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Barry Sautman

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# AFFIRMATIVE ACTION, ETHNIC MINORITIES AND CHINA'S UNIVERSITIES

Barry Sautman<sup>†</sup>

**Abstract:** China greatly expanded its longstanding set of preferential policies for ethnic minorities in the 1980s and 1990s. Affirmative action in higher education annually allows for the admission of tens of thousands of ethnic minority students who, based on their national entrance examination scores alone, would be unable to gain a much sought-after place in one of the country's thousand universities. The variety of ways in which the admission and retention of PRC minority students are facilitated by laws, regulations and policies are examined, as are attitudes toward affirmative action on the part of Han majority and ethnic minority students. In contrast to claims made by some Western scholars of affirmative action, who assert that affirmative action is universally problematic, higher educational preferences for Chinese minorities have not led to a high rate of academic failure, nor to tensions between Han and minority students. While ethnic minority people would like to see affirmative action in Chinese higher education strengthened further, the system is now threatened by marketization.

## I. INTRODUCTION

China has one of the oldest and largest sets of state-sponsored preferential policies (*youhui zhengce*) for ethnic minorities.<sup>1</sup> Although the preferential policies program in People's Republic of China ("PRC") dates from the inception of the state in 1949<sup>2</sup> and is a variant of a concept pioneered in the former Soviet Union,<sup>3</sup> affirmative action has only been an explicit PRC policy since the mid-1980s.<sup>4</sup> Chinese officials have missed few opportunities since then to tout the program. They assert, for example, that

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<sup>†</sup> J.D. University of California at Los Angeles, L.L.M. New York University, Ph.D. Columbia University. Assistant Professor, Division of Social Sciences, Hong Kong University of Science & Technology.

<sup>1</sup> Only India's system of "reservations" for its "scheduled tribes" is older and as extensive. Preferences accorded Indian ethnic minorities must be shared with "scheduled castes," who outnumber "scheduled tribes" two-to-one. In some Indian states reservations are also given the even more numerous "other backward classes," so that in a few states the preferred population approaches half the total inhabitants. DEVANASAN NESIAH, *DISCRIMINATION WITHOUT REASON? PREFERENTIAL POLICIES IN THE USA, INDIA AND MALAYSIA* (1997).

<sup>2</sup> JUNE DREYER, *CHINA'S POLITICAL SYSTEM: MODERNIZATION AND TRADITION* 364-65 (1993).

<sup>3</sup> On Soviet preferential policies, see NANCY LUBIN, *LABOUR AND NATIONALITY IN SOVIET CENTRAL ASIA: AN UNEASY COMPROMISE* (1984); WILLIAM MANDEL, *SOVIET BUT NOT RUSSIAN: THE OTHER PEOPLES OF THE SOVIET UNION* 312-15 (1985); Zvi Gittelman, *The Politics of Ethnicity and Affirmative Action in the Soviet Union*, in *THE POLITICAL ECONOMY OF ETHNIC DISCRIMINATION AND AFFIRMATIVE ACTION* 167, 167-96 (Michael Wyzan ed., 1990).

<sup>4</sup> See, e.g., Li Peng Joins Xinjiang Deputies in Discussion, Xinhua News Agency, Mar. 3, 1988, available in LEXIS Asiapc Library, Xinhua File.

preferential policies are one reason why the system of ethnic relations in China is superior to that of the United States.<sup>5</sup>

Minorities constitute a significant segment of China's population. In 1995, 110 million people—nine percent of China's total population—were minorities.<sup>6</sup> These figures are rapidly growing. The 1995 numbers are twenty million more than five years earlier and forty million less than are expected in 2010, by which time China's minorities will equal the total population of Russia.<sup>7</sup> Minority areas<sup>8</sup> comprise two-thirds of the PRC and contain the bulk of its natural resources.<sup>9</sup> They are thus crucial to the PRC's existence as a state. In turn, its leaders see affirmative action as vital to the cohesion of the minority areas.

