

The Analysis of Social Rights in China

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Abstract. Social rights play an important role in China's development. The pros and cons based on facts could lead us into deep thinking. Based on the history and the current situation of China's social rights, China is still facing crucial challenges at present. Problems such as pollution, and inequalities are the side effects of China's social rights. By considering the possible policies that may help to deal with these problems, several solutions are available. With the solutions provided by this essay, some of the problems may be solved and help to perfect China's social rights as well. China is experiencing fast development. This research would help point out the potential problems that happened during the procedure and help to revise the policy in a better way, letting China have a safer developing way.

Keywords: social rights, development, inequality.

1. Introduction

China, with its rich history and vast population, has undergone significant social, economic, and political transformations in recent decades. As the country has experienced rapid development and modernization, the issue of social rights has emerged as a crucial aspect of its societal fabric. Social rights encompass a wide range of fundamental entitlements that individuals should enjoy in order to live a dignified and fulfilling life. These rights include access to education, healthcare, housing, social security, and other essential services that contribute to the overall well-being and quality of life of its citizens.

China's social rights landscape is complex and multifaceted, reflecting the country's unique political and socio-economic context. The Chinese government has made significant efforts to address social rights and improve the living conditions of its citizens, particularly in the areas of poverty alleviation, healthcare reform, and education. However, challenges and disparities persist, particularly for marginalized communities and vulnerable groups.

2. Historical Context

To understand China's current social rights situation, it is essential to examine the historical context that has shaped its development. China's socialist revolution in 1949 brought about significant changes in the country's socio-political landscape. The government, under the leadership of the Communist Party, implemented policies aimed at redistributing wealth, providing universal access to education and healthcare, and ensuring basic social security for all citizens. These efforts were part of a broader vision to create a more equitable society and reduce social inequalities.

However, the implementation of these policies was not without challenges. The Cultural Revolution, which spanned from 1966 to 1976, disrupted social and economic stability, leading to a decline in social services and widespread social unrest. The subsequent economic reforms initiated by Deng Xiaoping in the late 1970s marked a significant turning point in China's social rights trajectory. The government shifted its focus towards market-oriented reforms and economic development, leading to unprecedented economic growth and poverty reduction.

2.1. Current Challenges

Despite China's remarkable progress in poverty reduction and economic development, significant challenges remain in ensuring the full realization of social rights for all citizens. One of the key

challenges is the urban-rural divide which has resulted in stark disparities in access to social services. While urban areas have experienced rapid development and improved access to education, healthcare, and social security, rural areas continue to lag behind, facing inadequate infrastructure, limited healthcare facilities, and lower-quality education.

Furthermore, marginalized communities, such as ethnic minorities, migrant workers, and people with disabilities, often face discrimination and barriers in accessing social rights. These groups are more vulnerable to poverty, limited access to education and healthcare, and inadequate social protection. The government has recognized these challenges and has implemented various policies and programs to address them. However, there is still a need for greater efforts to ensure that these groups are not left behind and are provided with equal opportunities and access to social rights [1].

2.2. Government Initiatives

The Chinese government has taken significant steps to address the challenges of realizing social rights. Poverty alleviation has been a key focus, with the government implementing targeted poverty reduction programs aimed at lifting millions of people out of poverty. These programs include measures such as providing financial assistance, improving access to education and healthcare, and promoting rural development.

In the healthcare sector, China has implemented healthcare reforms to improve access to quality healthcare services. The government has expanded health insurance coverage, established a basic healthcare system, and invested in healthcare infrastructure. These efforts have led to improved healthcare outcomes and increased access to medical services for many citizens.

Education is another crucial aspect of social rights in China. The government has made significant investments in education, with a focus on improving access to quality education and reducing educational disparities. Efforts have been made to improve the quality of rural education, increase enrollment rates, and enhance vocational training opportunities. These initiatives aim to equip individuals with the necessary skills and knowledge to participate fully in society and contribute to economic development.

2.3. Contemporary China's Social Rights

In the 21st century, China has become the world's second-largest economy, lifting millions out of poverty and improving living standards [2]. However, as economic disparities persist and social inequalities emerge, the government faces the challenge of ensuring inclusive growth and protecting social rights.

