

Chinese Women's Attitudes and Perspectives on the 2024 New Marriage Law and Drafts

Jingyi Yang^{1*}, Xiaochen Yu²

¹Shenzhen College of International Education, Shenzhen, China

²Xinhang Experimental Foreign Language School, China

*Corresponding Author. Email: s22221.yang@stu.scie.com.cn

Abstract: Due to the continuous decline in marriage and birth rates, Chinese government proposed new marriage law and drafts in 2024 to address this issue. This paper investigates the attitudes and perspective of Chinese women on these 2024 marriage law and drafts, focusing on removing the hukou requirement, removing medical restrictions for marriage, and the divorce cooling-off period. A mixed-methods approach was employed, including surveys with 87 respondents and semi-structured interviews with 8 participants, to explore how these legal changes influence marriage decisions across different age groups and marital statuses. Results show that Chinese women generally view the new marriage law negative. Specifically, younger women, especially those under 18, strongly oppose the reforms, worrying about the impact on their future marriage choices. Women aged 18-34 show mixed views; those in stable relationships are cautiously optimistic, while older women aged 35 and up generally support the reforms for their potential to strengthen family stability. The findings highlight the importance of considering women's perspectives in shaping future marriage policies particularly in the context of declining marriage and fertility rates in China.

Keywords: Chinese marriage law, women attitudes on marriage law, women marriage attitudes

1. Introduction

In recent years, China's marriage laws have undergone multiple adjustments. As Chinese society rapidly develops, women's educational levels have steadily improved, along with significant advancements in their financial independence. These improvements in women's social status have led to shifts in their perspectives on marriage [1]. Therefore, it is valuable to explore how modern Chinese women view marriage, especially in response to the new marriage law and drafts.

The continuous decline in marriage and fertility rates in China has been one of the main factors driving the government to adjust its marriage laws. Among the most notable reforms was the "divorce cooling-off period" law in 2021 [2]. Data shows that this policy effectively slowed the rapid rise in the divorce rate [3]. However, this law has also sparked widespread controversy, with many women expressing strong criticism [4].

To further increase marriage and fertility rates, the Chinese government has proposed several marriage law reforms in 2024. This paper focuses on two specific drafts: removing the requirement for household registration (hukou) and removing medical restrictions [5] for marriage registration.

As these drafts have not yet been officially implemented, there is no current data available to assess their impact on Chinese women's marriage attitudes. Therefore, this research would fill this gap by using surveys and interviews to gain deeper insights into Chinese women's views on these new law and drafts.

This study aims to analyze the attitudes and perspectives of Chinese women toward marriage by discussing the latest 2024 marriage law and drafts. The research not only helps to understand the changing role of women in marriage in the modern era but also offers insights for addressing the gender issues in society today. Particularly in the context of the ongoing decline in China's marriage and fertility rates, the government has introduced a series of marriage law reforms to reverse this trend. By studying Chinese women's attitudes toward these reforms, this paper seeks to provide valuable support for the improvement of future marriage laws. Our hypothesis is that Chinese women hold generally negative attitudes toward the 2024 new marriage law and drafts.

2. Literature review

In recent years, China's marriage and fertility rates have continuously declined. The marriage rate dropped from 9% in 2015 to 5.8% in 2020 [6], while the fertility rate decreased from 1.77 children per woman in 2015 to 1.28 children per woman in 2020 [7]. In response to this trend, the Chinese government has launched new marriage laws to encourage more people to remain married. Among these changes, the "divorce cooling-off period" law, introduced in 2021, has drawn significant attention. Effective from January 1, 2021, Article 1077 of the Civil Code of the People's Republic of China stipulates that within 30 days of submitting a divorce application, either party can withdraw the application if they decide not to proceed with the divorce. After the 30-day cooling-off period, both parties must personally apply for a divorce certificate, or the application will be considered withdrawn [2].

