the 1995 World Conference on Women. For instance, to promote gender quotas and encourage local governments’ compliance, Chen underlined the gap between the requirement by the *Platform for Action* and China’s status openly:

The World Conference on Women advocated that women should make up 30 percent of leadership positions. We are far behind. This is urgent. If we cannot meet the target, it makes us look bad in international society. We made a commitment to the *Platform for Action* and it is a very important commitment. If we cannot honor it, people think our government is not reliable.<sup>69</sup>

<sup>66</sup>ACWF, *Chen Muhua*

<sup>67</sup>Ibid.

<sup>68</sup>Alice D. Ba. ‘China and Asean: Renavigating Relations for a 21st-Century Asia’. *Asian Survey* 43(4), (2003), p. 630.

<sup>69</sup>ACWF, *Chen Muhua*, 476.

China's gradual integration into the UN's gender equity framework further helped institutionalize its gender quota policies, making gender quotas part of the State Council's periodic plans for the advancement of women's status. In preparation for the 1995 World Conference on Women and to showcase China's efforts in tackling women's lack of representation in politics, the State Council, along with the ACWF, released China's first comprehensive action plan for women's empowerment, the *Outline for Women's Development in China (1995–2000)*, only one month before the 1995 Conference. This policy document used almost the same framework as *The Beijing Declaration and Platform for Action*, setting goals and quantifiable targets on women's status in all dimensions of life. On political power and decision-making, it followed the policy document created by the Organization Department and emphasized women's participation in both leadership positions and in functional departments of the government. The following *Outline (2001–2010)* officially incorporated the 'at least one woman' quota for all levels of government.

This *Outline* marks the beginning of the institutionalization of the gender quota policy in Chinese politics for two reasons. First, the *Outline* works as the ultimate policy guideline for local governments when it comes to women's empowerment. The targets in the *Outline* trickle down through China's hierarchically organized bureaucratic structure, making local government essentially accountable for meeting the targets. Second, compared with the policy output produced by the Organization Department's conference on women cadres, the renewal of the *Outline* is rule-based: it is a periodic policy guideline that renews over time. This also means that lobbying for gender quota policy now relies less on personal networks and is therefore much less costly for the ACWF. As of today, it has been renewed three times, with the most recent renewal (2021–2030) setting goals for women's representation in all aspects of Chinese political life, including the Party Congress, legislature, government and Party leadership positions, functional departments, and grassroots organizations. Although not all the goals in the *Outline* are quantified, and many use ambiguous terms such as 'appropriate number of women', the political status of its issuer, the State Council, makes local governments take the *Outline* more seriously compared with policy guidelines issued directly by the ACWF.

Taken together, the adoption of the quota of 'at least one woman' in the Party and state agencies was primarily triggered by the sudden decrease in women's representation in the 1980s and benefited greatly from China's (re)integration into the UN's framework on gender equity. The ACWF was the only major actor to push for its adoption at the time, owing to its institutional and normative commitment to Chinese women. The strategies used by the ACWF during the first stage were not only state-centered but mostly Party-centered. As the quota applied to local state and Party leadership positions (i.e. governor and Party secretary), the ACWF had no choice but to appeal to the CCP's decision-makers, mostly male political elites. The ACWF did not possess so many discursive and political resources when approaching the Organization Department and had therefore to rely on Chen's political status and personal connections in the Party. The situation changed due to the 1995 World Conference on Women, which clearly gave the ACWF more political clout by holding the state accountable to international agreements. Additionally, the *Platform for Action* also provides a template for the ACWF's subsequent policy documents, making quotas part of the government's development plan and contributing directly to its institutionalization in Chinese politics.