The Chinese government has made efforts to address these challenges by implementing social welfare programs, expanding access to education and healthcare, and promoting labor rights. The Social Credit System, introduced in 2014, aims to promote trustworthiness and social responsibility among citizens, but it has also raised concerns regarding privacy and individual freedoms.

In the late 1970s, China embarked on a path of economic reform and opening up under the leadership of Deng Xiaoping. This period witnessed significant changes in social rights, as the focus shifted from ideological purity to economic development and improving living standards.[3] The household responsibility system was introduced, allowing farmers to lease land and sell surplus agricultural produce. This led to increased prosperity and a reduction in poverty levels.

In parallel, China experienced a gradual relaxation of social controls, allowing for greater personal freedoms and individual rights. The one-child policy, implemented in 1979 to control population growth, had significant social implications, including gender imbalances and challenges in caring for an aging population. However, in recent years, the policy has been relaxed, reflecting a shift towards recognizing reproductive rights and the importance of family autonomy.

2.4. History of China's Social Rights

The history of social rights in China is a complex tapestry of feudalism, Confucianism, revolution, and economic transformation. From a society marked by rigid hierarchies and limited rights, China

has made significant strides in promoting social equality, gender rights, and access to basic services. However, challenges remain, and the Chinese government must continue to navigate the delicate balance between economic growth and ensuring social rights for all its citizens.

In ancient China, social rights were largely determined by one's position within the feudal system. The society was divided into different classes, with the emperor at the top, followed by the nobility, scholars, farmers, artisans, and merchants. Social mobility was limited, and individuals had to adhere to strict societal norms and obligations. The concept of social rights, as understood today, was virtually non-existent during this period.

During the imperial era, Confucianism played a significant role in shaping social rights in China. Confucian teachings emphasized the importance of social harmony, hierarchical relationships, and filial piety. The ruling class, known as the scholar-officials, enjoyed privileges and rights that were not accessible to the common people. Confucianism reinforced the social order and limited the rights of women, lower classes, and ethnic minorities.

20th century, China witnessed significant social and political upheavals that had a profound impact on social rights. The May Fourth Movement of 1919 marked a turning point, as intellectuals and students called for modernization, democracy, and the empowerment of the masses. The Chinese Communist Party (CCP), led by Mao Zedong, emerged as a powerful force advocating for social equality and the redistribution of wealth.

With the establishment of the People's Republic of China in 1949, the CCP embarked on a mission to reshape society and redefine social rights [4]. Land reforms were implemented, aiming to redistribute land to the peasants and eliminate feudal practices. The Marriage Law of 1950 granted women equal rights in marriage, divorce, and property ownership, challenging traditional gender roles. The government also introduced a comprehensive healthcare system, providing basic medical services to all citizens.

However, it is important to acknowledge that the implementation of social rights under communism was not without flaws. During the Great Leap Forward (1958-1962) and the Cultural Revolution (1966-1976), social rights were often overshadowed by political campaigns, mass movements, and ideological struggles. Human rights abuses were prevalent, and individual freedoms were curtailed in the name of collective goals.

3. The Problems and Defects of China's Social Rights

3.1. The Inequality and Wealth Disparity

Despite China's rapid economic growth, there is a significant wealth gap between the rich and the poor. This inequality hampers social rights as it restricts access to quality education, healthcare, and basic services for marginalized communities. To be more specific, over 90% of financial assets in China are held by less than 10% people in China's population, which means a huge gap between rich people and poor people. What is more, this gap would also create an inequality in opportunity distribution, and thus reinforce the gap between wealthy and poverty. The Gini coefficient, a measure of income inequality in China, has been steadily rising over the past few decades. In 2018, it reached 0.467, indicating a significant wealth gap between the rich and the poor. The urban-rural income disparity is also a major issue. In rural areas, many individuals struggle to make a living due to limited job opportunities and low wages, while urban areas experience a concentration of wealth and high-income earners.

