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문학석사 학위논문

Gender Sensitivity in Chinese Mainstream Media:

*The Analysis of People's Daily and Xinhua Net*  
on the Issues of the Third Judicial  
Interpretation of Chinese Marriage Law

중국 주류 미디어에서의 젠더 성인지: 중국결혼법의  
3번째 사법해석 이슈에 대한 인민일보와 신화왕 분석

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[Abstract]

## Gender Sensitivity in Chinese Mainstream Media:

The Analysis of *People's Daily* and *Xinhua Net*

on the Issues of the Third Judicial

Interpretation of Chinese Marriage Law

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Gender equality and media have long been important issues of concern worldwide. This research aims to gauge gender sensitivity in Chinese mainstream media. In order to achieve this goal, I choose *People's Daily* and *Xinhua Net* as representatives of Chinese mainstream media and do content analysis of the two outlets' reports on the Third Judicial Interpretation of Chinese Marriage Law for the period of Nov. 15, 2010 to Sept. 1, 2015. Based on the Gender-Sensitive Indicators for Media published by UNESCO, this research is divided into two sections: gender portrayal in the media and gender equality issues in the media.

In the section on gender portrayal in the media, I choose man and woman's role, behaviors, and characteristics as the units of content and code the content in *People's Daily* and *Xinhua Net's* news reports regarding the Third Judicial Interpretation of Chinese Marriage Law. The results of the

content analysis are compared to stereotypical characteristics of femininity and masculinity. Then I make a comparative study on gender portrayal using the Gender-Sensitive Indicators for Media published by the United Nations Educational, Scientific and Cultural Organization in 2012. I find that the portrayal of men and women in the reports about the interpretation have a close relationship with femininity and masculinity. Gender stereotypes can be found in them. Also, the reports show a tendency to urge women to change rather than men.

The section on gender equality issues in the media is divided into three parts: coverage of gender equality issues, analysis of gender equality issues based on various types of feminist thought, and news classifications beyond the gendered dichotomy between soft news and hard news.

In the first two parts, according to previous studies on the Third Judicial Interpretation of Chinese Marriage Law and gender equality, I summarize three aspects of gender equality in the interpretation: gender equality in property rights, gender equality in reproductive rights, and neglect of rural women's rights. Then I analyze these issues based on liberal, multi-cultural, and radical feminist approaches.

In the part about news classifications, I find that *People's Daily* and *Xinhua Net's* news reports about the Third Judicial Interpretation of Chinese Marriage Law are placed into the category of hard news. Although some news reports concentrate on individual feelings, which entertain and may evoke emotions, they are still classified as hard news. Therefore, categories of news reports on the Third Judicial Interpretation of Chinese Marriage Law in *Xinhua Net* and *People's Daily* break the usual gendered dichotomy of soft and hard news.

To sum up, *People's Daily* and *Xinhua Net* show gender sensitivity to some extent. The findings of this research are expected to improve gender mainstreaming in Chinese mainstream media.

**Keywords:** Gender Sensitivity, Mainstream Media, the Third Judicial Interpretation of Chinese Marriage Law, Gender Portrayal, Gender Equality, News Classification

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# **1. Introduction**

## **1.1 Research questions**

Gender equality and media have long been important issues of concern worldwide. The proliferation of media, the explosion of new technologies and the emergence of social media have provided multiple sources for access to gender-related information and knowledge. While inequalities and gender stereotypes exist in social structures and the minds of people, media as one of the main sources of information, ideas and opinion for most people around the world has the potential to propagate and perpetuate or to ameliorate these (United Nations Educational, Scientific and Cultural Organization [UNESCO], 2012).

In order to promote gender equality in media, international organizations have taken practical actions. Since the United Nations Fourth World Conference on Women in 1995 emphasized the key role of media to promote gender equality in all spheres, UNESCO formulated the “Priority Gender Equality Action Plan for 2008-2013” and a two-fold approach including gender-specific programming and gender mainstreaming with action in all of UNESCO’s fields of competence. UNESCO’s Communication and Information Sector elaborated the global framework of the Gender-Sensitive Indicators for Media in cooperation with the International Federation of Journalists and many other partners. The definition of gender-sensitivity was put forward in the report “Gender-Sensitive Indicators for Media,” published by UNESCO in 2012. In this report, “gender-sensitivity” is defined as “commitment to recognizing man-woman social inequalities, in order to redress these through addressing women’s needs and priorities, and to analyze programs and projects for the different impacts that they have on women and men. This awareness includes knowing that women, as well as

men, should be involved in consultations about media practice” (UNESCO, 2012).

Based on the above background, this research aims to gauge gender sensitivity in Chinese mainstream media. In order to achieve this goal, I do content analysis on *People's Daily* and *Xinhua Net's* news reports about the Third Judicial Interpretation of Chinese Marriage Law. The Supreme People's Court announced a draft for invitation of recommendation on Nov. 15, 2010 and officially published the Third Judicial Interpretation of Chinese Marriage Law on Jul.4, 2011 (“The Third Judicial Interpretation of Chinese Marriage Law,” n.d.). The creation of the Third Judicial Interpretation of Chinese Marriage Law has a relationship with its historical background.

Before the issuance of the Third Judicial Interpretation of Chinese Marriage Law, the Chinese Marriage Law has experienced three changes which brought a lot of changes to married life. Since 2001, the Chinese Marriage Law has changed little, but as further specifications of the law, three judicial interpretations have clarified several issues regarding its application in China. The First Judicial Interpretation of Chinese Marriage Law in 2001 defines some ambiguous concepts in the Marriage Law and emphasizes how to deal with family property relations and property division. The Second Judicial Interpretation of Chinese Marriage Law in 2003 precisely stipulated that the division of property after divorce should be handled according to the principles of the market economy (Liu Weifang, 1998).

In recent years, excessive housing prices and the continued population growth have become a social concern, which has resulted in an increase in marriage and family dispute cases regarding reproductive rights and the division of marital property. The increasing marriage and family disputes also put increasing pressure on the people's courts. To improve the work efficiency of people's courts became an urgent problem. At the same time, the Property Law was passed in 2007. How to deal with private property according to the Property Law is also a concern in society (Li Lin, 2012).

These social factors directly resulted in the promulgation of the Third Judicial Interpretation of Chinese Marriage Law.

The Third Judicial Interpretation of Chinese Marriage Law contains 19 items related to couples, and their parents and children and involves marital property, real estate, and reproductive rights which formed under the guidance of the Property Law (Li Zhenzhu, 2012). Legal provisions in the Third Judicial Interpretation of Chinese Marriage Law have also caused a series of debates in society. Whether the Third Judicial Interpretation of Chinese Marriage Law neglects gender equality and rural women's light are two hot issues. News media in China reported extensively about the Third Judicial Interpretation of Chinese Marriage Law and its relevant debates. Among a large amount of news media, *People's Daily* and *Xinhua Net* as central news media approved by Chinese government are typical representatives of mainstream media in China.

In order to do content analysis on *People's Daily* and *Xinhua Net's* news reports about the Third Judicial Interpretation of Chinese Marriage Law, I have devised the following research questions.

First, "How have the media represented gender portrayal?" Gender portrayal is "the representation of gender roles, behavior and characteristics" (UNESCO, 2012). It is related to gender stereotype, or "socially constructed beliefs about men and women and represented as femininity and masculinity." In order to answer this question, I choose man and woman's role, behavior and characteristics as the units of analysis and code the content. Results of content analysis are compared to characteristics of femininity and masculinity. Then I make a comparative study on gender portrayal using the Gender-Sensitive Indicators for Media published by the United Nations Educational, Scientific and Cultural Organization in 2012.

Second, "How have the media reported on gender equality issues in the Third Judicial Interpretation of Chinese Marriage Law?" By gender equality issues, I mean "stories about specific cases of equality or inequality between women and men, relevant policies, legislative issues, and programs designed

to protect and promote human rights, women's rights and gender equality" (UNESCO, 2012). With reference to legal content and previous studies on the Third Judicial Interpretation of Chinese Marriage Law and gender equality, I summarize three gender equality issues in the Third Judicial Interpretation of Chinese Marriage Law: gender equality in property rights, gender equality in reproductive rights and ignorance of rural woman's rights. Through analyzing how *People's Daily* and *Xinhua Net* reported on these three issues in the Third Judicial Interpretation of Chinese Marriage Law, I explore the relationship between these three aspects and feminist thought.

Third, "How have the media classified news reports about the law?" According to the gendered nature of the dichotomy of content categories, it could be grouped with hard news or soft news. Hard news has been defined as consisting of "factual presentations of events deemed newsworthy," usually centering on "serious stories about important topics including politics, major crime/accidents and public interest matters, and demands immediate publication. Soft news does not require immediate publication because it does not have "informational value" and is centered on features or human-interest stories, unusual events and trends, personalities or lifestyle (North, 2014). I study the list of subject-areas in *People's Daily* and *Xinhua Net* and then find out how the two outlets classify news reports about the Third Judicial Interpretation of Chinese Marriage Law. According to the research results, I consider whether the classification of news reports about the Third Judicial Interpretation of Chinese Marriage Law breaks the gendered nature of the dichotomy between hard news and soft news.

Through entering the key-words "the Third Judicial Interpretation of Chinese Marriage Law" "*People's Daily*," and "*Xinhua Net*" in the search function of Baidu News, I collected *Xinhua Net* and *People's Daily's* news reports regarding the Third Judicial Interpretation of Chinese Marriage Law for the period from Nov.15, 2010 to Sept.1, 2015. The total number of news reports about the Third Judicial Interpretation of Chinese Marriage Law during this period is 247. The number of *Xinhua Net's* news reports is

136 and the number of *People's Daily's* news reports is 111.

According to these research questions and research analysis, I divide my research content into two parts: gender portrayal in the media and gender equality issues in the media. The second part includes coverage of gender equality issues, analysis of gender equality issues based on various types of feminist thought, and news classification beyond the gendered dichotomy of soft and hard news.

## **1.2 Research background**

The Third Judicial Interpretation of Chinese Marriage Law is the third interpretation on the application of the country's Marriage Law. It was issued by the Supreme People's Court (SPC) of the People's Republic of China (PRC) on Aug 9, 2011. It promulgated an interpretation to clarify several issues regarding the application of the Marriage Law in China (“The Third Judicial Interpretation of Chinese Marriage Law,” n.d.). In China, legal interpretation is a further specification of the law according to the related standards and principles. The system of legal interpretation consists of legislative interpretation, administrative interpretation and judicial interpretation (“Legal Interpretation,” n.d.). The Standing Committee of the National People’s Congress authorized the Supreme People's Court and Supreme People's Procuratorate to interpret rules of law in the judicial process. This power is judicial interpretation (“Judicial Interpretation,” n.d.)

In order to understand the Third Judicial Interpretation of Chinese Marriage Law, it is necessary to know the development history of Chinese Marriage Law and the social factors that directly lead to the emergence of the Third Judicial Interpretation of Chinese Marriage Law.

In Chinese ancient society, there were no specific rules of law regarding marriage. Ethical regulations and religion played important roles in regulating

the marriage relationship. In the long period of slavery and the feudal age, the marriage relationship was decided by the rituals of the patriarchal clan system and customs of the ruling class. Men occupied a dominant place in the social division. Furthermore, the establishment of a rigorous ethics system ensured they were seen as superior to women and that the status of women was determined by their husbands (Lan Fang, 2011).

According to a study by Liu Weifang (2014), since new China was founded in 1949, the Chinese marriage system has undergone a great change from the marriage system of feudal tradition to modern marriage system. China's first Marriage Law raised the issue of gender equality for the first time in 1950. It promulgated the first "marriage" with an abolition of the forced arranged marriages, male superiority, and disregard for children's interests that characterized the feudal marriage system. In addition, it banned concubinage and child betrothal and clearly stipulated that marriage should be built on freedom, monogamy, and equality of man and woman. The Marriage Law of 1950 was one part of the social reconstruction that freed women from oppression.

In the period of more than 30 years following the implementation of the Marriage Law of 1950, China went through the insanity of the Great Leap Forward and ten years of Great Cultural Revolution. The Great Leap Forward is a campaign aimed to rapidly transform the country from an agrarian economy into a socialist society through rapid industrialization and collectivization. Great Cultural Revolution was to preserve 'true' Communist ideology in the country by purging remnants of capitalist and traditional elements from Chinese society, and to re-impose Maoist thought as the dominant ideology within the Party (Grasso, Corrin, & Kort, 2009). In the period of the Great Cultural Revolution, political status and family background were priorities for both men and women who searched for a spouse. In the early era of reform and opening-up, social stresses may also have occurred because of the population explosion or related problems. Therefore, the third conference of the Fifth National People's Congress

approved the new Marriage Law on Sept. 10, 1980. The Marriage Law of 1980 made "actual feelings break" to be a legal condition for divorce and specified family planning as the basic principle. This was a response to marriage problems left by the Cultural Revolution and marriage problems that appeared in the beginning of Chinese economic reform (Liu Weifang, 2014).

Afterwards, China launched the reform and opening-up program and experienced the change from a planned economy to a market economy. The changes in economic structure, and ideas of family and marriage had a huge influence on the institution of marriage. Some new marital problems appeared under the new circumstances, behaviors that challenged monogyny such as bigamous marriage, concubinage, keeping a mistress, illicit cohabitation and extramarital love affairs; the phenomenon of domestic violence; women's insecure property rights and visitation rights after divorce; adolescent crime resulting from unstable family lives; and maltreated or neglected old people, etc. For these problems, the Marriage Law of 2001 added new legal provisions such as "cohabitation of a married person with any third party is prohibited" and "family violence is prohibited". In addition, the substantial growth of property resulted in a diversity of property forms and confusion about the boundaries between common property, individual property and engagement property. Therefore, the Marriage Law of 2001 specified the issues relevant to property division, children's education, and property inheritance in case of divorce. Since 2001, the Chinese Marriage Law has had little change (Liu Weifang, 2014).

As a further specification of the law, three judicial interpretations clarify several issues regarding the application of the Marriage Law in China. According to Li Lin (2012), Supreme People's Court published three judicial interpretations of Chinese Marriage Law which focus on division of family property. The guiding principle for legislation is to deal with family property according to the law of the market economy and personal property system.

The First Judicial Interpretation of Chinese Marriage Law in 2001 defines some ambiguous concepts in the Marriage Law, such as family violence, cohabitation, and invalid marriage, and emphasizes how to deal with family property relations and property division. It especially makes clear that personal property cannot be transformed to family property while a spousal relationship exists. It stresses the protection of personal benefits. The Second Judicial Interpretation of Chinese Marriage Law in 2003 precisely stipulated that property division should be handled according to the principles of the market economy. If both parties in a marriage prefer to own rights of property, the person who paid most for it will receive it. In addition, the Second Judicial Interpretation of Chinese Marriage Law stipulated the rules for dividing marital property under market economy (Li Lin, 2012).

The Chinese Marriage Law and its first two judicial interpretations laid the foundation for the Third Judicial Interpretation of Chinese Marriage Law. The following social background factors directly pushed the Third Judicial Interpretation of Chinese Marriage Law to enactment.

Firstly, there is an increasing growth in housing prices. Under the global financial crisis of the late 2010s, the development of China's export-oriented economy was restricted and a large amount of private capital flowed into the real estate market. At the same time, local government depended on land-transferring fees. These factors resulted in an increasing growth in housing prices. The high price of housing property significantly affects marriage customs. In the past, husbands would buy the house the couple would live in and the wife buys items to furnish it. Nowadays, both halves of couples purchase house on loan before marriage or parents provide financial support for their children. In this context, dealing with property division in the case of divorce is much harder than before (Li Lin, 2012).

Secondly, the Property Law of People's Republic of China was passed in 2007. It is an enacted legislation which protects collective and private real rights and other owners' real rights in order to maintain the national basic economic system ("Property Law of People's Republic of China," n.d.). How

to make a connection between property law and legal property rights involved in other laws has become a major concern in society (Li Lin, 2012).

Thirdly, the People's Court needs solutions to improve judging efficiency. Along with the increasing number of marriage and family disputes, they are encountering the difficulty of less staff and more cases. This puts a high pressure on People's Courts (Li Lin, 2012).

Against this background, the Supreme People's Court announced a draft for invitation of recommendation in 2010 and officially published the Third Judicial Interpretation of Chinese Marriage Law in 2011. According to China's Supreme People's Court (2011), the Third Judicial Interpretation of Chinese Marriage Law contains 19 items related to couples, their parents and children. The main content in the new judicial interpretation of the Marriage Law focuses on marital property. The Third Judicial Interpretation of Chinese Marriage Law establishes specific rules about property division in the following situations.

Firstly, it is the first time that it has been articulated clearly that fruits and unearned increment obtained from personal property after marriage are not community property. Article 5 of the Third Judicial Interpretation of Chinese Marriage Law states "the revenue generated by one party's personal property after marriage, except for fructus and unearned increment, should be recognized as property jointly owned by the two parties in marriage" ("The Third Judicial Interpretation of Chinese Marriage Law," n.d.).

Secondly, it makes clear that in the case of immovable property purchased by a spouse's parents, where the property right is registered under the name of one spouse, the immovable property should be regarded as personal property. According to Article 7 of the Third Judicial Interpretation of Chinese Marriage Law, "where the title of real estate bought by the parents of one party after marriage is registered in the name of the son or daughter of such parents, it is deemed to be donation to their son or daughter and thus to be the personal property of their son or daughter in accordance with

the Article 18(3) of the Marriage Law of the People's Republic of China. Where the purchase of real estate is financed by parents of both parties, and the title of the real property is registered in the name of one party, the property is deemed to be property by jointly owned in accordance with their parents' respective share of contribution unless otherwise agreed by the parties ("The Third Judicial Interpretation of Chinese Marriage Law," n.d.).

Thirdly, as specified in the interpretations, in divorce cases, the ownership of the real estate purchased by one party by loan before marriage shall belong to the party that registered it. According to Article 10 of the Third Judicial Interpretation of Chinese Marriage Law, "where one party in the marriage has signed a real estate purchase contract before marriage, pays the down payment with his/her personal property, takes a loan from the bank, repays the bank mortgage with the community property of both parties after marriage and registers the real estate under the name of the payer of down payment, both parties shall dispose of the real estate by mutual agreement at the time of divorce" ("The Third Judicial Interpretation of Chinese Marriage Law," n.d.).

In addition to its regulations regarding marital property, the Third Judicial Interpretation of Chinese Marriage Law has also drawn public attention for its legal provisions about claims for damages, paternity, arbitrary termination of pregnancy, and child-rearing obligations.

In terms of claims for damages, a people's court "will not accept cases involving claims of compensation for damages in a divorce, lodged by one or both parties. If one spouse files a lawsuit seeking to confirm or deny that a parent-child relationship exists and has adduced the necessary evidence to prove the claim, and if the other spouse does not have evidence to the contrary and refuses to do a paternity test, the people's court may presume that the claim of the spouse seeking to confirm or deny a parent-child relationship is established" (China's Supreme People's Court, 2011).

