China's Household Registration (Hukou) System: Discrimination and Reform

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Statement of

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I would like to first express my appreciation for the opportunity to appear before the Congressional Executive Commission on China and discuss China's *hukou* (household registration) system today. I believe there are few other institutions more important than the *hukou* system in defining and conditioning politics, social life, and economic development of the People's Republic of China (PRC). Currently, this long-lasting and highly peculiar Chinese institution continues its crucial functions while demonstrating significant changes.

In this written statement, I would like to first briefly describe the current status of the *hukou* system and its leading functions. The I will outline the major changes and reforms of the system in recent years. Finally, I would like to point out that the *hukou* system has a complex role in China that makes its reform both highly difficult and extremely consequential. In short, the *hukou* system facilitates a rapid but uneven economic growth, creates significant social and regional disparities and injustice, stabilizes the PRC sociopolitical order, and generates powerful tensions in the areas of human rights, equity of citizenship, and simple ethics.

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Hukou System in today's China Formally adopted in the 1950s, the *hukou* system can actually be traced back to the fifth century B.C. during the Warring States period. It was institutionalized and adopted with varied degrees of effectiveness and extensiveness as an important part of the Chinese imperial political system by the dynasties from the Qin (third century B.C.) to the Qing (1644-1911). The Republic of China (ROC) and the PRC both established a national *hukou* system. However, the *hukou* system achieved an unprecedented level of uniformity, extensiveness, effectiveness, and rigidity only in the PRC since the 1950s.²

On 9 January 1958, Mao Zedong promulgated The Regulation on *hukou* Registration of the People's Republic of China, formally creating the PRC national *hukou* system. Twenty-seven years later, on 6 September 1985, Beijing adopted its Regulation on Resident's Personal Identification Card in the People's Republic of China. These two regulations and their implementation procedures are the main legal basis for the PRC *hukou* system. Every Chinese citizen knows and is affected by the *hukou* system, yet the system has remained an administrative system, highly-nontransparent, not mentioned in The PRC Constitution.

The PRC State Council and its ministries, mainly the Ministry of Public Security, and the local public security bureaus and police stations are the administrators of the *hukou* system. Specialized *hukou* police officers are assigned to be in charge of *hukou* matters in each *hukou* zone: a neighborhood, street, danwei (unit), or a township. The *hukou* system requires every Chinese citizen to be officially and constantly registered with the *hukou* authority (the *hukou* police) since birth, as the legal basis for personal identification. The categories of non-agricultural (urban) or agricultural (rural), the legal address and location, the unit affiliation (employment), and a host of other personal and family information, including religious belief and

physical features, are documented and verified to become the person's permanent *hukou* record. A person's *hukou* location and categorization or type were determined by his mother's *hukou* location and type rather than his birthplace until 1998, when a child was allowed to inherit the father's or mother's *hukou* location and categorization.

One cannot acquire a legal permanent residence and the numerous community-based rights, opportunities, benefits and privileges in places other than where his *hukou* is. Only through proper authorization of the government can one permanently change his *hukou* location and especially his *hukou* categorization from the rural type to the urban one. Travelers, visitors, and temporary migrants must be registered with the *hukou* police for extended (longer than three days) stay in a locality. For longer than one-month stay and especially when seeking local employment, one must apply and be approved for a temporary residential permit. Violators are subject to fines, detention, and forced repatriation (partially relaxed in 2003). *hukou* files are routinely used by the police for investigation, social control, and crime-fighting purposes.

Officially and internally, the PRC *hukou* system has one common governance duty (to collect and manage the information of the citizens' personal identification, kinship, and legal residence) and two "unique missions": to control internal migration through managing temporary residents/visitors; and to have a tiered management of zhongdian renkou (targeted people) in the population.³

In practice, the PRC *hukou* system has performed three leading functions. First, it is the basis for resource allocation and subsidization for selected groups of the population (mainly the residents of major urban centers). This function has shaped much of the Chinese economic development in the past half century by politically affecting the movement of capital and human resources. The government has been traditionally heavily favoring the urban centers since the 1950s with investment and subsidies.