### **Reserved Seats: The Adoption of Gender Quotas in China's People's Congress**

China enacted its first *Electoral Law* for the National and Local People's Congresses in 1953 and re-promulgated it in 1979, introducing competitive elections for congresses at all levels. While the law mentioned women's equal right to vote and to run in an election, it was not until the third amendment in 1995 that the Electoral Law included a clause on women's representation, stating that 'there should be an appropriate number of women and this number should gradually increase'

**Table 2.** Policy documents on gender quotas in the National and Local People's Congresses

Year	Document	Issuer	Quota Requirements
1992	<i>Law on the Protection of Women's Rights and Interests</i> (妇女权益保护法)	The 7th National People's Congress	'Among the deputies of the national and local People's Congresses, there should be an appropriate number of women, and the proportion of women deputies should gradually increase'.
1992	<i>Decision on the Number of Delegates to the 8th People's Congress and Issues Concerning the Election of the Delegates</i> (关于第十一届全国人民代表大会名额和选举问题的决定)	The 7th National People's Congress	'The number of women to be elected to the 8th People's Congress should be no less than their number in the 7th People's Congress.'
1995	<i>The 3rd Amendment of the Electoral Law</i> (中华人民共和国选举法第三次修订)	The 8th National People's Congress	'Among the deputies of the National People's Congress and the Local People's Congresses, there should be an appropriate number of women, and the proportion of women deputies should gradually increase'.
2007	<i>Decision on the Number of Delegates to the 11th People's Congress and Issues Concerning the Election of the Delegates</i> (关于第十一届全国人民代表大会名额和选举问题的决定)	The 10th National People's Congress	'The proportion of women to be elected to the 11th People's Congress should be no less than 22%'.
2011	<i>The Outline for Women's Development in China 2011–2020</i> (中国妇女发展纲要 2011–2020)	The State Council	'The increase of the ratio of female deputies in both the national and local People's Congress should be actively pursued'.
2021	<i>The Outline for Women's Development in China 2021–2030</i> (中国妇女发展纲要2021–2030)	The State Council	'The proportion of women deputies in all levels of the People's Congress and their Standing Committees should gradually increase'.

(Article 6), following the same requirement from the 1992 *Law on the Protection of Women's Rights and Interests* (hereafter the 1992 Law). The first reserved seats quota with a specific threshold came a decade later in 2007 through a resolution passed by the National People's Congress (see Table 2).

Much like the quota requirements for appointed Party-State leadership positions, quotas in the congress were also initially triggered by the plunge in women's representation in the 1980s after the adoption of competitive elections and were driven internally by the ACWF. Unlike the quotas for appointed positions, however, the ACWF managed to build support coalitions from both the state and society, including local WF members and faculty members from higher education. Additionally, unlike the 'at least one woman' quota for appointed positions, legislative gender quotas were more widely used in international society, especially after the second wave of global gender quota diffusion. As such, domestic actors gained more discursive resources during their lobbying by referencing quotas from other countries.

### **'No Fewer Than the Last Term': The First Quota at the People's Congress in 1992**

The discussion of a quota for reserved seats started from a debate in *Chinese Women's News*, the ACWF's leading official journal. Due to the drop in the number of women in the National People's Congress, *Chinese Women's News* decided to solicit opinions on a quota for reserved seats in 1988, entitled 'Survival of the Fittest? Or Quota?' The debate lasted for three months and sparked heated discussion among its audience, mostly female government officials.<sup>70</sup> While there were concerns about 'whether women were ready for politics', the debate also came to a consensus that a quota was 'a necessary and effective way of doing things'.<sup>71</sup>

<sup>70</sup>Yang, *Xin Zhongguo*.

<sup>71</sup>Shubo Wang, 'A Tentative Discussion of Several Problems in the Selection and Promotion of Women Cadres', *Chinese Law and Government: Women and Politics in China* 26(5), (1993), pp. 53–62.



However, as representatives in the People's Congress are elected rather than appointed, although indirectly by representatives at the provincial legislative department, the introduction of a gender quota would require changing the election rules, a more challenging task than issuing administrative orders. The ACWF shifted its strategy accordingly. Instead of approaching the Party as it did with the 'at least one woman' quota, the ACWF chose to draft a legislative proposal. The timing of this proposal worked out well since the legislative agenda of China's first *Law on the Protection of Women's Rights and Interests* had recently been approved and a Special Group for Women and Children was set up by the National People's Congress to draft the law. The ACWF soon targeted this legislative draft as its opportunity to insert a gender quota for reserved seats into the draft.