In terms of paternity and arbitrary termination of pregnancy, "if a husband

seeks compensation for damages claiming that his wife violated his right to have children by arbitrarily terminating a pregnancy, the people's court will not hear the case; if the two spouses have a dispute over whether or not to have children, resulting in irreparable alienation of affection, and mediation by the people's court is ineffective, the court should handle the case according to the provisions of article 32, paragraph 3(5) [on alienation of affection], of the Marriage Law” (China's Supreme People's Court, 2011).

In terms of child-rearing obligations, “if one or both parents refuse to undertake childrearing obligations during a marriage and their children who are minors or who are unable to independently support themselves seek payment of maintenance expenses, the people's court should support the claim” (China's Supreme People's Court, 2011).

On the whole, the promulgation of the Third Judicial Interpretation of Chinese Marriage Law solves the above-mentioned social problems. According to Article 7 and Article 10 of the Third Judicial Interpretation of Chinese Marriage Law, house-ownership is determined by the effects of real property registration in property law. Effects of real property registration are defined as registration’s practical effect on real right on immovable of the interpretation. Article 16 of the property law set rules for registration of real estate’s effectiveness of rights that presume that the real property register shall be the basis for determining the ownership and contents of a real property. Realty registers shall be managed by the registration organ. Article 7 and Article 10 of the Third Judicial Interpretation of Chinese Marriage Law have a close relationship with the effectiveness of rights that presume the registration of real estate in property law (Li Zhenzhu, 2012). In addition, the Third Judicial Interpretation of Chinese Marriage Law clearly specifies the scope of personal property. It reduces the scope of common property and extends the scope of personal property in order to help judge to identify the property (Li Lin, 2012).It will help to improve the court’s efficiency and work quality (Yu Xiaoqi, 2011). Because the Third Judicial Interpretation of Chinese Marriage Law makes clearer stipulations about

property division, it also solves problems of property division brought by excessive-priced housing.

### **1.3 Research organization**

I based the organization of my research on the Gender-Sensitive Indicators for Media published by United Nations Educational, Scientific and Cultural Organization (UNESCO) in 2012.

According to UNESCO (2012), the Gender-Sensitive Indicators for Media are “a non-prescriptive set of indicators, designed particularly for media of all forms. The purpose is to encourage media organizations to make gender equality issues transparent and comprehensible to the public, as well as to analyze their own internal policies and practices with a view to take necessary actions for change.”

The process which led to the creation of the GSIM was very comprehensive. It extended over a two-year period. It explains that, “increasing attention is being placed on gender equality issues globally, buoyed by several legal and normative instruments: conventions and declarations. Chiefs among these are the Convention on the Elimination of All Forms of Discrimination against Women and the Beijing Declaration and Platform for Action.” Then the United Nations Fourth World Conference on Women in 1995 “emphasizes the key role of media to promote gender equality in all spheres.” In 2010 as a show of its commitment to gender equality and women’s empowerment, the United Nations General Assembly established UN Women. United Nations Educational, Scientific and Cultural Organization’s Communication and Information Sector has fully embraced this commitment and has engaged globally in a wide range of gender-specific initiatives across its divisions and main actors. UNESCO, in cooperation with the International Federation of Journalists and many other partners, has elaborated the global framework of Gender-Sensitive Indicators

for Media (GSIM) (UNESCO, 2012).

Category B of the GSIM is gender portrayal in media content. In this category, Strategic Objective 2 is the “fair portrayal of women and men through elimination of stereotypes and promotion of multi-dimensional portrayal” and the critical area of concern is gender portrayal in editorial content of news media. Strategic Objective 3 is “coverage of gender equality and equity issues as an important and integral part of the media’s acknowledged role as a watchdog of society and critical area of concern is gender equality in editorial content of news media.” Strategic Objective 4 is “evidence of gender consciousness in different types of editorial content and across the spectrum of subject-areas and content categories/sections and critical area of concern is gender awareness across editorial content of news media” (UNESCO, 2012).

Therefore, content analysis in my research consists of three parts. The first part is gender portrayal in *People’s Daily* and *Xinhua Net’s* news reports regarding the Third Judicial Interpretation of Chinese Marriage Law. The second part is *People’s Daily* and *Xinhua Net’s* news reports on the subject of gender equality issues in the Third Judicial Interpretation of Chinese Marriage Law. The third part is the classification of the news reports.

My specific research organization is as follows. Chapter 1 has introduced my research questions, research background, and research organization. Chapter 2 is a literature review. Chapter 3 introduced my research design.

Chapter 4 focuses on gender portrayal in the media. I choose men’s and women’s roles, behavior, and characteristics as the units of content and code the content. Based on the understanding of femininity, masculinity and gender stereotype that I discuss in the first section, I illustrate the findings of content analysis on men and women’s portrayal in *People’s Daily* and *Xinhua Net’s* news reports on the Third Judicial Interpretation of Chinese Marriage Law. Then I make a comparative study on gender portrayal using the GSIM.

Chapter 5 focuses on gender equality issues in the media. I divide it into two parts. One part is analysis of *People's Daily* and *Xinhua Net's* news reports regarding gender equality issues in the Third Judicial Interpretation of Chinese Marriage Law. According to previous studies on the Interpretation and gender equality, I summarize three aspects of gender equality in the Interpretation: gender equality in property rights, gender equality in reproductive rights and ignorance of rural woman's rights. Then I further examine how *People's Daily* and *Xinhua Net* report on these three aspects of gender equality in the interpretation. Finally, I summarize the relationship between these three aspects and feminist thought. The other part of this chapter is the classification of news reports by *People's Daily* and *Xinhua Net* regarding the Third Judicial Interpretation of Chinese Marriage Law. I summarize the classification of the news reports on and find whether it breaks the gendered nature of the dichotomy between hard news and soft news.

Chapter 6 considers the results of the previous chapters in light of the research questions presented in Section 1.1. I also discuss the limitations of this study and give suggestions for further research.

## 2. Literature review

Previous literature about my research subject could be summarized in three aspects: gender sensitivity in news media, the Third Judicial Interpretation of Chinese Marriage Law and gender equality, and gender portrayal and gender equality issues in news media. Through reviewing previous studies, I will find the location of my research in academia.

### 2.1 Gender sensitivity in news media

In China, previous studies which directly do analysis on gender sensitivity in news media have been few. Huang Yunqin (2010) adopted the critical discourse analysis approach and gender perspective in order to examine gender consciousness in the typical figure reports of *People's Daily* from 1978 to March, 2010. The first section of her study focused on reports about woman in *People's Daily*. In this part, it encodes people by age, political status, occupations and educational level to conduct a quantitative analysis of the themes and biases of the typical women figure in *People's Daily* news reports. In addition, it analyzed propositions of reports in order to examine the gender stereotypes and reveal the high praising of the traditional role of women in the household. In the second section, it did appellation analysis and transitivity analysis on the typical figure reports of "Vanguards of the Times" column in *People's Daily* and compared the man and woman in the column.

Lin Jin (2008) analyzed gender imbalance in China's sport media reports through quantitative analysis and content analysis on *China Youth Daily*, *China Sports Daily* and The Tenth Games sports event report from CCTV. Her quantitative analysis included gender difference in types of reports, page position of reports, number of reports in *China Youth Daily* and *China*

*Sports Daily* and gender difference in types of reports, page position of reports, number of reports in “The Tenth Games”. Her content analysis included gender imbalance in sports media reports generally and in women sports reports. She found gender imbalance in sports media reports is manifested in quantitative differences between man and woman, gender difference in the layout of pages, and a series of news reports with the same news style. Gender imbalance in women’s sports reports could be seen in a concern for traditional gender roles, overemphasis on women’s outward image, and discrimination against women.

In other countries, there is almost no direct previous literature on gender sensitivity in news media. In Korean, previous studies on gender sensitivity concentrate on the literary field. For example, Lee (2011) analyzed Cheong’s ‘*The Bell of the Century*’ in order to explore gender consciousness during the Korean war period. Hoog (2014) introduced the material status of women’s epistolary literature published in modern study materials for writing letters in Chinese in 1920-30s and analyzed the gender consciousness shown in them. Zelek, Phillips and Lefebvre (1997) did study on the effects of medicine’s historical blindness to gender are explored, as are practical approaches to creating curricula whose content, language and process are gender-sensitive. In the study of Saith and White (1999), it assessed the gender sensitivity of indicators of health, nutrition, education, and composite indices which are relevant to developing countries, using the analytical framework of ‘functioning’.

## **2.2 The Third Judicial Interpretation of Chinese Marriage Law and gender equality**

Although making the same provisions for men and women, the Third Judicial Interpretation of Chinese Marriage Law causes different effects on man and woman. As a further specification of the law, the Third Judicial

Interpretation of Chinese Marriage Law follows the principle that all people are equal before the law. Men and women have equal rights and duties before the law. Therefore, the Third Judicial Interpretation of Chinese Marriage Law keeps gender equality in form. However, the Third Judicial Interpretation of Chinese Marriage Law shows no consideration for difference among the applicable objects of law (Lin Jianjun, 2007).

According to China's Supreme People's Court (2011), in regard to marital property, rules of law in the Third Judicial Interpretation of Chinese Marriage Law are mainly:

“Article 5. The revenue generated by one party’s personal property after marriage, except for fructus and unearned increment, should be recognized as property jointly owned by the two parties in marriage.”

“Article 7. Where the title of real estate bought by the parents of one party after marriage is registered in the name of the son or daughter of such parents, it is deemed to be donation to their son or daughter and thus to be the personal property of their son or daughter in accordance with the Article 18(3) of the Marriage Law of the People’s Republic of China. Where the purchase of real estate is financed by parents of both parties, and the title of the real property is registered in the name of one party, the property is deemed be property by jointly owned in accordance with their parents’ respective share of contribution unless otherwise agreed by the parties.”

“Article 10. Where one party in the marriage has signed a real estate purchase contract before marriage, pays the down payment with his/her personal property, takes a loan from the bank, repays the bank mortgage with the community property of both parties after marriage and registers the real estate under the name of the payer of down payment, both parties shall dispose of the real estate by mutual agreement at the time of divorce. Where both parties fail to reach an agreement based on the preceding paragraph, the people’s court may rule that such real estate vests in the party under whose name the real estate is registered and the loan

outstanding there shall be the personal debt of such party. In respect of the loan repayment jointly paid by both parties after marriage and the corresponding property increment of the real estate, the party under whose name the real estate is registered shall make compensation to the other party at the time of divorce in accordance with the principle specified in Paragraph 1 of Article 39 of the Marriage Law of the People's Republic of China.”

Based on legal provisions regarding marital property, the Third Judicial Interpretation of Chinese Marriage Law confirms the division of marital property under three conditions. Firstly, it is the first time that it has been articulated clearly that fruits and unearned increment obtained from personal property after marriage are not community property. Secondly, it makes clear that in the case of immovable property purchased by a spouse's parents, where the property right is registered under the name of one spouse, the immovable property should be regarded as personal property. Thirdly, as specified in the interpretations, in the divorce cases, the ownership of the real estate purchased by one party with loan before marriage shall belong to the party that registered it (“The Third Judicial Interpretation of Chinese Marriage Law,” n.d.).

Property-related provisions in the Third Judicial Interpretation of Chinese Marriage Law distinguish the property shared by the husband and the wife from personal property rights according to the principle of property rights and introduce market logic into marriage and family law. On the surface, the Third Judicial Interpretation of Chinese Marriage Law keeps gender-neutrality. However, it overlooks women's disadvantaged position (Peng Yanchong, 2013).

Women's disadvantaged position has a close relationship with the modern marriage mode and resource distribution on the basis of gender. In social custom, marriage system always comes with economic system. Women's income is much less than men's. Therefore, women require men to buy their house before marriage. In exchange, women do housework and give

birth to children for men. Women's contribution becomes their husbands' intangible property. The court only considering the property right of the house owner (who is usually the man) and ignoring the woman's contribution to family when dealing with the division of property will result in women's poverty (Chen Min, 2012).

In addition, the Third Judicial Interpretation of Chinese Marriage Law benefits men with strong economic power (Peng Yanchong, 2013). In reality, because men have an obligation to buy the house and the ability to do so in a traditional view, men always make the initial payment on a property. As specified in the interpretations, in divorce cases, the ownership of the real estate purchased by one party by loan before marriage shall belong to the registration party. Men are always the registration party (Ma Aiqing, 2011).

In regard to reproductive rights in the Third Judicial Interpretation of Chinese Marriage Law, Article 9 states that "the court shall not support the pleading made by the husband for damages on the ground of unauthorized termination of pregnancy by his wife and infringement on his reproductive rights; where both husband and wife dispute over childbearing, resulting in actual rupture of emotion, if a party pleads a divorce, the people's court shall deal with it in accordance with the provisions in Article 32(3) of the Marriage Law of the People's Republic of China after mediation fails" (Supreme People's Court , 2011).

The Third Judicial Interpretation of Chinese Marriage Law prioritizes protecting woman's reproductive rights because women undertake bigger obligations than men in the reproductive process. From conception to birth, it is easy for women to suffer physical injury. It means women risk losing their lives. Therefore, the Third Judicial Interpretation of Chinese Marriage Law protects woman's right of life and health (Xue Ninglan, 2012). Moreover, because women undertake fertility duties, they have to sacrifice their career development and are much more dependent on men financially (Yu Yin, 2014). At the same time, the Third Judicial Interpretation of

Chinese Marriage Law doesn't infringe man's reproductive rights. Although Article 9 doesn't empower a man to sue for compensation, a husband could ask for divorce if it is hard to reach an agreement on the issue of reproduction (Yu Yin, 2014).

Besides the inequality between men and women in the Third Judicial Interpretation of Chinese Marriage Law, the inequality among women also attracts much attention in academic circles. The Third Judicial Interpretation of Chinese Marriage Law confirms the real estate property ownership according to real estate registration. However, it ignores the urban-rural gap and protection of rural woman's rights.

After the reform and opening-up policy in 1979, along with China's economic development, the unbalanced development of urban and rural economies is obvious. The gap between the urban and rural is embodied in the following aspects: economic income, education level, medical care, standards of consumption, employment status and fiscal revenue. According to growth pole theory and unbalanced development theory, in an early stage of industrialization, urban-rural gap and unbalanced regional development are common phenomenon (Xiong Jian, 2008). At present, the major portion of the population in China is in rural areas. After the founding of new China in 1949, priority has been given to the development of heavy industry. Agriculture supports industry and rural areas support cities. Therefore, rural development lags behind urban development. Recently, the Chinese government has been increasing investments in the countryside (*People's Daily*, 2015). However, because of different starting points and conditions, development imbalanced between urban and rural still exists.

Against this background, there are differences between rural women and urban women. City women have an independent self-consciousness because they receive high education and have good personal qualities. At the same time, Chinese society provides more employment opportunities to city women. City women who have a stable income live very well. By contrast, economic difficulties make it hard for rural women to receive a high

education. A lack of supporting employment networks also makes it hard for them to acquire material wealth (Xu Honglin, Li Shuanghai, & Yang Yamei, 2000; Jiang Meihua, 2007). These result in a gap between rural women and urban women.

According to the present condition in rural areas, marriage mode is woman follows man. A married daughter always loses possession of her inheritance rights and land contract management rights. When getting married, the man provides the house and the woman buys goods for it. However, the Third Judicial Interpretation of Chinese Marriage Law defines the ownership of real estate according to registration. It makes rural married women lose property rights to their houses after marriage. Rural women leave without anything when they get divorced (Peng Yanchong, 2013).

In addition, the neglect of rural woman's rights is reflected in a lack of respect for what rural women say. Before the promulgation of the Third Judicial Interpretation of Chinese Marriage Law, a draft version was published online by the Supreme People's Court. However, people in rural areas rarely surf the Internet. Therefore, it is hard for rural women's living conditions and real interests to be reflected in a web survey. As a whole, the Third Judicial Interpretation of Chinese Marriage Law ignores the disadvantaged position of woman (Peng Yanchong, 2013).

In Korea, although there is no analysis about the Third Judicial Interpretation of Chinese Marriage Law, some previous studies have analyzed relevant marriage laws in China. Woo, Byoung Chang (2012) analyzed five basic principles of Chinese Marriage Law: marriage freedom, monogamy, gender equality, protecting women, children and old people's rights, and family planning. Chung, Kwang Soo (2016) performs a comparative study on the Korea and Chinese matrimonial property law, especially on the division of matrimonial property, and seeks ideal and appropriate matrimonial property system for respective country. He raises the comparative study on the criteria of property division on divorce which consists of property division objects, property division principals and

property division proportion.

### **2.3 Gender portrayal and gender equality issues in news media**

Gender portrayal is concerned with gender stereotype as socially constructed beliefs about men and women. Attribute and role stereotype in media associated with gender often place women in more dependent and subservient and men in more authoritative and controlling positions (Gunter, 1995). In China and South Korea, previous studies on gender portrayal in news media have mainly focused on women's image.

Ling Jing and Huang Si (2014) did an analysis on women's issues in *Xiao Xiang Morning News* from the view of agenda setting and discussed how news media construct woman's image. They selected 20 samples in *Xiao Xiang Morning News* and analyzed how media represent women's issues according to two aspects. One aspect is coverage's quantity, frequency and field. The other aspect is report angle and media discourse. They find news media presents four types of woman's image: a disadvantaged woman, an alienated professional woman and good wife and mother.

Zhai Yu (2013) did content analysis and discourse analysis on news coverage of *Guangzhou Daily*, *Xinmin Evening News*, *China Youth News* and *Titan Sports Weekly* from Jul 27 to Aug 13, 2012. This study attempted to compare news reports of the 2012 Olympic Games from local newspapers and further examined how female athletes and gender ideology are represented in four news media. The content analysis included news forms, news content, news background, news position, news pages, target of news-report and description of athletes' characteristics. The analysis of woman's image was divided into two situations: in-sport situation and out-of-sports situation.

Yang Jung Hye (2002) raised the research question of how *Monthly*

*Magazine of Current Affairs* and *Monthly Magazine of Woman* *Monthly Magazine* construct the image of woman politician. The study on *Monthly Magazine of Current Affairs* was divided into the following parts. The first part was the percentage of male politicians and female politicians. The second part was female politician as news-maker. The third part was about interview content such as aspects of appearance, the relationship between women and politics and types of question. The fourth part was news reports made by woman reporters. Because gender portrayal represented in media is decided by patriarchal society, female politicians and male politicians are judged by separate standards. This study found that news reports about female politicians in the magazine have few relationships with policy but focus on outward appearance and personal qualities. The study on *Woman Monthly Magazine* found news reports about woman politician in *Woman Monthly Magazine* have the most contact with family relationship.