3.2. Limited Freedom of Expression

China's strict censorship laws and control over the media restrict freedom of expression and impede social rights. Citizens are often unable to voice their opinions, criticize government policies, or engage in open discussions. This largely affects China's democracy and the variety of advice, even restraining people from getting information from abroad networks. China's Great Firewall is a well-known example of internet censorship, blocking access to foreign websites and social media

platforms like Facebook and Twitter. This limits citizens' ability to freely express their opinions and access information from diverse sources. Also, some different ideas posted by citizens may cause problems for them. Journalists and activists who criticize the government or advocate for social rights often face harassment, imprisonment, or censorship. For example, the detention of human rights lawyer Wang Quanzhang in 2015 for his work defending marginalized communities. Thus it becomes an intricate problem and hard to solve.

3.3. Discrimination and Marginalization

Discrimination and marginalization are significant challenges faced by certain groups, including ethnic minorities, migrant workers, and the LGBTQ+ community. These groups often encounter social rights limitations and a lack of opportunities. Additionally, the LGBTQ+ community specifically experiences societal discrimination and insufficient legal protections. For instance, same-sex marriage is not legally recognized, and LGBTQ+ individuals frequently encounter social stigma and discrimination in areas like employment and housing. Ethnic minorities, such as Tibetans and Uighurs, also face discrimination and encounter restrictions on their cultural practices and religious freedoms. The Chinese government has implemented policies that specifically target these groups, such as the mass internment of Uighurs in Xinjiang.

3.4. Lack of Labor Rights

Lack of labor rights remains a significant concern in China, despite some improvements. Issues such as low wages, long working hours, unsafe working conditions, and limited collective bargaining rights persist. Although labor laws are in place, many workers, especially those in low-skilled and informal sectors, face difficulties in asserting their rights. A prevalent example is the "996" work culture, where employees are expected to work from 9 am to 9 pm, six days a week. Furthermore, the absence of collective bargaining rights and weak trade unions restrict workers from negotiating for better wages and working conditions. Based on the huge population in China, many people cannot find a job and lost their right to work and raise their families.

3.5. Rural-Urban Divide

The rural-urban divide in China is a significant issue that leads to unequal access to social rights. Rural areas often lack essential infrastructure, education, healthcare, and social welfare benefits. This disparity results in limited opportunities and a lower quality of life for rural residents compared to their urban counterparts. A famous issue that happened in China in 2022's GaoKao is about the differences between the students in cities and rural areas. Not only the faculties and teaching infrastructures but also the environment would cause a huge difference in this case. Rural students relatively have fewer opportunities and chances when they grow up. Probably GaoKao is the only way they could change their life. Thus the differences and disadvantages of rural students would make their lives worse and worse.

3.6. Environmental Degradation

Environmental degradation is a pressing issue in China, and addressing it is crucial to protect the right to a clean and healthy environment. To solve this problem, the government should prioritize environmental protection and enforce stricter regulations on pollution.

3.7. Lack of Access to Justice

Many Chinese citizens, particularly those from marginalized communities, face challenges in accessing justice. Legal aid services are limited, and the judicial system lacks transparency [3]. This makes it difficult for individuals to seek redress for violations of their social rights, such as labor exploitation or discrimination. The law does not have mistakes, but many people do not know the law and also do not know how to use the law to protect themselves. Labor exploitation is a very common issue in China. Though all the people know it's illegal, they do not have access to prosecute. What is

more, China's justice procedure is so long. Many people do not have the time or patience to wait to the 'late justice' [4]. Unless a very serious case happened, people would be more likely to solve the problems privately.

4. The Solutions and Suggestions

4.1. Contradictory Economic Policies Posted

The government should implement policies that promote inclusive growth, such as progressive taxation, wealth redistribution, and targeted social welfare programs. This can help bridge the wealth gap and ensure equal access to essential services for all citizens. Including higher tax rates for high-income earners and capital gains, while providing tax breaks or incentives for low-income individuals. Also, Increase minimum wage levels and enforce labor laws to ensure fair wages and working conditions for all workers. Implement targeted poverty alleviation programs that focus on rural areas and marginalized communities, providing access to education, healthcare, and job opportunities [5].