Second, the *hukou* system allows the government to control and regulate internal migration especially the rural-to-urban migration. The basic principles of the PRC migration control have been to restrict rural-to-urban and small-city-to-large-city migration but encourage migration in the reversed direction. China's urbanization, as a consequence, is relatively small and slow compared to its economic development level. China's urban slums are also relatively small and less serious compared to those in many other developing nations such as Brazil or India. Third, the *hukou* system has a less well-known but very powerful role of social control especially the management of the so-called targeted people (zhongdian renkou). Based on *hukou* files, the police maintains a confidential list of the targeted people in each community to be specially monitored and controlled. Such a focused monitoring and control of selected segments of the population have contributed significantly and effectively to the political stability of China's one-party authoritarian regime.

In the 2000s, the *hukou* system still enjoys a strong institutional legitimacy in China. Unlike the similar but now disgraced and disintegrated propiska (residential permit) system in the former Soviet Union, the PRC *hukou* system is still both legal and strong. With some reforms and limited alterations, the *hukou* system continues to be a backbone of Chinese institutional structure and fundamentally contributes to the seemingly puzzling coexistence of China's rapidly developing market economy and the remarkable stability of the CCP's (Chinese Communist Party) political monopoly.

Reforms and Changes in Recent Years

The *hukou* system has been an administrative system with sketchy legal foundations. It has been governed and regulated by mostly "internal" decrees and directives. There have been talks in Beijing about making a PRC *hukou* Law to firmly ground this important system in "modern legal languages" since the 1980s. Yet, by 2005, this effort is still at a very early stage with no date of completion in sight.

The hukou system's much examined function of resource allocation and subsidization to the urbanites has

now been reduced and even replaced by the advancing market forces, as the urban rations of food and many other supplies have now either disappeared or become insignificant. Furthermore, there has been fairly extensive cosmetic reform efforts aiming at erasing the unsightly distinction between rural and urban residents.

The administration of the well-known function of internal migration control is now reformed, relaxed and localized, given rise to increased mobility of the population in general and the rural laborers in particular. Since 1997 and especially since 2001, there has been so-called "deep reforms" of the *hukou* system, primarily concerning its migration-control function. Various schemes such as the so-called "blue stamp" *hukou* (functions like a "green card" issued to aliens in the United States), temporary residency (functions like working visas), and the locally-defined "entry conditions" for permanent migration, nick-named "local *hukou* in exchange for talents/skills and investment," have significantly increased the mobility of selected groups of people. Now, anyone who has a stable non-agricultural income and a permanent residence in a small city or town for at least two years will automatically qualify to have an urban *hukou* and become a permanent local resident. Some medium and even large cities are also authorized to do the same, with a higher and more specific income, employment, and residence requirement. Yet, the *hukou* system still demonstrates its remarkable continuity as the governing principles of internal migration regulation remain fundamentally unchanged. Other than the needed labor, especially skilled labor, and the super-rich, China's major urban centers take in few "outsiders."

Some provinces ventured further. Guizhou, one of the poorest provinces, decided to give a small city/town urban *hukou* to anyone who meets the income and residence requirements immediately, waiving the usual two-year waiting period. Shangxi, another less developed province, used urban *hukou* to reward migrant ruralites who have moved to those remote regions to reclaim desert land through tree-planting. However, merely eight months into the reform, in mid-2002, this national wave to rename rural/urban distinction was ordered by Beijing to stop, pending "further instructions." The suspension seems to be primarily the result of the lack of funding and infrastructure to quickly accommodate new urban residents' massive need in education, health care, and social welfare. 12

The third leading, albeit much less known but highly crucial, function of the *hukou* system, the management of the targeted people, however, remains to be highly centralized, rigid, and forceful, although its effectiveness has been declining steadily. The changes of the management of the targeted people function so far are mainly technical and marginal. There actually is a tendency for this sociopolitical control function to be improved and enhanced in the 2000s. In the summer of 2001, when the rural-to-urban migration quota was partially replaced in the PRC, one MPS senior official called for further "reducing the undue burden on the *hukou* system by getting rid of its economic and education functions" so to "enhance the *hukou* system" and "restore its original" main mission of population management and social control. Indeed, the police has been internally calling for a further enhancement of the targeted people management in its battle against Muslim terrorist cells in the remote regions of Western China, where many non-Han ethnic groups live.