However, this idea was met with strong opposition from the legislative department owing to two concerns. First, inserting a quota for reserved seats into a law meant the failure to meet the quota would entail legal liabilities and sanctions. While the CCP largely controls the electoral processes,<sup>72</sup> there are still uncertainties regarding the election results, as prior research has shown.<sup>73</sup> Those who were worried that the shortage of qualified female candidates might stymie the election process and endanger the election eventually managed to thwart the stipulation of a reserved seats quota.<sup>74</sup> Second, there was also the concern that quota implementation might, as during the Cultural Revolution era, impose a third burden on women. Many recalled the experience of women's participation during the 1970s to illustrate the point that a quota would only drag women into politics against their will and exhaust them together with the double burdens (i.e. workload and domestic labor) on them.<sup>75</sup>

Because of the strong opposition, the 1992 Law did not include a gender quota for reserved seats. Instead, it included an ambiguous clause stating that there should be 'an appropriate number of women' in the congress. Foreseeing the ACWF's failure, Chen immediately submitted a motion to the congress, which suggested that 'the number of women representatives in the 8th National People's Congress (1993) should be no fewer than that of the 7th'. Coincidentally, this motion passed on the same day and at the same session as the passage of the 1992 Law. While the result was a disappointment for the ACWF, both the motion and the ambiguous requirement of an 'appropriate number' were the first published record in China's post-reform era attending to the number of women representatives in the legislative department. As such, it gave the ACWF something to build on for future negotiation. Meanwhile, it triggered subnational legislation on gender quotas, which in turn offered national-level actors leverage for future lobbying. For example, Hunan Province codified a 30% candidate quota within its provincial-, prefectural-, and county-level People's Congresses when implementing the 1992 Law.<sup>76</sup> Similarly, Hebei Province incorporated a 25% candidate quota in its enforcement of the Election Law at the county and township People's Congresses.<sup>77</sup>

### **The First 22% Quota: Domestic Coalitions and Global Quota Diffusion**

The ACWF's working strategies largely shifted after its initial failure, owing to the active participation of an epistemic community and the global diffusion of legislative gender quotas. This second phase of lobbying for quota adoption was contextualized by the 4th World Conference on Women in

<sup>72</sup>Xinhui Jiang, 'Gendered Pathways to the County-Level People's Congress in China', *The China Quarterly* 249, (2022), pp. 68–90.

<sup>73</sup>Melanie Manion, 'When Communist Party Candidates Can Lose, Who Wins? Assessing the Role of Local People's Congresses in the Selection of Leaders in China', *The China Quarterly* 195, (2008), pp. 607–30.

<sup>74</sup>Ronald C Keith, 'Legislating Women's and Children's "Rights and Interests" in the PRC', *The China Quarterly* 149, (1997), pp. 29–55.

<sup>75</sup>Xuxiang Cui, 'Guanyu funü canzheng wenti yanjiu zongshu' (Literature Review on Women's Political Participation), *Funü zuzhi yu huodong* [Women's Organization and Activity] (6), (1993).

<sup>76</sup>'Hunansheng shishi zhonghua renmin gongheguo funü quanyi baozhangfa banfa (1994)' (Hunan Province's Implementation of the Law on the Protection of Women's Rights and Interests, 1994).

<sup>77</sup>'Hebeisheng shishi zhonghua renmin gongheguo funü quanyi baozhangfa banfa (1994)' (Hebei Province's Implementation of the Law on the Protection of Women's Rights and Interests, 1994).

Beijing in 1995, which introduced Western feminist concepts and theories to domestic actors and led to an upsurge in research interests on women and gender studies.<sup>78</sup> Seizing this moment, the ACWF founded its official think tank in 1999 under the new leadership of Peng Peiyun, the China Women's Research Society (CWRS). Provincial ACWF chapters soon followed suit and founded their own research institutes. To enhance the exchange with Western scholars on gender studies, the CWRS specifically identifies 'international exchange' as part of its main responsibility, with researchers examining international practices and theories on gender equity. Several academic journals such as *Sociology Studies* and the *Journal of Shanghai Normal University* also started to open new columns designated for gender studies.

