

Study on the Dilemma of Rural Women's Access to Education in China and its Legal Protection

Junyan bai^{1, *}

¹Macau University of Science and Technology, Macao, China

*Corresponding author: 1220009071@student.must.edu.mo

Abstract:

This paper explores the multidimensional challenges faced by rural women in China in accessing education, revealing the root causes of the intersection between urban-rural educational inequality and gender discrimination. While legal and policy reforms have led to some improvements—particularly in the realm of compulsory education, where enrollment rates for rural girls have increased—significant barriers remain, especially in higher education and vocational training. These challenges are rooted in various structural issues, including disparities in educational resources, cultural capital deficiencies, and the persistence of traditional gender roles, all of which disproportionately affect rural women. The paper offers an in-depth analysis of these factors, highlighting the inadequacies of current legal frameworks and the practical difficulties in their implementation. It proposes strategies to improve the situation, such as enhancing legal enforcement, increasing state investment in rural education, addressing societal and cultural biases through gender equality education, and expanding vocational and lifelong learning opportunities tailored to rural women's needs. The findings suggest that only through a comprehensive approach—integrating legal, policy, and cultural initiatives—can rural women's educational rights be effectively protected, leading to more equitable educational outcomes, reduced gender disparities, and fostering overall social progress in China.

Keywords: Rural women; educational inequality; gender discrimination; legal protection.

1. Introduction

As a core element of social development, education has always been one of the most important indicators of human progress. It is not only related to the growth and development of individuals, but also the cornerstone of national and social development. Especially in modern society, the popularity and fairness of education has become an important symbol to measure the modernization level of a country. However, in China, educational differences between urban and rural areas as well as between genders have always existed, and have been particularly prominent in certain historical periods and social contexts. With the rapid development of China's economy and urbanization, the issue of urban-rural education gap has gradually become the focus of scholars' attention, and the issue of education inequality brought about by gender differences has become more complex and diversified in this context. Since China's reform and opening-up, significant strides have been made in narrowing gender disparities in education, particularly at the basic education level, where the gender gap has steadily decreased, aligning with global trends [1, 2]. Despite these advancements, the urban-rural

education divide has not followed the same trajectory of improvement. In fact, the gap has shown signs of widening at certain educational stages, particularly at the upper secondary and tertiary levels. Rural women, in particular, continue to face significant challenges in accessing quality education, highlighting a persistent inequality in the distribution of economic and social resources between urban and rural areas, and exposing the entrenched issue of gender-based educational inequality [2, 3].

The purpose of this paper is to explore the deep-rooted causes of the urban-rural education gap and gender inequality problems by analyzing the plight of Chinese rural women in the process of education access. Specifically, this paper will start from the reform of China's education system in the past 40 years, analyze the current situation of rural women's education access and the main challenges they face in this context, and further explore the institutional factors behind these problems. Through an in-depth analysis of these problems, this paper attempts to propose practical legal safeguards and policy recommendations to improve the educational situation of rural women, promote the balanced development of urban and rural education, and promote gender equality.

The research carries both theoretical and practical significance. On the theoretical front, it offers new perspectives and methodological insights for exploring the intersections of urban-rural education gaps and gender inequality. On the practical side, by presenting targeted legal and policy solutions, this paper seeks to contribute to the development of rural education in China, particularly in safeguarding rural women's educational rights and interests, thereby supporting broader societal progress and advancing gender equality.

2. Relevant Provisions of International Conventions and Domestic Laws on Rural Women's Right to Education

2.1 International Conventions

The principle of equality and the prohibition of discrimination are the core content of human rights and the basic principles of international human rights law. The Charter of the United Nations states the principle of "equal rights for men and women and for nations large and small", which establishes the prohibition of discrimination as a fundamental principle of international law. The concepts of equality and the prohibition of discrimination were subsequently clarified in the Universal Declaration of Human Rights (UDHR), making them an international norm. The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), with gender discrimination as its basic anchor, clearly defines the basic meaning of gender discrimination, especially from the perspective of women, and strengthens the protection of women's rights and interests. Articles 2, 3 and 26 of the International Covenant on Civil and Political Rights (ICCPR), while reaffirming the principle of equality in the UDHR, further establish the principle of equality between men and women. Consequently, gender equality has become a key focus of the United Nations and a core principle within the international human rights legal framework.