To manage the massive files of the *hukou* system, the MPS started to establish electronic *hukou* database in 1986 and got special funding for national computerization of the *hukou* system in 1992. By 2002, almost all (more than 30 thousand) police stations have computerized their *hukou* management. 1,180 cities and counties joined regional computer networks for file-sharing of the *hukou* records of a total of 1.07 billion people (about 83 percent of the total population), and 250 cities joined one single national *hukou* computer network to allow for instantaneous verification of *hukou* information covering 650 million people (about half of the total population). In 2002, the MPS further required all hotels with 50 beds and larger to have computer links to instantaneously transmit the photos of all guests to local police station.

The new leadership of Hu Jintao and Wen Jiabao since 2003 has shown signs of considering the negatives of the *hukou* system as a political liability and trying in certain way to ease further some of the rough edges of the system; however, the 2001 reform of the *hukou* system remained very much unaccomplished four years

later, especially above the level of small towns and cities, and led to significant regional discrepancies. By mid-2005, the PRC *hukou* system has developed an even stronger character of regionalization.

On March 17, 2003, a young migrant from Wuhan of Hubei Province named Sun Zhigang was arrested for having no identification papers by the police in Guangzhou, where he was actually lawfully employed and registered. He was in typical manner abused by the police and brutally beaten to death three days later by fellow inmates during the repatriation process. The case was reported by influential Chinese news outlets and led directly to a public outcry against the irrationality and injustice generated by the *hukou* system, especially the practice of forced repatriation. A dozen perpetrators, including several police officers, were sentenced to death or long jail terms. As a result, the PRC State Council canceled the 1982 "Measures of Detaining and Repatriating Floating and Begging People in the Cities," issued "Measures on Repatriation of Urban Homeless Beggars" on June 18, 2003, and "Measures on Managing and Assisting Urban Homeless Beggars without Income" on June 20, 2003, establishing new rules governing the handling and assisting of destitute migrants. Many cities, including the most controlled Beijing municipality, decided soon after that *hukou*-less migrants must be dealt with more care; they are no longer automatically subject to detention, fines, or forced repatriation, unless they have become homeless, paupers, or criminals.

This change of repatriation policy was a much needed reform and has been widely praised as a humane move by the Hu-Wen "new politics." However, as an interesting twist that vividly reveals the political reality in the PRC, the editor and the reporter of the newspaper, Nanfang Dushi Bao (Southern urban news), who broke the Sun Zhigang story, were soon arrested and sentenced to prison for multiple years under trumped up charges of bribery and corruption in 2004-05. Furthermore, empirically, perhaps as a good sign to show the complicated role of the hukou system, the relaxed measures of forced repatriation has seemed to cause the surge of paupers in places like Beijing's Tiananmen Square in the two years afterwards. Hence the discussion of a "Latin-Americanization" and the concern about decay of the Chinese urban business environment emerged in the PRC's relatively free cyber space by mid- $2005.\frac{18}{1}$ To be sure, the latest *hukou* reform has relaxed and decentralized internal migration control mechanisms (mainly in the small cities and towns) but has not touched the sociopolitical control functions of the system. The majority of the over 100 million migrants or "floating population" still appear to be unable to change the location of their hukou permanently. In Ningbo of Zhejiang Province, a national model of the hukou reform, only about 30 thousand migrants, less than two percent of the two million migrants from the countryside (who constitutes one-third of the city's total population) are expected to qualify for local *hukou* during the reform. ¹⁹ In Shijiazhuang of Hebei Province, only 11 thousand migrant workers (out of 300 thousand in the city) were qualified to apply for local hukou in 2001. A key problem has been the difficulty for a migrant to find a stable job in the city, which has already been plagued by high unemployment for years. 20

Limited and controlled, the latest *hukou* reform has started to change the unsightly and discriminatory legal distinction between rural and urban *hukou* holders. It is a major albeit highly symbolic victory of the advancing market institution and new norms of citizenship and human rights in China. However, "the *hukou* system has not been abolished but only enhanced and improved with scientific means," declared a Chinese leading *hukou* expert associated with the MPS. The universal residential registration, the basic principles of internal migration control, and the uniquely Chinese style sociopolitical control through the management of targeted people all continue and will be further "strengthened." The *hukou* reforms are to be "well-synchronized; must consider the rational flow and allocation of talents and labor, and guarantee the stability of socioeconomic order."²¹