With the increasing academic interest, the ACWF deepened its ties with both domestic scholars on gender studies and international society. Upon its founding, one of the very first projects the CWRS conducted was on women's political participation, titled 'Women's Political Participation in an Era of Transition', which marked the first time in history that Chinese scholars have analyzed women's status in politics through the lens of gender theories in the reform era. To learn about international practices regarding gender quotas, Peng even took a trip to Norway and Denmark in 2000, accompanied by a group of female government officials. The enthusiasm for gender quotas within this epistemic community was also mirrored at the subnational levels. For example, the Women's Research Center at Shanghai Jiao Tong University started a project entitled 'Women's Participation in Politics in Shanghai: Status and Solutions' in the same year, and the Association of Women Studies in Jilin Province also organized a seminar titled 'Women and Political Participation'.<sup>79</sup>

The research findings from these academic projects and the ACWF's firsthand knowledge of international practices soon informed the ACWF's continuing lobbying for gender quotas. To capitalize on the research findings, the CWRS organized a workshop in 2001 on women's representation in politics with papers from all over the country. During this workshop, researcher Du Jie from the CWRS examined how gender-blind rules such as the different retirement age between men and women prevented women from moving upward in politics.<sup>80</sup> Li Li and Zhang Hongmei from the Jilin Provincial School of Female Cadres investigated the gender norms and discriminatory images represented in the media and discussed how these norms and images shaped women's self-identification as 'not compatible with politics' and discouraged them from participating.<sup>81</sup> In only one month, the CWRS drafted a policy report to the CCP's Organization Department based on the research outputs from this workshop. Meanwhile, Peng Peiyun, being fully appreciative of the Nordic countries' success in gender quota adoption and implementation, also submitted a motion to the national legislative department that stated 'women should make up no less than 25% of representatives at the 10th Congress (2003–2008)'.

The following election proved to be a disappointment, yet also a window of opportunity. With Peng's proposal dismissed for unknown reasons, the proportion of women dropped to 20.83% in the 2003 election, making it the lowest level of women's representation since 1975. However, this incident also became a stronger justification for a gender quota with a specific threshold and sanctions for noncompliance. Maybe out of guilt, during the very first session of the 10th Congress in 2003, the Committee for Internal and Judicial Affairs of the National People's Congress visited the headquarters of the ACWF and asked the ACWF to conduct more research and prepare for

<sup>78</sup>Zheng Wang, 'Maoism, Feminism, and the UN Conference on Women: Women's Studies Research in Contemporary China', *Journal of Women's History* 8(4), (1997), pp. 126–52.

<sup>79</sup>Yang Xiao, Xiuhua Jiang, Ruixin Mi, and Kailiang Shi, *Zhongguo funü yanjiu nianjian (2006–2010)* (Almanac of Chinese Women's Studies (2006–2010)) (Beijing: Shehui kexue wenxian chubanshe, 2015), p. 516.

<sup>80</sup>Jie Du, 'Woguo peiyang xuanba nüganbu zhengce cuoshi pinggu he shehui xingbie fenxi' (A Gender Analysis and Evaluation of the Policies to Promote Women Cadres in China), *Funü yanjiu luncong* [Journal of Chinese Women's Studies] (6), (2001), pp. 15–19.

<sup>81</sup>Yan Ma, 'Zhongguo funü canzheng yantaohui lunwen guandian zhaibian' (Selection from the 'Workshop on Chinese Women's Political Participation') *Funü yanjiu luncong* [Journal of Chinese Women's Studies] (6), (2001), pp. 58–67.

