

# A Comparative Study of Malawian and Chinese Policies on Girls' Education

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## Abstract

This study aims to analyse and compare education laws and policies instituted by Malawi and Chinese governments towards addressing issues affecting girls' education. The study utilises document analysis. The following documents were analysed; the Malawi Growth and Strategy papers, I, II and III, the Malawi National Gender Policy, the Malawi National Education Policy, and the National Education Sector Plan (2008-2017). In addition, the following policy documents were analysed: The Education Law of the PRC (1995), the Compulsory Education Law of the PRC (1986/2006), the Teachers' Law of the PRC (1994), the China's National Plan for the Medium- and Long-Term Education Reform (2010-2020), and the 2015 White Paper on Gender Equality and Women Development in China. Results of the study indicate that in both countries, both long-term and short-term policies have included provisions aimed at improving girls' education. The study proposes that learning from the PRC, the Malawi government should make education compulsory in the Education Law. In addition, there is a need to sensitise all education stakeholders of the critical policies and laws governing education in Malawi.

## Keywords

Policy,  
Girls' education,  
Education Law,  
Compulsory education,  
Malawi,  
China

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## Introduction

In the past three decades, the problem of girls' education has attracted significant attention. This follows the incorporation of the gender parity and gender equity components in the global development frameworks after the 1990 Table Education for All Movement in Jomtien, Thailand. Since then, countries have taken several actions to ensure equality in education. The first action was

the adoption of the Beijing Declaration and the Platform for Action at the World Conference of Women in 1995. One of the strategic objectives of this declaration is to achieve equal access to education (United Nations Entity for Gender Equality and the Empowerment of Women, 1996). This was followed by the adoption of the Dakar Framework for Action Education for All (EFA), where countries made commitments to make sure that, by 2015, all children, particularly girls, children in difficult circumstances and those belonging to ethnic minorities, have access to complete, free and compulsory primary education of good quality (UNESCO, 2000). Inspired by this declaration, several countries adopted Free Primary Education Policies. These policies led to a drastic increase in enrolment rates for both girls and boys, thereby concurrently creating severe primary sector resource constraints (Wolf *et al.*, 2016).

The United Nations places equality in education and girls' education at the top of its global development agenda. For example, goals 4 and 5 of the Sustainable Development Goals (SDGs) emphasise achieving equality in education and empowering women and girls, respectively (UNDP, 2015). The Millennium Development Goals (MGDs), an international development framework preceding the SDGs, also had goals 2 and 3 that sought to achieve equality in education and eliminate gender disparities at all levels (UNDP, 2000). These overarching global frameworks have been adopted and implemented worldwide through several regional action plans. In African and among the Southern African Development Community (SADC) countries, the following frameworks highlight the desire of the nations to achieve equality in education: the 1999 Framework of Action in Sub-Saharan Africa; Education for African Renaissance in the Twenty-First Century, adopted in Johannesburg South Africa in 1999 (UNESCO, 2000), the African Union Second Decade of Education for Africa: 2006 -2015 Action Plan (African Union, 2005) and the 1997 SADC Protocol on Education and Training, which came into effect in 2000 (SADC, 2000). Furthermore, in line with the SDGs, the AU 2063 Agenda, and the Global Education 2030 Program, the African Union (AU) has adopted a ten-year Continental Education Strategy for Africa (CESA)

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2016 – 2025 to promote sustainable development in the continent through achieving equality in education.

The Malawi and Chinese Governments have put several policies and legal provisions in education to promote access, quality and gender equity. Such aspirations have been incorporated in various government development frameworks in Malawi, such as the Malawi Growth and Development Strategy (MGDS), the Vision 2063, the National Education Policy (NEP), and the National Education Sector Plan. In addition, other Government Ministries, such as the Ministry of Youth and Sports, have also included issues of gender equality in their policies and development plans. Furthermore, many education policies and laws have been instituted to improve access, quality, and equity in China. These include the Education Law (1995) and the nine-year Compulsory Education Policy, adopted in 1986 and amended in 2006. In addition, the People's Republic of China (PRC) government has put in place deliberate policies and programs targeting specific groups and regions in China. For instance, the country has language policies and education programs targeting rural areas and migrant workers, just to mention a few (Xu & Mei, 2009). Furthermore, the Compulsory Education Law allowed China to achieve the 100% Education for All (EFA) goals by 2011 (Yuan, 2013).