Usefulness versus Liability: the Future of the hukou System

The PRC *hukou* system has been playing profound and complex roles in Chinese political economy. It has contributed significantly to China's sociopolitical stability by creating an environment that is conducive to the perpetuation of an authoritarian regime, albeit still leaving some room for a possible elite democracy to develop. It has allowed the PRC to circumvent the so-called Lewis Transition and hence to enjoy rapid

economic growth and technological sophistication in a dual economy with the existence of massive surplus labor, while producing tremendous irrationalities, imbalances, and waste in the Chinese economy and barriers to further development of the Chinese market. Finally, the PRC *hukou* system has created clear horizontal stratification, regional gaps, and personal discrimination that not only directly challenge social justice and equity but also potentially call China's political cohesion and national unity into question.²²

There are clear institutional and policy usefulness of this otherwise ethically clearly questionable system, which makes its reform a highly difficult and complicated mission. In a way, the "positive" economic impact of the *hukou* system in China may be viewed as similar to that of the Westphalia international political system on the world economy since the end of the Middle Ages. Under the Westphalia system, there is a political division of the sovereign nations, a citizenship-based division of humankind, and an exclusion of foreigners maintained by the regulation and restriction of international migration. These may have indispensably contributed to the development of the modern capitalist market economy that has brought unprecedented economic growth and technological sophistication in the "in" parts of the world, primarily the nations that today form the Organization of Economic Cooperation and Development (OECD). The world economy has developed spectacularly in the past few centuries, but in the 2000s, 80 percent of humankind still lives in the less developed nations, excluded from most of the world's achievements. 23 China's prosperous urban centers in its eastern and coastal regions, compared with the country as a whole, may be functionally viewed as roughly equivalent to the OECD nations in comparison with the world. A key difference, however, is that the citizenship-based institutional divide between the OECD nations and the rest of the world is much more rigidly defined and forceful, hence more effectively enforced than the hukou barriers that separate the urbanites in Shanghai and Beijing from the ruralites in the inland Chinese provinces. Furthermore, a central government in Beijing that regulates the hukou system and provides some crossregional resource reallocation may have made the hukou system a bit more tolerable to the excluded.

The usefulness of the *hukou* system, especially seen in economic growth, is accompanied by tremendous negative consequences that are constituting increasingly heavy liability for the Chinese political system. A leading consequence of the PRC's *hukou* system has been, not surprisingly, a relatively small and slow urbanization in China. It almost stopped and even decreased for about two decades under Mao Zedong. During the reform era, China's urbanization has been significantly slower than its economic growth and industrialization rate, even though the adaptive measures and the practical relaxation of the *hukou* system have accelerated urbanization since the late 1980s. By 2000, China's urbanization was still only less than 30 percent, whereas countries in the same range of per-capita GDP had an urbanization of 42.5–50 percent. Although by some indicators China's economic development in the late 1990s was at the level that the United States attained from the 1950s through the 1970s, China's urbanization was comparable to that in the United States only in the 1880s and 1890s. 24

Slow urbanization perpetuates a stable dual economy featuring a rural majority of the population and a stable, large, ever-increasing rural-urban disparity of income and resource distribution. Officially, the urban and rural incomes were disparate by a factor of about 2.2 in 1964, 2.6 in 1978, 2.7 in 1995, and 2.8 in 2000. Semiofficially, the urban-rural income gap was estimated to stand at a factor of about 4.0 in 1993. Including indirect income in the form of state subsidies, the gap stood at a staggering 5.0–6.0 by 2001.

A rigid and stable dual economy based on the exclusion of the rural population has systematically and artificially suppressed the rural Chinese market and may have severely limited the growth potential for the Chinese economy as a whole, which needs domestic demand to increase continually.

In addition to perpetuating a dual economy and retarding the rural consumer market, the *hukou* system has created significant irrationalities in labor allocation and utilization. A two-tier, well-segregated labor market for local urban *hukou* holders and outsiders exists in Chinese cities, leading to inequalities and inefficiencies within the same locality.

