

Law and Left-Behind Children's Literature in China

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“When you have 61 million children who cannot relate to their parents, it is very traumatizing for a society”, said Sanna Johnson, Executive Director of the Center for Child Rights (CCR) and Corporate Social Responsibility (CSR). However, this is the stark reality for approximately 69 million children in China who have been left behind in rural villages while their parents migrate to cities in search of work.

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Laws Concerning Left-Behind Children in China

Since the early 1980s, the rapid acceleration of urban industrial development and urbanization in China has led to a massive migration of the rural labor force to cities. In 1986, Document No. 1, issued by the Central Committee of the Chinese Communist Party, legitimized the migration of rural farmers to urban areas. Later, in 2004, The Policies of the China State Council on Promoting Farmers' Income further expanded the large-scale transfer of the rural population to urban centers.

China's rural-to-urban labor migration has evolved in three distinct stages.

1. The first stage, spanning from the early 1980s to the late 1990s, saw a significant increase in migrant workers. According to a survey conducted by the Rural Economic Research Center of China's Ministry of Agriculture, the number of rural migrant laborers grew from just two million in the early 1980s to 20 million by 1988.

2. The second stage, occurring from the early 1990s to the late 1990s, was marked by an even more dramatic rise, with the migrant labor population surging from 20 million to 80 million. Notably, women accounted for approximately 30% to 40% of this workforce.

3. The third stage, beginning in the late 1990s and continuing to the present, has been characterized by the increasing prevalence of couple migration, in which both parents relocate for work, often leaving their children behind in rural areas (Lv, 2007, pp. 3-4).

The migration of rural laborers to urban areas has resulted in millions of children being left behind in rural communities, often under the care of relatives—primarily grandparents with little or no education—family friends, or, in some cases, having to fend for themselves. Many of these caregivers lack the physical ability, financial resources, or necessary knowledge to provide adequate care for these children.

In 2012, the Children's Department of the All-China Women's Federation, in collaboration with the Population and Development Research Center of Renmin University of China, formed a research group to study the status of rural left-behind children and rural migrant children. This research, supported by data from the National Bureau of Statistics, revealed that approximately 69 million children are left behind by one or both

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parents due to migration—accounting for about 30% of children in rural areas (2013).

Reports indicate that 46.74% of rural left-behind children have both parents migrating to urban areas. Among them, 32.67% live with their grandparents, while 10.7% reside with other guardians. Alarming, 3.37% of rural left-behind children live alone. While this percentage may seem small, given the sheer scale of left-behind children in China, this translates to approximately 2,057,000 children living without parental or guardian supervision in rural areas (see Table 1).

Table 1

Percentage of Living Types of Rural Left-Behind Children by Age Groups (Unit: %)

Parental migration status	Residence type	Age group (years)				Overall
		0-5	6-11	12-14	15-17	
Both parents migrated	Living alone	1.90	3.20	4.89	6.14	3.37
	Living with grandparents	38.85	34.49	25.15	19.61	32.67
	Living with others	6.33	12.10	14.53	15.23	10.70
	Subtotal	47.08	49.79	44.57	40.98	46.74
Only father migrated	Living with mother	13.98	20.15	27.50	30.30	20.33
	Living with mother and grandparents	22.95	13.57	10.56	8.90	16.06
	Subtotal	36.93	33.72	38.06	39.20	36.39
Only mother migrated	Living with father	4.93	8.81	11.64	13.80	8.44
	Living with father and grandparents	11.06	7.67	5.74	6.02	8.43
	Subtotal	15.99	16.48	17.38	19.82	16.87
Total		100.0	100.0	100.0	100.0	100.0

Note. “Percentage of Living Types of Rural Left-Behind Children by Age Groups”, from *Report on the Status of the National Rural Left-Behind Children and Migrant Children*.

Legislation affecting migrant workers is one of the primary causes of the left-behind children phenomenon. In January 1958, the National People's Congress of China approved the Household Registration Ordinance of the People's Republic of China. Article 10 established strict regulations governing rural-to-urban migration, stating:

For rural citizens to obtain household registration in a city, they must present an employment certificate from the urban labor bureau, a school admission certificate, or official approval from relevant urban authorities. They must also apply for the transfer of household registration through the local household registration authority.

Since then, rural residents have been deprived of the right to register as urban residents. This household registration (*hukou*) system has effectively created a barrier between urban and rural populations. As a result, rural laborers seeking work in cities cannot obtain urban household registration—nor can their children. Consequently, these children either become “floating children”, accompanying their parents to cities without legal registration, or “left-behind children”, remaining in their rural hometowns.