A study of Hee-jin Kim and Su-Min Lee (2012) selected *Chosun Ilbo* as a major daily newspaper and *Mail Business Newspaper* as a business newspaper and analyzed how female business leaders are represented in the two outlets' news reports from 1990 to 2011. On the one hand, they focused on physical characteristics of the reports, including the number of reports and the titles of the female business leaders. On the other hand, they analyzed gender discourse about the female business leaders. Their study was divided into three parts. The first part described how news reports focus on women's characteristics before introducing their public identities as business leaders. The second part was about the traditional gender roles of female business leaders. The third part explored female business leaders' femininity and masculinity.

In other countries, some previous research made comparative studies of gender portrayal. In a study by Kahn and Goldnberg (1991), "a content analysis was conducted to assess potentially important differences in the newspaper coverage of a sample of male and female U.S. Senate candidates in the elections of 1982-86. The results of the study show that female

candidates for the U.S. Senate are treated differently by the press.” Through analyzing the quantity of media coverage and substance of media coverage, they found “female candidates receive less news coverage and the coverage they do receive concentrates more on their viability and less on their issue positions. Furthermore, woman candidates’ viability coverage is more negative than that of their male counterparts”.

A study by Koivula (1999) examined samples of televised sports in Sweden during 1995/96, with a follow-up examination in 1998. The results indicated gender differences regarding both quantity and type of coverage. The quantitative analyses included “the percentage of air-time dedicated to sports news coverage focused on men or women athletes,” “the percentage of coverage time for interviews of men and women athletes, and others,” “indices of verbal and graphic gender markings,” “manner in which the reporters/commentators referred to athletes,” and “the use of the athlete’s first and last names.” The qualitative analyses included commentary in general, the structure of the sports news features, and visual aspects of the television broadcast. The type and content of questions in interviews was also analyzed.

Collins (2011) provided a commentary regarding the quantitative content analysis of gender roles in media published in the two special issues of *Sex Roles*. First, it is clear that women are under-represented across a range of media and settings. Second, when women are portrayed, it is often in a circumscribed and negative manner: Women are often sexualized --- typically by showing them in scanty or provocative clothing. Women are also subordinated in various ways, as indicated by their facial expressions, body positions, and other factors. Finally, they are shown in traditionally feminine roles.

News classification is also a research field in gender equality issues. Content-based classification, also known as news classification, is classification in which the weight given to particular subjects in a document determines the class to which the document is assigned. It is, for example,

a common rule for classification in libraries, that at least 20% of the content of a book should be about the class to which the book is assigned (Library of Congress [LOC], 2008). However, till now, previous studies on news classification in news media have not related to gender sensitivity.

In China, according to the study of Xue Chunxiang and Zhang Yufang (2013), it summarized the characteristics of Chinese news text classification including the combination between text extraction and characteristics of home pages, the consideration of news' characteristics and topic bias as a standard of news classification. In addition, the application domains of Chinese news text classification are manifested in classification navigation of news websites, topic detection and tracking and personalized news recommendation. In the study of Fu Rong, Zhang Lu, Feng Yansong and Diao Yigang (2016), it put forward some suggestions on outsourcing cataloguing of news classification based on market adaptability of Chinese News Information Classification and news reports' different classification.

In other countries, previous studies on news classification mainly focused on the technology aspects. Rana, Khalid and Akbar (2014) gave a brief of review of entire news headline classification process along with all existing methodologies and techniques i.e. pre-processing, news headlines class indexing, feature selection, news headlines classification, and performance metrics. Existing news classification techniques as well as feature selection techniques are also mentioned in this paper. Selamat, Yanagimoto and Omatu (2002) proposed a news web page classification method (WPCM). The WPCM uses a neural network with inputs obtained by both the principal components and class profile-based features (CPBF). The fixed number of regular words from each class will be used as a feature vectors with the reduced features from the PCA. These feature vectors are then used as the input to the neural networks for classification. In the study of Chee-hong Chan, Aixin Sun and Ee-peng Lim (2001), it applied Supporting Vector Machine (SVM) to personalized classification of online news. In personalized classification, users can define their personalized categories

using a few keywords. By constructing search queries using these keywords, categorizer obtains both positive and negative training documents required for the construction of personalized classifiers.

A general goal of my research is to gauge gender sensitivity in media. In order to gauge gender sensitivity in Chinese mainstream media, I choose the Third Judicial Interpretation of Chinese Marriage Law as the issue and *People's Daily* and *Xinhua Net* as representatives of Chinese mainstream media. Then I do content analysis on the outlets' news reports about the interpretation in the period from Nov.15, 2010 to Sept.1, 2015. During the analysis process, I focus on gender portrayal, coverage of gender equality issues and news classification. These focuses are based on previous literature and the Gender-Sensitive Indicators for Media published by UNESCO. In Korean, there is almost no previous literature on gender sensitivity in news media and previous studies on gender sensitivity concentrate on literary field. Therefore, my research provides a new research perspective for Korean researchers who want to study gender sensitivity in media.

In addition, my research makes theoretical contributions to academia. Firstly, I relate gender portrayal to gender stereotypes. Previous studies on gender portrayal in news media make a study of women's portrayal and men's portrayal. In my research, based on analysis of gender portrayal in news reports, I compare gender portrayal with stereotypes of femininity and masculinity. Then I find whether gender portrayal in the media breaks gender stereotypes. If man's portrayal represents masculinity and women's portrayal represents femininity, it can be regarded as gender stereotype.

Secondly, I connect previous studies with research content. Previous studies discuss about the Third Judicial Interpretation of Chinese Marriage Law and gender equality from different angles. In my research, according to previous studies, I summarize three aspects in term of gender equality about the Third Judicial Interpretation of Chinese Marriage Law: (1) gender equality in property rights (2) gender equality in reproductive rights (3) neglect of rural women's rights. Then I examine how *People's Daily* and

*Xinhua Net* report these three aspects in terms of gender equality in relation to the Third Judicial Interpretation of Chinese Marriage Law.

Thirdly, I analyze report content from the viewpoints of various types of feminist thought. Previous studies discussed the Third Judicial Interpretation of Chinese Marriage Law and gender equality from different angles. However, they had no direct relationship with feminist thought. In my research, based on analysis of coverage of gender equality issues in the media, I make a further study on the relationship between the three aspects in terms of gender equality in the Third Judicial Interpretation of Chinese Marriage Law specified above and liberal feminism, multi-cultural feminism, and radical feminism.

Lastly, I relate news classification to gender sensitivity. Previous studies on news classification in news media focused on technological aspects. However, they did not relate to gender sensitivity. In my research, I combine news classification with the dichotomy between hard news and soft news. The dichotomy between hard news and soft news is gendered. Through analysis of this, I find whether the classification of news reports on the Third Judicial Interpretation of Chinese Marriage Law breaks the gendered nature of the dichotomy between hard news and soft news.

### 3. Research design

#### (1) Research objects

In the process of determining my research objects, because the aim of research is to gauge gender sensitivity in the mainstream media, there is a need to understand the concept of mainstream media first. Mainstream media means the official media occupying the mainstream position with discourse power in the press. Mainstream media has the power to influence others through reconstructing and spreading information (Ding Boshuan, 2013). As a representative of national ideology and social morality, it also plays an important role in promoting mainstream values (Lin Hui, 2008).

To further determine my research objects, I take Chinese fundamental realities into consideration. China is a socialist country under the people's democratic dictatorship, led by the working class and based on the alliance of workers and peasants. Propaganda Department of Central Committee is the comprehensive department of the Central Committee of the Communist Party of China which takes charge of ideology. The central news media, as the subsidiary of Propaganda Department of Central Committee, disseminates information on behalf of government ("Propaganda Department of the Central Committee of the Communist Party of China," n.d.). According to the Xinhua News Agency (2004), central news media includes *People's Daily*, Xinhua News Agency, CCTV, CNR(China National Radio), Qiushi Journal, Guangming Daily and Economic Daily. Among central news media, I finally choose *Xinhua Net* and *People's Daily* as the objects of this research.

*Xinhua Net* is originally sponsored by the Xinhua News Agency. *Xinhua Net* is an important central news service-oriented website, an important information organ of the central government, and an important platform for building up China's online international communication capacity. Established on November 7, 1997, as an online news provider of the Xinhua News

### 3. Research design

Agency, it was officially named *Xinhua Net* on March 10, 2000 and began around-the-clock news release with leading online public opinion at home and setting a good image of China abroad as its main task. Starting from 2010, *Xinhua Net* began transforming itself from a governmental cultural institution to an enterprise, operating in the entity of the *Xinhua Net Corporation Limited*. According to Alexa, a U.S. website-ranking service, *Xinhua Net* at present stands around the 160th place on its list of global websites, having kept a leading position for a long period among the news websites in China. *Xinhua Net* has set as its task to "publicize China and report the world" ("Brief Introduction to Xinhuanet," n.d.).

*People's Daily* was founded on Jan. 1, 1997. It is a large-scale information interaction platform constructed by *People's Daily* – one of the world's top ten newspapers. It is also one of the largest comprehensive Internet media on the Internet. As a leading key news website in China, it upholds the belief "authority and strength originate from the people". With "authority, popularity and credibility" as tenet, it takes "multiple languages, all media forms, globalization and full coverage" as objectives, and "disseminating China's news and covering world news" as its mission. On June 20, 2008, during his inspection tour of People.cn, President Hu Jintao said, "People.cn has played a unique role in advocating the Party's belief, guiding public opinion and warmly serving netizens since inception" ("Introduction to People's Daily Online," n.d.).

Beyond this basic knowledge of *People's Daily* and *Xinhua Net*, I know about their media organization. As entities engaged in disseminating information to the general public through mediums of mass communication, media organization plays a vital role that media play in the production of news, information, and entertainment in a democratic society (Legal Information Institute [LII], n.d.). The decision-making level of media organization in China is an editorial board or party committee. According to the organization structure of the two central news media published on their official websites, members in decision-making level are shown as Table 1.

## Gender Sensitivity in Chinese Mainstream Media

According to the membership list of *Xinhua Net*, the proportion of women occupying leadership positions in Xinhua is 0% (“Membership list in *Xinhua Net*,” n.d.). According to the membership list of *People’s Daily*, the proportion of women occupying leadership positions within media in *People’s Daily* is 11.11% (“Membership list in *People’s Daily*,” n.d.). The number of women in senior positions of *People’s Daily* and *Xinhua Net* accounts for a very small proportion in total.

**Table 1. Membership list in the media**

<b>Media Name</b>	<b>Principle members in media organization</b>
<i>Xinhua Net</i>	President: Li Congjun Editor: He Ping Vice President: Zhou Xisheng, Zhou Shuchun Discipline Leader by Central Discipline Inspection Commission: Liu Yue Secretary General: Zhang Jin Vice Secretary General: Yao Guang Deputy Editor: Ju Mengjun, Xia Lin, Liu Jiang, Peng Shujie, Wu Jincai, Shen Haixiong
<i>People’s Daily</i>	President: Yang Zhenwu Editor: Li Baoshan Discipline Leader by Central Discipline Inspection Commission and member in editorial board of <i>People Daily</i> : Li Xi Deputy Editor: Du Feijin Member in editorial board of <i>People Daily</i> and editor overseas: Wang Shucheng Member in editorial board of <i>People Daily</i> and Secretary General: Wang Yibiao

## **(2) Process of collecting research materials**

Baidu (www.baidu.com) is a Chinese search engine for websites, audio files and images. Baidu offers several services, one of which is Baidu News. Baidu News provides links to a selection of local, national and international news, and presents news stories in a searchable format, within minutes of their publication on the Web. By searching related headlines, people can see many different viewpoints on the same story. Through searching, I found 247 news reports in total. The number of *Xinhua Net's* news reports is 136 and the number of *People's Daily's* news reports is 111.

## **(3) Research method**

In order to gauge gender sensitivity in *People's Daily* and *Xinhua Net*, I choose content analysis as my research method. Content analysis is a method for summarizing any form of content by counting various aspects of the content. It has six main stages: selecting content for analysis, units of content, preparing content for coding, coding the content, counting and weighting and drawing conclusion (List, 2005). Following these steps, I do content analysis on *People's Daily* and *Xinhua Net's* news reports about the Third Judicial Interpretation of Chinese Marriage Law.

As for gender portrayal in the media, according to the definition of gender portrayal in the UNESCO "Gender-Sensitive Indicators for Media," gender portrayal is "the representation of man and woman's role, behavior and characteristics" (UNESCO, 2012). I choose men's and women's role, behaviors and characteristics as units of content and code the content accordingly. The results are compared to characteristics of femininity and masculinity.

In the part about coverage of gender equality issues, I sum up three aspects in terms of gender equality issues about the Third Judicial

Interpretation of Chinese Marriage Law according to its legal provisions and previous literature about it. The three aspects are gender equality in property rights, gender equality in reproductive rights and neglect of rural women's rights. Then I do content analysis on these three aspects in *People's Daily* and *Xinhua Net's* news reports about the Third Judicial Interpretation of Chinese Marriage Law and find how they report gender equality issues about the interpretation.

In the part about news classification in the media beyond the gendered nature of the dichotomy between soft news and hard news, I summarize the classification of news reports about the Third Judicial Interpretation of Chinese Marriage Law and find whether it breaks the gendered nature of the dichotomy.

#### **(4) Research theories**

This research aims to gauge gender sensitivity in Chinese mainstream media by analyzing *People's Daily* and *Xinhua Net's* news reports about the Third Judicial Interpretation of Chinese Marriage Law. It is based on the relationship among media, gender and power.

According to a study by Dijk (1995), "media power is generally symbolic and persuasive, in the sense that the media primarily have the potential to control to some extent the minds of readers or viewers, but not directly their actions. Except in cases of physical, coercive force, the control of action, which is usually the ultimate aim of the exercise of power, is generally indirect, whereas the control of intentions, plans, knowledge, beliefs, or opinions is presupposed." In addition, "power is generally based on special access to valued social resources. This is quite literally also true for access to public discourse, for example, that of the mass media."

In addition, Dijk (1995) claims that "feminist scholarship has extensively shown the prevalence of man chauvinism in the mass media, even today, despite the modest gains in the employment of woman journalists and

### 3. Research design

program makers in the media and the slow acceptance of some major demands of the women's movement" He adds, "Most journalists are men, and women have even less access to higher editorial positions. All major news topics are as man-oriented as the social and political domains they define. Gender issues have low newsworthiness, unless they can be framed as open forms of conflict or as amusing *fait divers*."

In order to further assess gender sensitivity in Chinese mainstream media, this research also refers to gender perspective. Gender-centered perspective is one stage in a development process of feminism theory. Feminist theory is the extension of feminism into theoretical or philosophical fields. It encompasses work in a variety of disciplines, including anthropology, sociology, economics, women's studies, literary criticism, art history, psychoanalysis and philosophy. While providing a critique of these social and political relations, much of feminist theory focuses on the promotion of women's rights and interests (Chodorow, 1989). It experienced a change from a women-centered perspective to a gender-centered perspective.

In the beginning, feminists criticized the neglect of woman's role in traditional academic circles and tried to rethink everything in the world from a woman's point of view. They constructed feminist culture and emphasized women's experiences (Women's Studies Institute of China [WSIC], 2009). After the revolution of the universal suffrage of the twentieth century and the women's liberation movement of the 1960 and 1970s promoted a revision from the feminists to 'actively interrogate' the usual and accepted versions of history as it was known at the time. It was the goal of many feminist scholars to question original assumptions regarding women's and men's attributes, to actually measure them, and to report observed differences between women and men (Chafetz, 1999). According to Women's Studies Institute of China (2009), the gender-centered perspective in feminism theory has gradually become a new analytical category in academic research. It regards the gender relationship as a basic social relationship and thinks the gender relationship reflects the nature of unequal

power relationship across different areas. Therefore, it suggests considering women's problems against the background of the gender relationship and power structures. Meanwhile, gender roles and gender conceptions as the product of socialization could be changed.

According to the gender-centered perspective, the specific research content is divided into three parts. The first part is about gender portrayal in *People's Daily* and *Xinhua Net's* news reports about the Third Judicial Interpretation of Chinese Marriage Law. The second part looks at *People's Daily* and *Xinhua Net's* news reports about gender equality issues in the interpretation. The third part is a classification of *People's Daily* and *Xinhua Net's* news reports about the interpretation with a consideration of the gendered nature of the dichotomy between hard news and soft news. In the second part, I also further study the relationship between gender equality issues and liberal feminism, radical feminism and multi-cultural feminism.

## **4. Gender portrayal in the media**

In this chapter, I examine how *People's Daily* and *Xinhua Net's* news reports about the Third Judicial Interpretation of Chinese Marriage Law represent gender portrayal. Based on the understanding of femininity, masculinity, and gender stereotypes that I discuss in the first section, I illustrate the findings of content analysis on men's portrayal and women's portrayal in *People's Daily* and *Xinhua Net's* news reports on the Third Judicial Interpretation of Chinese Marriage Law in the second and third section. In the fourth section, I make a comparative study on gender portrayal using the Gender-Sensitive Indicators for Media.

### **4.1 Definition of gender stereotype in gender portrayal**

Before doing content analysis on men's and women's portrayal in news reports on the Third Judicial Interpretation of Chinese Marriage Law, there is a need to answer a question: what is gender portrayal? It is hard to accurately define this concept in one word. According to "Gender-Sensitive Indicators for Media," published by United Nations Educational Scientific and Cultural Organization, gender portrayal is "representation of gender roles, behavior and characteristics" (UNESCO, 2012). As an international indicator, it provides a universal concept of gender portrayal. Therefore, in order to examine how *People's Daily* and *Xinhua Net's* news reports reflect gender stereotypes, I do content analysis on three parts: personality characteristics, role behaviors and roles.

As one kind of stereotype, gender stereotypes are "socially constructed beliefs about men and women which ignore complexity and serve to rule out exceptions and choices" (UNESCO, 2012). They are usually defined as standardized mental pictures which provide sexist judgments about women

and men. In the formation process of gender stereotypes, people connect biological difference with gender difference through personal observation and passive acceptance of external input. In this way, the primary concept of gender stereotypes—gender labeling has been initially formed. Then along with the development of physiology and psychology and interaction with others, gender labeling develops into gender stereotypes (Martin, Wood, & Little, 1990). In this process, gender is not fixed or inherent but is rather a socially defined set of practices that have, over time, grown to become labeled as feminine or masculine (Milestone & Meyer, 2011). As a carrier of information diffusion, news media is one of the sources from which gender stereotype come into people's minds.

From the analysis made above, this chapter focuses on gender portrayal in *People's Daily* and *Xinhua Net's* news reports regarding the Third Judicial Interpretation of Chinese Marriage Law. Woman's portrayal and man's portrayal in the reports are coded for 1) personality characteristics, 2) role behaviors, and 3) roles. Quantitative content analysis starts with keywords. Through this analysis, I find how *People's Daily* and *Xinhua Net's* news reports on the Third Judicial Interpretation of Chinese Marriage Law represent gender portrayal. Analysis results are compared to characteristics of femininity and masculinity.