China's preferential policies apply to areas containing minorities and to individuals who are minorities. Lower-level minority areas receive infrastructural subsidies from higher jurisdictions.<sup>10</sup> Budgetary subventions, disproportionate investment in public works and the provision and training of personnel are common features of preferential policies.<sup>11</sup> In exchange, minority areas are expected to make "extensive efforts to support the country's construction by providing more natural resources."<sup>12</sup> Although charges of "internal colonialism" are sometimes made against the PRC government, the PRC government is quick to defend itself by showing that

<sup>5</sup> Kui Bai & Rui Gao, *Official Policies in the People's Republic of China Toward Minority Nationalities*, in *ECOLOGY & EMPIRE: NOMADS IN THE CULTURAL EVOLUTION OF THE OLD WORLD* (Gary Seaman ed., 1989); Yu Quanyu, *Comparing Human Rights Conditions in China and the United States*, *Guangming Ribao*, Sept. 11, 1994, at 3, in *Foreign Broadcasting Information Serv. (FBIS)-CHI-94-187*.

<sup>6</sup> *China Population Growth Slows*, Reuters, Feb. 14, 1996, available in LEXIS, Asiapc Library, Arcnws File; Hasi Bagen, *Wo guo shaoshu minzu gaodeng jiaoyu xianzhuang yu zhanwang* [The Present Situation of and Prospects for Minority Higher Education], 2 *MINZU GAODENG JIAOYU*, 62-67 (1995).

<sup>7</sup> Bagen, *supra* note 6.

<sup>8</sup> There are 159 minority autonomous areas (5 regions [qu], 30 prefectures [zhou] and 124 counties [xian]), plus perhaps 3,000 ethnic townships and villages (minzu xiang, minzu cun). In 1990, minorities were 46% of the autonomous areas population. One-third of the areas had a population in which the titular minority exceeded half the population. *ZHONGGUO MINZU JINGJI* 222-24 (Beijing: Zhongguo Tongji Chubanshe, 1994); *Li Peng Addresses National Conference on Nationalities Affairs*, BBC/Summary of World Broadcasts, Feb. 22, 1990, available in LEXIS, Asiapc Library, Arcnws File (translating Xinhua News Agency Feb. 20, 1990).

<sup>9</sup> Jiao Shuqian, *Wo guo minzu diqu quyu fanwei chuyi* [A Tentative Discussion of the Scope of China's Minority Areas], 2 *ZHONGNAN MINZU XUEYUAN XUEBAO*, 54-57 (1996).

<sup>10</sup> *Low Interest Loans, Tax Breaks, and Subsidies to Help Ethnic Minority Millions*, S. CHINA MORNING POST, Nov. 16, 1997, at 6.

<sup>11</sup> *China's Policy to Boost Ethnic Minority Regions*, BBC/Summary of World Broadcasts, Jan. 27, 1996, available in LEXIS, Asiapc Library, Allnws File (translating Zhongguo Xinwen She, Jan. 25 1996); *Economic Development of Areas Inhabited by Minority Nationalities*, Xinhua News Agency, Apr. 5, 1991, available in LEXIS, Asiapc Library, Allnws File; Interview with Ordos district ethnic affairs officials, Dongsheng, Inner Mongolia (Apr. 11, 1995).

<sup>12</sup> Hua Juxian, *Stability Reigns Supreme*, *Beijing Review*, Nov. 7-13, 1994, at 18.

most natural resources are used locally. Additionally, the PRC government claims that it allocates as much money for minority areas as it does to central government coffers. The central government claims to invest about thirty billion a year in minority areas, a sum equal to its revenues from all minority area sources. Moreover, unlike in colonial relationships, minority citizens have more entitlements inscribed in law than do citizens of the majority Han Chinese "inner areas" (*neidi*).<sup>13</sup>

In China there is an incomplete, but substantial coincidence between minority status and impoverishment.<sup>14</sup> The PRC's leaders are convinced that ethnic relations will be stabilized only when minority area living standards are greatly improved. The PRC's leaders also believe that prosperity will come to these areas more rapidly by enhancing their comparative advantage in the "socialist market economy."<sup>15</sup> Liberal investment laws, exemptions from tariffs for certain imported goods, subsidized high salaries for skilled personnel in state-owned enterprises and other inducements to development are thus preferentially accorded minority areas.<sup>16</sup>

Major aspects of the lives of minority individuals are impacted by preferential policies. There are preferences for family planning (exemption from the minimum marriage age and one-child strictures); education (preferential admissions, lowered school fees, boarding schools, remedial programs); employment (extra consideration in hiring and promotion of cadres); business development (special loans and grants, exemptions from