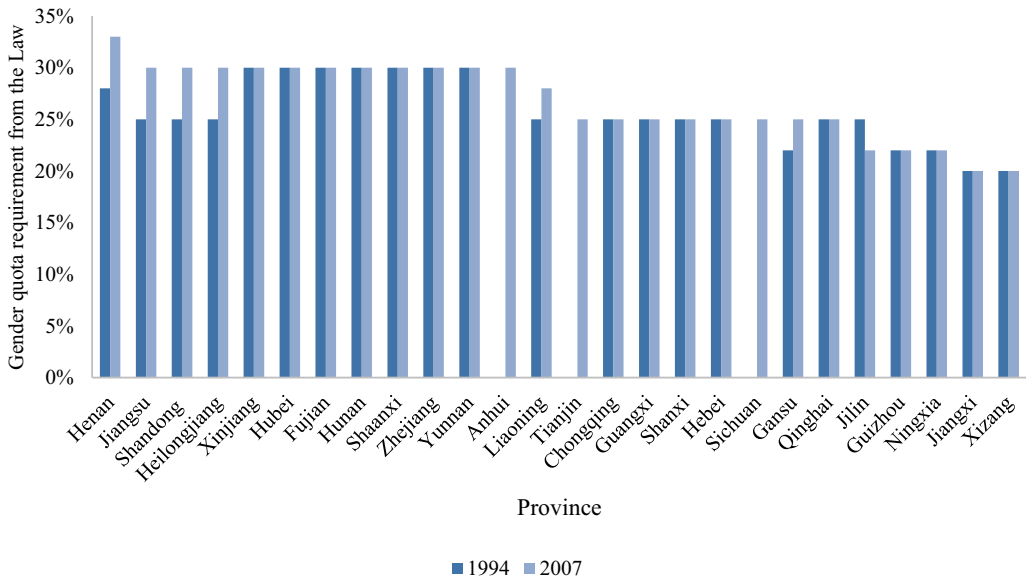


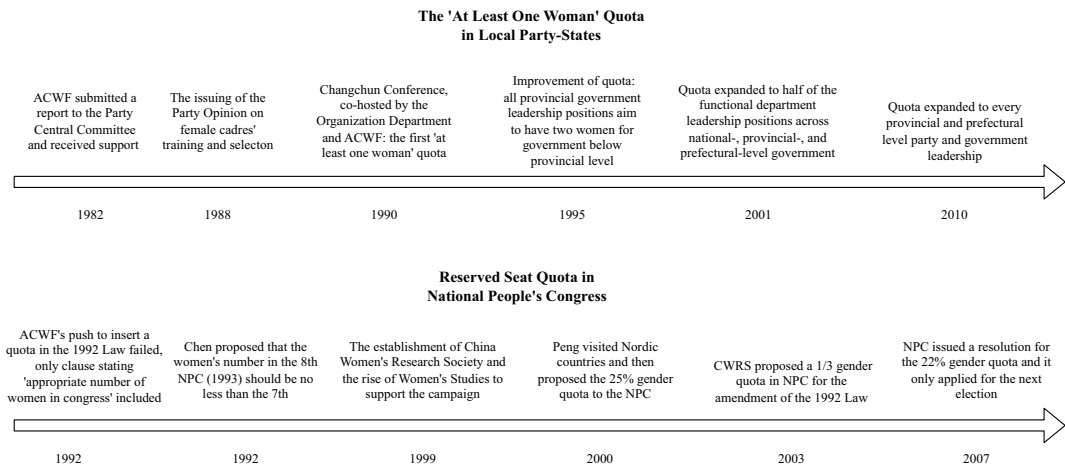
Figure 2. Gender quota thresholds at the Provincial People's Congresses.

an amendment of the 1992 Law on the Protection of Women's Rights and Interests. The ACWF took the opportunity and decided to pressure the legislative department to include gender quotas in the amendment. The ACWF learned from its failure during the legislation of the 1992 Law—a quota was rejected due to the concern that quotas could not be met and would embarrass the government—and set out to first show the feasibility of gender quota implementation in China. To do that, the ACWF tasked the CWRS with a proposal to 'insert a one-third gender quota at both national and local congresses'. The CWRS drafted the proposal based on its survey of global quota diffusion as well as subnational adoption of gender quotas in domestic China. For example, the proposal shows that during the implementation of the 1992 Law, seven provinces included a gender quota stipulating that 30% of candidates should be women, and many were able to meet the quota requirements (see Figure 2).