Femininity is a set of attributes, behaviors, and roles generally associated with girls and women ("Femininity," n.d.). Masculinity is a set of attributes, behaviors and roles generally associated with boys and men ("Masculinity," n.d.). The concepts of femininity and masculinity had been culturally constructed, with traits such as passivity and tenderness assigned to women and aggression and intelligence assigned to men (Millett, 1968). In terms of femininity, the key to women's subjugation lay in the social construction of femininity as childlike, passive and dependent, and called for a "drastic reshaping of the cultural image of femininity" (Gamble, 2002). In terms of masculinity, masculine norms are "avoidance of femininity; restricted emotions; sex disconnected from intimacy; pursuit of achievement and status;

#### 4. Gender portrayal in the media

self-reliance; strength and aggression, and homophobia"(Levant & Kopecky, 1995).The performances for femininity and masculinity in gender portrayal could be shown as follows. In terms of personality characteristics, a woman is perceptual with a sense of inferiority, while a man is rational with strong confidence. In terms of role behavior, a woman is taking care of children, while a man is building a house. In terms of roles, a woman is a secretary, while a man is a manager.

Based on the understanding of femininity and masculinity above, I can find whether gender portrayal in *People's Daily* and *Xinhua Net's* news reports break gender stereotypes. If man's portrayal in the media reflects masculinity and women's portrayal reflects femininity, it can be regarded as gender stereotypes.

#### **4.2 Women's portrayal in the media: femininity**

In terms of roles, personality characteristics, and role behaviors, women's portrayal in *People's Daily* and *Xinhua Network's* news reports about the Third Judicial Interpretation of Chinese Marriage Law has a close relationship with femininity. Women are described positively in the news reports. However, the two outlets aim to emphasize the affirmative meaning of interpretation through the construction of this positive image.

Table 2 contains the descriptions of women in *People's Daily* and *Xinhua Net's* news reports about the Third Judicial Interpretation of Chinese Marriage Law. This table includes women's personality characteristics, role behaviors and roles. A personality characteristic is a constant characteristic based on physiology (Nicholson, 2003). Role behavior is the representation of external behavior and role implementation in order to implement roles (Yu Guoliang, 2006). Role is a position that a person assumes voluntarily which reflects personal skills, abilities, and effort (Stark, 2007). Based on these definitions, I summarize women's personality characteristics, role

behaviors and role in *People's Daily* and *Xinhua Net's* news reports on the Third Judicial Interpretation of Chinese Marriage Law in Table 2.

**Table 2. Descriptions of women in the media**

Woman's Portrayal	Personality Characteristics	Role Behaviors	Roles
Description	"disadvantaged" "weak" "need to be taken care of" "be willing to sacrifice herself" "a shortage of security" "easily sink into helplessness"	"The divorced woman lost half of the house property" "Women were sent away without anything" "A daughter-in-law is water and a house is fixed cast iron." "Men buy houses while women pay money for house renovations" "His wife left and his mistress took her place" "The scared wife claimed innocence"	"housewife" "divorced women" "disabled women" "rural women" "mistress"

According to Table 2, women's roles are divided into two types. One type is the character in reported stories. In reported stories, women's roles are most located as a housewife, a divorced woman, a disabled woman, a rural woman and a mistress. For example, news reports in *People's Daily* state that:

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In rural areas, a house problem is always solved by the man when getting married. House property is irrelevant to a woman when she divorces. If a rural woman cannot live in her mother's house, she will have no shelter after getting divorced. (*People's Daily*, Sept. 6, 2011)

However, not supporting claims for stopping the cohabitation with a mistress is also regarded as the giving permission for man's adultery. Evaluations of the new judicial interpretation mostly focus on "the mistress's fear, the wife's innocence, and the man's happiness. (*People's Daily*, Feb. 24, 2011)

Ms. Zhao, a housewife, also said that she moved from the countryside to Beijing and so there is no property for her married daughter to inherit in her mother's hometown. (*Xinhua Net*, Aug. 19, 2011)

From the description above, housewives and rural women are financially dependent. In marriage, they don't buy the house and so depend on their husbands. When getting divorced, they have no right to inherit their mother's property or house property rights. Divorced women and mistresses with a low status are always discriminated against by society. Disabled women have a physical defect. I find it is hard for these groups of women to attain wealth in distribution of social resource and change their state of poverty because of their weakness in physical power and social production.

The other type is the interviewee in news reports. For example, "Sun Xiufang as a member of the National People's Congress" (*People's Daily*, Mar. 13, 2014), "Chen Yanpin as a vice president of the People's Court in the city of Jing Jiang" (*People's Daily*, Aug. 15, 2011), "Wang Fang as a vice director of Marriage and Family Law Committee in Beijing" (*People's Daily*, Aug. 19, 2011), "Zhang Yinling as a law professor in Zhongnan University of Economics and Law" (*People's Daily*, Aug. 30, 2011). These interviewees have authority, or the right to exercise power given by the State (in the form of government, judges, police officers, etc.), or by

academic knowledge of an area (someone that can be an authority on a subject) (“Authority,” n.d.). Descriptions of these interviewees avoid distinguishing characteristics according to people's sex or gender and show gender neutrality.

Descriptions of personality characteristics of women in news reports include “disadvantaged” (*People’s Daily*, Aug. 16, 2011) “weak” (*Xinhua Net*, Aug. 20, 2011) “need to be taken care of” (*People’s Daily*, Aug. 16, 2011) “be willing to sacrifice herself” (*Xinhua Net*, Aug. 25, 2011) “a shortage of security” (*Xinhua Net*, Sep. 19, 2011) “easily sink into helplessness” (*People’s Daily*, Aug. 14, 2011). Gentleness, empathy, sensitivity, caring, sweetness, compassion, tolerance, nurturance, and deference are traits that have traditionally been cited as feminine (Thomas, 2000). I can find that some of these characteristics have a close relationship with femininity in the reports.

Femininity also manifests in role behavior. For example, “The divorced woman lost half of house property” (*Xinhua Net*, Aug. 12, 2011), “Women were sent away without anything” (*People’s Daily*, Nov. 26, 2010) “A daughter-in-law is water while a house is fixed cast iron” (*People’s Daily*, Aug. 30, 2011) “Men buy houses while women bear repair expense” (*Xinhua Net*, Sept. 5, 2011) “Wife left away and mistress occupied her position” (*Xinhua Net*, Sept. 19, 2011) “Scared wife called for innocence” (*People’s Daily*, Feb. 24, 2011). In terms of role behavior, news reports in *Xinhua Net* and *People’s Daily* emphasize woman’s disadvantage status on purpose and show great sympathy with women. This reinforces gender stereotypes.

In addition, stereotypes about women include that women “have a caring nature, have skill at household-related work, have greater manual dexterity than men, and are more honest than men” (Anker, 2001). In news reports, these are represented in woman’s role behaviors such as doing housework, looking after children, educating children, and supporting the elderly. For example, “His wife is doing housework at home” (*People’s Daily*, Aug. 22,

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2011), “The woman paid much more attention to her family” (*Xinhua Net*, Aug. 23, 2011), “Women make money while doing housework, but they get nothing when getting divorced” (*People’s Daily*, Nov. 26, 2010), “Women make much more larger contributions to housework and children’s education than men, so the new judicial interpretation is unfair to women” (*Xinhua Net*, Aug. 22, 2011). We can see that women’s role behaviors in these news reports are limited to family and home.

In news reports, woman’s role behaviors, which are limited to family and home as private sphere, are also a reflection of the gendered division of labor. “In public-sphere theory, on the bourgeois model, the private sphere is that domain of one’s life in which one works for oneself. In that domain, people work, exchange goods, and maintain their families; it is therefore, in that sense, separate from the rest of society” (Jurgen, Trans,&Ass, 1989 ). When dividing different tasks between men and women, “the private sphere was long regarded as women’s “proper place” whereas men were supposed to inhabit the public sphere (Vickery, 1993 ).

Although women’s portrayal in the media largely emphasizes negative aspects of femininity, there are still some positive images of woman. For example, “Woman is not a weaker. The rules of law about reproductive rights still protect women’s rights” (*Xinhua Net*, Aug. 22, 2011) “Women have to be an intellectual in marriage and improves internally” (*People’s Daily*, Aug. 17, 2011), “Women’s demand to buy homes on their independent income is much stronger than before” (*People’s Daily*, Dec. 27, 2011), and “Independent woman” (*People’s Daily*, Dec. 27, 2011). However, the aim of these news reports is to emphasize the Third Judicial Interpretation of Chinese Marriage Law’s positive impact on women. News reports in *People’s Daily* about house -purchases state that:

According to Voice of China’s reports, the new judicial interpretation makes the house problem a central focus. In the second-hand housing market in Nan Jing, it has caused a series of unusual house-purchase

cases. For example, women actively bear some of the down payment. According to industry analysis, the new judicial Interpretation of the Marriage Law will significantly promote woman's housing demand. (*People's Daily*, Dec. 27, 2012)

One female netizen believed the new judicial interpretation of the Marriage Law opens women's eyes to the real world. She said that men are unreliable and women should do everything on their own. New women should buy a house and a car with their own efforts. They become more independent and stronger. (*People's Daily*, Aug. 14, 2011)

Although there is a description of woman's positive image such as "women actively bear some of the down payment", it finally comes to a conclusion that the new judicial interpretation of the Marriage Law will significantly promote female demand for housing. It emphasizes that women became more independent and stronger because the Third Judicial Interpretation of Chinese Marriage Law has opened their eyes to the real world. In terms of reproductive rights, a news report in *Xinhua Net* also emphasizes that women can decide to have an abortion with courage because the interpretation strengthens the protection on their rights (*Xinhua Net*, Sept. 5, 2011).

### **4.3 Men's portrayal in the media: masculinity**

In terms of role, personality characteristics, and role behaviors, men's portrayal in *People's Daily* and *Xinhua Net's* news reports about the Third Judicial Interpretation of Chinese Marriage Law has a close relationship with masculinity. News reports in *Xinhua Net* and *People's Daily* emphasize men's main position and privileged status in society. Men retain their dominant status because they control house property rights and a greater share of the active rights in a relationship. The description of men's

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portrayal in the media strengthens masculinity.

Table 3 contains descriptions of men’s portrayal in *People’s Daily* and *Xinhua Net*’s news reports about the Third Judicial Interpretation of Chinese Marriage Law. This table includes men’s personality characteristics, role behaviors, and roles. Based on definitions of personality characteristic, role behavior and role described in the previous section, I conclude man’s personality characteristics, role behaviors and roles in *People’s Daily* and *Xinhua Net*’s news reports in Table 3.

**Table 3. Descriptions of men in the media**

Man’s Portrayal	Personality Characteristics	Role Behaviors	Roles
Description	“adulterous” “cheating” “strong” “tough attitude” “unreliable” “male chauvinistic” “silent” “predominate” “preponderant”	“men work outside” “men work hard to make money” “Contributions to the family made by men are not less than women’s” “Men express strong attitudes after adultery” “Husbands think their wives have no value after giving birth to a baby” “Men’s parents buy houses for their son” “The majority of men	“son” “husband” “ father” “adulterous man” “cheating man” “business man” “single man” “man speaking for disadvantaged women” “Marry a husband or a landlord?”

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		<p>applied for bank loans to buy a house before marriage.</p> <p>“The housing property belongs to the man.”</p> <p>“We lived in housing assigned by my father’s work unit” “My husband made a down-payment before marriage”</p> <p>“The transfer of housing property is in secret”</p> <p>“The man’s house increased in value”</p>	
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According to Table 3, in *People’s Daily* and *Xinhua Net’s* news reports about the Third Judicial Interpretation of Chinese Marriage Law, besides interviewees in news reports, man’s roles include “son” (*People’s Daily*, Aug. 22, 2010), “husband” (*People’s Daily*, Aug. 22, 2011), “father” (*People’s Daily*, Dec. 19, 2011), “adulterous man” (*People’s Daily*, Aug. 30, 2011), “cheating man” (*Xinhua Net*, Oct. 15, 2011), “businessman” (*Xinhua Net*, Sept. 2, 2011), “single man” (*Xinhua Net*, Jul. 30, 2011) and “man speaking for disadvantaged women” (*People’s Daily*, Sept. 15, 2011). Son, husband, and father are three basic male characters in patriarchal society. The other roles manifest men’s dominant position, whether in family or in society, in emotion or in the economy. Besides direct descriptions about man’s role, some news reports describe man’s role indirectly. The most common expression is “marry a husband or a landlord?” (for example, in

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*Xinhua Net*, Aug. 29, 2011). It shows the Third Judicial Interpretation of Chinese Marriage Law has a significant impact on man's role transformation. Legal provisions about immovable property in the interpretation solve problems of property division brought by excessive-priced housing. But at the same time, house property rights always belong to men in traditional customs. Therefore, the man is transformed from an equal partner to a landlord with economic dominance.

Men's personality characteristics in *People's Daily* and *Xinhua Net's* news reports about the Third Judicial Interpretation of Chinese Marriage Law are divided into two types. On the one hand, news reports show men's strong side, with descriptions such as "strong" (*People's Daily*, Aug. 14, 2011), "tough attitude" (*Xinhua Net*, Aug. 20, 2011), "dominant" (*People's Daily*, Aug. 19, 2011), "preponderant" (*People's Daily*, Feb. 24, 2011) and "male chauvinist" (*People's Daily*, Aug. 15, 2011). On the other hand, these descriptions address negative qualities, such as "adulterous" (*Xinhua Net*, Aug. 20, 2011), "cheating" (*People's Daily*, Apr. 25, 2011), "unreliable" (*People's Daily*, May 30, 2011), and "silent" (*Xinhua Net*, July 30, 2011). To a certain extent, these descriptions represent masculine traits such as courage, strong will, ambition, independence, assertiveness, initiative, rationality and emotional control (Thomas, 2000).

In terms of men's role behaviors, on one hand, reports show the dominant status of men, such as "men work outside" (*People's Daily*, Aug. 30, 2011), "men work hard to make money" (*Xinhua Net*, Aug. 22, 2011), "contributions to the family made by men are not less than women's" (*Xinhua Net*, Aug. 14, 2011). Also society emphasizes man's dominant positions, in sentences such as "Look up to men and down on women" (*Xinhua Net*, Aug. 26, 2011), "Men are like China Construction Bank, which attracts investment" (*Xinhua Net*, Aug. 14, 2011), "Marrying a man means wearing clothes and having meals" (*Xinhua Net*, Sept. 19, 2011). On the other hand, news reports describe men's negatively, too. For example, "Men express strong attitudes after adultery" (*Xinhua Net*, Aug. 30, 2011)

and, “Husbands think their wives have no value after giving birth to a baby” (*Xinhua Net*, Aug. 18, 2011).

Men’s role behaviors in *People’s Daily* and *Xinhua Net*’s news reports focuses on housing problems and men’s relationship with women. In terms of housing problems, for example, “Men’s parents buy houses for them” (*People’s Daily*, Sept. 6, 2011), “The majority of men applied for bank loans to buy a house before marriage. The housing property belongs to the man” (*People’s Daily*, Nov. 25, 2010), “We lived in housing assigned by my father’s work unit” (*People’s Daily*, Aug. 30, 2011), “My husband made a down payment before marriage” (*People’s Daily*, Aug. 27, 2011), and “The man’s house increased in value” (*People’s Daily*, Mar. 13, 2014). These descriptions show that house property rights are mainly controlled by men. On the basis of it, men have the right to dispose of their possessed property and obtain the maximum profit for it.

In terms of men’s relationship with women, there are phrases like, “A husband bought a house for his mistress” (*Xinhua Net*, Sept. 19, 2011), “A woman suggested adding her name to the property ownership certificate before marriage but the man rejected her” (*Xinhua Net*, Sept. 5, 2011), “A husband abandoned his wife and forced her to leave without anything” (*People’s Daily*, Dec. 25, 2011), “A man violated the faithful principle in marriage and gave his mistress much money” (*Xinhua Net*, Sept. 19, 2011), and “A husband accused his wife of terminating her pregnancy” (*People’s Daily*, March 14, 2012). These news reports emphasize that there is an unequal power relationship between men and women in the Third Judicial Interpretation of Chinese Marriage Law. Men always occupy the advantageous position.

In addition, men’s portrayal in *People’s Daily* and *Xinhua Net*’s news reports asserts that the Third Judicial Interpretation of Chinese Marriage Law is patriarchal. For example, “The new judicial interpretation of the Marriage Law is a law made for men” (*People’s Daily*, Dec. 6, 2010). If a man breaks gender stereotypes in patriarchal society, he will suffer discrimination.

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This can be seen in, for example, “If a man speaks for disadvantage women, he will be regarded as a woman. Or he is directly denied” (*People’s Daily*, Sept. 11, 2010), and “Don’t pay much attention to silent men” (*People’s Daily*, March 14, 2012). These descriptions meet masculine norms including "avoidance of femininity; restricted emotions; sex disconnected from intimacy; pursuit of achievement and status; self-reliance; strength and aggression, and homophobia" (Levant & Kopecky, 1995).

#### **4.4 Comparison between men’s portrayal and women’s portrayal in the media: gender stereotypes**

Femininity and masculinity are manifested in personality characteristics, role behaviors, and roles of men and women in *People’s Daily* and *Xinhua Net’s* news reports about the Third Judicial Interpretation of Chinese Marriage Law. In this section, I make a further comparison of gender portrayal in these reports. The findings include two points. First, gender stereotypes exist in them. Second, the news reports require women to change rather than men.

On the first point, according to “Gender-Sensitive Indicators for Media,” published by the United Nations Educational, Scientific and Educational Cultural Organization, stereotypes are “depiction of traditional ‘feminine’/ ‘masculine’ characteristics and male/female roles, thereby making them appear normal and inevitable while excluding other possible traits and functions for men and women in society.” One of UNESCO’s strategic objectives is the “fair portrayal of women and men through elimination of stereotypes and promotion of multi-dimensional representation/portrayal” (UNESCO, 2012).

In order to achieve help this strategic objective, I make use of the Gender-Sensitive Indicators for Media. By making the statistics for the frequency of the keywords in Table 2 and Table 3, I find the proportion of

news reports with stereotypes. Table 2 is a description of women's portrayal and Table 3 is a description of men's portrayal. The total number of news reports is 247. The number of *Xinhua Net* reports is 136 and number of *People's Daily* reports is 111. The number of news reports with stereotypes is 173, or 70 percent of all news reports. The number of news reports with feminine stereotypes is 140, accounting for 56.7 percent of all news reports. The number of news reports with masculine stereotypes is 161, accounting for 64.7 percent of all news reports. From these results, I find that gender stereotypes exist in news reports about the Third Judicial Interpretation of Chinese Marriage Law. The portrayals of women and men in the media have a close relationship with feminine and masculine stereotypes.