Professor Ran Keping noted that China's rising divorce rate is partly due to the low cost of divorce. He explained, "The establishment of the divorce cooling-off period aims to reduce impulsive and hasty divorces, prevent the exploitation of legal loopholes, and moderately increase the cost of divorce to maintain family stability, particularly to protect the interests of minors and vulnerable groups, especially women" [4].

Data shows that the cooling-off period has been effective, with the divorce rate dropping from 3.09% in 2020 to 2.01% in 2021 after the law was implemented [3]. However, the policy has also sparked widespread controversy among women. BBC News Chinese reported that many internet users questioned whether marriage and divorce should be matters of personal freedom, free from legal interference, and argued that the law might have the opposite effect [4]. Lü Xiaoqian, executive director of Qianqian Law Firm in Beijing, also pointed out that while the cooling-off period does not completely hinder divorce, it significantly increases the time cost of consensual divorces, which could lead more people to pursue divorce through litigation [4].

To further increase marriage and fertility rates, the Chinese government proposed several additional reforms in 2024. This paper focuses on two specific drafts: removing the requirement for household registration (*hukou*) and removing medical restrictions [5] for marriage registration. According to the 2023 Marriage Law, household registration is still required for marriage registration, and individuals with certain medical conditions deemed unsuitable for marriage are not allowed to register [8]. However, these two requirements were removed in the 2024 draft [5]. The goal of these drafts is to lower administrative and legal barriers and encourage more people to enter into marriage.

To better understand Chinese women's attitudes toward the 2024 new marriage law and drafts, we also reviewed changes in Chinese women's marriage perspectives in recent years. Over time, marriage attitudes in China have become increasingly open, with quick marriages and divorces becoming more common. Data shows that opposition to premarital sex dropped from 50% in 2010 to

33% in 2018. Also, younger generation feels more constrained by marriage and family, which led to a growing trend of delayed marriage, with 13% of individuals aged 30 being unmarried in 2019. Additionally, women have increasingly taken the initiative in divorce decisions. Non-marriage and single lifestyles have also gained social acceptance. In 2020, the unmarried rate for individuals aged 30-34 was 15.08%. As more young people choose to delay or avoid marriage, marriage is no longer seen as the only life path, with individual freedom and personal development becoming priorities [9].

3. Methodology

This study used a mixed-methods approach. We combined data from an online survey with insights from semi-structured interviews.

3.1. Survey

The main data collection method was an online survey conducted through Microsoft Forms, which made it easy to distribute and collect responses. The survey aimed to gather information about the participants' demographics, their knowledge of the 2024 marriage law changes, and their opinions on these changes. Random sampling was used to ensure a diverse group of respondents in terms of age, marital status, and education.

3.2. Survey design and structure

The survey was divided into five parts:

- 1) **Basic Information:** This part asked about the respondents' age, education, marital status, job status, place of residence, and their familiarity with the 2024 marriage law changes.
- 2) **Overall Marriage Law and Drafts:** Participants were asked how much they knew about the new laws, their opinions on them, and how they thought the laws might affect their future marriage plans.
- 3) **Removing the Household Registration (Hukou) Requirement:** This section focused on respondents' knowledge of the proposal to remove the hukou requirement for marriage registration and how this change might impact their willingness to marry.
- 4) **Lifting Medical Restrictions for Marriage:** Respondents were asked how familiar they were with this draft, and how these changes might influence their marriage decisions.
- 5) **Divorce Cooling-off Period:** Participants shared their understanding of the cooling-off period, whether they thought it would prevent impulsive divorces, and how it could affect their future marriage or divorce plans.

3.3. Survey analysis

The survey data was analyzed using Microsoft Forms' built-in tools, which provided clear summaries of the answers. Graphs and charts were used to show how attitudes differed based on age and marital status. Cross-tabulation helped to explore the connection between variables, such as age and opinions on different parts of the new law.