In 1998, Article 3 of the Legislation on the Education of Floating Children, issued by the Chinese Ministry of Education, stipulated:

The local government of a floating child's permanent residence should strictly control the outflow of school-age children during the compulsory education stage. If guardianship is available in their permanent residence, children should receive compulsory education there; if no guardianship is available, they may attend school in the city where their parents have migrated.

This regulation discourages migrant workers from bringing their children to cities if guardians are available

in their hometowns. On one hand, this law was designed to protect the already limited educational resources of urban public schools. On the other hand, it barred floating children from accessing urban public education.

Further restricting access, Article 11 of the same legislation legitimized the imposition of “transient schooling fees” for floating children: “Full-time public middle schools and primary schools enrolling floating children may charge fees by semester for ‘transient schooling’”.

This policy was intended to limit the migration of children into cities by placing financial barriers on their education. The legal recognition of transient schooling fees allowed urban public schools to charge additional or exorbitant fees, which largely excluded floating children from urban education. The parents of these children are typically low-income workers—often the very reason they migrate to cities in search of economic opportunities. Many could not afford these fees and were forced to leave their children behind in their rural hometowns.

Although transient schooling fees were officially outlawed by the Chinese Ministry of Education in 2010, alternative charges, such as “sponsorship fees” and “construction fees” emerged in their place. These hidden costs continue to be one of the primary barriers preventing migrant laborers from bringing their children to cities.

Even for migrant workers who manage to afford these fees and enroll their children in urban schools, further restrictions arise at the college entrance examination (Gaokao) level due to the household registration system. For instance, in Beijing, floating children are only permitted to apply for vocational schools rather than participate in the standard College Entrance Exam.

Under these restrictive policies, many migrant workers have no choice but to leave their children behind in their rural hometowns, perpetuating the widespread issue of left-behind children in China.

Left-Behind Children's Literature in China

Since the late 1990s, left-behind children have gained increasing attention across various literary forms. The media has reported extensively on their struggles, while writers have captured their realities through novels, short stories, poems, and essays. Left-behind children themselves have also documented their unique life journeys in diaries and letters. Left-behind children's literature in China takes on diverse forms, truthfully reflecting the deep-rooted issues caused by legislative shortcomings concerning these children.

This paper primarily focuses on novels within left-behind children's literature in China. Key representative works in this genre include Yin Jianling's *Dragonfly, Dragonfly*, Wang Jucheng's *Through the Sadness of Youth*, Tao Jiang's *Fairy Thatch Along the Waters*, Liu Mei's *Flying With Fallen Leaves*, Tang Ying's *A Shan, the Teenager*, Wang Anyi's *Planting Red Caltrop and Lotus Root*, Yan Lan's *Left-Behind*, Xue Ran's *Elegy Upon Departure*, Xi Li's *Snow Robes*, Wu Zhenyan's *Warmth*, Niu Che's *Empty Nest*, Wu Kejing's *Wish Cards*, and *Scream*, among others.

Three primary themes emerge in left-behind children's novels:

1. Lack of parental love and care;
2. Insufficient education;
3. Unique life experiences.

Each of these themes will be examined in turn.

Lack of Parental Love and Care

When left-behind children's legal guardians—either one or both parents—are absent, they must live under the care of grandparents, relatives, or neighbors who assume temporary guardianship. However, their

relationships with these guardians are often fragile and emotionally distant. Many children struggle with feelings of isolation. For instance, in *Planting Red Caltrop and Lotus Root*, when Yang Baobao first moves in with Mr. Li's family, he finds it difficult to integrate into the household, leading to increased loneliness.

Left-behind children deeply yearn for love and care from their parents. In *Scream*, when Douya sees a hen protecting her chicks under its wings, she desperately wishes her parents could be close to her and care for her in the same way.

When one parent migrates to an urban city while the other remains in the rural home, literature often explores themes of family breakdown and divorce, forcing left-behind children to navigate painful emotional realities. In *The Encounter at Noon*, a father leaves for work in the city and later divorces his wife. Devastated, the mother succumbs to grief, unaware that her young son has drowned in a pond at noon.

Left-behind children experience profound psychological and emotional challenges. During their formative years, when they need parental guidance the most, their parents are absent. Some children go years without seeing their parents, leading to emotional alienation, frustration, and depression. Long-term neglect can result in abnormal personality development, which not only affects their personal growth, but also has broader social consequences.