It is essential to appreciate that girls' education is impacted in one way or another by the socioeconomic factors prevailing in a particular country. Several studies have been conducted to understand precisely how socioeconomic factors affect girls' education. They include studies that have articulated and acknowledged the social and economic benefits of educating girls at international and national levels (Kadzamira & Rose, 2000; Klasen, 2002; Miske & Van Belle-Prouty, 1997; Song *et al.* 2006; Williams, 2001). For instance, Song (2006) explains that investment in female education is frequently seen as a critical policy for social and economic development by many governments. In addition, Kadzamira and Rose (2000) cite improvement in agricultural productivity and health and reduction in infant and child mortality rates as some of the social benefits associated with educating girls. In another study, Miske and Van Belle-Prouty (1997) argue that educated women

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have increased income generation and productivity opportunities in formal and informal farm and non-farm sectors.

Several other studies have focused on socioeconomic factors contributing to gender disparities in education. While some of these problems can be categorised under social, cultural and economic constraints (Hannum, 2003; Hannum *et al.*, 2009; Rong & Shit, 2006; Tsui & Rich, 2002), others, like Wang, Burris and Xiang (1996), Connelly and Zheng (2002) and Hannum *et al.*, (2009) categorise the barriers into policy-related, infrastructure-related, household and family resource-related and community beliefs related problems. For example, culturally, in some traditions, including in China, educating boys is taken seriously, whereas girls are taken as household keepers who do not require much education. These beliefs have had adverse effects on how families support girls' education, resulting in high dropout and low achievement among girls in school. For instance, Hannum *et al.* (2009, p. 475) quote a common Chinese traditional saying that "sending girls to school is useless since they will get married and leave home."

China has made great strides in improving gender equity in education. However, Malawi continues to experience disparities between boys and girls in education, which, in most cases, leaves girls at a disadvantage. Williams (2001) observes that "while enrolment for girls has increased drastically world-over, of the 130 million school-aged children who are out of school, 56% of them are girls" (p.135). In Malawi, recent statistics from the Ministry of Education paint a gloomy picture regarding girls' education. The situation is direr at the secondary level. Even though females make up 52% of Malawi's total population, girls constitute only 39% of the secondary school population and 28% of the tertiary sub-sector (Ministry of Education (MOE), 2016). In addition, the dropout rate for girls of 4.0 remains higher than that of boys at 3.6 in 2015 and 3.8 in 2016 (MOE, 2016).

The theoretical framework guiding this study is the liberal feminist theory which calls for the state's intervention in the cause of equity. The theory argues that women share the same rational human nature as men and should be given the same educational opportunities and civil rights. The theory, therefore, aims at

finding means for the removal of barriers that prevent women from participating in public spheres effectively and on equal terms with men. Liberal feminists work with both women and men to address legislative and structural impediments to achieving equity between men and women in society. Thus, in this case, the interventions, which may target girls' education, need to work within the existing structure but deliberately target girls or women in the society. Literature indicates that developing policies that deliberately target girls is critical for governments to pay particular attention to girls' education (Alim *et al.*, 2007; Chitrakar, 2009; Johnson, 2011; King & King & Winthrop 2015; UNGEI, 2010). These help deal with girls' problems, especially in rural areas, experience in education, particularly at the senior secondary school level.

Many studies have focused on how socioeconomic factors affect girls' education in different countries. This study, however, aims at identifying the elements which make the policies that target girls' education in China and Malawi successful or not. The paper draws on policy documents that target girls' education in the two countries.