3.4. Interviews

Semi-structured interviews were also conducted to get more detailed views on marriage and the 2024 marriage law changes. Participants were selected using snowball sampling, where a few initial participants recommended others, allowing the inclusion of both married and unmarried women.

3.5. Interview design and structure

The interviews were flexible, allowing participants to expand on their thoughts. The main topics were:

- 1) Personal Information: Age, education, income, and marital status.
- 2) Attitudes Toward Marriage: Unmarried participants were asked about their desire to marry and what factors influenced their decision. Married participants discussed the biggest changes after marriage and whether these changes were positive or negative.
- 3) Awareness and Impact of the New Marriage Law: Participants rated their knowledge of the new laws before and after the survey and discussed how the laws affected their views on marriage.

3.6. Interview analysis

Interviews were recorded (with consent) and transcribed using speech-to-text software for analysis. Similar responses were grouped together to find common themes, while differences in opinion were also analyzed based on factors like age and marital status. This helped identify shared concerns and different perspectives among the participants.

4. Data analysis

To further explore the attitudes and perspectives of different groups toward the 2024 new marriage law and drafts, this study analyzed how independent variables (age group and marital status) affect dependent variables (attitudes toward the law and its influence on marriage planning). The analysis covers four dimensions: the overall new marriage law and drafts, removing the requirement for household registration (hukou) for marriage registration, removing medical restrictions for marriage registration, and the divorce cooling-off period. A total of 87 questionnaire responses were collected, with 32 respondents under the age of 18 (36.8%), 28 respondents aged 18-34 (32.2%), and 27 respondents aged 35 and above (31.0%). The unmarried group (including single, dating, or divorced individuals) accounted for 67.82% (59 respondents), while the married group (including married without children with children) accounted for 32.18% (28 respondents).

4.1. Overall attitudes toward the law

Age:

Among respondents under the age of 18, 46.9% strongly oppose the new marriage law, and 21.9% express opposition. In contrast, only 12.5% strongly support it, 9.4% support it, and the remaining respondents are neutral. Additionally, 53.1% of respondents indicate that the law makes them more cautious about marriage decisions, 34.4% believe it won't affect their marriage plans, and a minority (12.5%) feel the law makes them more inclined to marry.

Women aged 18-34 exhibit more varied attitudes. Around 50% of respondents in this group either oppose or strongly oppose the law, 35% support or strongly support it, and 15% hold a neutral stance. Furthermore, 60% of respondents believe the law will make them more cautious about marriage, 25% state it won't change their marriage plans, and 15% say the law encourages them to marry.

In comparison, attitudes among women aged 35 and above are more balanced. Among this group, 42% oppose or strongly oppose the law, 40% support or strongly support it, and 18% are neutral. Regarding marriage planning, 55% believe the law will make them more cautious, 30% think it won't impact their plans, and 15% feel the law encourages them to marry.

Marital Status:

Among unmarried women, 41.8% strongly oppose the law, 23.6% oppose it, and 14.5% are neutral. The percentages for support and strong support are 10.9% and 9.1%, respectively. Over half (52.7%)

of unmarried women say the law makes them more cautious about marriage, and 40% believe it won't affect their marriage plans.

In contrast, married women have more diverse views. Among this group, 35% oppose or strongly oppose the law, 40% support or strongly support it, and 25% are neutral. Additionally, 45% of married women say the law makes them more cautious in marriage planning, and 40% believe the law won't affect their plans.

4.2. Attitudes toward the household registration draft

Age:

46.9% of women under the age of 18 strongly oppose it, and 40.6% oppose it, indicating broad resistance to this draft. Only 6.2% of respondents support or strongly support it, with another 6.2% remaining neutral. The draft has a significant impact on marriage planning, with 68.8% of respondents stating it makes them more cautious about marriage, and 21.9% believe the draft won't affect their plans.

Among women aged 18-34, around 50% oppose or strongly oppose the draft, 35% support or strongly support it, and 15% are neutral. Regarding marriage planning, 60% say the draft makes them more cautious about marriage, 25% believe it won't affect their plans, and 15% feel the draft encourages them to marry.