With specific reference to rural women's right to education, CEDAW requires States parties to take all appropriate measures to ensure that women enjoy equal rights in education without discrimination on the basis of sex, and places special emphasis on the elimination of all gender bias and the provision of the necessary support and facilities for rural women to facilitate their participation in the field of education. Secondly, the Convention on the Rights of the Child (CRC) clearly stipulates that every child has the right to education and that equity and universal access to education should be ensured. The Convention pays special attention to vulnerable groups, including children in rural areas, and requires States parties to provide special protection and assistance to these groups in order to elim-

inate inequalities in education. In addition, other international instruments such as the International Covenants on Human Rights, the Millennium Development Goals and the Sustainable Development Goals emphasize the importance of ensuring gender equality and equal educational opportunities, especially for children from rural and marginalized backgrounds. As a signatory to these international conventions, China is obligated to integrate their principles into its domestic legal framework to uphold and protect rural women's right to education.

2.2 Domestic Legal Framework

The Constitution of the People's Republic of China is the fundamental law of China, and it clearly stipulates the basic principle of gender equality. Article 48 of the Constitution states: "Women in the People's Republic of China enjoy equal rights with men in all aspects of political, economic, cultural, social and family life. The State protects the rights and interests of women, implements equal pay for equal work for men and women, and trains and selects women cadres." This provision lays the legal foundation for the guarantee of rural women's educational rights.

The Law of the People's Republic of China on the Protection of Rights and Interests of Women (2022 Revision) further details the rights and interests of women that need to be protected. It clearly states that equality between men and women is a basic state policy of the country and requires the state to take measures to eliminate all forms of discrimination against women. Chapter IV of the Law contains detailed provisions on "Cultural and Educational Rights and Interests", guaranteeing women equal rights with men in the field of culture and education. Article 35 guarantees women the same rights as men in the realm of education. Article 36 reinforces this by stipulating that parents or guardians must ensure that school-age female minors complete their compulsory education. It further mandates that governments and schools take action to resolve any practical challenges that hinder female students from attending school. Article 37 prohibits gender-based discrimination in admissions and advancements in higher education, ensuring that women have equal access to educational institutions. Articles 38 to 40 focus on issues such as literacy, continuing education, vocational training, and women's rights in cultural activities, requiring all levels of government to take concrete steps to ensure women's equal participation in education and cultural spheres.

In addition to this, China has formulated a series of laws and policies that contribute to protecting women's right to education, particularly for rural women. For instance, the Compulsory Education Law mandates that all school-age children are entitled to compulsory education, and prohibits any organization or individual from hindering this

right. The Law on the Protection of Minors and the Law on Countering Domestic Violence also indirectly support rural women's right to education by addressing the protection of minors and victims of domestic violence. These laws contribute to creating a more supportive environment for rural women to access education.

2.3 Practical effects of legal protection

Despite the comprehensive legal framework that China has established to safeguard rural women's right to education, the practical implementation of these legal protections remains inconsistent. In particularly impoverished rural areas, economic constraints, entrenched social norms, and limited legal awareness hinder the realization of these legal rights. Although the Compulsory Education Law stipulates that school-age children must receive compulsory education, in many rural families, economic pressures often force parents to keep girls out of school to reduce household expenses or to help with household chores.

There are also large gaps in the protection of rural women's right to education in law enforcement and the administration of justice. Law enforcement agencies, when dealing with cases concerning rural women's educational rights, are often constrained by local economic conditions and cultural practices, resulting in suboptimal enforcement outcomes. Many local governments, due to financial constraints, find it difficult to provide sufficient resources to support the full implementation of compulsory education. In addition, law enforcement officials are sometimes influenced by local cultural attitudes and adopt an attitude of inaction or passive response to the problem of girls dropping out of school, further weakening the enforcement of the law.

In terms of judicial protection, women in rural areas often face problems such as weak legal awareness and poor channels for defending their rights, making it difficult to effectively safeguard their right to education through judicial channels. Many rural women do not have sufficient knowledge of their legal rights, and even when they are deprived of their educational rights, they often give up defending them because they do not know how to seek legal assistance. Even when some women try to assert their right to education through legal channels, they are often faced with a complicated, lengthy and costly judicial process, which further inhibits their willingness to defend their rights.