On the second point, *People's Daily* and *Xinhua Net's* news reports about the Third Judicial Interpretation of Chinese Marriage Law make recommendations and require women to adapt to changes brought by the Third Judicial Interpretation of Chinese Marriage Law by changing themselves. If couples are responsible for repayment, a man or woman has a possibility to purchase a house. If there is no agreement between a husband and wife, the judicial interpretation provides a basis for judicial adjudication. Therefore, the law does not seek to protect any side. The most important thing in marriage is woman's return of love (*Xinhua Net*, Aug. 22, 2011). If the house is bought by the husband and the house property right also belongs to husband, it's hard for a housewife to acquire the property when marital upheaval happens. Therefore, it's better for a housewife to obtain a guarantee, such as sickness and accident insurance (*Xinhua Net*, Sept. 2, 2011). Or a woman has a powerful psychology and becomes a wise wife in marriage (*People's Daily*, Aug. 17, 2011). By contrast, although *People's Daily* and *Xinhua Net's* news reports make a negative evaluation of men, they do not encourage changes in men's behaviors. This will aggravate the inequality between men and women.

## 4.5 Discussions

In this chapter, I looked at how *People's Daily* and *Xinhua Net's* news reports on the Third Judicial Interpretation of Chinese Marriage Law represent gender portrayal. The research findings could be summarized into three points.

First, the portrayals of women and men have a close relationship with feminine and masculine stereotypes. In news reports, women's roles are located in vulnerable groups in society, such as a housewife, a divorced woman, a disabled woman, a rural woman and a mistress. Women's personality characteristics in the media have a close relationship with feminine stereotypes. Women's role behaviors in the media emphasize the disadvantaged status of women. Woman's activities are limited to the private sphere in gendered division of labor. These portrayals reinforce gender stereotypes. Men's roles in the media reflect men's dominant position and privileged status in society. Men's personality characteristics in the media show their powerful image, but also negative qualities. Men's role behaviors in the media focus on housing problems and men's relationship with women. House property rights are mainly controlled by men and men have more rights in the unequal relationship between women and men. If men break the traditional gender roles in patriarchal society, he will suffer discrimination in society.

Second, gender stereotypes exist in *People's Daily* and *Xinhua Net's* news reports about the Third Judicial Interpretation of Chinese Marriage Law. Seventy percent of the news reports contain some type of stereotype. The percentage of news reports with feminine stereotypes is 56.7 and the percentage with masculine stereotypes is 64.7. From these results, I can conclude that gender stereotypes exist in the news reports.

Third, news reports in *People's Daily* and *Xinhua Net's* news reports about the Third Judicial Interpretation of Chinese Marriage Law urge change

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on women rather than men. The news reports require women to adapt to changes brought by the Third Judicial Interpretation of Chinese Marriage Law by changing themselves. However, the reports show no interest in changing men's behaviors. This will further aggravate the inequality between men and women.

## **5. Gender equality issues in the media**

In this chapter, I examine gender equality issues. According to “Gender-Sensitive Indicators for Media,” published by United Nations Educational, Scientific and Cultural Organization, gender equality issues are “stories about specific cases of equality or inequality between women and men, relevant polices, legislative issues, programs designed to protect and promote human rights, women’s rights and gender equality” (UNESCO, 2012).

In order to know gender equality issues in the media, on the one hand, I examine how *People’s Daily* and *Xinhua Net* report on gender equality issues in the Third Judicial Interpretation of Chinese Marriage Law. This is divided into three aspects: gender equality in property rights, gender equality in reproductive rights, and ignorance of rural woman’s rights. Then I further analyze these three aspects based on various types of feminist thought. On the other hand, I examine how *People’s Daily* and *Xinhua Net* classify news reports about the Third Judicial Interpretation of Chinese Marriage Law into content categories and find whether this breaks the gendered nature of the dichotomy between hard news and soft news.

### **5.1 Coverage of gender equality issues**

The Supreme People's Court announced a draft for invitation of recommendations in 2010 and officially published the Third Judicial Interpretation of Chinese Marriage Law in 2011. Since then, the Third Judicial Interpretation of Chinese Marriage Law has been a hot social issue. China’s mainstream media have given increasing coverage to it. *People’s Daily* and *Xinhua Net* are the typical representatives of China’s mainstream media. Because mainstream media plays an important role in promoting

mainstream values and representing national ideology, how gender equality issues are covered in *People's Daily* and *Xinhua Net* is very important to the promotion of gender equality consciousness in society (Lin Hui, 2008). Thus, in this section, I analyze the coverage of gender equality issues in *People's Daily* and *Xinhua Net*.

According to previous studies about the Third Judicial Interpretation of Chinese Marriage Law and gender studies in Chapter 2, I summarize three aspects of gender equality in the Third Judicial Interpretation of Chinese Marriage Law: (1) gender equality in property rights, (2) gender equality in reproductive rights, and (3) neglect of rural women's rights. I examine how *People's Daily* and *Xinhua Net* report on these three aspects of gender equality in the Third Judicial Interpretation of Chinese Marriage Law.

### **(1) Coverage of gender equality in property rights**

News reports about the Third Judicial Interpretation of Marriage Law in *People's Daily* and *Xinhua Net* discuss whether rules of law regarding property rights in the interpretation are equal for women and men. Both arguments and counter-arguments have appeared on *People's Daily* and *Xinhua Net's* news reports. The viewpoint that agrees that the Third Judicial Interpretation of Chinese Marriage Law promotes equality for men and women can be briefly summed up as follows. First, legal ideas of protecting women's rights are consistent and systematic in Chinese law. Second, it is possible for women to have the same employment opportunities and obtain equal income to men's. Third, people lack professional legal knowledge. They always misunderstand legal content and legal operation in practice. The viewpoint that disagrees that the interpretation promotes equality might be briefly summed up as follows. First, women and men play different roles in the family according to the gendered division of labor. Second, the Third Judicial Interpretation of Chinese Marriage Law conflict with traditional convention. Third, the social problems caused by the interpretation result in

gender inequality.

For those who agree that the Third Judicial Interpretation of Chinese Marriage Law is equal for men and women, the first point is that the interpretation protects men and women equally because it doesn't change legal ideas of protecting women's rights. A news report in *People's Daily* (2011) reads:

Does the Third Judicial Interpretation of Chinese Marriage Law favor men over women? Yang Lixin, a law professor in People's University, thinks this is a misunderstanding. The legal idea of China's Marriage Law is protecting women's and children's legal rights. This idea is consistent. The Third Judicial Interpretation of Chinese Marriage Law cannot change the original legislative idea. (*People's Daily*, Sept. 6, 2011)

China's Marriage Law has been revised several times. In 1950, the Central People's Government of the People's Republic of China promulgated the Marriage Law of the People's Republic of China. In 1980, the Third Session of the Fifth National People's Congress passed the revised Marriage Law for the first time. In 2001, the Third Session of the 21st National People's Congress passed the revised Marriage Law for the second time ("Marriage Law of the People's Republic of China," n.d.). Legal provisions in differing revisions of China's Marriage Law perform principles of the Marriage Law. They include the principle of marriage freedom, the principle of monogamy, the principle of gender equality, and the principle of protecting women's, children's and old people's rights (Liu Bei, 2012). As a further specification of Marriage Law, the Third Judicial Interpretation of Chinese Marriage Law cannot violate principles of the Marriage Law. It should follow the principle of protecting women's rights.

In addition, the legal protection of woman's rights is systematic. A news report in *Xinhua Net* (2011) states:

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Some people said the new judicial interpretation of the Chinese Marriage Law is a little unfair to women. This misunderstanding is caused by ignorance of the law. Sun Ruojun thinks purpose of legislation should be considered according to the whole legal system not a single law. Protection of women's rights in Marriage Law is systematic. For example, in order to protect woman's rights, division of property is always combined with financial assistance and housework compensation. It is a series of relevant laws. (*Xinhua Net*, Aug. 24, 2011)

A news report in *Xinhua Net* suggests woman's rights should be dealt with according to a legal system of protecting women's rights. People misunderstand the Third Judicial Interpretation of Chinese Marriage Law exists a little unfair to woman because they ignore a whole legal system of protecting women's rights.

Second, there exists little gender inequality in the Third Judicial Interpretation of Chinese Marriage Law because it is possible for women to get access to educational and employment opportunities and the same income as well as men. For example, a news report in *People's Daily* states that:

“People have an obvious misunderstanding about the Third Judicial Interpretation of Chinese Marriage Law. The Third Judicial Interpretation of Chinese Marriage Law is beneficial to standardize the rules of property division in divorce cases. It will promote the uniformity and authority of justice. In addition, it's equality for rights between women and men. Theoretically, percentages of man and woman who are born of a wealthy family are almost the same. In a real world, it is common for woman to have a good economic condition and buy houses by herself. This misunderstanding is a result of traditional gender concept of son preference.” (*People's Daily*, 2011.08.30)

According to Du Houqi and Jian Ying (1995), since the new China was

## 5. Gender equality issues in the media

established in 1949, it has formed a complete law system to protect woman's rights. Based on China's Constitutional Law, this law system takes Women's Rights Guarantee Law as a main body and includes the basic laws of country, relevant separate laws and regulations, local laws and regulations, and governmental administrative laws. There are several pieces of legislation passed by China's National People's Congress (NPC) and its standing committee member. One is the Constitution of the People's Republic of China. Article 48 of it states that "women in the People's Republic of China enjoy equal rights with men in all spheres of life, in political, economic, cultural, social and family life. The state protects the rights and interests of women, applies the principle of equal pay for equal work to men and women alike and trains and selects cadres from among women." Another piece of legislation is the Electoral Law of the National People's Congress and Local People's Congresses of the People's Republic of China. Its Article 3 states that "all citizens of the People's Republic of China who have reached the age of 18 shall have the right to vote and stand for election, regardless of ethnic status, race, sex, occupation, family background, religious belief, education, property Status or length of residence. Persons who have been deprived of political rights according to the law shall not have the right to vote and stand for election." A third is the Marriage Law of the People's Republic of China. A fourth is the Law of Succession of the People's Republic of China. Article 9 states that men and women are equal in their right to inheritance. Article 105 of the General Principles of the Civil Law of the People's Republic states women shall enjoy equal civil rights with men. Article 4 of the Compulsory Education Law of the People's Republic of China 4 states that all children and adolescents who have the nationality of the People's Republic of China and have reached the school age shall have equal right and have the obligation to receive compulsory education, regardless of the gender, nationality, race, status of family property, religion, belief, etc. Article 10 of the Law of the People Republic of China on the Protection of Minors states

that parents and other guardians shall protect minors from personal infringement, may not maltreat or abandon them, and may not discriminate against women or disabled minors. Article 13 of the Labor Law of the People's Republic of China states women shall enjoy equal rights as men in employment. Sex shall not be used as a pretext for excluding women from employment during recruitment of workers unless the types of work or posts for which workers are being recruited are not suitable for women according to State regulations. Nor shall the standards of recruitment be raised when it comes to women. The Measures for Implementation of the Law of the People's Republic of China on Maternal and Infant Health Care also contain similar points.

A news report in *Xinhua Net* suggests that woman's rights should be dealt with according to a legal system of protecting women's rights. People who mistakenly think the Third Judicial Interpretation of Chinese Marriage Law is a little unfair to woman are ignoring a whole legal system of protecting women's rights.

Third, there exists little gender inequality in the Third Judicial Interpretation of Chinese Marriage Law, because it is possible for women to get access to educational and employment opportunities and the same income as men. For example, a news report in *People's Daily* states that:

“People have an obvious misunderstanding about the Third Judicial Interpretation of Chinese Marriage Law. The Third Judicial Interpretation of Chinese Marriage Law is beneficial to the standardization of the rules of property division in divorce cases. It will promote the uniformity and authority of justice. In addition, it contains equal rights between women and men. Theoretically, the percentages of men and women who are born of a wealthy family are almost the same. In the real world, it is common for a woman to have a good financial situation and buy a house by herself. This misunderstanding is a result of the traditional gender concept of son preference.” (*People's Daily*, 2011.08.30)

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This news report emphasizes that the percentages of men and women who are born in a wealthy family are almost the same. It is possible for a woman to be wealthy enough to buy a house by herself. This is because more and more women get higher degrees of education and enjoy equal employment opportunities to men's in China.

Since the new China was founded in 1949, the Constitution of the People's Republic of China has offered equal educational rights to women as well as men. According to Article 46 of the Constitution, "citizens of the People's Republic of China have the duty as well as the right to receive education." In order to raise the cultural level of the whole nation, the government carried out training projects and literacy education to eliminate illiteracy (The State Council Information Office of the People's Republic of China, 2005). In elementary schools, girls accounted for 28 percent of the total students in 1951 and 46.9 percent of the total students in 2004. In secondary schools, female students accounted for 25.6 percent of total students in 1951. In 2004, the proportion of junior middle school female students was 47.37 percent and the proportion of high school female students was 45.81 percent. The number of women who receive higher education has increased en masse. The proportion of woman college students increased from 33.6 percent in 1993 to 45.65 percent in 2004. Up to 2004, the number of woman postgraduates and woman doctorates grew by 4.2 % and 4.3 % respectively (Gu Ning, 2005).

Besides, along with the development of tertiary industry in China, a large amount of women have more opportunities to achieve economic independence because there are many more jobs for women than before. In national economy industries, the manufacturing, agriculture, architecture, transportation, health-care, business, and education industries and party and government organizations employ more than 100 million women (Liu Weifang, 2010).

With women's educational and job opportunities rising rapidly, women are just as likely as men to purchase a house. Thus, there is no gender

inequality in the Third Judicial Interpretation of Chinese Marriage Law.

Third, there is a misunderstanding that the Third Judicial Interpretation of Chinese Marriage Law doesn't maintain gender equality because people lack professional knowledge of law. Without a lawyer's professional interpretation, it is possible for ordinary people to misunderstand the interpretation.

News reports in *People's Daily* and *Xinhua Net* take legal provisions in the Third Judicial Interpretation of Chinese Marriage Law as example and compare ordinary people's inaccurate understanding to experts' viewpoints. These news reports state that:

There is a view that it is not fair for women to get divorced without receiving anything because men buy the house while women pay for decorating costs. Yang Lixin thinks it is a misunderstanding. If women pay for decorating costs, the value of home improvements should be one part of the housing's value because decorative materials have been an accretion of the house. According to apposition theory in China's Civil Law, the total value creation of a house includes the price of decoration and its added value. When getting divorced, it's necessary to provide compensation for the party without a house according to housing estimation. (*People's Daily*, Sept. 6, 2011)

In new the judicial interpretation of the Marriage Law, only if income obtained by one side after marriage is not earned from interest, it could be deemed as common property. It is not necessary for a housewife to worry that she has no contribution to the family. To put it simply, no matter which situation he or she stays in, one side has a right to obtain the other side's revenue except earnings from interest. That a housewife has no income and leaves out without anything when getting divorced is a misunderstanding people have about the new judicial interpretation of the Marriage Law. (*Xinhua Net*, Aug. 29, 2011)

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The above news reports describe two misconceptions about legal provisions in the Third Judicial Interpretation of Chinese Marriage Law. One misconception is it is not fair for women to leave without anything when getting divorced because man buys house while woman pays to decorate the house. What is overlooked is that the total value creation of the house includes the value of home improvements and its added value according to apposition theory in China's Civil Law. The other misconception is it is not fair for housewives because they have no income and leave without anything when getting divorced. In the Third Judicial Interpretation of Chinese Marriage Law, as long as income obtained by one side after marriage is not earned from interest, it could be deemed common property. People always understand the law content according to personal experience. A lack of professional knowledge of law will result in people's misinterpretation.

In order to fully understand the law, a news report in *Xinhua Net* suggests that people cannot apply the law mechanically and separately:

Many people have a misunderstanding concerning the Third Judicial Interpretation of Chinese Marriage Law and think it doesn't protect women as a weak group. In order to understand legal ideals of the Marriage Law and the three judicial interpretations of it, we cannot apply the law mechanically and separately. In fact, the Supreme People's Court pays much attention to women's rights. (*Xinhua Net*, Sept. 5, 2011)

Law is a system of rules that are enforced through social institutions to govern behavior (Robertson, 2008). A legal system is the most explicit, institutionalized, and complex mode of regulating human conducts (Philip, 1973). In order to understand the legal ideals of the Marriage Law and its three judicial interpretations of marriage law, we cannot apply the law mechanically and separately.

In regard to legal practice, a news report in *Xinhua Net* states that:

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Mr. Li said the Third Judicial Interpretation of Chinese Marriage Law can be applied mechanically by a simple method. It deals with division of house property according to the principle of giving priority to the agreement between parties. Even though there is no agreement, the court “can” but not “must” adjudge the property and the unpaid mortgage to the registered householder. It has the flexibility to deal with cases according to relevant marriage laws. (*Xinhua Net*, Aug. 28, 2011)

As stated above, ordinary people have a misunderstanding about legal provisions in the Third Judicial Interpretation of Chinese Marriage Law and legal practice because they lack legal professional training and have little specialized knowledge. In order to maintain professionalism, universities run courses for majoring in law in China. Lawyers achieve a distinct professional identity by passing the National Judicial Examination, and are required by law to have a special qualification. Once accredited, a lawyer will often work in a law firm, in a chamber as a sole practitioner, in a government post or in a private corporation as an internal counsel. Because of receiving formal law education, lawyers and legal experts can make correct judgments about whether property rules in the Third Judicial Interpretation of Chinese Marriage Law treat men and women equally. However, some believe that the Third Judicial Interpretation of Chinese Marriage Law is unequal towards men and women. Their viewpoints might be summed up as follows.

First, the Third Judicial Interpretation of Chinese Marriage Law brings about gender inequality because of the gendered division of labor. A news report in *Xinhua Net* states that:

“I think it is not fair to women,” Shi Linlin, a chief in the publicity division of Subsidiary Hospital of Nantong University, said in an interview. Nowadays, based on the gendered division of labor, women and men play different roles in the family. It is unfavorable to woman

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if property is independent. The important role of a woman is taking care of her husband and children, so the time and energy she spends on work must be decreased. If a woman has no economic income, her family status will be degraded. It is obviously unfair to women. (*Xinhua Net*, Aug. 30, 2011)

The Third Judicial Interpretation of Chinese Marriage Law is not fair to women because there is difference between men and women. In the news report above, it is suggested that women and men play different roles in the family based on the gendered division of labor and that the main role of women is taking care of their husbands and children. Gender role theory “treats these differing distributions of women and men into roles as the primary origin of sex-differentiated social behavior, and their impact on behavior is mediated by psychological and social processes” (Eagly, 1997).

In terms of physiology, the differences between men and women include all the features related to reproductive role, notably the endocrine (hormonal) systems and their physiological and behavioral effects, including gonadal differentiation, internal and external genital and breast differentiation, and differentiation of muscle mass, height, and hair distribution. Most men are taller and stronger than women (Gustafsson & Lindenfors, 2004).

Based on gender difference in physiology construction, in terms of sex-based social structures, though not every hunter-gatherer population pinpoints women to gathering and men to hunting, the norm of most current populations still divide the roles of labor in this manner (Bliege, 1999). The gendered division of labor pattern in contemporary society is “men outside the home, women inside”. Men’s activities always have a close relationship with the area of economic production. Men’s productive labor produces material support for the family. Women’s activities have a close relationship with domestic life. Their labor for child birth is not seen as creating wealth and value (Wang Jin & Shi Ji, 2008).