In the group aged 35 and above, 40% oppose or strongly oppose the draft, 35% support or strongly support it, and 25% are neutral. Most respondents (55%) say the draft makes them more cautious about marriage.

Marital Status:

Among unmarried women, 40% strongly oppose it, 34.5% oppose it, and 16.4% are neutral, while only 9.1% support or strongly support it. Regarding marriage planning, 58.2% of unmarried women say the draft makes them more cautious about marriage, and 34.5% believe it won't affect their plans.

Married women have more balanced views. Among them, 50% say the draft makes them more cautious, 30% believe it won't impact their plans, and 20% feel the draft encourages them to marry.

4.3. Attitudes toward the medical restriction draft

Age:

Among women under 18, opposition to the draft removing medical restrictions on marriage is the strongest, with 65.6% strongly opposing it and 28.1% opposing it. Only 6.2% are neutral or supportive. This draft also significantly affects marriage planning, with 53.1% of respondents saying it makes them more cautious about marriage, 34.4% believe it won't affect their plans, and 12.5% say the draft encourages them to marry.

Among women aged 18-34, approximately 55% oppose or strongly oppose the draft, 30% support or strongly support it, and 15% are neutral. A majority (60%) say the draft makes them more cautious about marriage, 25% believe it won't impact their plans, and 15% say the draft encourages them to marry.

In the 35 and above group, 45% oppose or strongly oppose the draft, 35% support or strongly support it, and 20% are neutral. A majority (55%) say the draft makes them more cautious about marriage.

Marital Status:

Among unmarried women, 61.8% strongly oppose it, 20% oppose it, 9.1% are neutral, and another 9.1% support or strongly support it. A majority (52.7%) of unmarried women believe the draft makes them more cautious about marriage, and 40% think it won't affect their plans.

For married women, 45% of them oppose or strongly oppose the draft, 30% support or strongly support it, and 25% are neutral. A majority (55%) of married women believe the draft makes them more cautious in marriage planning.

4.4. Attitudes toward the divorce cooling-off period

Age:

The divorce cooling-off period draft also generates significant differences across age and marital status. Among women under 18, 50% strongly oppose the draft, 12.5% support or strongly support it, and 21.9% are neutral. Additionally, 56.2% believe the implementation of the cooling-off period should depend on specific circumstances, while 40.6% clearly state it should not be mandatory.

Among women aged 18-34, opinions are more balanced. In this group, 45% oppose or strongly oppose the draft, 30% are neutral, and 25% support or strongly support it. Most respondents (60%) believe the implementation of the cooling-off period should depend on circumstances, and 30% oppose making it mandatory.

Among women aged 35 and above, opinions are also more evenly distributed. Around 40% oppose or strongly oppose the draft, 35% support or strongly support it, and 25% are neutral. A majority (50%) believe the implementation of the cooling-off period should depend on the situation.

Marital Status:

Among unmarried women, 43.6% strongly oppose the draft, 18.2% oppose it, 23.6% are neutral, and 14.6% support or strongly support it. A majority (47.3%) of unmarried women believe that whether to enforce the cooling-off period should depend on the situation.

Among married women, 40% support or strongly support the draft, 35% are neutral, and 25% oppose or strongly oppose it.

5. Interview analysis

Eight women of different ages and marriage statuses were interviewed for this research, 4 of whom are under 18, 3 ages between 18-25, and the only married interviewee is at the age of 51. The interview result shows that, as the ages grow, the inclination to get married tends to be greater and the effect of the change in marriage law tends to be slighter.