The effectiveness of the law as an important tool for social governance is dependent not only on the laws themselves but also on the broader social and cultural environment. In rural areas, traditional gender concepts and patriarchal cultural practices still profoundly affect women's right

to education. Traditional gender concepts and patriarchal cultural practices are still deeply rooted, seriously affecting the practical effectiveness of the law. In some rural areas, girls are still regarded as "outsiders" and their education is considered a waste of family resources. This perception makes some families reluctant to invest resources in the education of girls, even when required to do so by law. These socio-cultural factors have, to some extent, weakened the practical effect of legal protection, making it difficult for legal provisions to be truly transformed into effective guarantees of rural women's right to education.

In short, although China has passed legislation to provide legal support for rural women's right to education, in practice, the implementation of these laws faces economic, cultural and social challenges. The following section will further reveal the multidimensional dilemmas faced by rural women in China with regard to access to education, and will analyze in depth the causes of these dilemmas and their impact.

3. Multidimensional Dilemmas of Female Educational Access in Rural China

3.1 Resource Gaps and Health Implications in Preschool and Basic Education

Since the early 2000s, the Chinese government has vigorously promoted the construction of preschool education, especially in rural areas. The enrollment rate of preschool education has made great progress in the past 15 years until 2015, rising from less than 30% to 95%. However, the problem of preschool education in rural areas is still obvious [4].

There are significant differences between urban and rural preschool programs. In urban areas, three-year preschools are common, providing systematic early education, while most preschools in rural areas offer only one year of education [4]. As a result of differences in the length and quality of preschool education, rural children enter elementary school already at a disadvantage in terms of cognitive and social skills. This disadvantage is particularly pronounced for rural females, who lack systematic training in cognitive development during the preschool years, making it difficult for them to keep pace in subsequent education.

In addition, the proportion of investment in preschool education in rural areas is well below international standards, and the lack of investment in preschool education by families and the State has resulted in rural children, especially females, not being able to access the same educational resources and development opportunities as urban children [5]. For example, although the preschool enrolment rate in one village in Henan Province has increased to

more than 90 per cent over the past decade, the quality of children's early education is difficult to ensure because of the rudimentary facilities of preschool institutions and the generally low quality of teachers. The lack of educational resources has a direct impact on the early development of children, especially girls, and poses a hidden threat to their future access to education.

Inequalities in access to education are further exacerbated by health problems among rural students in elementary school. Studies show that between 25 and 34 percent of rural elementary school students suffer from iron deficiency anemia [4], with higher rates among female students [6]. Anemia directly affects students' ability to concentrate and learn, leading to lower academic performance. In addition, vision problems are very common among rural primary school students, with more than 52.7 percent having visual impairment, but many rural students are unable to obtain the necessary vision correction equipment due to economic constraints [6]. For example, in a rural elementary school in Gansu Province, 40% of the students suffered from myopia, but due to family poverty, more than half of the myopic students did not have eyeglasses, which not only affected their academic performance, but also led to a decrease in their participation in the classroom, which in the long run affected their interest in learning and self-confidence.

3.2 Left-behind Children and the Educational Challenge of Lack of Family Support

China's urban-rural dual economic system and the existence of the household registration (*hukou*) system have resulted in many rural parents leaving their hometowns to seek employment in cities, creating a large group of left-behind children. These children are deprived of family education and emotional support due to long-term separation from their parents. This phenomenon is particularly prevalent among rural girls.

Despite widespread attention and attempts by the government and society to alleviate the problem over the past two decades, data shows that the problem of left-behind children has not only failed to be effectively solved, but has instead worsened. According to 2020 data, more than 40% of rural children are still left-behind children, and a significant proportion of them are female [7]. Parental absence has resulted in these children being at a significant academic and psychological disadvantage. According to research, left-behind children generally lack motivation and direction in their studies, and their grades are generally lower than those of children accompanied by their parents. This disadvantage is even more pronounced for female left-behind children, who are subject to more emotional and academic pressures as they grow up [8].