An obviously negative impact of the *hukou* system has been that it brews regional disparities and inequality. As a high price of *hukou*-assisted rapid growth, China has had a very uneven economic development across regions. A group of influential Chinese scholars concluded that "there are three main disparities in contemporary Chinese society: the disparities between the peasants and the industrial workers, between the urban and rural areas, and among the regions." The PRC *hukou* system is fundamentally responsible for all three. ²⁸

Six provinces or metropolises in eastern China, out of 31, received 54 percent of all Chinese research and development funding in 1994; the eighteen provinces in central and western China got only 35.9 percent. In 1990, Beijing had the highest per-capita government spending at 633 Yuan RMB, about 2.7 times the lowest, 106 Yuan in Henan Province, only a couple of hundred miles away. In 1996, Shanghai had the highest percapita government spending of 2,348 Yuan, 8.45 times the lowest, 278 Yuan, still in Henan Province. In 1998, per-capita investment in the three metropolises Shanghai, Beijing, and Tianjin was 7.3, 5, and 3.1 times higher, respectively, than the national average, while the like in Guizhou Province was only 33 percent of the national average. So

At the end of the 1990s, per-capita annual GDP in Shanghai was over twenty-eight thousand Yuan RMB, twelve times higher than in Guizhou Province (merely 2,323 Yuan). The average annual wage in the coastal province of Guangdong was twice that in neighboring Jiangxi Province (3,595 vs. 1,713 Yuan). It is estimated that the east-west annual income gap grew from 48 percent in 1986 to 52 percent in 1991(2,283 Yuan in the east and 1,095 in the west). In 2000, urban *hukou* holders' highest per-capita annual income was 11,802 Yuan (in Shanghai); the lowest was only 4,745(in Shanxi). Rural *hukou* holders' highest per-capita annual income was 5,596 Yuan (again in Shanghai), and the lowest was only 1,331(in Tibet). By 2001, the highest per-capita urban income was 4.8 times greater in eastern than in western China. ³²

Politically, the regional gap is contributing to the rise of regionalism and regional protectionism that have already become major destabilizing factors in China in the early 2000s. In response, Beijing has issued numerous decrees to tear down economic barriers erected by local corporatist and protectionist activity. The central government's political stability and power and even the unity of the nation may be at stake. In many ways, the Chinese economy is not just a dual economy of rural and urban sectors but more a collection of several regional economies that are at various stages of development, with hugely different degrees of economic prosperity, separated chiefly by the *hukou* system. In other words, developed societies and the poorest societies coexist within one nation not only vertically but also horizontally.

Consequently, the *hukou* system had twisted the Chinese social life to create a peculiar horizontal stratification. This system may have provided organization and social stability to a large nation, especially in a time of rapid economic development and social and cultural change. It forms solid groupings and associations beyond family and employment relations. Ethically, however, institutional exclusion produces troubling questions about the equity and equality of the human and civil rights of citizens of the same nation. A slow urbanization naturally segregates the citizens and creates cultural biases against the excluded rural population.

Furthermore, institutional exclusion discourages and even hinders the development of creativity and ingenuity that often accompany people's horizontal and vertical mobility in a society. Chinese culture, social stratification, and social norms and values have all developed regional characteristics as well as a rural-versus-urban differentiation.

The excluded Chinese peasants still by and large accept their fate under the PRC *hukou* system as it is. The extent to which those who are excluded in the rural and backward areas, three-quarters to two-thirds of the total Chinese population, will continue in their role as the reservoir to hold the unskilled millions, hence to make a multigenerational sacrifice for rapid modernization of the Chinese urban economy, remains increasingly uncertain. Unemployment pressure alone, likely to be significantly worsened by China's new

WTO membership, may make *hukou*-based institutional exclusion even less bearable. The hundred-million-strong migrant (liudong) population—registered holders of temporary *hukou* and unregistered mangliu (blind floaters)—clearly a second-class citizenry outside their home towns in their own country, has already become a major source of the rising crime rate and even of organized crime in the PRC. How much and how quickly trickle-down and spillover effects of prosperous, glamorous urban centers will be felt in rural areas will be key to the continuation of China's sociopolitical stability.