### **Chinese Education System vs Malawian Education System**

The Chinese Education system is understood differently by different authors who have written about education in China. Others have categorised it into three - primary education, higher education and adult education (China Education and Research Network, 2013), while others, like Zhou and Zhu (2006), classify it into two categories comprising primary education and higher education. However, despite these categorisation differences, in terms of levels, Guiren (2013) has outlined that the Chinese education system has four classes: pre-school for five-year-olds which has a duration of three years, elementary school for six to twelve-year-olds with a term of six years, a secondary school which is divided into junior secondary school and senior secondary school and takes six years (three years junior and three years senior), and higher education. In addition, it must be noted that China has a nine-year Compulsory Education Policy that covers six-year elementary education and junior secondary education. However, upon reaching secondary education,

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students must pay school fees at this stage of education where gender disparities begin to emerge, especially in rural areas. For instance, in their study on why there is low enrolment among girls in rural China, Song, Appleton and Knight (2006) concluded that there is no discrimination below fourteen years, but gender gaps, though minimal, become apparent beyond fourteen years.

On the other hand, Malawi has three levels – the 8-4-4 education system. It begins with eight years of primary education, four years of secondary education and finally, two to four years of tertiary education. At the secondary level, education statistics of 2016 show that the country has 747 government and grant-aided secondary schools, 383 registered private secondary schools and 323 open day secondary schools (MOE, 2016). The government secondary schools are further divided into conventional secondary schools, which receive more government funding and have boarding facilities, district day secondary schools, which have similar facilities as traditional secondary schools but have no boarding facilities, and community day secondary schools (CDSSs), which are commonly found in rural areas with poor facilities.

The Malawi Government established Community Day Secondary Schools (CDSSs) in 1998 by converting Malawi College Distance Centres (MCDEs), which the Malawi College of Distance Education was operating. Students are selected into CDSSs from primary schools found within a 10-kilometre radius. One significant feature of CDSSs is that students are not provided with accommodation within the school vicinity. This means that students either commute from their homes or find their accommodation around the schools. Though the decision to establish CDSSs ensured increased access to secondary education by Malawian youths, the schools have, over the years, experienced several challenges, ranging from lack of teaching and learning resources, poor infrastructure and lack of qualified teachers (Canadian International Development Agency, 2010; Chakwera, 2005; Kayuni, 2010). Worse still, the schools are poorly funded, and because they are found in rural areas, they struggle to attract qualified teachers, especially female teachers. This leads to low-quality education being offered in most of these schools. Low

education standards are one of the key drivers of student dropout, especially among girls. As noted earlier, the girl's enrolment rate of 39% and a dropout rate of 4.0 compared to the boys' dropout rate of 3.6 indicates that girls in Malawi generally still lag behind boys at the secondary school level.

### **Importance of Education Policies that Target Girls' Education**

Policies play an important role in shaping decisions in education; hence, their roles need not be emphasised. In line with other education legislation, policies act as instruments in the micromanagement of education to ensure implementation of state education policy, correct direction of schooling, standards-based infrastructure/facilities development, education equity and equal rights to education and to safeguard the lawful rights of the schools, the teachers and the pupils (Zhou & Zhu, 2006). Of great interest to many scholars studying education, policies target girls in schools. Those who have studied education systems and policies posit education institutions as male-dominated and masculine institutions shaped by race, class, gender, sexuality, and nationality (Aikman and Unterhalter, 2005; Bailey & Graves, 2015; Bank, 2007). Therefore, this calls for serious attention to be paid to policies that target girls in schools to find out if indeed they are achieving their intended purpose or whether those entrusted in implementing them are implementing them adequately.