Second, the Third Judicial Interpretation of Chinese Marriage Law leads to

gender inequality because there is a conflict between the Third Judicial Interpretation of Chinese Marriage Law and traditional conventions. As a set of accepted social norms, a convention may retain the character of an 'unwritten law' of custom in a social context ("Convention," n.d.). The promulgation of a new law always has a conflict with traditional conventions. News reports in *Xinhua Net* and *People's Daily* state:

Yang Shiqiang thinks legal provisions are unfavorable to women. According to Chinese traditional customs, a man marries a woman. He buys a house and the income of the woman is used for other family expenditures. Some women don't work outside the home in order to give birth to children and care for the family. If house property ownership belongs to men, women will leave without anything after a divorce. The protection of women's and children's rights is becoming a social problem. (*Xinhua Net*, Aug. 22, 2011)

The Third Judicial Interpretation of Chinese Marriage Law is not fair because it is good for households whose name is registered in the house property certificate. According to Chinese traditional customs, men provide a house to live in and women buy its furniture. The house property certificate is registered in the husband's name. After marriage, both men and women are responsible for loan repayment. In fact, women lose their ability to purchase a house. If they get divorced, the house will revert back to the man. (*People's Daily*, Sept. 2, 2011)

These reports describe two kinds of Chinese marriage traditional customs. One kind is where the man buys the house and the woman's income is used in other family expenditures. The other kind is where the man provides the house and the woman provides items to furnish it. In both cases, the name on the house property certificate is always the husband's. After marriage, both the man and woman are responsible for loan repayment. However, the ownership of the house property belongs to the

man when they get divorced.

Under this background of traditional marriage customs, the Third Judicial Interpretation of Chinese Marriage Law will bring about gender inequality. On the one hand, the house property is real estate and real estate's value is increasing because housing prices have risen fast in recent years. However, house furnishings will lose their value as time goes on. On the other hand, the Third Judicial Interpretation of Chinese Marriage Law protects personal property according to China's property law. It deals with family property according to the market economy and a system of personal property. However, it totally ignores woman's contribution to family common property and child-raising (Li Lin, 2012). This is also caused by the gendered division of labor.

Third, social problems caused by the Third Judicial Interpretation of Chinese Marriage Law result in gender inequality. A news report in *People's Daily* states that:

In China's current situation, it is not efficient to protect disadvantaged group's rights if we overemphasize the importance of personal property. Although the Third Judicial Interpretation of Chinese Marriage Law makes compensation for woman, the amount of housing property division and the amount of compensation is not the same. In addition, it is difficult to ask a man to give a one-off payment of several hundred thousand yuan. For the current court, 'hard to enforce' is a serious problem in the process of performing a task. Whether women can receive any compensation is unknown. (*People's Daily*, Aug. 26, 2011)

The Third Judicial Interpretation of Chinese Marriage Law establishes specific rules in regard to compensation for women and Article 10 states that "in respect of the loan repayment jointly paid by both parties after marriage and the corresponding property increment of the real estate, the party under whose name the real estate is registered shall make

compensation to the other party at the time of divorce” (China's Supreme People's Court, 2011).

However, it is hard for women to receive a reasonable compensation when getting divorced in reality. On the one hand, the amount of housing property division and the amount of compensation is not same. It is also difficult to ask men to give a one-off payment of several hundred thousand yuan. On the other hand, for the current court, “hard to enforce” is a serious problem in the process of performing a task.

Rules of law regarding house property in the Third Judicial Interpretation of Chinese Marriage Law will bring about some problems, such as a reduction in divorce costs, increase in men’s motivations for divorce, and encouragement of keeping a mistress. News reports in *People’s Daily* state that:

After the announcement of the Third Judicial Interpretation of Chinese Marriage Law, the right of house property has become a hot issue in society. Social issues include the reduction in divorce costs, the increase in men’s motivations for divorce, and the weakening of protections for women’s rights. (*People’s Daily*, Aug. 27, 2011)

Many people think the house property’s ownership is decided by the name on the property ownership certificate. A lot of women have strong reaction to the interpretation and believe it encourages divorce. In traditional customs, the registration name is usually man’s name. Public opinion about encouragement of keeping a mistress makes more and more woman feel upset. (*People’s Daily*, Aug. 25, 2011)

According to China's Supreme People's Court (2011), Article 10 in the Third Judicial Interpretation of Chinese Marriage Law states that “where one party in the marriage has signed a real estate purchase contract before marriage, pays the down payment with his/her personal property, takes a loan from the bank, repays the bank mortgage with the community property

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of both parties after marriage and registers the real estate under the name of the payer of down payment, both parties shall dispose of the real estate by mutual agreement at the time of divorce. Where both parties fail to reach an agreement based on the preceding paragraph, the people's court may rule that such real estate vests in the party under whose name the real estate is registered and the loan outstanding there shall be the personal debt of such party. In respect of the loan repayment jointly paid by both parties after marriage and the corresponding property increment of the real estate, the party under whose name the real estate is registered shall make compensation to the other party at the time of divorce in accordance with the principle specified in Paragraph 1 of Article 39 of the Marriage Law of the People's Republic of China".

It can be seen that the ownership of property is decided by the registered name in house property ownership certificate. According to traditional customs, the registration name in house property ownership certificate this is always the man's name. If men ask for a divorce, the house will belong to men. Woman will leave without anything or will get some small compensation. In other words, men have less divorce costs than women. Then in this way, the Third Judicial Interpretation of Chinese Marriage Law encourages increases men's motivations for divorce motivation and weakens protections of women's right's protection. It will intensify gender inequality.

### **(2) Coverage of gender equality in reproductive rights**

In this section, I look at news reports in *Xinhua Net* and *People's Daily* that discuss whether the rules of law regarding reproductive rights in the Third Judicial Interpretation of Chinese Marriage Law treat men and women equally. On the one hand, the news reports suggest the interpretation protects prioritizes women's reproductive rights. First, women make a bigger contribution to reproduction. Second, exaggerating men's reproductive rights

will hurt women. Third, legal ideas of protecting woman's reproductive rights in the Third Judicial Interpretation of Chinese Marriage Law are consistent with relevant laws. On the other hand, news reports emphasize respect for men's reproductive rights in the Third Judicial Interpretation of Chinese Marriage Law. First, the wife's option to have an abortion doesn't infringe upon the husband's reproductive rights. Husbands can file for divorce if it is hard to reach an agreement on the issue of reproduction. Second, in a consideration of social stability and respect for reproductive rights, the court should give men and women an opportunity to decide whether or not to divorce.

For the first point, news reports in *Xinhua Net* and *People's Daily* suggest the Third Judicial Interpretation of Chinese Marriage Law prioritizes protecting women's reproductive rights. A news report in *People's Daily* states that:

There is no need for us to debate whether reproductive rights could be regarded as basic rights. Women make a bigger contribution to reproduction than men during the ten months of pregnancy. Although men have the same reproductive rights as women, we should say "no" without doubt to the pleading made by the husband for damages on the ground of unauthorized termination of pregnancy by his wife and infringement on his reproductive rights. This is because the wife takes on a greater risk during pregnancy and has a stronger voice in pregnancy termination decisions. (*People's Daily*, Mar. 14, 2012)

The wife has a stronger voice in the decision to terminate a pregnancy because she makes a bigger contribution to reproduction than the husband during the 10 months of pregnancy. Women take on much risk and experience hardships during pregnancy. During the ten months of pregnancy to childbirth and beyond, women experience a series of physiological changes, such as postpartum obesity, sagging breasts, and the appearance of pregnancy stretch marks. Physical changes arouse a great change in

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psychology. They increase woman's risk of having postpartum depression. Pregnancy may be unplanned. Even though pregnancy is planned, a woman who is giving birth for the first time needs time to adapt to the role of mother. Some women lose their job and so decrease the household's income. It is hard for women to overcome the pressure of childcare if they lack support from their husband. In addition, women who give birth to a girl may have a psychological burden because of the traditional preference for sons (Xin Lang Health, 2013).

A news report in *People's Daily* takes a similar view.

In general, reproductive rights are equally strong for men and women. However, if both sides hold different viewpoints, the negative consequences of prioritizing protecting women's reproductive rights are much smaller. This is because men's reproductive rights and wish to raise children are realized through women. We should respect women's wishes and achieve goals with the approval of women. Women take on more risks and experience hardships during pregnancy. It embodies the humanistic care and justice of law. Even now, men have the initiative in their hands because they control the most important social resources and have strong physical strength. Strengthening men's reproductive rights will hurt women. (*People's Daily*, Feb. 24, 2011)

This news report also emphasizes that building up man's reproductive rights will hurt women. Reproduction is a precondition for the continuity of the human race. For a long period of time in history, as with the backwardness of economic, science and technology, people didn't know the physiological mechanisms of reproduction and birth control very well. Having a sex life always resulted in women's multiple pregnancies. In addition, past societies regarded women as a device for reproduction. Women's reproductive rights were controlled by men. Women had no right to choose whether they gave birth to children, how many children they gave birth to, and how they gave birth to children (Huang Yu, 2007). At present,

although women's social status has been improved, men still control the distribution of social resources. Strengthening men's reproductive rights will have negative impacts on women.

Some news reports in *People's Daily* and *Xinhua Net* indicate that legal ideas of protection for woman's reproductive rights in the Third Judicial Interpretation of Chinese Marriage Law are consistent with relevant laws and regulations, such as Law of the People's Republic of China on the Protection of Rights and Interests of Women. For example, a news report in *People's Daily* argues:

Article 9 in the Third Judicial Interpretation of Marriage Law states, "The court shall not support the pleading made by the husband for damages on the ground of unauthorized termination of pregnancy by his wife and infringement on his reproductive rights; where both husband and wife dispute over childbearing, resulting in actual rupture of emotion, if a party pleads a divorce, the people's court shall deal with it in accordance with the provisions in Article 32(3) of the Marriage Law of the People's Republic of China after mediation fails." This rule embodies the spirit of protecting woman's reproductive rights in accordance with relevant laws and regulations, such as the Marriage Law and the Women's Rights Guarantee Law. (*People's Daily*, Dec. 13, 2010)

Both the Law of the People's Republic of China on the Protection of Rights and Interests of Women and the Third Judicial Interpretation of Chinese Marriage Law embody legal ideas of protecting woman's rights. This once again demonstrates the systemization of the legal system. Article 47 in Law of the People's Republic of China on the Protection of Rights and Interests of Women states "Women have the right to child-bearing in accordance with relevant regulations of the state as well as the freedom not to bear any child. Where a couple of child-bearing age practice family planning according to the relevant regulations of the state, the departments

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concerned shall provide safe and effective contraceptives and techniques, and ensure the health and safety of the woman receiving any birth-control operation” (The 17th Executive Meeting of the Standing Committee of the Tenth National People's Congress, 2005). The Third Judicial Interpretation of Chinese Marriage Law also emphasizes woman’s reproductive rights in Article 9. It states that “the court shall not support the pleading made by the husband for damages on the ground of unauthorized termination of pregnancy by his wife and infringement on his reproductive rights” (Supreme People's Court, 2011).

For the second point, *People’s Daily* and *Xinhua Net’s* news reports emphasize respect for men’s reproductive rights in the Third Judicial Interpretation of Chinese Marriage Law. In the second half of Article 9 in the Third Judicial Interpretation of Chinese Marriage Law, it states that “where both husband and wife dispute over childbearing, resulting in actual rupture of emotion, if a party pleads a divorce, the people’s court shall deal with it in accordance with the provisions in Article 32(3) of the Marriage Law of the People’s Republic of China after mediation fails.” The husband can file for a divorce if it is hard to reach an agreement on the issue of reproduction. A news report in *Xinhua Net* states that:

Yu Lijiang, an associate chief judge, said that unauthorized termination of pregnancy is regarded as a wife’s right in the Third Judicial Interpretation of Chinese Marriage Law. At the same time, it also provides men a provision for relief. If both the husband and wife dispute over childbearing and this results in actual rupture of emotion, the man could request a divorce. Doctor Zhang Xian thinks that Article 9 doesn’t deny men’s reproductive right. But in theory, it clarifies that reproductive rights are personal rights, absolute rights, and dominion rights, but not identity rights. A wife’s choosing abortion doesn’t infringe upon her husband’s reproductive rights, but exercises women’s personal rights. (*Xinhua Net*, Aug. 14, 2011)

The Third Judicial Interpretation of Chinese Marriage Law provides men a provision for relief. According to Article 9 in the Third Judicial Interpretation of Chinese Marriage Law, if a husband and wife disagree about childbearing and have an actual rupture of emotion, the man could request a divorce (Supreme People's Court, 2011). Therefore, a wife's choice of abortion doesn't infringe upon her husband's reproductive rights.

A news report in *Xinhua Net* further explains why the Third Judicial Interpretation of Chinese Marriage Law protects the reproductive rights of men as well as women. It states:

The new judicial interpretation of the Marriage Law not only protects women's reproductive rights but also gives men an opportunity to divorce. It represents equal protection towards men and women. In terms of a dispute over reproductive rights, if a wife and husband cannot reach an agreement, the conflict will ruin the couple's relationship. Therefore, in consideration of social stability and respect for reproductive rights, the court should give both sides an opportunity to realize their reproductive rights. (*Xinhua Net*, Aug. 25, 2011)

On the one side, marriage has a close relationship with social stability. Marriage is "a culturally sanctioned union between two or more people that establishes certain rights and obligations between the people, between them and their children, and between them and their in-laws" (Haviland, Prins, McBride, & Walrath, 2011). It is "principally an institution in which interpersonal relationships, usually sexual, are acknowledged". If a wife and husband cannot reach an agreement on reproductive rights, the disagreement will ruin their interpersonal relationship. It further has negative impacts on social stability because marriage, as an integral part of the social system, performs important social functions such as population reproduction, organization of the economy, and education ("Marriage and Family System," n.d.).

On the other side, both men and women have reproductive rights.

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According to the International Conference on Population and Development (1994), reproductive rights “rest on the recognition of the basic right of all couples and individuals to decide freely and responsibly the number, spacing and timing of their children and to have the information and means to do so, and the right to attain the highest standard of sexual and reproductive health. It also includes the right of all to make decisions concerning reproduction free of discrimination, coercion and violence.” Therefore, reproductive rights are basic rights of men and women.

Considering social stability and respect for reproductive rights, the court should give marital partners an opportunity to divorce if they wish.

### **(3) Coverage of neglect of rural women’s rights**

*People’s Daily* and *Xinhua Net* are aware of differences between rural women and city women. In order to emphasize the neglect of rural woman’s rights in the Third Judicial Interpretation of Chinese Marriage Law, *People’s Daily* and *Xinhua Net’s* news reports combine this issue with legal defects and the particularity of rural areas. On the one hand, the disadvantaged status of rural woman is much more serious than city women because of rural particularity. The Third Judicial Interpretation of Chinese Marriage Law is not involved in the problem of dealing with house property in rural areas and ignores rural particularity. On the other hand, it is easy to forget rural woman’s benefits because gender consciousness hasn’t entered mainstream judicial practice.

For the first point, *People’s Daily* and *Xinhua Net’s* news reports focus on the ignorance of rural particularity in the Third Judicial Interpretation of Chinese Marriage Law. A news report in *People’s Daily* states that:

The disadvantaged status of rural woman is much more serious. More than half of Chinese families are in the countryside. Because of rural particularity, rural woman will be sent away without anything

when getting divorced. In rural areas, a man builds a house before marriage and the woman lives in it after marriage. The house property of base use card replaces the house proprietary certificate. The registration name on the card is always the man's name. It means the house is irrelevant to the woman. In addition, rural women are mainly engaged in the aquaculture industry. Although rural women make a big contribution to the family property, they get nothing when getting divorced. It is unfair to rural women. (*People's Daily*, March 13, 2014)

The report emphasizes that rural woman's disadvantaged status is much more serious because of rural particularity. In rural areas, men build a house before marriage and women live in it after marriage. The house property of base card replaces the house proprietary certificate. The registration name on the card is always the man's name. Home buyers looking to secure loans for their purchases do not exist. Married daughters lose the right of inheritance to their parents' home and buy furnishings when getting married. As consumer goods, furnishings fully depreciate during the marriage. The rural divorce rate is lower than the city divorce rate and rural people usually select an uncontested divorce. When getting divorced, the house belongs to the man. Women have no right to obtain the house property right in their husband's home and get nothing or only a small amount of compensation (*Xinhua Net*, Aug. 22, 2011). As a further specification of the law, the judicial interpretation should maintain neutrality because it plays a potential role in guiding public perceptions (Yu Xiaoqi, 2011). However, the Third Judicial Interpretation of Chinese Marriage Law doesn't involve itself with problems in dealing with house property in rural areas and ignores rural particularity.

In order to solve the problem of ignoring rural particularity, a news report in *Xinhua Net* states that:

In terms of special protection for rural woman, we think the Third Judicial Interpretation of Chinese Marriage Law makes stipulations to

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solve urgent problems. It doesn't get involved with the problems of dealing with house properties in rural areas. One judicial interpretation cannot solve all social problems. In rural areas, people build houses in the rural residence base. There are no home buyers who seek secure loans for a house purchase. If rural people get divorced, the house property will be handled according to the Marriage Law. (*Xinhua*, July 12, 2011)

The report indicates that one judicial interpretation cannot solve all social problems. Laws applicable to deal with marital disputes are more than the Third Interpretation Judicial of Chinese Marriage Law. They also include other laws (*Xinhua Net*, 2011). Property division could be handled according to the Marriage Law when getting divorced.

For the second point, it is easy to forget rural woman's rights because gender consciousness hasn't entered mainstream judicial practice. A news report in *People's Daily* states that:

On the basis of investigating the rural situation, some divorced women without shelter are usually provided with temporary accommodations by men. However, many judges don't protect disadvantaged woman's rights according to the principle of ancillary relief in the Marriage Law. Especially in rural areas, they tend to protect local men's benefits. Women are married with local men and leave without anything when getting divorced. In addition, "at the time of divorce, the husband and the wife shall seek an agreement regarding the disposition of their jointly possessed property. If they fail to reach an agreement, the People's Court shall make a judgment on the basis of the actual circumstances of the property and on the principle of taking into consideration the rights and interests of the child and wife. However, judges don't protect woman's benefits when dividing property in case of divorce in actual judicial practice. Therefore, gender consciousness doesn't exist in mainstream judicial practice in general. (*People's Daily*, Feb. 24, 2011)

Gender mainstreaming is a public policy concept of assessing the different implications for women and men of any planned policy action, including legislation and programs, in all areas and levels. But at the same time, it is also a strategy for making women's as well as men's concerns and experiences an integral dimension of the design, implementation, monitoring and evaluation of policies and programs in all political, economic and societal spheres so that women and men benefit equally and inequality is not perpetuated (United Nations [UN], 1997). Gender mainstreaming tries to ascertain a gender equality perspective across all policy areas (True, 2010). Judicial practice can be seen as one of the policy areas of gender mainstreaming. The above news report shows many judges don't protect disadvantaged woman's rights according to the principle of ancillary relief in the Marriage Law. Especially in rural areas, judges don't protect women's interests when dividing property in case of divorce and tend to protect local men's interests. It means that judicial practice doesn't achieve gender mainstreaming.