The amendment of the 1992 Law was passed in 2005. While it still dismissed the ACWF's demand for a one-third gender quota, it encouraged more subnational governments to adopt gender quotas. Altogether, 26 provinces adopted gender quotas for future legislative elections in their implementation of the amendment.<sup>82</sup> To name a few, Anhui province included a 30% candidate quota for the Provincial Congress, Liaoning province adopted a 25% candidate quota for all levels of congresses, and Heilongjiang province incorporated a 30% quota for provincial and prefectural congresses, and a 25% quota for county and township congresses.<sup>83</sup> Even though the ACWF failed to include a quota in the 2005 amendment of the 1992 Law, the wave of subnational quota adoption following it

<sup>82</sup>Juan Ding, Wen Li, and Guixia Huang, '2005 nian yilai zhongguo funü canzheng de jinzhān yu tiaozhān' (The Development and Challenge of Women's Political Participation in China since 2005) *Zhonghua nüzi xuebao* [Journal of China Women's University] 22(1), (2010), pp. 93–97.

<sup>83</sup>Please see each province's 'Sheng shishi zhonghua renmin gongheguo funü quanyi baozhangfa banfa (2007)' (Provincial Implementation of the Law on the Protection of Women's Rights and Interests, 2007). The variation of regional difference in the threshold of gender quota, according to Junzhi He's (2023) recent publication, might be attributed to the preexisting level of women's representation in each province. As his analysis suggests, the number of women number in provincial congresses is negatively correlated to the strictness of gender quota requirements. See Junzhi He, 'Zhongguo shengji renda daibiao xuanju zhong de xingbie pei'ezhi yanjiu' (Studies of Gender Quota in the Election of China's Provincial People's Congress) *Guojia xiandaihua jianshe yanjiu* [Journal of Modernization Studies] 2(9), (2023), pp. 97–108.



**Figure 3.** Milestones in China's gender quota adoption.

offered a new source of legitimacy and leverage for bargaining over a national gender quota. As such, the subnational initiatives provided the last push in the process for quota adoption.

Eventually, the ACWF and the legislative department met in the middle. Being concerned that inserting a quota in the law might be too strict and unattainable, the legislative department agreed to pass a resolution with a lower threshold instead. Hence, two years after the 2005 Law amendment, the legislative department passed the resolution that 'the proportion of women should be no less than 22% in the subsequent election (2008)'. This resolution marked the end of the lobbying for a gender quota of reserved seats in the legislative department, as it was the first time the legislative department agreed to a number.

Compared with the ACWF's lobbying for the gender quota in bureaucratic and Party agencies, during which the negotiation was mostly restricted to political elites, the lobbying to adopt gender quotas in the legislative department was a much more multidimensional process. Vertically, it involved both national and subnational actors with the provincial government's adoption of gender quotas happening much earlier than the national move. Horizontally, it also engaged with both state and non-state actors, especially scholars on gender studies. The diffusion of international norms, in the form of the UN conferences and academic/official exchange on gender quota, undoubtedly provided state actors sources of legitimacy when lobbying for quotas. Notably, on both axes, the ACWF played the crucial role by bridging the knowledge gap between the epistemic community and the political elites, as well as by showcasing international and subnational achievements to the legislative department (see Figure 3).

## Conclusion

As a result of decades of careful maneuvers, four sets of laws and policies with requirements about gender quotas are in force in today's China: the Law on the Protection of Women's Rights and Interests, the Outline on Women's Development issued by the State Council, the decision made by the Conference on Training and Selecting Female Cadres and on Recruiting Women Party Members, and the election rules for the People's Congresses. Together, they constitute an umbrella policy that combines directives from the legislature, executive, and the Party and regulates women's presence in multiple areas, including women representatives at both national and local congresses, female cadres in leadership positions, and female cadres in functional departments.

By tracing the process of gender quota adoption in China, this article shows that layering prevails in this case, as several conditions associated with institutional layering have been met. The change has been at best incremental and all the quotas were introduced on top of existing political appointment rules or electoral rules rather than rapidly replacing the old ones. It started with the Party's issuing of one-time directives and developed into a more institutionalized and systematic policy framework with a comprehensive range of laws, policies, and programs that cover an increasingly broad range of political institutions. The change was driven internally by the ACWF and was later reinforced by a variety of actors such as the feminist epistemic community during the 2000s. They managed to build the campaign from the CCP's socialist legacy of gender quotas and sought to further justify quotas with international norms and agreements on gender equity.