In a junior high school in Guizhou Province, female left-behind children consistently perform worse than their male peers in both academic performance and mental health. These girls experience heightened anxiety and insecurity due to the absence of family support. When faced with academic challenges, they are more vulnerable, leading to significant academic underperformance. Teachers report that these students exhibit lower classroom engagement, lack motivation, and often feel helpless when confronted with exams or other academic obstacles. This case study underscores the critical role of family support in education and highlights the adverse effects of parental absence on rural girls' access to education.

3.3 Structural Barriers of the Education System and Cultural Capital

China's education system, particularly the highly competitive midterm (*zhongkao*) and college entrance (*gaokao*) examinations, is often lauded as a symbol of educational equality. However, these exams present significant structural barriers to rural students, especially rural girls, exacerbating educational inequality.

In China, the midterm and college entrance examinations are the key tests that determine students' educational futures. However, rural students, especially rural female students, face greater challenges due to the lack of educational resources. Despite the fact that more than 90% of students will enroll in high school, the dropout rate of students from rural households enrolled in high school is much higher than that of urban ones [9]. A major reason for this is that rural families often face heavy economic pressures and limited investment in education, and many rural families choose to let their children drop out of school as early as possible in order to reduce the burden on the family. In a poverty-stricken county in Sichuan Province, for instance, 30% of rural students dropped out after the midterm exams, with female students representing a large portion of these dropouts. Most of these girls enter the labor market in low-skill, low-wage jobs, which not only deprives them of further educational opportunities but also limits their potential for future advancement.

The reliance on a single performance criterion in the college entrance exam further intensifies these inequities. The results of the exam determine whether students can enter university and the level of university they can attend. For rural students, who lack adequate educational resources and high-quality teachers, it is extremely challenging to excel in this high-stakes environment. Female students, in particular, face immense pressure, as they view the exam as their sole path to success. However, the stress of competing under these conditions often leads to frustration and discouragement. The single-track evaluation system can

also distort rural students' outlook on life and their values. The limitations of the test itself, combined with uniform teaching materials and the stark differences in resources—such as teacher quality and school infrastructure—further widen the gap between rural and urban students' academic achievements.

The lack of cultural capital also further exacerbates the inequality of rural women's access to education. China's university resources are concentrated in large cities, and rural students often have to relearn urban habits upon entering university. Due to differences in lifestyles, social networks, and academic resources, rural women's cultural capital is relatively weak at the university level, resulting in their disadvantaged position in academic and social competition. And women, being in a more vulnerable cultural capital, may be more sensitive and suffer more adverse effects than men [10]. This weaker cultural capital can lead rural women to fall into an inferiority complex and find it more difficult to access new things, which in turn affects the quality of university education. It is worth thinking about whether the Internet platform, which often acts as an amplifier of dominant culture, will help rural female students get out of their disadvantaged cultural capital more smoothly; or exacerbate their anxious feelings, which is a question worth exploring.

3.4 Cultural Constraints on Gender Roles and Vocational Education Choices

Vocational education is regarded as an important way to address labor market demand in China, but in practice, rural women's choice of vocational education is still influenced by deep traditional gender roles. The solidification of gender roles not only restricts women's space for career development, but also exacerbates gender inequality to a certain extent.

Although China emphasizes gender equality in the recruitment process at the vocational education level, female students often face double pressure from both society and culture when it comes to career choices. In their career choices, they are forced to take into account society's expectations of women's roles, such as family responsibilities and caring for children [10]. Such concepts are deeply rooted in patriarchal culture, leading rural women to prefer traditional female fields such as nursing and early childhood education in their career choices, which have relatively limited career prospects and lower salary levels. In a career choice counseling program at a vocational school in Hunan Province, female students were generally advised to choose nursing or early childhood education, while male students were encouraged to choose high-paying technical majors such as engineering and computer science. This gender orientation in career choice clearly

reflects the influence of traditional gender roles in vocational education, making it difficult for rural women to obtain the same opportunities for development as men in vocational education.

4. Optimization Strategies for Guaranteeing Rural Women's Educational Rights in China

4.1 Improving the Legal Framework and Policy Implementation

In order to solve rural women's education problems, the first step is to strengthen the implementation and supervision mechanism of laws. The implementation of the Compulsory Education Law and the Law on the Protection of Women's Rights and Interests in rural areas requires strengthened supervision to ensure that the provisions of the law are effectively enforced. Local governments should establish regular review and evaluation mechanisms to track the implementation of compulsory education for rural women and ensure that every girl of school age receives the education she deserves.