Insufficient Education

Education for left-behind children is often severely inadequate due to a shortage of qualified teachers in rural areas. Many local teachers, lured by better economic opportunities, leave their villages to work in cities. Only a handful of dedicated educators choose to remain, but they face inner struggles between survival and professional ethics. These conflicts are poignantly depicted in Deng Xiangzi's *The Sunshine in the Mountain* and Li Liping's *Seven Trees*.

Because of the teacher shortage, many universities organize volunteer teaching programs in rural areas. In *Scream*, an undergraduate named Xia Fenqiang volunteers to teach mathematics to left-behind children. However, after exposing illegal pornographic video showrooms in the village to a television station, he is attacked in retaliation and forced to leave by the school principal, who fears the damage to the village's reputation. Despite Xia's good intentions, he is driven away, highlighting the social resistance to change.

Beyond school education, family education is also severely lacking due to parental absence. Homework supervision becomes unsustainable, and academic support is often nonexistent. These issues are explored in Sun Junfei's *Sweet and Sour Pomelo*, where left-behind children struggle with their studies due to the absence of parental guidance. With both school and family education in crisis, left-behind children suffer from a significant educational gap.

Unique Life Experiences

Left-behind children often have extraordinary life experiences due to limited supervision, lack of safety precautions, and insufficient self-protection awareness. Being far from their parents, they are highly vulnerable to abduction, sexual abuse, and harassment—issues frequently addressed in left-behind children's literature.

For instance, in *Wish Cards*, two left-behind children, Douya and Hou Hongqin, are abducted while attempting to travel to the city in search of their parents. In *Scream*, female students in a left-behind children's school are frequently subjected to sexual harassment by their male peers.

Additionally, due to loose guardianship, left-behind children often expose themselves to adult environments

involving pornography and violence. In *Scream*, the protagonist, Doubing, frequently skips school to visit pornographic video showrooms and internet cafés. He also engages in frequent fights with other boys, illustrating how exposure to harmful influences negatively shapes his development.

The lack of parental guidance and supervision leaves left-behind children highly susceptible to dangerous environments, posing severe threats to their physical and mental well-being.

Left-behind children's literature in China sheds light on the harsh realities faced by millions of rural children whose parents migrate for work. Through compelling narratives, these novels expose emotional neglect, educational deprivation, and unique struggles, offering a powerful critique of the systemic issues underlying the left-behind children crisis.

By examining these literary works, we gain a deeper understanding of the societal and emotional challenges left-behind children endure—a necessary step toward addressing their plight and advocating for meaningful policy changes.

Legislative Suggestions for Left-Behind Children in China

Novels about left-behind children not only depict their real-life struggles, but also serve as a call to action, urging society to show greater concern for their future development. Left-behind children need legal protection to reduce or prevent illegal and criminal activities that violate their rights. Moreover, they require the love and care of society as a whole.

Reforming the Household Registration and Social Security System

China's household registration system ("hukou") and population management policies should be reformed to bridge the gap between urban and rural areas. Adjustments to housing and social security laws are essential to ensure that rural families have equal access to social benefits, reducing the need for parents to migrate and leave their children behind.

Strengthening Educational Protections for Left-Behind Children

Protective laws for left-behind children's education should be established. The government and education authorities must take responsibility for improving the educational environment for these children. Possible measures include:

1. Building more boarding schools tailored to left-behind children;
2. Ensuring government oversight and financial support for school housing accommodations and meal provisions;
3. Recruiting professionally trained teachers to improve education quality in left-behind children's schools;
4. Expanding preschool education in rural areas to ensure early childhood education opportunities;
5. Increasing government investment in rural schools to enhance learning conditions;
6. Providing easier access to education for migrant children in urban areas, ensuring they are not excluded from the city's educational system.

Strengthening Custodial Protection and Support Systems

Strict legislation should be enacted to regulate the custody of left-behind children. The establishment of custodial institutions or centers can provide long-term care and ensure a safe environment for these children. Additionally, protection networks or similar support systems should be developed to offer timely and comprehensive assistance when needed. A long-term mechanism for caring for left-behind children should be

maintained, and the government should actively promote various childcare services to support families.

Encouraging Parent-Child Communication and Community Support

Legislation should mandate regular and meaningful communication and visits between migrant workers and their children. Encouraging structured interactions can help maintain emotional bonds despite physical separation. Additionally, volunteer families can be enlisted to offer counseling and emotional support, helping left-behind children navigate the difficulties of growing up without their parents.

Conclusion

With strong legislative support and collective efforts from society, the challenges faced by left-behind children in China can be effectively addressed. A comprehensive legal framework, combined with social support initiatives, will ensure that these children receive the care, education, and protection they deserve, fostering their healthy development and well-being.

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