However, change actors' efforts aside, structural conditions also matter in the process. In this case, the CCP's weighing of priorities shaped the opportunity structure for the lobbying. This also explains the state's inaction during the 1980s, which featured a more conservative gender discourse regarding the public role of women and the shifting development strategy that prioritized development and efficiency. That being said, the 1990s were a critical period for the CCP to (re)gain international recognition. As the host of the 1995 World Conference on Women, it was important to project a positive image. Domestic change actors smartly seized this opportunity—they not only measured women's political status in China against its commitment to international society but also repeatedly made references to quota adoption in other countries.

Another noticeable feature of 'layering' in this institutional change process is the interaction between old and new rules in both the introduction and implementation of the quota policies. While it is difficult to pin down *how* opponents resist reserved seats except for their concerns over its feasibility and the reputation cost for the government in the case of noncompliance, the new rule of 22% reserved seats itself showcases how old rules coexist with or undermine what the ACWF proposes—that is, 22% could be understood as a codification of the status quo of women's representation, which had been fluctuating between 20% and 23% from 1975 to 2007. The quota pushed by the ACWF, however, contained higher thresholds, including one-third and 25%. Regarding quota implementation, we can also observe how old promotion practices undermine the newly introduced 'at least one woman' quota in the government. For instance, to meet the quota but retain the previous gender structure in politics, upper-level authority tends to appoint women to deputy positions (e.g. deputy governor) instead of leading positions (e.g. governor)—until 2021, while over 96% of counties have met this quota requirement, closer examination shows that only 11% of these counties have a woman as actual leading governor.<sup>84</sup>

Seeing these processes as part of changes to China's political institution, this article provides several contributions to the existing literature of gender and politics and Chinese politics. While scholars of gender and politics have extensively studied the global diffusion of gender quotas,<sup>85</sup> case studies, especially from post-socialist countries and authoritarian regimes, are less known. Our findings show that, beyond norm diffusion, quota adoption in China also benefits from the All China Women's Federation's flexible use of personal networks and invocation of China's socialist legacy. Additionally, the study also highlights that quotas beyond electoral parliaments matter, and that political context also matters in discussions of gender quotas. While the comparative literature on gender quotas is often preoccupied with quotas in parliaments, our findings show that the 'at least one woman' quota in the Party and state agencies of China's subnational governments remain crucial in the one-Party state. In terms of processes and contexts of institutional changes, we argue that the historical context matters in domestic actors' choices of working strategies in lobbying for different types of quotas: the ACWF had to take different routes when reaching for the 'at least one woman' quota compared with the reserved seats quota due to the difference in institutional barriers

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<sup>84</sup>Bureau of Statistics, '2021 nian Zhongguo funü fazhan gangyao (2021–2030) tongji jiance baogao' (Monitoring Report of 'Outline of Women's Development (2021–2030)') (2021).

<sup>85</sup>See Bauer, "A Lot of Head Wraps"; Norris and Dahlerup, 'On the Fast Track'.

it faces. When it comes to lobbying the CCP to include at least one woman in leadership positions, the key is to persuade decision-makers at the top, since the appointment decision is top-down. However, when it comes to reserved seats, the barriers come from the risks and uncertainties involved in election—risks that the government is far more reluctant to take. Despite the difference in the institutional barriers and the resultant variation in the actors' working strategies, the lobbying and adoption of the 'at least one woman' quota has also been indirectly contributing to the achievement of the reserved seats quota through raising political awareness of decision makers and shifting the discursive environment in Chinese politics. Finally, by underscoring the important role played by a strong women's policy agency in translating international norms into locally meaningful practices and in negotiating with the state, these findings also refute the common understandings that gender quotas in China are either absent or automatically 'granted' by the Party-State.<sup>86</sup>

This article leaves several questions for future research. First, quota adoption does not mean effective implementation. In fact, scholars have observed some problems with China's gender quota implementation today.<sup>87</sup> For instance, the 'at least one woman' gender quota is often turned into the unwritten rule of 'one woman at most' in China's local Party-State leadership. Explanations of this glass-ceiling effect include the lack of effective training and promotion policies that ensure the supply of female candidates during the appointment of leadership figures, as well as the lack of gender awareness among leading Party cadres. Future research might further explore if the glass ceiling effect is universal and how it affects women's representation overall.