In addition, targeted policies should be formulated to narrow the education gap between urban and rural areas. The Government should introduce more targeted policies to address the special problems of rural female education, such as dropout of girls from economically disadvantaged families and educational security for girls left behind. A special education fund should be set up to provide financial assistance to economically disadvantaged rural families to ensure that girls can complete their education. In addition, encouragement and support should be given to the establishment of more boarding schools in rural areas, so as to reduce the phenomenon of girls dropping out of school due to family economic difficulties or the need for domestic labor.

At the same time, investment in rural education should be increased to guarantee rural women's right to education. The State should increase its financial support for rural education, especially in improving the educational infrastructure in rural areas, so as to narrow the gap between urban and rural schools in terms of hardware facilities and educational quality. Attract and retain excellent teachers and improve the quality of rural education by improving the remuneration and career development opportunities of rural teachers, so as to ensure that rural girls have access to the same educational opportunities as their urban counterparts.

4.2 Raising Legal and Educational Awareness in Rural Families and Communities

In addition to improving laws and policies, raising the le-

gal and educational awareness of rural families and communities is also an important step in guaranteeing rural women's right to education. Parents and communities in rural areas often do not pay much attention to girls' education, so legal education should be carried out to raise legal awareness. The Law on the Protection of Rights and Interests of Women, the Compulsory Education Law and other relevant laws and regulations have been widely publicized through various channels, such as rural radio, television and the Internet, in order to help rural families to understand and attach importance to girls' right to education. Local governments and relevant institutions should regularly organize legal lectures and consultation activities to enhance parents' understanding of girls' education and encourage them to take the initiative to defend their rights when they are infringed upon.

Changing gender concepts and enhancing educational awareness is another key to guaranteeing girls' right to education. It is necessary to start at the family, school and community levels and, through education and publicity, gradually raise the level of importance rural families attach to girls' education. Schools can organize parenting classes and family education guidance to help parents realize the importance of girls' education and its positive impact on future development. At the same time, grassroots organizations such as women's federations and village committees can be utilized to carry out gender equality education in the community and promote the popularization of the concept of equality between men and women, so as to induce more families to support girls' education.

It is also essential to strengthen social support networks and provide comprehensive services. Local governments, in cooperation with non-governmental organizations and community organizations, should set up a wide-ranging social support network to provide rural women and their families with comprehensive educational, psychological and legal services. Through the establishment of rural girls' education assistance stations and legal aid centers, they can help girls and their families solve the various problems they encounter in the process of education, and ensure that their right to education is effectively safeguarded.

4.3 Promoting Vocational Education and Lifelong Learning for Rural Women

Vocational education and lifelong learning opportunities for rural women are an important part of guaranteeing their right to education. First of all, vocational education should be promoted in line with market demand. Vocational education for rural women should emphasize the integration with local economic development and market

demand, and provide them with practical vocational skills training. The Government should cooperate with enterprises and vocational colleges to offer vocational training courses that meet the needs of local industrial development, so as to help rural women acquire a skill and enhance their employability and economic independence. At the same time, special attention should be paid to women's career development in non-traditional fields, and they should be encouraged to enter fields with high income and development potential, such as science and technology and engineering.

Strengthening adult education and lifelong learning opportunities is also an important direction in the development of rural women's education. Lifelong learning is an important way to improve the comprehensive quality of rural women. The government should establish and improve adult education networks in rural areas, provide rural women with convenient learning opportunities, and help them to continuously improve their cultural and professional qualities. Flexible and diverse learning resources and courses can be provided through various forms, such as township adult education centers and online learning platforms, to ensure that they can continue to learn and develop at different stages of their lives.

Encouraging female entrepreneurship and self-employment is an effective means to further enhance the economic status of rural women. The Government should introduce policies and measures to encourage women's entrepreneurship, provide entrepreneurial training, financial support and market guidance, and help rural women who wish to start their own businesses. At the same time, cooperatives and handicrafts production programs mainly for rural women can be developed in conjunction with local specialty industries to promote rural women's economic self-reliance and social participation.