Through reviewing these news reports, I find some difficulties rural women face: firstly, it is easy for rural women to lose the right of house property. At present, rural areas establish the household contract responsibility system. The house property right and land-contract administration right are dominated by man. Men get the right to reform cultivation and then obtain interests. Married women always lose the right of inheritance in their parents' home and, at the same time, have no right to obtain property right in their husband's home. As a result, women get nothing or obtain only a small amount of compensation when getting divorced. Secondly, it is hard for rural women to gain legal protection. In judicial practice, many judges don't protect rural woman's rights according to the principle of ancillary relief in the Marriage Law. However, laws applicable to marital disputes include other laws besides the Third Interpretation Judicial of Chinese Marriage Law, such as the First and Second Interpretation Judicial of Chinese Marriage Law and the Marriage

Law. It is possible to solve marriage disputes in rural areas through other laws.

## **5.2 Analysis of gender equality issues based on various types of feminist thought**

In this section, I analyze gender equality issues based on various types of feminist thought. Gender equality issues in *Xinhua Net* and *People's Daily's* news reports about the Third Judicial Interpretation of Chinese Marriage Law include three aspects: gender equality in property rights, gender equality in reproductive rights, and neglect of rural woman's rights. I find that these three aspects have a potential relationship with liberal feminism, radical feminism, and multi-cultural feminism.

### **(1) Analysis of news reports about property rights in the Third Judicial Interpretation of Chinese Marriage Law from a liberal feminist perspective**

In this part, I analyze news reports about property rights in the Third Judicial Interpretation of Chinese Marriage Law from a liberal feminist perspective. *People's Daily* and *Xinhua Net's* news reports discuss whether property rights in the Third Judicial Interpretation of Chinese Marriage Law are equal for woman and man. From the perspective of liberal feminism, it is an issue of "gender-equal treatment or gender-different treatment."

According to an early vision of liberal feminism, the subjection of women is not because of their deficient abilities, but because they are excluded by social custom and legal restrictions. It makes it hard for women to enter public areas to achieve success. If women enjoy the same educational opportunities and legal rights as men, women's potential abilities will be maximized. Therefore, in order to realize gender equality, liberal feminism's

original understanding is that woman and man should be all the same (Tong, 1998).

Some news reports in *People's Daily* and *Xinhua Net* argue that property rights in the Third Judicial Interpretation of Chinese Marriage are equal for men and women. For example, one *People's Daily* article (Aug. 30, 2011) emphasizes that the percentages of men and women who are born into a wealthy family are almost the same. It is possible for women to have a good economic condition and buy houses by themselves. This is because more and more women are getting higher levels of education and enjoying employment opportunities equal to those of men in China. It is reasonable that the rules of law about property rights in the Third Judicial Interpretation of Chinese Marriage Law emphasize protecting individual property according to the Property Law. Therefore, early liberal feminism would say there exists little gender inequality in the Third Judicial Interpretation of Chinese Marriage Law. This argument believes that man and woman are equal before law and have the same rights and obligations.

Afterwards, liberal feminism had a further development: there is no need for woman to transform herself into a man by denying gender difference. If femininity is valued as much as masculinity, men and women will be equal. This newer type of liberal feminism respects the difference between men and women. It is a big step towards rethinking gender equality (Tong, 1998).

Some news reports in *People's Daily* and *Xinhua Net* hold arguments that property rights in the Third Judicial Interpretation of Chinese Marriage Law do not treat men and women equally. For example, according to *Xinhua Net* (Aug. 30, 2011), the Third Judicial Interpretation of Chinese Marriage Law is not fair to women because women and men play different roles in the family based on the gendered division of labor and the main role of women is taking care of their husbands and children. In addition, Chinese traditional custom further exacerbates the gap between men and women. According to *People's Daily* (Sept. 2, 2011), there are two kinds of Chinese marriage

traditional customs. One kind is where the man buys the house and the woman's income is used for other family expenditures. The other kind is where a man provides the house and the woman furnishes it. In both cases, the registration name on the house property certificate is always the husband's name. After marriage, both men and women are responsible for loan repayment. However, the ownership of the house property belongs to the man when if they get divorced. Under this background of traditional marriage custom, the Third Judicial Interpretation of Chinese Marriage Law will bring about gender inequality. This is also caused by the gendered division of labor.

As above, although the Third Judicial Interpretation of Chinese Marriage Law gives equal treatment to men and women, it leads to unequal results. This is because of the social difference between men and women. Thus we can conclude that this argument in *People's Daily* and *Xinhua Net* is of the same opinion as new liberal feminism.

## **(2) Analysis of news reports about reproductive rights in the Third Judicial Interpretation of Chinese Marriage Law from a radical feminist perspective**

In this part, I analyze news reports about reproductive rights in the Third Judicial Interpretation of Chinese Marriage Law from a radical feminist perspective.

Radical feminism includes liberal radical feminism and cultural radical feminism. Both liberal radical feminism and cultural radical feminism believe the root of woman's oppression is the sex/gender system. Liberal radical feminism thinks femininity and women's reproductive role and reproductive responsibilities should be relinquished because they restrict the development of women as human beings. If women don't give birth to children, they will have more time and energy to participate in social reproduction. Only if women get rid of reproduction restriction can they gain their freedom. In

contrast, cultural radical feminism thinks gaining control of reproduction is an important step towards women's liberation. Men do not experience reproduction in the same way. In order to maintain the patriarchal system, men always control women's reproduction rights in all ways, such as through birth technology. Therefore, controlling reproductive rights is a key point for liberating woman (Tong, 1998).

*People's Daily* and *Xinhua Net's* news reports make then argument that the Third Judicial Interpretation of Chinese Marriage Law prioritizes the protection of women's rights. They support this argument by claiming that reproduction is a disadvantage to women. For example, according to *People's Daily* (Mar. 14, 2012), a wife has a stronger voice in the decision to terminate a pregnancy because she makes a bigger contribution to reproduction than her husband during the 10 months of pregnancy. Women take on much more risk and experience greater hardship during pregnancy. In addition, men have the initiative in their hands because they control the most important social resources and have greater physical strength. Strengthening men's reproductive rights will hurt women (*People's Daily*, Feb. 24, 2011).

But *People's Daily* and *Xinhua Net's* news reports don't advise women to give up their reproductive role and reproductive responsibilities. They suggest protecting women's reproductive rights by law. In this way, women have more control over their bodies and decision-making power regarding reproduction.

Above all, I can find *People's Daily* and *Xinhua Net* as central news media agree with cultural radical feminism's opinion that reproduction is a representative form of feminine oppression. However, according to liberal radical feminism's viewpoint that controlling the reproductive resource is a key point of liberating women, news reports in *People's Daily* and *Xinhua Net* suggest protecting woman's reproductive rights by law.

**(3) Analysis of news reports about neglect of rural woman's rights in the Third Judicial Interpretation of Chinese Marriage Law from a multi-cultural feminist perspective**

In this part, I analyze news reports about property rights in the Third Judicial Interpretation of Chinese Marriage Law from a multi-cultural feminist perspective.

The basic view of multi-cultural feminism is that each person has multiple identities, based on his or her culture, class, nationality, gender identity, age, religious belief, educational level, occupation, marital status, health, and other aspects. Therefore, multi-cultural feminism recognizes that, due to these factors, there are differences between women and every individual woman experiences a different oppression. Different individuals should be treated equally. How to unite all groups of women while recognizing individual diversity is a challenge faced by multi-cultural feminism (Tong, 1998).

Some news reports in *People's Daily* and *Xinhua Net* emphasize the neglect of rural women's rights in the Third Judicial Interpretation of Chinese Marriage Law. Rural women and urban women have some common female characteristics. But at the same time, there are differences between rural women and urban women. For example, according to *People's Daily* (Mar. 13, 2014), rural women's disadvantaged status is much more serious because of rural particularity. In rural area, a man builds a house before marriage and the woman lives there after marriage. The house property of base use card replaces the house proprietary certificate. The registration name on the card is always the man's name. This means that the woman has no claim to the house. In addition, rural women are mainly engaged in the aquaculture industry. Although rural women make a big contribution to family property, they get nothing when getting divorced. They are treated unfairly. However, the Third Judicial Interpretation of Chinese Marriage Law doesn't recognize these differences between rural women and urban women. Essentially, it ignores internal differences between women.

### **5.3 News classification in the media beyond the gendered dichotomy between soft news and hard news**

In this section, I examine how *People's Daily* and *Xinhua Net* classify news reports about the Third Judicial Interpretation of Chinese Marriage Law into content categories. On the basis of the definition of hard news and soft news in news classification that I discuss in the first section, I analyze the classification of the news reports and find whether it breaks the usual gendered dichotomy between hard news and soft news.

#### **(1) The dichotomy between hard news and soft news in news classification**

Before doing content analysis on the classification of news reports on the Third Judicial Interpretation of Chinese Marriage Law, there is a need to answer a question: what is news classification? "Categorization," also known as "classification," is 'the process in which ideas and objects are recognized, differentiated, and understood' ("Categorization," n.d.). In general, people choose to read news reports after checking an article's title. News classification makes this process much more convenient. It is useful for better understanding news reports' characteristics. In consideration of news classification's significance, I have chosen to analyze the classification of news reports about the Third Judicial Interpretation of Chinese Marriage Law in *People's Daily* and *Xinhua Net*.

In order to gauge the gender sensitivity in *People's Daily* and *Xinhua Net*, there is a need to do further research regarding horizontal segregation where there are gendered divisions of tasks associated with reporting. News reports could be divided into hard news and soft news. According to North (2014), "hard news has been variously defined as consisting of 'factual presentations of events deemed newsworthy,' usually centering on 'serious stories about important topics' including politics, economics, major crime/accidents and

public interest matters, and demands immediate publication. Its binary, ‘soft news’ does not require immediate publication because it does not have ‘informational value’ and is centered on features or human-interest stories, unusual events, and trends, personalities or lifestyle. Soft news entertains and may evoke emotions that make ‘readers laugh or cry, love or hate, envy or pity.’” Therefore, hard news is defined as “reports about politics, public administration, the economy, science, technology and related topics.” Soft news is defined as “reports about celebrities, human interest, sport and other entertainment-centered stories” (Reinemann, Stanyer, Scherr, & Legnante, 2012).

The dichotomy between hard news and soft news is gendered. Hard news is considered to be of high quality with features that are serious, factual, important and urgent, and is tied to masculinity. Conversely, soft news is considered not serious, non-factual. It does not evoke any urgency and is tied to femininity (Krijnen & Bauwel, 2015).

Based on this understanding of the gendered dichotomy between soft news and hard news, I analyze the classification of news reports about the Third Judicial Interpretation of Chinese Marriage Law in *People’s Daily* and *Xinhua Net*. Then I find whether the classification follows the principle of the gendered dichotomy between hard news and soft news.

## **(2) News classification in *People’s Daily* and *Xinhua Net*: the gendered dichotomy**

Categories of news reports in *Xinhua Net* and *People’s Daily* include hard news and soft news. *People’s Daily* and *Xinhua Net*’s news reports about the Third Judicial Interpretation of Chinese Marriage Law are classified as hard news. Although some news reports concentrate on individual feelings, which are seen as feminine attributes, they are still classified as hard news, reflecting the attributes of masculinity. Therefore, categories of news reports on the Third Judicial Interpretation of Chinese Marriage Law in *Xinhua Net*

and *People's Daily* break the gendered nature of the dichotomy between hard news and soft news.

News reports in *People's Daily* and *Xinhua Net* are divided into different news categories according to news contents. These categories are summarized in Table 5. News categories in *Xinhua Net* include current policy (which has subcategories such as region and policy), world (military, interviews), business (automobiles, real estate), forum (sike, online comment), entertainment (fashion, sports), informatization (material, data), “high-rise” (human resource, theory), Hong Kong and Macao (Taiwan, ethnic Chinese), education (technology, energy), photo (video, the lottery), food (tourism, health), and “new era” (public wealth, public opinion). News categories in *People's Daily* include “roll” (current policy, society, rule of law, TV), region (leadership, travel, human resources), business (finance, stock, energy), central enterprise (environmental protection, public benefits, the lottery), opinion (theory, media, public opinion, interviews), world (Taiwan, Hong Kong and Macao, the military), automobile (IT, communication, household appliances), housing property (food, health, fashion), culture (reading, sports, game, hong mu, chess, cards).

Through analyzing *People's Daily* and *Xinhua Net's* news reports about the Third Judicial Interpretation of Chinese Marriage Law, I find that *Xinhua Net's* news reports are placed into the following categories: current policy, region, politics, and photo. *People's Daily's* news reports about the Third Judicial Interpretation of Chinese Marriage Law are placed into the following categories: current policy, society, rule of law, religion, business, education, opinion, theory, media, and housing property. These categories involve “politics, economics, major crime/accidents, and public interest matters” (Reinemann, Stanyer, Scherr, & Legnante, 2012). I can find these news reports belong to hard news which consist of “factual presentations of events deemed newsworthy” and center on “serious stories about important topics” (Reinemann, Stanyer, Scherr, & Legnante, 2012).

When a news report is mainly about property division, it is always placed

## 5. Gender equality issues in the media

into the business column. For example, “some rules of law in the Third Judicial Interpretation of Chinese Marriage Law have a bad effect so it may be necessary to revise the judicial interpretation... In this proposal, she listed Articles 5, 7 and 10 and explained the unfavorable consequences of the rules. Then she suggested the Supreme Judicial Court provide guidance for safety directions and deal with cases as soon as possible” (*People’s Daily*, Mar. 11, 2012). This news report mainly discusses how the Third Judicial Interpretation of Chinese Marriage Law resulted in a boom in adding names to property ownership certificate and a debate about protecting marriage along with the emergence of name-adding taxes. In keeping with the article’s content, its title is “Boom in Adding Names to Property Ownership Certificate Aroused by New Judicial Interpretation of Marriage Law.”

When news report is mainly about divorce, it is always sorted into the rule of law column. In one news report on *Xinhua Net*, experts discuss how to deal with violations of marital property. For example, “the People’s Court in Beijing’s Fengtai district has settled a case recently. The plaintiff and defendant are husband and wife. The husband wants to get divorced and his wife’s name is not on their house property certificate... However, in the process of enacting the new judicial interpretation, experts are starting to suggest revising it. (*Xinhua Net*, November 8, 2011) This news report appeared in the rule of law column in *Xinhua Net*.

Even news reports that focus on interviewing common people are still classified as hard news. For example, a news report in *Xinhua Net* states that:

Miss Wang will get married in September. A new house was paid for by her boyfriend. She claimed she doesn’t worry about house property rights when getting divorced. She said that she has a good job and there is no need to worry about a little money. In addition, the purpose of getting married is not for the later division of properties. The most important thing in marriage is to enjoy every day and manage the family’s relationship well.

## Gender Sensitivity in Chinese Mainstream Media

Susu as a white-collar employee over the age of thirty has refused several blind dates set up by her parents and still looks for a male partner with a good intellect. She has standards for a potential spouse such as someone with a good education, a promising job, and a strong sense of responsibility. A demand that the man's family should provide her with a house, however, is an outdated view. She wants a man who will work hard together with her in order to make a new life.

Xiao Li, a junior college student in Hexi, said she has participated in social recruitment. She felt afraid of hard work when entering the society. However, after reviewing the contents of the Third Judicial Interpretation of Chinese Marriage Law, she changed her mind. She now thinks it is better to work hard than to face a future without security, because each person's fate is controlled by himself or herself. (*Xinhua Net*, Aug. 18, 2011)

In the above news reports, different kinds of women express their views about the Third Judicial Interpretation of Chinese Marriage Law based on their individual experiences. Descriptions such as "Miss Wang will get married in September," "Susu as a white-collar employee over the age of thirty," and "Xiao Li, a junior college student in Hexi" introduce women's personal identities. Miss Wang claimed that she doesn't worry about the possible problem of house property rights in a divorce. She said that she has a good job and there is no need to worry about a little money. Susu has refused several blind dates set up by her parents and still looks for a potential partner with a good intellect. Xiao Li has participated in social recruitment. She used to feel afraid of hard work when entering the society. These descriptions in news report focus on women's individual experiences. Based on their personal experiences, female characters in news report express their opinions. Miss Wang thinks the most important thing in marriage is to enjoy every day and manage the family's relationship well. From Susu's perspective, the demand that a man's family should provide a woman with a house is outdated. From Xiao Li's perspective, it is better to

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work hard than to face an insecure future.

The news reports above are centered on features or human-interest stories, unusual events, and trends, personalities, or lifestyle, and are connected with emotions (and emotions are typically seen as feminine attributes) (North, 2014). According to the gendered nature of the dichotomy between hard news and soft news, this news report should be classified into categories of soft news because it is tied to femininity. However, it is still classified into rules of law column as one category of hard news in *Xinhua Net*. Therefore, I can find categories of news reports on the Third Judicial Interpretation of Chinese Marriage Law in *Xinhua Net* and *People's Daily* break the gendered nature of the dichotomy between soft news and hard news.

**Table 5. Categories of news reports in *Xinhua Net* and *People's Daily***

News Media	Categories and Subcategories
<i>Xinhua Net</i>	Current Police: Region, Police; World: Military, Interview; Business: Automobile, Housing property ; Forum: Sike, Online comment; Entertainment: Fashion, Sports Informatization: Material, Data High-rise: Human Resource, Theory Hong Kong and Macao: Taiwan, Ethnic Chinese Education: Technology, Energy Photo: Video, Lottery Food: Tourism, Health New Age: Public Wealth, Public Opinion
<i>People's Daily</i>	Roll: Current Police, Society, Rule of Law, TV Region: Leadership, Travel, Human Resource Business: Finical, Stock, Energy

	<p>Central Enterprise: Environmental Protection, Public Benefit, Lottery</p> <p>Education: Technology, History, Collection, Photo, Entertainment</p> <p>Opinion: Theory, Media, Public Opinion, Interview</p> <p>World: Taiwan, Hong Kong and Macao, Military</p> <p>Automobile : IT, Communication, Household Appliance</p> <p>Housing Property: Food, Health, Fashion</p> <p>Culture: Reading, Sports, Game, Hong mu, Chess and Card</p>
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## 5.4 Discussions

In this chapter, in order to gauge gender sensitivity in *People's Daily* and *Xinhua Net*, I examined how the media have reported on gender equality issues in the Third Judicial Interpretation of Chinese Marriage Law. The research contents were divided into three parts: 1) gender equality in property rights, 2) gender equality in reproductive rights, and 3) neglect of rural woman's rights. The results can be summarized as follows.