How long a *hukou*-based rapid but uneven economic growth can last, at the expense of excluding the majority of the population, remains a legitimate and profound question. Another leading concern is the running-away of vertical and horizontal social stratification of Chinese society. The combination of these two stratifications not only has affected the allocation of resources, opportunities, and life chances in general for every Chinese, but also has largely shaped Chinese values, behavioral norms, and culture that are not conducive for rule of law, equity of human rights, or individual freedom. A small, elitist, urban *hukou* holders living in major urban centers, are masters of this people's republic at the expense of excluding and discriminating against the majority of the people, who are growing in discontent and rightfully angry.³⁷

Clearly, the PRC *hukou* system right now poses serious ethical, legal, and international questions that demand creative and effective solutions. The *hukou* system has systematically created barriers against labor mobility, thus limiting the rationalization of a young market economy there and perpetuating poverty for the majority of the population living in the rural areas as the excluded under unfair treatment and naked exploitation. The lack of genuine vertical and horizontal mobility, in addition to the lack of freedom of speech and individual and property rights, has seriously impeded creativity and innovation in China. The system contributes to the growing regionalization of the Chinese political economy with profound consequences for the Chinese economic development, the capacity of the central government, and even the unity of the Chinese nation.

Yet, to Chinese leaders, the *hukou* system still appears to be a familiar, important, reliable, and effective statecraft. Currently, much of this system is still largely internalized as a part of the Chinese culture and enjoys a high degree of legitimacy, even among the excluded. Obviously, the *hukou* system relies heavily on the political power of the CCP to continue; yet the functions of the system have also become highly critical to the stability and continuation of the CCP political system. Mounting tensions the system brews and the resultant scrutiny and criticisms are likely to force more changes as the PRC state may have to retreat further. Ultimately, the fate of the *hukou* system will reflect and determine the fate of the current PRC sociopolitical order and China's chance of realizing its enormous economic potential.

Notes:

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- 28. There are, naturally, many other factors responsible for the East-West gap in China. Dali Yang (Beyond Beijing: Liberalization and the Regions in China, London: Routledge, 1999) described a Chinese political system in which the PRC has been led by an east coast "oligarchy" and the interests of the East dominate.
- 29. Guo Tong, "Keji touru: Dongzhongxibu bupingheng" (R&D investment: Uneven among the east, central and west), Zhongguo xinxibao (China journal of information), Beijing, Aug. 3, 1995, 1.
- 30. State System Reform Commission), Gaige neichan (Internal reference on economic reform), Beijing, internal publication. Selected issues, 1998# 273, 22. Hu Angang & Zou Ping, Shehui yu fazhan: zhongguo shehui fazhan diqu chaju yanjiu (Society and development: A study of China's regional gap of social development), Hangzhou: Zhejiang Renmin Press, 5.
- 31. Hu and Zou 2000, 3.
- 32. State Planning Commission figures, Jingji gongzhuzhe xuexi ziliao (Study materials for economic workers), Beijing, no. 68(1994), 7. Hunan ribao (Hunan daily), Changsha, Apr. 18, 2001.
- 33. Some provincial and prefecture governments set up and enforce quotas for shipping in goods from outside. Chen, Dongyou ed., Zhongguo nongmin (Chinese peasants), Nanchang: Jiangxi Gaoxiao Press, 1999, 206. Even the official journals start to list various "striking" cases of regional and local protectionism that damages law enforcement and market development. Dadi (Earth), Beijing, no. 101(May 2001), 46–47.
- 34. One early effort was the State Council's Directive on Breaking down Regional Blockade of the Market, Nov. 10, 1990. A later such effort was the almost identically titled State Council Decree 303 of Apr. 12, 2001.
- 35. Hu Angang et al. 1995, 27–31, 90–97, and 258–78; Minxin Pei, "China's Governance Crisis," Foreign Affairs, Vol. 81-5, Septemebr-October, 2002, 96-109.
- 36. Li Zhongxin 1999, 11–13 and 23–24.
- 37. Incidentally, among my interviewees, privileged urban dwellers tend to take the PRC hukou system for granted and assert that the hukou system "really does not make much difference in life," while the excluded "outsiders," especially the ruralites, insist that the hukou system affects their lives personally, persistently, and pro