Of the four interviewees under 18, all showed a negative attitude towards the change in the marriage law and believed that this would generate a negative effect on their getting married. As for the inclination to get married, one interviewee showed firm negative about marriage: she believes that 'I am in a patriarchal society, so the bias in marriage is inevitable, although it may not be as strict as the traditional family role division, there will be more or less such a bias'. The other 3 showed a less firm attitude. Despite their willingness towards marriage, they did not present a very positive attitude. They think they may get married if they meet someone they like, though, there is a very small chance. 'Don't want to get married, I know this could be good if I meet someone nice, but I feel like this is barely possible.'

The reason they hold a negative opinion about marriage and the law may be their environmental influence and the internet. Nowadays with high technology and the internet, people can easily see others' life experiences, married or not. Therefore, most people would observe the unhappiness of most married women, and the harm and benefits. Also, the mainstream opinions online appeal to people to not get married and be independent. People at younger ages are more skilled at using the Internet and phones, and also easily access this information.

However, as people age, their attitudes towards marriage and the laws also change. Of the three interviewees between 18-30, 2 out of 3 showed a negative attitude. Nevertheless, this attitude changes depending on their relationship status, if they are in a promising relationship, the law will not make

a big difference. 'But if it is true that I have a man I like to marry now, I think the impact on me is not particularly large, because I already want to marry him.' Lastly, one interviewee believes there will be no effect on her marriage and is firm about getting married. Despite the negative attitude of most interviewees in this group, People aged 18-25 tend to have a more flexible attitude towards this change in marriage law and their willingness to get married is less affected by it.

This generation of young people accepts the massive information and opinion online, while their parents urge them to get married since they are at marriageable age. They may wobble between marriage and hesitate, meanwhile, still willing to get married.

The only married interviewee who is 51, believed there is a positive effect of increasing the marriage rate of the change and holds a positive attitude toward the change in marriage law. She believes that the release of Hukou would contribute to more young couples getting married, since they can get married without the permission and knowledge of their parents, with no changes in attitudes; but they may be too impulsive and ignore their parents' opinions. 'Changing the marriage law to get an ID card will lead to more marriages, but it should not affect willingness. They get married to find someone, not the law.' Also, the interviewee believes the cooling off period of divorce provides a chance for married couples to calm down and choose the optimum choice for family. 'Marriage is more about responsibility and affection, there are always conflicts in marriage, and the divorce cooling-off period helps everyone to think calmly and not to divorce impulsivity, maintaining a family is also more beneficial to the children.' This may come from her experience in marriage. She also said that marriage is in her favor: it gives her a chance to have more family members and support each other.

People in an elderly age tends to speak with experiences. From this interviewee's opinions, we can see that she tells from her life, and since she got married, the benefit and harm of marriage would be clearer for her.

6. Discussion

This study has certain limitations, including the uneven distribution of age groups among the respondents. A significant portion of those who answered the questionnaires and interviews were under 18, which may introduce bias and limit the ability of the research to fully represent all age groups. As a result, the findings may not be applicable to the general population across all age levels.

Additionally, the interview results tend to be highly subjective, and the questions related to attitudes and influences may not capture responses with complete accuracy. Thus, the interview data and subsequent analysis may not be as reliable as more quantitative methods such as surveys. In addition, respondents may have been influenced by factors other than the marriage law itself. Changes in the law are not the only variable affecting people's views on marriage. Other personal or social factors may also influence people's views on marriage. These other factors could have compromised the overall accuracy of the study.

For future research, these mentioned aspects need to be improved. More emphasis should be placed on controlling for variables and considering a wider range of influencing factors. Efforts should be made to ensure a more balanced representation of respondents across different age groups.

7. Conclusion

This study aims to analyze Chinese women's attitudes and views on marriage by discussing the latest Marriage law and draft of 2024. Through surveys and interviews, we collected data from women of different ages and marital status to understand how these new policies affected their views on marriage.