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<sup>13</sup> Cf. *China Denies Exploitation of Xinjiang Oil and Grain*, BBC/Summary of World Broadcasts, Apr. 1, 1997, available in LEXIS, Asiapc Library, Curnws File (translating Xinhua News Agency, Mar. 26, 1997); Statement by Ambassador Wu Jiamin, Head of the Chinese delegation at the meeting of the Committee for the Elimination of Racial Discrimination devoted to reviewing China's reports, Aug. 8, 1996 (Geneva: mimeographed), at 4; TAKASHI SUGIMOTO, *THE POLITICAL STABILITY OF ETHNIC REGIONS IN CHINA* 16 (Tokyo: International Institute of Global Peace); *ZHONGGUO RENKOU TONGJI NIANJIAN* [China Population Statistics Yearbook] 119-120 (Beijing: Minzu Chubanshe 1994).

<sup>14</sup> Of 311 poor counties listed by China's State Council, 143 are mainly inhabited by minorities. *Educational Help Offered to Poor Areas*, Xinhua News Agency, Jan. 14, 1996, available in LEXIS, Asiapc Library, Allnws File. In 1992, when the autonomous areas population was 13.6% of China's total, the Gross Value of Industrial and Agricultural Output ("GOV") of the autonomies was only 6.7% of national GOV. HUANG GUANGXUE, *DANGDAI ZHONGGUO MINZU RENWU* [Contemporary China's Ethnic Tasks] 221-23 (Beijing: Dangdai Zhongguo, 1993).

<sup>15</sup> Wu Zongjin, *Lun wo guo minzu guanxi fazhi tedian* [On the special characteristics of the legal system with regard to our country's ethnic relations], 1 *MINZU YANJIU* 8 (1992).

<sup>16</sup> The preferences given minority autonomous regions (*zizhi diqu*) are important enough to development that leaders of the northwestern province of Qinghai, whose territory is 97% sub-provincial Tibetan autonomous prefectures, want the whole province to be converted into one autonomous region or be given the preferences accorded the neighboring Tibet Autonomous Region ("TAR"). Because the Uygur minority region of Xinjiang has autonomous powers, its economic prospects are seen as better than the mainly Han-inhabited provinces of China's northwest, such as Shanxi and Gansu. Cheung Lai-kuen, *Income Chasm Still Yawns Wide*, S. CHINA MORNING POST, Feb. 8 1996, at 6.

certain taxes); and political representation (proportionate or greater numbers of minorities in "people's congresses" and among minority area leaders).<sup>17</sup> For example, in China's southwestern Yunnan province, where minorities are thirty-four percent of the population, there are about 150 different preferential policies.<sup>18</sup>

Preferential policies are seen as the main tool in narrowing the economic and social gaps between Han and minority people.<sup>19</sup> For example, PRC officials argue that if equal treatment were the principle in determining entry into universities, equality of opportunity would sharply diminish. Unequal treatment is seen by them as fostering equal opportunity, with "equality-in-fact" (*shishishangde pingdeng*) the long-term goal.<sup>20</sup> Because many minority peoples live in remote areas, where development lags increasingly behind the growth of coastal regions, the gap between minorities and Han living standards has widened. As a result, economic and educational equality remains elusive.<sup>21</sup>

Most minorities live in western China. In 1981, the economic growth rate of western China was only ninety percent of the growth rate in eastern China. Western China's per capita production was only sixty-eight percent of eastern China's. In 1992, the figures were fifty percent for both.<sup>22</sup> In Hainan province, in China's far south, minorities comprise seventeen percent of the population.<sup>23</sup> A 1995 official study revealed that, whereas in 1987 Hainan's minority autonomous areas produced 25.9% of provincial gross domestic product. In 1992 these areas produced 21.5%, in 1993, 20.1% and in 1994 they produced 17.7% of provincial gross product.<sup>24</sup> In Yunnan during 1996,

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<sup>17</sup> For a case study, see BARRY SAUTMAN, WORKING PAPER IN THE SOCIAL SCIENCES, NO. 32, PREFERENTIAL POLICIES FOR ETHNIC MINORITIES IN CHINA: THE CASE OF XINJIANG, (Hong Kong University of Science and Technology 1997).

<sup>18</sup> Interview with head of Yunnan Minority Affairs Committee Policy Institute, Kunming (July 9, 1996).

