

The Ground Beneath Her Feet: Women's Land Rights and Migration in Rural China

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Land remains a cornerstone of economic security in rural China. It supports livelihoods through farming for both self-consumption and market sale. It also brings non-labor income, such as compensation from land leasing and expropriation. In China's dual land system, urban land is owned by the state, while rural land is collectively owned by villages, with households holding only contractual use rights. These rural land-based rights are tied to membership in rural collective organizations. In principle, women are entitled to land rights on an equal basis with men. Specifically, the Law on Protection of Women's Rights and Interests enacted in 1992 explicitly affirmed women's equal rights in farmland allocation and housing sites, and the Rural Land Contracting Law in 2002 prohibited rural collectives from revoking women's land access upon marriage, divorce, or widowhood. Since then, several amendments to these laws have further underscored women's entitlement to the same land rights as men (Li, 2020). In practice, however, women are often systematically excluded from such membership due to entrenched patriarchal norms hidden in the ambiguities of the legal framework. The legislation does not establish a unified definition of rural collective membership nationwide, leaving discretion to local collectives. Such discretion frequently favors patrilineal members and denies women membership and the associated land rights, regardless of their marital status (Song & Dong, 2017). When women are unmarried, they are seen as future members of another household and thus denied land rights in their natal village. Once married, they are stripped of natal rights, while their husband's village is often

unwilling or unable to redistribute land to include them (Li, 2020). Even when they obtain land rights through marriage, the rights may be revoked upon divorce or widowhood (Gao, 2009). Consequently, women excluded from land rights are left economically dependent on male household members or compelled to seek alternative means of survival elsewhere. These alternatives include self-employment (Wang, 2008), informal employment (Lin & Zhu, 2014), or social welfare schemes (Xiao & Tang, 2005). Among them, migration stands out as a salient strategy, offering women both a livelihood and a potential escape from land-based exclusion.

This research aims to examine the relationship between women's land rights and their migration decisions. Through quantitative analyses, the study reveals how institutional unequal economic resource distribution creates out-migration incentives.

In this study, we first utilize DeepSeek to automatically extract relevant information on women's land rights from court judgments in land disputes. The information enables evaluation of women's land rights at the county level. Second, we use the population census data to capture women's migration behaviors. Third, we apply regression analysis to examine the relationship between women's land rights and their migration.

Women's land rights are assessed by the share of court judgments supporting women's land rights relative to all judgments about land rights within each county. This proportion is calculated separately for the two five-year periods from 2010 to 2015 and from 2015 to 2020 to capture temporal changes. The judgments include information such as the date and location of the case, the relationship between plaintiff and defendant, local regulations on gender-specific land rights, and the courts' final decisions on women's land rights. These data are drawn from 34,546 land dispute cases across 1,722 counties.

Women’s migration decisions are measured as the proportion of out-migrating female hukou holders in the total female hukou holders in each county. This proportion is measured separately for 2010 and 2020. We focus on female hukou holders who were aged 20 to 50 in 2010, divided into five-year birth cohorts. We estimate the age distribution of out-migrating female hukou holders for each county in two steps. First, we calculate the number of out-migrating female hukou holders by subtracting locally residing female hukou holders from the total female hukou holders. Second, we impute the age distribution of out-migrating female hukou holders by applying the provincial-level age distribution of all migrants to the county’s total number of out-migrating female hukou holders. The data are derived from the Sixth and the Seventh National Population Censuses, as well as the 2011 and 2021 Statistical Yearbooks of each province.

We adopt a first-difference regression analysis to examine whether improvements in women’s land rights between 2010 and 2020 lead to declines in women’s migration decisions over the same period. The analysis is conducted across age cohorts to identify which groups are more responsive to changes in women’s land rights. The regression model can be specified as follows:

$$\Delta(\textit{Migration Decision})_i = \beta \cdot \Delta(\textit{Land Rights})_i + \gamma \cdot \Delta Z_i + \varepsilon_i,$$

where $\Delta(\textit{Migration Decision})_i$ represents the change in women’s migration decisions in county i from 2010 to 2020, and $\Delta(\textit{Land Rights})_i$ denotes the change in women’s land rights. ΔZ_i is a vector of changes in the county-level controls.

Overall, this study aims to examine the relationship between women’s land rights and their migration decisions. We utilize the unique data source of court judgments to obtain representative and legally verified information, providing insights that are unattainable through traditional data sources. We also employ a large language model to extract relevant information from a vast corpus

of court judgments with high efficiency and accuracy. Most importantly, this study sheds light on how structurally unequal access to economic resources across genders influences individual economic strategies and mobility patterns. This research contributes to an understanding of how gendered institutions shape migration dynamics and the broader processes of social stratification.

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