Specifically, studies on policies that aim at improving girls' education, mainly done in conjunction with international organisations such as United Nations Children's Fund (UNICEF), United States Agency for International Development (USAID) and United Nations Girls Education Initiative (UNGEI), have found that policies targeting girls are an essential component in achieving gender equality in education (Chitrakar, 2009; Pennells, 1998; USAID, 2012). In particular, most studies emphasise the importance of having national policy frameworks that target girls and women in education. For instance, a study by the Global Campaign for Education in its 2014 Women and Girls Education Policy Brief explains that "local initiatives to get girls into schools work best when they are part of national policy frameworks that recognise the challenges that girls face in getting into and staying

in schools,” (p. 7). Similarly, studies done in five countries in South Asia found that where policies, such as compulsory education are being implemented, like Thailand and Indonesia, the gender gap was being closed, as compared to countries where no policies targeting girls existed, such as India, Lao PDR and Nepal (Pennells, 1998).

In China, policies in education have played an essential role in shaping decisions in education. Zhou and Zhu (2006) explain that

the government (of China) has been using education legislative (along with grants allocation, planning, evaluation, policy guidance, information services, monitoring in the execution of related legislatures, and administrative measures) as instruments in the micromanagement of education, to ensure implementation of state education policy, correct direction of schooling, standards-based infrastructure/facilities development, education equity and equal rights to education and to safeguard the lawful rights of the schools, the teachers and the pupils (p. 6).

Since 1980, more than 80 education laws, policies and regulations have been developed and implemented in China. This underscores high-level commitment from the Government of China towards education.

### **Policies that work in promoting girls’ education**

Studies indicate that policies that make education free and compulsory and increase the hiring of more female teachers have had a more significant impact in improving girls’ enrolment and retention in schools (Amil *et al.*, 2007; Global Campaign for Education, 2014; Pennells, 1998). For instance, compulsory education policies in Thailand, Indonesia and Afghanistan have resulted in zero gender differences in the nine-year primary education in these countries (Pennells, 1998). In China, the nine-year compulsory education has also eliminated gender differences at the elementary and junior secondary level (Guiren, 2013; Tsui & Rich, 2002; Song *et al.*, 2006.). On the other hand, Alim *et al.* (2007) explain that evidence from many countries shows a correlation between female teachers and girls’ enrolment. They explain that in countries where there are more or less equal



numbers of male and female primary school teachers, there is minimal gender disparity in student enrolment. In contrast, in those countries where only 20% of teachers are female, far more boys than girls are enrolled in schools.

Other policies which have been highlighted as working towards girls' education include policies that emphasise on improvement in rural education infrastructure to reduce the distance (Alim *et al.* 2007), safety in schools and a gender-sensitive curriculum (King & Winthrop, 2015), teaching in the local language, and allowing young mothers to come back to school (Global Campaign for Education, 2014).

### **How policies targeting girls are incorporated in the education system**

Literature indicates several ways in which policies targeting girls' education are handled by different governments. In some cases, the policies are apparent, while the policies become only more apparent through policy interpretation processes. In studies done with five South Asian countries, Pennells (1998) and Chitrakar (2009) found that some countries in the region have policies targeting girls enshrined in the national policies. For example, there is a specific chapter in the National Policy of Education in India, while in Thailand, it is included in the Education for All Master Plan (Pennells, 1998). However, these policies have problems in that, sometimes, girls' issues are not explicitly planned and budgeted for, as is the case with India.

On the other hand, policies that specifically target the inclusion of girls in education are the ones that are being encouraged as they have proved to achieve their intended purposes effectively. A vivid example is China's nine-year Compulsory Education policy (Guiren, 2013). Another example is Lao PDR which, in 1998, put in place a specific policy commitment for increasing girls and women's education (Chitrakar, 2009). Finally, in Malawi, the Re-admission Policy is one example of policies specifically targeted at girls. This study, therefore, also looks at the other national plans in education to see how such plans address gender issues.

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## **Methodology**

Data for this study was collected through document analysis. As observed by Bowen (2009), “while document analysis has served mostly as a complement to other research methods, it has also been used as a stand-alone method” (p. 29). The analysed documents comprised legal and policy documents on Chinese and Malawian education. In addition, general development policy documents with actual content on promoting gender equity in the two countries were also reviewed. The papers were first grouped into two; those that focused on girls’ education and those that looked at policy issues in China. To ensure the authenticity of the policy documents, the laws and policies from China were retrieved from the Chinese Ministry of Education website.