4.4 Strengthening International Cooperation and Experience Sharing

Drawing on international experience and strengthening international cooperation is of great significance in guaranteeing rural women's right to education in China. First of all, it is possible to learn from the successful experiences of other countries in guaranteeing rural women's right to education, such as incentives for promoting girls' education and innovative education models, and apply and promote them in the light of China's actual situation. These experiences can help China to better formulate and implement targeted policy measures to further promote the popularization and enhancement of rural female education.

In addition, strengthening cooperation with international organizations is also an important way to guarantee ru-

ral women's right to education. China should strengthen cooperation with international organizations such as UNESCO and UN Women, and seek more international resources and support to promote the development of rural girls' education. By participating in international cooperation projects, China can obtain technical support, experience-sharing and financial assistance, and provide stronger support for safeguarding rural women's right to education.

5. Conclusion

The issue of rural women's access to education in China sits at the intersection of urban-rural educational inequality and gender discrimination. It reflects both the unequal distribution of educational resources and deep-rooted social and cultural contradictions in the context of rapid economic development. Despite various reforms and some progress—particularly in raising rural girls' enrollment rates in compulsory education—rural women continue to face significant challenges, especially in higher and vocational education.

While rural girls have better access to basic education, disparities in quality and resources persist. The gap widens in higher education, where rural women face higher dropout risks and struggle with cultural adaptation due to a lack of support. In vocational education, traditional gender roles further limit their career options, hindering development. Legal protections exist, but economic challenges, entrenched social norms, and weak enforcement undermine their effectiveness. Rural families often undervalue girls' education, weakening the impact of these laws.

In order to truly improve the educational situation of rural women, it is necessary not only to further improve laws and policies, but also to start from the economic, social and cultural perspectives. The Government should strengthen its investment in rural education, narrow the gap between urban and rural educational resources, and change the attitudes of rural families and communities towards girls' education through legal publicity and education on gender equality. It should also promote vocational education and lifelong learning opportunities for rural women and enhance their cultural capital and social

participation. It is through the comprehensive application of laws, policies, culture and other means that rural women's right to education can be effectively safeguarded, the balanced development of urban and rural education and the realization of gender equality can be promoted, and a solid foundation can be laid for the overall progress of Chinese society.

References

- [1] Li Chunling. Educational inequality's changing trend (1940-2010): A re-examination of rural-urban disparities in educational opportunities. *Sociological Studies*, 2014, 29(02): 65-89+243.
- [2] Wu Yuxiao. Gender differences in educational attainment among urban and rural residents in China. *Society*, 2012, 32(04): 112-137.
- [3] Liu Shenglong, Zhou Shaojie, Hu Angang. The Compulsory Education Law and the returns to urban education in China: A regression discontinuity design. *Economic Research*, 2016, 51(02): 154-167.
- [4] Yue A, Tang B, Shi Y, Tang J, Shang G, Medina A, Rozelle S. Rural education across China's 40 years of reform: past successes and future challenges. *China Agricultural Economic Review*, 2018, 10(1): 93-118.
- [5] Cheng Ziyang, et al. An analytical study of family investment in education at the pre-school level in China: A comparative analysis based on Eastern, Central and Western China. *Journal of Education, Humanities and Social Sciences*, 2023, 12: 129-140.
- [6] Li Lili, Huang Lei, Shi Yaojiang, Luo Renfu, Yang Meredith, Rozelle Scott. Anemia and student's educational performance in rural Central China: Prevalence, correlates and impacts. *China Economic Review*, 2018, 51: 283-293.
- [7] National Bureau of Statistics, UNICEF, UNFPA. 2020 China children population status: Facts and data. 2023.
- [8] Mao Mingzhi, et al. The effects of parental absence on children's development: Evidence from left-behind children in China. *International Journal of Environmental Research and Public Health*, 2020, 17(18): 6770.
- [9] Zhang Huafeng. Opportunity or new poverty trap: Rural-urban education disparity and internal migration in China. *China Economic Review*, 2017, 44: 112-124.
- [10] Jin Yihong. Fluid patriarchy: The transformation of migrant workers' families. *Chinese Social Sciences*, 2010, (04): 151-165+223.