In terms of the rules of law about property rights in the Third Judicial Interpretation of Chinese Marriage Law, *People's Daily* and *Xinhua Net's* news reports debate whether property rights treat men and women equally or not. The news reports that argue that they do give the following reasons: first, the legal idea of protecting women's rights is consistent and systematic throughout Chinese law; second, women now have the same employment opportunities and incomes as men since women's educational attainment has been rising; third, people lack the professional legal knowledge and thus always misunderstand the law itself and legal operation in practice. The viewpoints of those who believe the interpretation does not treat men and women equally might be briefly summed up as follows. First, women and men play different roles in the family based on the gendered division of

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labor. Second, the Third Judicial Interpretation of Chinese Marriage Law is in conflict with traditional conventions. Third, social problems caused by the interpretation will lead to gender inequality.

As for reproductive rights in the Third Judicial Interpretation of Chinese Marriage Law, *People's Daily* and *Xinhua Net's* news reports mainly focus on two aspects. On the one hand, some of the reports suggest that the interpretation prioritizes the protection of women's reproductive rights. First, women make a big contribution to reproduction. Second, increasing men's reproductive rights will hurt women. Third, the spirit of protecting woman's reproductive rights in the Third Judicial Interpretation of Chinese Marriage Law is consistent with other relevant laws. On the other hand, some news reports in *Xinhua Net* and *People's Daily* emphasize the respect for men's reproductive rights in the Third Judicial Interpretation of Chinese Marriage Law. First, a wife's choice of abortion doesn't infringe upon her husband's reproductive rights. A husband can file for divorce if it is hard to reach an agreement on the issue of reproduction. Second, considering social stability and respect for reproductive rights, the court should give men and women the opportunity to divorce.

In terms of neglect of rural women's rights in the Third Judicial Interpretation of Chinese Marriage Law, *People's Daily* and *Xinhua Net's* News reports mainly focus on two aspects. On the one hand, the disadvantaged status of rural women is much more serious than that of city women because of some particularities of rural areas. It is easy for rural women to lose their right to house properties. At present, rural areas carry out the household contract responsibility system. The house property rights and land-contract administration rights are dominated by men. Men get the right to reform cultivation and then obtain interests. Married women always lose the right to inherit their parent's home and have no right to obtain property rights for husband's home at the same time. They only obtain some economic compensation when getting divorced. On the other hand, it is easy to forget rural woman's benefits because gender consciousness

doesn't exist in mainstream judicial practice. In judicial practice, many judges don't protect disadvantaged women's rights as they should according to the principle of ancillary relief in the Marriage Law.

In addition to the content analysis of *People's Daily* and *Xinhua Net's* news reports about gender equality issues, I also analyzed gender equality issues with reference to various types of feminist thought. Then I found the relationship between gender equality issues in the media and feminist theorizing. They are summarized in Table 4.

**Table 4. Analysis of gender equality issues based on feminist thought**

<b>Gender equality issues in the media</b>	<b>Issues in feminism</b>	<b>Types of feminism</b>
Gender equality in property rights	Gender-equal treatment or gender-divided treatment?	Liberal feminism
Gender equality in reproductive rights	Is reproduction good or bad for woman?	Radical feminism
Neglect of rural woman's rights	Internal differences of women	Multi-cultural feminism

As shown, the discussion about whether property rights in the Third Judicial Interpretation of Chinese Marriage Law treat women and men equally has a relationship with an issue of gender-equal treatment or gender-divided treatment in liberal feminism. Reproductive rights in the Third Judicial Interpretation of Chinese Marriage Law have a close relationship with radical feminism in both its liberal and cultural forms. *People's Daily* and *Xinhua Net* agree with cultural radical feminism's opinion that reproduction is a representative form of feminine oppression. However, in accordance with liberal radical feminism's view that controlling the reproductive resource is a key point of liberating women, news reports also suggest protecting women's reproductive rights by law. Neglect of rural

## 5. Gender equality issues in the media

women's rights in the Third Judicial Interpretation of Chinese Marriage Law has a relationship with internal diversities of women in multi-cultural feminism. Therefore, I find that although *People's Daily* and *Xinhua Net's* news reports have no direct connection to feminist thought, they have potential relationships with liberal, radical, and multi-cultural feminism.

At the end, based on the understanding of "soft news" and "hard news" as gendered categories, I also examined how *People's Daily* and *Xinhua Net* classify news reports about the Third Judicial Interpretation of Chinese Marriage Law into content categories. The research results are as follows,

First, news reports about the Third Judicial Interpretation of Chinese Marriage Law in *Xinhua Net* are placed into the following categories: current policy, region, politics, and photo. News reports about the Third Judicial Interpretation of Chinese Marriage Law in *People's Daily* appear in the following categories: current policy, society, rule of law, religion, business, education, opinion, theory, media, and housing property. These categories involve fields of politics, law, economics, and culture. We can conclude that *People's Daily* and *Xinhua Net's* news reports about the Third Judicial Interpretation of Chinese Marriage Law are classified as hard news.

Second, although *People's Daily* and *Xinhua Net's* news reports about the Third Judicial Interpretation of Chinese Marriage Law concentrate on individual feelings, which entertain and may evoke emotions, they are still placed in the category of hard news. Therefore, categories of news reports on the Third Judicial Interpretation of Chinese Marriage Law in *Xinhua Net* and *People's Daily* break the usual gendered dichotomy between hard news and soft news.

## 6. Conclusions

In this chapter, I focus on the answers to my three research questions and summarize the results of this study.

My first research question was, “How have the media represented gender portrayal?” Gender portrayal is “the representation of gender roles, behavior and characteristics” (UNESCO, 2012). It is related to gender stereotypes, which are socially constructed beliefs about men and women that are represented as femininity and masculinity. In order to answer this question, I chose men’s and women’s roles, role behaviors, and characteristics as the units of content and coded the content. My research findings are as follows.

First, the portrayals of women and men in *People’s Daily* and *Xinhua Net’s* news reports about the Third Judicial Interpretation of Chinese Marriage Law have a close relationship with femininity and masculinity. In news reports, women’s roles, such as a housewife, a divorced woman, a disabled woman, a rural woman, and a mistress, locate them as vulnerable. The personality characteristics of women in news reports also have a close relationship with femininity. The role behaviors of woman in news reports emphasize their disadvantaged status and that their activities are limited to the private sphere in the gendered division of labor. These portrayals serve to deepen traditional gender stereotypes. Men’s roles represent their dominant position and privileged status in society. Men’s personality characteristics represent their powerful image but also their negative qualities. Men’s role behaviors are closely related to housing problems and men’s relationships with women. Men occupy a dominant position in both. House property rights are mainly controlled by men and men have more unequal active rights in their relationships with women. If men lose their dominant position and break gender stereotypes in patriarchal society, they will suffer from social discrimination.

Second, gender stereotypes exist in *People's Daily* and *Xinhua Net's* news reports about the Third Judicial Interpretation of Chinese Marriage Law. Out of 136 *Xinhua Net* and 111 *People's Daily* reports, the number with gender stereotypes is 173, accounting for 70 percent of all news reports. Among these news reports, the number of news reports with feminine stereotypes is 140, or 56.7 percent, and the number with masculine stereotypes is 161, or 64.7 percent. From these results, we see that gender stereotypes exist in *People's Daily* and *Xinhua Net's* news reports about the Third Judicial Interpretation of Chinese Marriage Law.

Third, news reports in *People's Daily* and *Xinhua Net's* news reports about the interpretation urge women to change rather than men. News reports require women to adapt to changes brought by the Third Judicial Interpretation of Chinese Marriage Law by changing themselves. However, they do not pressure men to change their behaviors. This will further aggravate the inequality between men and women.

My second research question was, "How have the media reported gender equality issues about the Third Judicial Interpretation of Chinese Marriage Law?" Gender equality issues are defined as "stories about specific cases of equality or inequality between women and men, relevant policies, legislative issues, programs designed to protect and promote human rights, women rights and gender equality" (UNESCO, 2012). According to previous literature and the contents of the Third Judicial Interpretation of Chinese Marriage Law, I summarize three aspects of gender equality in the interpretation: gender equality in property rights, gender equality in reproductive rights, and neglect of rural women's rights. The research findings are as follows.

First, in terms of rules of law about property rights in the Third Judicial Interpretation of Chinese Marriage Law, *People's Daily* and *Xinhua Net's* news reports debate whether property rights treat men and women equally or not. *People's Daily* and *Xinhua Net's* news reports which argue that they are treated equally give the following reasons. First, the legal idea of

protecting women's rights is consistent and systematic in Chinese law. Second, it is possible for women to have the same employment opportunities and equal income as men, as women's educational attainment has been rising. Third, people lack professional legal knowledge. They always misunderstand both the law itself and legal operation in practice. The viewpoints of those who believe the law does not treat men and women equally might be briefly summed up as follows. First, women and men play a different role in the family based on the gendered division of labor. Second, the Third Judicial Interpretation of Chinese Marriage Law is in conflict with traditional conventions. Third, social problems caused by the Third Judicial Interpretation of Chinese Marriage Law will lead to gender inequality.

Second, in terms of content about reproductive rights in the Third Judicial Interpretation of Chinese Marriage Law, *People's Daily* and *Xinhua Net's* news reports mainly focus on two aspects. On the one hand, some reports suggest the interpretation prioritize the protection of women's reproductive rights. First, women make a big contribution to reproduction. Second, exaggerating men's reproductive rights will hurt women. Third, the spirit of protection for women's reproductive rights in the Third Judicial Interpretation of Chinese Marriage Law is consistent with relevant other laws. On the other hand, some news reports in *Xinhua Net* and *People's Daily* emphasize respect for man's reproductive rights in the Third Judicial Interpretation of Chinese Marriage Law. First, a wife's choice of abortion doesn't infringe upon her husband's reproductive rights. Husbands can file for divorce if it is hard to reach an agreement on the issue of reproduction. Second, considering social stability and respect for reproductive rights, the court should give men and women an opportunity to divorce, if they wish.

Third, in terms of neglect of rural women's rights in the Third Judicial Interpretation of Chinese Marriage Law, *People's Daily* and *Xinhua Net's* news reports mainly focus on two aspects. On the one hand, the disadvantaged status of rural women is much more serious than that of city

women because of the particularity of rural areas. It is easy for rural women to lose their right to house property. At present, rural areas use the household contract responsibility system. The house property rights and land-contract administration rights are dominated by men. Men get the right to reform cultivation and then obtain interests. Married women always lose their right to inherit their parents' home and yet have no right to obtain property rights to their husband's home. Women only obtain some economic compensation when getting divorced. On the other hand, it is easy to forget rural women because gender consciousness doesn't exist in mainstream judicial practice. In judicial practice, many judges don't protect disadvantaged woman's rights as they should according to the principle of ancillary relief in the Marriage Law.

Through analyzing how *People's Daily* and *Xinhua Net* represent gender equity issues in the Third Judicial Interpretation of Chinese Marriage Law, I summarized the relationship between gender equality issues in the media and feminist thought. The discussion about whether property rights in the Third Judicial Interpretation of Chinese Marriage Law are equal for women and men is similar to the issue of gender-equal treatment or gender-based treatment in liberal feminism. Reproductive rights in the interpretation have a close relationship with radical feminism in both its liberal and cultural forms. *People's Daily* and *Xinhua Net* agree with cultural radical feminism's opinion that reproduction is a representative form of feminine oppression. However, in accord with liberal radical feminism's view that controlling the reproductive resource is a key point of liberating woman, news reports suggest protecting women's reproductive rights by law. The disregard for rural women's rights in the Third Judicial Interpretation of Chinese Marriage Law has a relationship with the internal diversities of women emphasized by multi-cultural feminism. Therefore, I find that although *People's Daily* and *Xinhua Net's* news reports have no direct connection to feminist thought, they have a potential relationship with liberal feminism, radical feminism, and multi-cultural feminism.

With the third research question, I asked, “How have the media classified news reports about the law?” Traditionally, news reports are divided into hard news and soft news. Hard news consists of “factual presentations of events deemed newsworthy,” usually centering on “serious stories about important topics including politics, major crime/accidents and public interest matters, and demands immediate publication. But soft news “does not require immediate publication because it does not have ‘informational value’ and is centered on features or human-interest stories, unusual events and trends, personalities or lifestyle” (North, 2014). Based on this understanding of soft news and hard news, research findings in this part are as follows.

First, news reports about the Third Judicial Interpretation of Chinese Marriage Law in *Xinhua Net* are placed in the following categories: current policy, region, politics, and photo. News reports about the interpretation of Chinese Marriage Law in *People’s Daily* appear in the following categories: current policy, society, rule of law, religion, business, education, opinion, theory, media, and housing property. These categories involve the fields of politics, law, economics, and culture. Therefore, *People’s Daily* and *Xinhua Net’s* news reports about the Third Judicial Interpretation of Chinese Marriage Law are classified as hard news.

Second, although *People’s Daily* and *Xinhua Net’s* news reports about the interpretation concentrate on individual feelings, which entertain and may evoke emotions, they are still placed in the category of hard news. According to the gendered dichotomy between hard news and soft news, these news reports should be classified as soft news because they are tied to femininity. However, they are still classified as hard news in *People’s Daily* and *Xinhua Net*. Therefore, categories of news reports on the Third Judicial Interpretation of Chinese Marriage Law in *Xinhua Net* and *People’s Daily* break the usual gendered dichotomy between soft news and hard news.

According to the answers to the three research questions, I can gauge the gender sensitivity in *People’s Daily* and *Xinhua Net*. By definition,

gender-sensitivity means “commitment to recognizing male-female social inequalities, in order to redress these through addressing women’s needs and priorities, and to analyze programs and projects for the differential impacts that they have on women and men” (UNESCO, 2012). Through an analysis of the findings, gender portrayal in *People’s Daily* and *Xinhua Net*’s news reports about the Third Judicial Interpretation of Chinese Marriage Law has a close relationship with gender stereotypes. *People’s Daily* and *Xinhua Net*’s news reports show awareness of gender equality issues related to the Third Judicial Interpretation of Chinese Marriage Law and expand the discussion to include gender equality in property rights, gender equality in reproductive rights, and neglect of rural women’s rights. These three gender equality issues in the interpretation have a potential relationship with liberal feminism, radical feminism, and multi-cultural feminism. In addition, the categorization of news reports on the Third Judicial Interpretation of Chinese Marriage Law in *Xinhua Net* and *People’s Daily* break the usual gendered dichotomy between hard news and soft news. To a certain extent, *People’s Daily* and *Xinhua Net* demonstrate gender sensitivity.

In my research, I analyzed *People’s Daily* and *Xinhua Net*’s news reports about the Third Judicial Interpretation of Chinese Marriage Law. The three research questions I addressed were, “How have the media represented gender portrayal?” “How have the media reported gender equality issues about the Third Judicial Interpretation of Chinese Marriage Law?” and “How have the media classified news reports about the law?” These questions focus on gender portrayal in editorial content of news media, gender equality in editorial content of news media and gender awareness across editorial content of news and current affairs media, which are three critical areas of concern in Category B of UNESCO’s “Gender-Sensitive Indicators for Media.”

For further research, in order to gauge gender sensitivity in mainstream media, a research could analyze other critical areas of concern discussed in “Gender-Sensitive Indicators for Media.” The GSIM are “divided into two

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interrelated rather than discrete categories, each addressing the main axes of gender and media: Category A- Actions to foster gender equality within media organizations and Category B – Gender portrayal in media content (UNESCO, 2012).” Critical areas of concern in Category A include “decision-making levels in media managements,” “working conditions,” “institutional commitment to gender sensitive practice in media houses/organizations in relation to content output,” “education and training,” and “gender equality among media professionals and self-regulatory bodies”. Therefore, further research could focus on these critical areas of concern.

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[국문초록]

## 중국 주류 미디어에서의 젠더 성인지: 중국결혼법의 3번째 사법해석 이슈에 대한 인민일보와 신화왕 분석

탕치

서울대학교 협동과정 여성학 전공

젠더 평등과 미디어는 전세계의 관심을 받은 중요한 이슈이다. 본 연구는 중국 주류 미디어에서의 젠더에 대한 연구이다. 이 연구를 위해 인민일보와 신화왕을 중국 주류 미디어의 대표 사례들로 선택했고 2010년 11월15일부터 2015년 9월1일까지 중국결혼법의 세 번째 사법해석 이슈에 대한 보도를 분석했다. UNESCO제시한 미디어에 대한 젠더 지표에 의해 본 연구는 두 부분으로 나뉘어지는데 미디어에서 젠더 이미지와 젠더 평등 이슈이다.

미디어에서의 젠더 이미지를 다루는 부분에서는 남자와 여자의 역할, 행위와 성격을 중심으로 중국결혼법의 세 번째 사법해석 이슈에 대한 인민일보와 신화왕의 보도들을 분석했다. 그 다음으로 분석 결과를 여성성과 남성성에 대한 고정관념과 비교했다. 그리고 미디어에 대한 젠더 성인지 지표를 통해 젠더 이미지를 비교 연구했다. 그 결과는 미디어 보도에서 남자와 여자의 이미지는 여성성과 남성성과 긴밀한 관계가 있고 젠더에 대한 고정관념이 존재한다는 사실을 확인했다. 그리고 보도들은 남자 아니라 여자를 바꾸려고 한 것을 의도적으로 살펴볼 수 있었다.

젠더 평등 이슈에 대한 부분은 세 부분으로 나뉘는데 첫째 젠더 평등 이슈에 대한 보도, 둘째 여성주의 사상으로 젠더 평등 이슈에 대한 분석과 셋째 소프트뉴스와 하드뉴스 사이의 젠더된 이분법을 넘어선 뉴스 분류가 그 것이다.

첫 번째 파트에서는 젠더 평등과 중국결혼법의 세 번째 사법해석에 대한 선인 연구들에 의해 세 부분으로 나뉘지는데 그것은 재산권에 대한 성별 평등, 출산권에 대한 성별 평등과 농촌 여성의 권리에 대한 무시이다. 두 번째 파트에서는 자유여성주의, 다문화여성주의와 급진적인 여성주의를 통해 다시 세 가지 영역을 분석했다.

뉴스 분류에 대한 세 번째 파트에서는 중국결혼법의 세 번째 사법해석 이슈에 대한 인민일보와 신화왕의 보도들은 분석했다. 이런 뉴스 보도들은 개인 감정을 다루지만 아직도 하드뉴스에 속한다. 그래서 중국결혼법의 세 번째 사법해석 이슈에 대한 인민일보와 신화왕의 보도 분류는 소프트뉴스와 하드뉴스 사이의 젠더된 이분법을 따르지 않은 사실을 확인할 수 있었다.

전체적으로 말하면 인민일보와 신화왕은 젠더 성인지를 반영했다. 본 연구의 의미는 미디어에서 젠더 주류화를 추진한 것이다.

**주제어:** 젠더 성인지, 주류 미디어, 중국결혼법의 세 번째 사법해석, 젠더 이미지, 젠더 평등, 뉴스 분류

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