The data collection and analysis process involved three stages. The first stage involved reading a particular document or article to understand the overall gist. This stage was followed by coding of the data based on the main concepts in the research questions and literature (laws, policies, girls’ education, women education, sex, gender, gender and education, teacher allocation, female teachers, free education, compulsory education, school construction) to organise the data for easy identification of important information. Then, additional codes were generated in the process of reviewing the documents. Finally, data categories and themes relating to the study were developed during the last stage.

### **Existence of provisions that address issues that concern girls’ education in China and Malawi**

Five Chinese policy documents include the Education Law of the PRC (1995); the Compulsory Education Law (1986/2006); the Teachers’ Law of the PRC (1994); the Outline of China’s National Plan for Medium- and Long-Term Education Reform 2010-2020; and the 2015 White Paper on Gender Equality and Women development in China by the State Council Information Office of the PRC - were reviewed. The policy documents analysed for Malawi include the

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Malawi Education Act, 2012; The National Education Sector Plan 2008-2017; The Malawi National Gender Policy 2015; and the Re-Admission Policy.

The results indicate that China's Education Law and the Compulsory Education Law have some provisions on issues of girls' education, while the White Paper mainly highlights the achievements registered in promoting women's education in China. On the other hand, the Teachers Law and the Outline of China's National Plan for Medium- and Long-Term Education reform 2010-2020 has no provision on issues concerning girls' education. The following subsections provide the findings from each document that was analysed.

### **The Education Law of the PRC, 1995 vs The Malawi Education Act, 2012**

To find out if the law provides for issues about female education, the analysis focused on article provisions that contain words that relate to girls' education, such as female, sex, equality in education. However, another concept, 'citizens', emerged during the analysis. The concept 'citizens' indicates the inclusion of all people, hence its inclusion on the list. The analysis of the Education Law of the PRC shows that the document adequately addresses female education. Article 36 of the Law states that "Schools and relevant administrative departments shall guarantee that females enjoy equal rights with males in terms of enrolment to school, admission to higher school, employment, conferment of academic degrees and being dispatched to study abroad." Other articles also touching on girls' education include Article 9, which emphasises on citizens enjoying the equal opportunity to education regardless of their ethnic community, race, sex, occupation, property or religious belief; Articles 19 and 23 which have used the word 'citizens'; and more importantly Article 18, which is about the provision of compulsory education.

On the contrary, the Malawi Education Act, 2012, is empty of any provisions promoting girls' education. The issue of equality is faintly touched upon when the Act makes mention of compulsory education in Chapter V sub-section three and Chapter XIV sub-section 2 (f). In particular, Chapter V subsection 3 explains that "primary education shall be free and compulsory for every child below 18 years."

Unfortunately, by focusing only on primary education, the other levels of education are ignored. In addition, Chapter XIV Subsection 2 (f) of the Act explains that “without derogation from the generality of subsection one, regulations and rules made under this section may provide for the compulsory education of schools by students in any area and manner in which compulsory attendance is to be ensured.”

### **The Compulsory Education Law of the PRC (1986/2006)**

The Chinese Compulsory Education Law used the same concepts associated with girls’ education. However, new terms portraying inclusion of all children in education were discovered, namely, all children (Article 4), all school-aged children (Articles 1, 2 and 5) and any child who has attained the age of ‘ (Articles 11 and 4). In short, the analysis results indicate that the Compulsory Education Law of the PRC sufficiently covers issues of equality and girls’ education. In particular, Article 4 of the law states, “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 should receive compulsory education, regardless of gender, nationality, race, the status of family property or religious belief.” On the contrary, Malawi has no specific law or policy to guide the implementation of compulsory education as stipulated by the Education Act.