<sup>19</sup> See Chen Kuiyuan, *Study the Marxist Nationality Theory and Correctly Understand the Nationality Issues in the New Period*, SHIJIAN NO. 10, Oct. 1, 1991, at 4, reprinted in JOINT PUBLICATIONS RESEARCH SERV. CAR-92-021, Apr. 16, 1992, at 1.

<sup>20</sup> Interview with Li Zi, Director of the Institute of Ethnic Studies of the Xinjiang Academy of Social Sciences (Xinjiang Shehui Kexue yuan, minzu yanjiusuo) (June 27, 1995); interview with Zhao Shu, Deputy Director of the Beijing Ethnic Affairs Commission (Beijing minwei) (June 23, 1995).

<sup>21</sup> Deng Bihai, *Cursory Discussion of Specific Characteristics of Family Planning in Minority Nationality Areas*, ZHONGGUO RENKOU BAO, Dec. 22, 1989, at 3, reprinted in JOINT PUBLICATIONS RESEARCH SERV. CAR-90-013, Feb. 21, 1990, at 58-60.

<sup>22</sup> Nicolas Becquelin, *Trouble on the Marches*, CHINA PERSP., Mar.-Apr. 1997, at 21, 22.

<sup>23</sup> ZHONGYUO MINZU TONGJI NIANJIAN (CHINA ETHNIC STATISTICS YEARBOOK) 158 (Beijing: Minzu Chubanshe 1994).

<sup>24</sup> Interview with Hainan provincial People's Congress Standing Committee Minority Work Committee, Haikou (July 8, 1996).

the richest Han area of the province had an income level twenty times higher than that of the poorest minority area.<sup>25</sup> The income level of Han peasants near the capital, Kunming, was four to five times the income level of minority peasants in impoverished Guangan county.<sup>26</sup> Minority area officials acknowledge the growing Han/minority economic gap; and, some accuse the government of aggravating it through anti-redistributive tax reforms carried out in China from 1994.<sup>27</sup>

Despite these figures, preferential policies benefit broad sections of the minority population, particularly in family planning and education. Preferences in higher education are especially important because they are aimed at creating a reliable minority middle class. Stronger minority administrative, professional and technical strata are seen by PRC leaders as essential to increasing the legitimacy of the state among the key sectors that will mediate between it and the larger minority society during what promises to be a long period of overall widening of economic and social differences among China's ethnic groups and regions.

This article examines how higher education institutions in the PRC implement preferential policies. The statistics gathered for this article, including the appendix at the end of this article, may prove particularly helpful to future scholars when studying affirmative action in the PRC. The article begins by delineating the scope of preferences in higher education. It next shows that preferential policies have yet to bridge the historical gap of disproportionate educational opportunities. The article then reviews preferential policies in the individual contexts of examinations, quotas, added points, and the distribution of affirmative action beneficiaries. The article concludes that affirmative action has had a net positive effect on higher education in the PRC. Even so, there is still a real need for the continued and increased usage of preferential policies in higher education.

## II. THE SCOPE OF PREFERENCES IN HIGHER EDUCATION

Preferential policies in family planning provide a valued benefit for which almost all minority people become eligible at some point in their lives. In comparison, affirmative action in higher education encompasses a much

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<sup>25</sup> Interview with officials of the Yunnan Minority Affairs Commission Economic Office, Kunming (July 10, 1996).

<sup>26</sup> *Id.*

<sup>27</sup> Interview with officials of the Systems Reform Commission (*tigaiwei*), Zhaojue County, Liangshan Yi Autonomous Prefecture, Sichuan, in Zhaojue (July 24, 1996).

smaller number of minority people. It is, however, a key facet of minority elite formation, as higher education has become a prerequisite for hiring and promotion to key cadre positions.<sup>28</sup> For example, in the Ningxia Hui Autonomous Region in the mid-1980s, only about seven percent of minority cadres held diplomas from institutions of higher learning. By the mid-1990s, however, some thirty percent of cadres had graduated from such institutions.<sup>29</sup>

In contrast to most preferences, which are available only to minorities who live in minority areas, preferential admissions is extended without regard to residence.<sup>30</sup> Therefore, preferential admissions programs can be used by the one-quarter of the minority population that lives in the mainly Han areas.<sup>31</sup> Moreover, preferential admissions are the only policies provided to every minority ethnicity, including Koreans, Mongols and Tatars, whose average level of tertiary schooling surpasses the Han.<sup>32</sup>