4.2. Freedom Protection on Social Media and Other Platforms

The government should relax censorship laws and promote freedom of speech and press freedom. Encouraging a diverse range of opinions and fostering an environment of open dialogue can enhance social rights and allow for the free exchange of ideas. Relax internet censorship can also allow access to a wider range of information sources. This can promote a more open and democratic society, fostering diverse opinions and free expression. Protect the rights of journalists and activists by repealing laws that criminalize their work and ensuring their safety from harassment or imprisonment.

4.3. Anti-discrimination Laws Are Needed

To address these issues, it is crucial for the government to strengthen anti-discrimination laws and promote inclusive policies that safeguard the rights of marginalized groups [5]. Measures such as affirmative action should be implemented to ensure equal access to education and employment opportunities. Raising awareness about diversity and inclusion is also essential. Legal protections against discrimination based on ethnicity, religion, gender, and sexual orientation should be reinforced, and strict enforcement of these laws should be ensured. Establishing accessible avenues for legal recourse for victims of discrimination is equally important. To foster a more inclusive and accepting society, promoting cultural diversity and tolerance through educational programs and public awareness campaigns is necessary. These initiatives can contribute to creating an environment that embraces diversity and respects the rights of all individuals. Additionally, improving living conditions and ensuring access to basic services in marginalized communities, such as adequate housing, healthcare, and education facilities, is crucial for reducing marginalization and promoting social equality.

4.4. Protection of Labor Rights

To address these labor rights issues, it is crucial for the government to strengthen labor laws and regulations. This includes ensuring fair wages, safe working conditions, and the right to form labor unions. Encouraging dialogue among workers, employers, and the government can play a vital role in resolving labor rights concerns and establishing a more equitable work environment. To achieve this, labor laws need to be reinforced and effectively enforced, particularly regarding working hours, wages, and occupational safety [6]. This can involve imposing stricter penalties for labor violations and enhancing labor inspection mechanisms. Furthermore, promoting collective bargaining rights and supporting the establishment of independent trade unions are essential steps towards empowering workers to negotiate for improved working conditions and wages. Additionally, enhancing worker training programs can help enhance skills and job prospects, thereby reducing the prevalence of exploitative labor practices and low-skilled employment.

4.5. Investments in Rural Areas Are Crucial

To address this issue, the government should prioritize rural development and invest in infrastructure. This includes improving roads, transportation networks, and basic amenities in rural areas. By enhancing infrastructure, rural communities can have better access to education, healthcare, and other essential services. Improving access to quality education is crucial in bridging the rural-urban divide. The government should increase investment in rural education, ensuring that rural schools have proper facilities, qualified teachers, and adequate resources. Additionally, efforts should be made to attract and retain skilled professionals in rural areas by offering incentives, improving infrastructure, and providing career development opportunities. This will help narrow the educational gap between rural and urban areas. Healthcare services in rural areas also need improvement [7]. There is a shortage of medical professionals, and specialized care is often inaccessible to rural residents. The government should invest in rural healthcare infrastructure and develop policies to attract and retain healthcare professionals in rural areas. This will help ensure that rural residents have access to quality healthcare services without having to travel long distances or incur high costs. Furthermore, implementing targeted poverty alleviation programs is crucial in addressing the rural-urban divide. These programs should focus on improving livelihoods and providing sustainable income-generating opportunities for rural communities. By addressing poverty and improving economic conditions in rural areas, the government can help reduce the disparities between rural and urban populations.

4.6. Environmental Regulations Are Helpful

Strengthening environmental regulations and enforcement mechanisms is essential to reduce pollution levels. This can include setting stricter emission standards for industries, increasing penalties for environmental violations, and implementing effective monitoring systems. By holding polluters accountable, the government can help ensure that industries operate in an environmentally responsible manner. Promoting sustainable development practices is another important solution. The government should encourage industries to adopt cleaner production methods, such as using advanced technologies and implementing waste reduction measures. Additionally, investing in renewable energy sources, such as wind and solar power, can help reduce reliance on fossil fuels and mitigate air and water pollution. Raising public awareness and promoting environmental education are crucial aspects of protecting social rights [8]. Implementing environmental education programs in schools and communities can help instill a sense of responsibility and understanding of the importance of environmental conservation. Encouraging public participation in decision-making processes related to environmental issues can also empower citizens to take an active role in protecting their rights to a clean and healthy environment.