### **Teachers’ Law of the PRC (1994)**

The focus in analysing the Teachers’ Law was to find out if there is a provision bordering on affirmative action in terms of hiring more female teachers to work in rural disadvantaged areas of China. The analysis indicates that there is no provision in the Teachers’ Law aimed at increasing the female teacher population in rural areas of China. Similarly, Malawi lacks a policy or law on teachers, but there are also no specific laws promoting the training and recruitment of more female teachers. As with China, the lack of female teachers in Malawi is more vivid in rural areas. In most cases, female teachers leave rural schools for urban schools to justify that they are following their husbands.

Generally, the results indicate that the Education Law and other related laws in China have incorporated specific provisions for addressing issues concerning girls' education. This is not the case in Malawi, where the supreme law in education is silent on girls' education. Specifically, the Chinese Compulsory Education Law succinctly points out that achieving education for all is its primary goal. On the other hand, Article 36 of the Education Law emphasises ensuring that females' right to education is not compromised in any way. In contrast, the Education Law in Malawi is empty of specific strategies and provisions for addressing issues affecting girls' education. With no legal requirements to back efforts aimed at improving girls' education in Malawi, one would not be wrong to doubt the achievability of meaningful gender equality in education. As Chitrakar (2009) points out, policies explicitly stated in the laws or specifically put in place have proved to achieve their purposes effectively. Chitrakar emphasises that it is essential to have explicit constitutional provisions, legal frameworks, policies and plans regarding gender equality in education. In China, primary and junior secondary education success is attributed to the Compulsory Education Law (Guiren, 2013).

Unfortunately, as Bowen (2009, p. 33) points out, "the absence, sparseness or incompleteness of documents or studies might suggest something, what it might suggest for example is that certain matters have been given less attention or that the voices have not been heard." In the case of Malawi, this may imply that issues of girls' education are being given less attention. Due to the absence of the policies, the voices of women and girls in education may not be heard (Zhang *et al.* (, 2012). Consequently, girls continue to lag in education in Malawi at all levels.

### **The Chinese National Plan for Medium- and Long-Term Education Reform 2010 – 2020 vs The Malawi National Education Sector Plan 2008 -2017 (NESP)**

The analysis of the education sector plans aimed to find out if the documents have sufficient provisions in terms of policies, themes, and strategies to deal with issues affecting girls' education in the two countries. Therefore, the same terms and concepts related to gender, such as sex and equality in education, were used to

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analyse the document. The results indicate no direct mention of issues affecting girls' education in China. On the other hand, Malawi's NESP has incorporated gender issues in various sections.

In the first place, while introducing the policy challenges in the secondary school subsector, the NESP recognises the emerging challenges facing the global society. It, thus, considers secondary education "with a bias to girls' as "a transformer of society in a complex and sophisticated global world, and as "a human right important for achieving gender equity" (MOE, 2008, p. 15). It further explains the significance of educating girls beyond primary education within the complexity of the world now and the role of education in improving the welfare of girls. In addition, one of the guiding principles guiding the NESP is to ensure improved girls' enrolment and retention so that it reaches the same levels as that of male students through giving bursaries, construction of hostels, other necessary amenities, and reinforcing the Re-admission Policy (p. 17). The document also acknowledges the existence of the Re-admission Policy in support of girls' education. Again, it is essential to note that the NESP recognises the importance of educating girls for instrumental benefits and as a human right.

Secondly, issues concerning girls' education have been included under each priority area of the NESP (MOE, 2008, p. 16). For example, under Access and Equity, the NESP outlines that it seeks to increase enrolment and make selection and admission more equitable, that is, 50-50 male to female ratio for school places, and where applicable, construct hostels for girls and those with special needs. Furthermore, reviewing the curriculum and assessment of secondary school education to consider special needs and gender matters is outlined as one of the key strategies the quality and relevance priority area. Finally, under governance and management, reducing the dropout rate by enhancing retention mechanisms such as bursaries and advocacy campaigns for girls' education and offering support to all teachers and students affected and infected by gender-related matters and HIV/AIDS are the key girls' education-related strategies.