In Jiangsu province, which has the smallest proportion of minorities in the country (0.25%), minority peoples benefit from preferential policies under the 1997 Jiangsu "Law to Protect Minority Rights."<sup>33</sup> The bulk of Jiangsu minority people are Hui ("Muslim Chinese") and their educational level is higher than that of the Han. Moreover, the Hui, who have a background in commerce, are more prosperous than the Han. Jiangsu Hui applicants nevertheless receive preferences in admission to tertiary education. Twenty points are added to their scores on the national entrance examination<sup>34</sup> if they apply to one of the thirteen nationalities institutes (*minzu xueyuan*) dedicated to educating minorities. Five points are added if they apply to other institutions,<sup>35</sup> such as the general universities in minority areas or national

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<sup>28</sup> For a history of minority enrollment policies through the end of the 1980s, see Zhang Yenming, *Effects of Policy Changes on College Enrollment of Minority Students in China, 1949-1989* at 183-85 (1991) (Unpub'd Ed.D. dissertation, Harvard University).

<sup>29</sup> *Training More Ethnic Minority Officials in Ningxia*, Xinhua News Agency, Mar. 17, 1996, available in LEXIS, Asiapc Library, Curnws File.

<sup>30</sup> *China Makes Progress in Work on Minority Nationalities*, Xinhua News Agency, Oct. 3, 1991, available in LEXIS, Asiapc Library, Allnws File.

<sup>31</sup> *Id.*

<sup>32</sup> See Gerard Postiglione, *The Implications of Modernization for the Education of China's National Minorities*, in *EDUCATION AND MODERNIZATION: THE CHINESE EXPERIENCE*, 39 (Ruth Hayhoe ed., 1992).

<sup>33</sup> *Jiangsu Adopts Law to Protect Ethnic Minority Rights*, Xinhua News Agency, Jan. 10, 1997, available in LEXIS, Asiapc Library, Curnws File.

<sup>34</sup> The *quanguo gaodeng yuanxiao tongyi zhaosheng ruxue kaoshi* or All-China examination for the admission of students to higher-level institutions and universities, abbreviated as *gao kao*.

<sup>35</sup> Interview with officials of the Provincial Ethnic Affairs Commission and Islamic Association, Jiangsu Province, Nanjing (June 9 1995). For analyses of the national entrance examination, see *Examinations (II)*, CHINESE EDUC. & SOC'Y, Nov.-Dec. 1993.

universities that have so-called "ethnic classes" or cohorts (*minzu ban*).<sup>36</sup> In 1996, the national entrance examination had a total of 750 points, but because competition for university places in China is fierce, a single point can make a difference in seeking admission to higher education in general or to a student's university of choice.<sup>37</sup>

The preference received even by relatively well-off minorities accords with the national policy that requires universities to "relax their admission standards to an appropriate extent"<sup>38</sup> for minorities. This national policy is reflected in Section Sixty-five of the 1984 Law on Ethnic Regional Autonomy (*minzu quyu zizhi fa*):

The state shall set up institutes of nationalities and, in other institutions of higher education, nationality-oriented classes and preparatory classes that enroll only students from minority nationalities. Preferred enrollment and preferred assignment of jobs may also be introduced. In enrollment, institutions of higher education and secondary technical schools shall appropriately set lower standards and requirements for the admission of students from minority nationalities.<sup>39</sup>

The PRC State Council's "Circular on Some Questions About Further Implementation of the Law on Ethnic Regional Autonomy" Point Eight<sup>40</sup> orders universities to give minorities "priority over others with equal qualifications" and to set up preparatory courses for them. Article Fourteen

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<sup>36</sup> On the three types of minority higher education, see GUO SHENG, *XIN ZHONGGUO JIAOYU SISHI NIAN* [Forty Years of New China's Education] 334-35 (Fuzhou: Fujian jiaoyu chubanshe) [on file with author].

<sup>37</sup> See Lu Zhen, *The Fundamental Theory and Practice for the Uniform General Admissions Examinations for Colleges and Universities in China*, CHINESE EDUC. & SOC'Y, Sept.-Oct., 1993, at 42, 45; Cai Sujin, *Dilemma of the National College Entrance Examination: China's College Enrollment System 99-103* (Unpub'd Ed.D. dissertation, Columbia University Teachers' College, 1994).