Another problem noted is that the intersection of gender quotas with other minority quotas such as quotas for ethnic minorities, intellectuals, and non-CCP Party members leads to the social stigmatization of female political appointees as 'token women' whose appointment fulfills several quota requirements simultaneously.<sup>88</sup> Additionally, like policy-making in other issue areas within China, quota policies are 'vague or overly complex' and often give conflicting instructions.<sup>89</sup> For example, while in some provinces the three instructions for congress election—the Outline, the Law, and the election decisions from the prior congress—form a coherent quota framework with the same quota threshold, in other cases three different quota thresholds are in operation. For example, both the Law and electoral decision in Hunan province have a 30% quota for congress, whereas Shaanxi province has a more complicated situation—25% from the Outline, 30% from the Law, and no quota from the rules guiding election.<sup>90</sup>

Finally, the dominant role of the ACWF in increasing women's political participation also compromises and even sometimes stymies the rise of an exuberant civil society on women's issues. Even though a sizable body of literature has shown that local Women's Federations often enjoy a cooperative relationship with nongovernmental women's organizations, there was never a movement or a formation of transnational networks in enhancing women's political role.<sup>91</sup> The closest those nongovernmental organizations can get is to participate in academic conferences and provide training sessions for female cadres, exemplified by the training for village cadres offered by Shaanxi Research Association for Women and Family, and their frequent participation in the seminars

<sup>86</sup>Chun Lin, 'Whither Feminism: A Note on China', *Signs* 26(4), (2001), pp. 1281–86; Jude Howell, 'Women's Political Participation in China: In Whose Interests Elections?' *Journal of Contemporary China* 15(49), (2006), pp. 603–19.

<sup>87</sup>Jiang, 'Gendered Pathway'; Wang, 'In Tailwind'.

<sup>88</sup>Minglu Chen, "'Innocent Young Girls': The Search for Female Provincial Leaders in China', *The China Quarterly*, May 16 (2021), pp. 1–25.

<sup>89</sup>Danny Marks, 'China's Climate Change Policy Process: Improved but Still Weak and Fragmented', *Journal of Contemporary China* 19(67), (2010), pp. 979.

<sup>90</sup>Please see each province's 'Sheng shishi zhonghua renmin gongheguo funü quanyi baozhangfa banfa' (Province's Implementation of the Law on the Protection of Women's Rights and Interests), 'Funü fazhan guihua' (The Outline of Women's Development), and 'Xianji yixia renmin daibiao dahui zhijie xuanju xize' or 'Xianxiang liangji renmin daibiao dahui daibiao xuanju shishi xize' (County and Township People's Congresses Election Rules/Decisions).

<sup>91</sup>Wang, 'Finding Women in the State'; Zheng Wang, 'Maoism, Feminism, and the UN Conference on Women: Women's Studies Research in Contemporary China', *Journal of Women's History* 8(4), (1997), pp. 126–52.



organized by the CWRS. The lack of civil society and transnational network's involvement in turn furthers their suspicions towards China's gender quota. As commented by an activist the authors interviewed:

I don't think the 22 percent should be called a quota. A quota should be a goal that is far beyond your current status quo. How could one call this 22 percent a quota if women's number in the national legislature has been fluctuating around 20 percent for almost three decades?<sup>92</sup>

While we have noted the feminist epistemic community's cooperation in pushing for quota adoption, it remains to be seen if such a tactic would succeed in pushing for a quota with a higher threshold and stricter implementation of quotas. This study therefore leaves the question of how the interaction between civil society and women's policy agency shapes the landscape of women's political representation in China for future research.

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No potential conflict of interest was reported by the author(s).

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<sup>92</sup>Authors' interview transcript, April 20th, 2017.