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## **The 2015 White Paper on Gender Equality and Women Development in China by the State Council Information Office of the PRC vs The Malawi National Gender Policy 2015**

The analysis of the White Paper and the Malawi National Gender Policy aimed to understand the political stand of the two governments on issues concerning girls' and women's education in general. The 2015 White Paper on Gender Equality and Women Development in China indicates that the Chinese government has put in place several policies and initiatives to improve girls' and women's education and the general welfare of girls and women in China. The paper refers to the compulsory Education Law, the establishment of a special fund to reduce the number of illiterate women, and special education programs for girls, such as building boarding schools and inclusion of principles and concepts of gender equality in education content methods and research.

On the other hand, in its quest to ensure gender equality in all spheres of development in the country, the Government of Malawi, through the Ministry of Gender, developed the first National Gender Policy in 2000, covering a period of 2000-2005. The policy was later revised in 2008 and 2011 before being relaunched in 2015. The policy's goal is to provide guidelines for the mainstreaming of gender issues in various sectors of the economy to reduce gender inequalities and enhance participation of women, men, girls, and boys in the socioeconomic and political development of the country (GOM, 2015, p. 3). By coming up with the policy, the Government of Malawi portrays total commitment to promoting gender issues in the country. In addition, the policy has linkages with other policy documents, such as the MGDS, the Constitution of Malawi, the Reproductive Health Policy, the National Youth Policy and the Education Policy.

Concerning education, the policy recognises "the continued high dropout rates for girls from schools and low transition rate among girls to secondary and tertiary education" as among the challenges and emerging issues affecting girls in schools (GOM, 2015). It further lists some challenges that contribute to low girls' participation in schools, such as early marriages and pregnancies, poor infrastructure

and sanitation, community preference and bias towards male children, harmful cultural practices, and long distances to school. These are the same challenges that school policy actors also identified during the interviews in schools. By recognising the problems that girls face in schools, it is a clear indication that the developers of the policy and indeed the Government of Malawi are committed to dealing with challenges that girls face during their education and ensuring equality in education. Furthermore, in line with the identified education-related challenges, the National Gender Policy clearly states that it “shall ensure that gender disparities between men and women in all spheres of education are reduced” (GOM, 2015, p. 17).

In addition, the policy has put in place 11 implementation strategies to the policy statement on gender, ranging from advocacy, setting up laws against sexual violence and harassment in schools and communities, addressing the cultural and socio-cultural challenges affecting girls’ education and developing the capacity of implementers of the school curriculum (GOM, p. 28). Furthermore, Ngwira et al. (2003) list several legal provisions, which they observed could also be used to protect women’s sexual and reproductive health rights. These provisions include those provided for in Sections 132 through Section 165 of the Penal Code of Malawi, which offers offences and corresponding punishments ranging from paying a fine or imprisonment for two years to a death sentence or life imprisonment.

### **The Malawi Re-Admission Policy**

In a quest to ensure that more girls remain and complete school, the Government of Malawi introduced the Re-admission Policy in 1993. The policy is also called the Pregnancy Policy as it offers pregnant girls who were withdrawn from school due to pregnancy one chance to re-enrol in school one year after delivery. The re-enrolment can only happen if there is the assurance of safe custody of the baby. In case the boy responsible for the pregnancy is in the school, he is also supposed to withdraw from school together with the girl, and both can apply for re-admission after one year (Kadzamira, 2003; Maluwa-Banda, 2004). This is the only policy in Malawi targeted explicitly at girls’ education in Malawi.



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Since the Re-admission Policy came into effect, many young mothers are now able to return to school. No such policy exists in China.

Unfortunately, in the case of Malawi, as compared to China, while several policies have been put in place in the education sector aiming at promoting girls' education, including the Re-admission Policy, and the National Gender Policy is one of the Government policies that have demonstrated commitment towards girls' education by clearly having a policy statement in the policy and setting up clear strategies towards the implementation of the policy, most of the guidelines have not been specific in addressing issues concerning girls education.