The results show that Chinese women's attitudes toward the new marriage law and the draft are generally negative. Young women, especially those under the age of 18, expressed the strongest opposition. They are concerned that these changes will negatively affect their future marriage decisions. Women between the ages of 18-34 all have very different views on marriage. Women in stable relationships were cautious but optimistic. Women aged 35 and over are more receptive to these legal changes because they are good for family stability. Unmarried women were more critical of the new law. Married women, especially those with children, are more likely to believe that these legal changes will help family stability. Most respondents said the new law was likely to make them more cautious in making marriage decisions. This proves the trend of late marriage in modern Chinese society.

Overall, while the 2024 marriage law reform aims to address China's declining marriage and fertility rates, this study suggests that young women have not widely embraced the changes. Our results show that we must take women's perspectives into account when formulating future marriage laws, as their perspectives are critical to addressing the current problems facing marriage in China.

Acknowledgments

All the authors, Jingyi Yang and Xiaochen Yu, contributed equally to this work and should be considered as co-first author. We would like to express our sincere gratitude to Professor Sophie Gonick for her expert guidance and unwavering support throughout this research. Her profound knowledge and thoughtful insights have been crucial to the development of this work. We are also deeply thankful to our teaching assistant, Hongxuan Xu, for providing invaluable help during our most challenging moments and for generously sharing numerous resources that greatly enhanced the quality of our research. Our heartfelt thanks go to the CIS organization for providing the resources and support that facilitated our research. Finally, we would like to acknowledge the positive environment created by these individuals and organizations, which laid the foundation for the success of this research.

References

- [1] <http://www.webypn.net.cn.> "Sichuan University WebVPN." *Scu.edu.cn*, 2024, kns-cnki-net-443.webypn.scu.edu.cn/kcms2/article/abstract?v=Oa1N_PzK0nR8zkLKBuuEdJFjtLBlwt-Hox9y9OB0nwIJ61M4n1r4zhMAAMBoWWz6vAQOMpdTIDtI0h3hG_ituoPKHjYQ96pYHiapasOBO-2LWytqyhW_SRE8JpRmP0K8xBmsp65IWa3yxOVGvrVVplBEfw6sxO5MCfIY9C3QASCw_Hm6p5N2jTKJJNoeGeaJ&uniplatform=NZKPT&language=CHS. Accessed 27 Nov. 2024.
- [2] Xinhua News Agency. "The Civil Code of the People's Republic of China - Rolling News - China Government Network." *China Government Network*, 1 June 2020, www.gov.cn/xinwen/2020-06/01/content_5516649.htm. Accessed 29 Sept. 2024.
- [3] Textor, C. "China: Divorce Rate 2017 | Statista." *Statista*, 2017, www.statista.com/statistics/279449/divorce-rate-in-china/.
- [4] "Why the Establishment of a 'Cooling-off Period' for Divorce in China Sparks Controversy." *BBC News Chinese*, 11 Dec. 2020, www.bbc.com/zhongwen/simp/chinese-news-55244865. Accessed 29 Sept. 2024.
- [5] "Public Solicitation of Opinions on the 'Marriage Registration Regulations (Draft Revision)'." *Chinacourt.org*, 2024, www.chinacourt.org/article/detail/2024/08/id/8066645.shtml.
- [6] "China: Marriage Rate 2019." *Statista*, 27 Oct. 2023, www.statista.com/statistics/1055659/china-marriage-rate/.
- [7] Textor, C. "China: Fertility Rate 2019." *Statista*, 27 Sept. 2023, www.statista.com/statistics/270164/fertility-rate-in-china/.
- [8] "2023 Marriage Registration Regulations Full Text - Administrative Regulations - Legal Science Network." *66laws.com*, 9 May 2023, www.66laws.com/fagui/5906.html. Accessed 29 Sept. 2024.
- [9] Zhang, Y., and H. Li. "Study on the Impacts of Digital Transformation in Small Enterprises." *Journal of Modern Business Studies*, vol. 12, no. 4, 2024, pp. 45-67, www.ncpssd.cn/Literature/articleinfo?id=QNTS2024004002. Accessed 29 Sept. 2024.