4.7. More Access for Residents to Yell for Justice

The government should focus on improving access to legal aid services, ensuring an independent judiciary, and promoting legal awareness among citizens. Firstly, the government should increase funding for legal aid services and expand its reach to ensure that individuals, especially those from marginalized communities, have access to legal representation and advice. Secondly, the government should enhance the independence and transparency of the judiciary by implementing reforms to reduce political interference and improve the efficiency and fairness of legal processes [9]. This can be achieved through measures such as strengthening the appointment and promotion mechanisms for judges, enhancing judicial training, and establishing mechanisms for public scrutiny of judicial decisions. Lastly, the government should promote legal literacy among citizens through educational programs and public awareness campaigns [10]. These initiatives will empower individuals to understand their rights and seek legal remedies when necessary. By providing information on legal procedures, rights, and available legal aid services through various channels such as schools, community centers, and online platforms, citizens will be better equipped to navigate the legal system.

5. Conclusion

In conclusion, while China has made significant progress in promoting social rights, there are still several challenges that need to be addressed. By implementing the suggested solutions, the Chinese government can work towards creating a more inclusive and equitable society, where all citizens can enjoy their social rights and live with dignity. These solutions require a comprehensive and coordinated effort from the Chinese government, civil society organizations, and the international community to address the challenges related to social rights in China. By implementing these measures, China can work towards creating a more equitable and inclusive society where all citizens can enjoy their social rights and live with dignity. The solutions provided for each of the problems would be useful at present and would perfect China's social rights as well. Hopefully, the negative effects of social rights in China will be minimized. Though this paper provided lots of solutions to China's social rights problems, these solutions still lack testing and only seem successful theoretically. Hopefully, in the future, studies can provide more constructive advice that is based on experimental support.

References

- [1] ARAISSIA H. SYRIAN WOMEN REFUGEES IN TUNISIA: DIFFICULTIES ACCESSING ECONOMIC AND SOCIAL RIGHTS. *Revista de Ciencias Sociales*, 2019, 6 (2).
- [2] Manfredi M. Enhancing Economic and Social Rights Within the Internal Market Through Recognition of the Horizontal Effects of the European Charter of Fundamental Rights. *European Papers-A Journal on Law and Integration*, 2021, (1): 293 - 309.
- [3] Riekkinen M. Advancing Economic and Social Rights, Including Education in the Context of European Minorities—2019. *European Yearbook of Minority Issues Online*, 2021, 18 (1): 55 - 87.
- [4] Beetham D. What future for economic and social rights In *Human Rights?* Routledge, 2017: 215 - 234.
- [5] Alfieri A. V. Black, poor, and gone: Civil rights law's inner-city crisis. *Harv. CR-CLL Rev.*, 2019, 54: 629.
- [6] Torres F. E. The State, the assailant? Guaranteeing economic and social rights after widespread violence through the Inter-American Court of Human Rights. *Netherlands Quarterly of Human Rights*, 2022, 40 (1): 12 - 34.
- [7] Geovani I., Nurkhotijah S., Kurniawan H., et al. Juridical Analysis of Victims of The Economic Exploitation of Children Under the Age to Realize Legal Protection from Human Rights Aspects: Research Study at The Office of Social and Community Empowerment in Batam City. *International Journal of Educational Review, Law and Social Sciences (IJERLAS)*, 2021, 1 (1): 45 - 52.
- [8] Tyler T., Boeckmann R. J., Smith H. J., et al. *social justice in a diverse society*. Routledge, 2019.
- [9] Thomas L., Puerto R. *Citizen: History and political identity in twentieth-century New York City*. University of Chicago Press, 2019.
- [10] Mathivet C. The right to the city: Keys to understanding the proposal for “another city is possible”. *Cities for All*, 2021.