Literature indicates that policies that target making education free and compulsory for all and those which increase the hiring of more female teachers have had a more significant impact in achieving improving girls' enrolment and retention in school (Amil *et al.*, 2007; Global Campaign for Education, 2014; Pennells, 1998). The Chinese Education Law of 1995 and the Compulsory Education Law of 1986/2006 have provided compulsory education, covering six years of elementary education and three years of junior high school. Through these policies, China has achieved almost 100% literacy rate and equity in education.

On the contrary, although the Education Act in Malawi provides for compulsory education, there is no specific law or policy to guide the implementation of the provision. In addition, only primary education is free in Malawi. That is why most studies on girls' education in Malawi have found that disparities between girls and boys still exist at all levels of education (Chalasani *et al.*, 2012; Chisamya *et al.*, 2012; Robertson *et al.*, 2017; Samati, 2016). But as the results indicate, apart from the Re-admission Policy and some provisions in NESP, there is no deliberate policy that has been put in place in education targeting girls' education or aiming to achieve equity in Malawi.

As already alluded to, female teachers play an essential role in enhancing girls' education in terms of enrolment, retention and performance in schools. However, the results indicate that China's Teachers' Law, which directs the training,

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recruitment and posting of teachers, does not have provisions for the recruitment and posting of female teachers. On the other hand, Malawi has no legal or policy requirement of instituting deliberate policies to hire and post female teachers, especially in rural and poverty-stricken areas where the problems of girls' education are serious. As Alim *et al.* (2007, p. 14) observe, "in countries where there is a more or less equal number of female teachers, there is close to gender parity in student intake. In contrast, in those countries where only 20% of teachers are female, far more boys and girls enrol in schools."

However, it must be noted that the results indicate that China is doing well in terms of school infrastructure development and improvement in curriculum content. Literature has also demonstrated that it promotes girls' enrolment in schools as it reduces the distance to school. On the other hand, it must be highlighted that the Re-admission Policy in Malawi, which is the only policy targeting girls in school, has assisted young mothers to return to school. This is in line with what has been emphasised in the literature: policies that target girls significantly impact their education.

## Conclusions

Unlike in Malawi, the study has established that there are explicit provisions addressing issues that affect girls' education in the Chinese legal infrastructure. In Malawi, most of the policies addressing the challenges affecting girls' education lack specifics that could guide their smooth implementation. The results also indicate that, in both countries, despite the significant role which female teachers play in promoting girls' education, there are no policy provisions or laws relating to the hiring and posting of female teachers to rural areas.

The study has also revealed that, while China managed to achieve almost 100% enrolment rate owing to the country's effective implementation of education laws and policies, the situation in Malawi is different. Concerning problems affecting girls at all levels of education, Malawi has a significant policy gap. Malawian education policies, such as the Re-admission Policy, have greatly helped

young mothers get re-admitted in the schools after delivery. However, more explicit policies are needed if Malawi will achieve meaningful gender equity in education. The policies to be implemented should address the social-economic factors which affect girls' education in Malawi. As the liberal feminist theory explains, these policies are needed if the women's and girls' education expectations are to be fully achieved. The policies form the foundation for empowering women and achieving gender equity in education. With the bilateral diplomatic relationship between Malawi and China, Malawi can borrow a leaf from China on which specific policies have assisted China to achieve equity in education.

However, it must be noted that, in the case of China, the study has relied much on electronic policy documents, most of which would have been translated electronically from Chinese. It is envisaged that some translations might have changed the conceptual structure of some of the documents initially developed in Chinese. However, all the documents used in the study were authenticated by the relevant ministry websites as official English versions of the Chinese documents. In addition, it would have also been ideal for the study to consult relevant policymakers. However, due to time constraints and the scope of the study, this was not possible. Finally, this study focused on policy documents and studies written in English. Therefore, a more comprehensive study covering both English and Chinese written documents can better understand issues affecting girls' education in China.

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