<sup>38</sup> *State Council Issues Circular on Minority Autonomy Law*, Xinhua New Agency, Jan. 12, 1992 available in LEXIS, Asiapc Library, Xinhua File. See also Ismail Amat, *Guanyu fazhan minzu jiao yu de ruogan wenti* [Certain Issues in Developing Minority Education], MINZU YANJIU NO. 3, May 10, 1991, at 1.

<sup>39</sup> Law of the People's Republic of China on Regional National Autonomy, Oct. 1, 1984, art. 65, compiled in THE LAWS OF THE PEOPLE'S REPUBLIC OF CHINA (1983-1986) (compiled by the Legislative Affairs Commission of the Standing Committee of the National People's Congress of the People's Republic of China).

<sup>40</sup> *State Council Circular on Ethnic Minority Autonomy Law*, BBC/Summary of World Broadcasts, Jan. 14, 1992, available in LEXIS, Asiapc Library, Arcnws File (translating New China News Agency Domestic Service, Beijing, Jan. 12, 1992).



of the "Regulations on Ethnic Township Administration" of 1993<sup>41</sup> states that quotas for preferential admission to tertiary institutions of students from ethnic townships may be used if higher-level government bodies agree to set up ethnic cohorts at such institutions.<sup>42</sup>

Ethnic cohorts were first authorized in 1980 by a Ministry of Education regulation and set up with thirty students each at five universities.<sup>43</sup> This *minzu ban* system expanded rapidly. Members are usually drawn from the same ethnic minority or minority area and live and study together. The existence of particular ethnic cohorts depends on the influence of minority areas, since each negotiates with universities to run the cohorts.<sup>44</sup> For example, before it was abolished in 1988, Hainan province's Li-Miao Autonomous Prefecture ensured that there were Hainan *ban* at some *neidi* universities, such as East China Normal University.<sup>45</sup> Many prominent universities now have ethnic cohorts. There were *minzu ban* at sixteen Beijing universities in 1994-1995 -- six national and ten locally controlled institutions.<sup>46</sup> At most schools, an ethnic cohort means an extra year of undergraduate study in a preparatory class (*yuke ban*) before taking on the regular curriculum. Some *minzu ban* students receive special tutoring and are expected to earn their degree in four years.<sup>47</sup>

"Xinjiang classes" (*Xinjiang ban*) totaled 450 students at fourteen *neidi* universities in 1987.<sup>48</sup> By 1991, 3,600 Xinjiang minority students were

<sup>41</sup> *Regulations on Ethnic Township Administration*, BBC/Summary of World Broadcasts, Nov. 9, 1993, available in LEXIS, Asiapc Library, Arcnws File (translating New China News Agency Domestic Service, Beijing, Oct. 22, 1993).

<sup>42</sup> *Regulation on Work With Urban National Minorities*, BBC/Summary of World Broadcasts, Nov. 9, 1993, available in LEXIS, Asiapc Library, Arcnws File (translating Xinhua News Agency, Oct. 22, 1993) states that "City people's governments should take appropriate measures to . . . run ethnic classes efficiently at all levels and to give preferential treatment to ethnic classes in the allocation of funds and teachers."

<sup>43</sup> Guo Sheng, *supra* note 36, at 337-39.

<sup>44</sup> Interview with Institute of Nationalities, Office of Research on the National Economy, Tongzha, Hainan (July 5, 1996).

<sup>45</sup> *Id.*

<sup>46</sup> *Qieshi gaohao shaoshu minzu diqu dang de jianshe—qingzhu zhongguo gongchandang chengli qishi zhounian* [Conscientiously Build the Ethnic Minority Areas—Celebrate the 70th Anniversary of the Founding of the Communist Party of China], MINZU TUANJIE, no. 7 Nov. 10, 1991, at 3 [on file with author]. For the numbers of students in *minzu ban*, by school and province of origin, for the years 1980-1990, see LIU YINGJIE, 2 ZHONGGUO JIAOYU DA SHI DIAN, 1949-1990 [Book of Great Events in Chinese Education, 1949-1990] 2094 (Hangzhou: Zhejiang jiaoyu chubanshe, 1993) [on file with author].

<sup>47</sup> Zhang Yenming, *supra* note 28, at 183-86.

<sup>48</sup> *Friendly Tie Between Han and Tibetans "Cemented" by Education Funding for Tibetans in China*, BBC/Summary of World Broadcasts, Aug. 2, 1994, available in LEXIS, Asiapc Library, Arcnws File (translating Xinhua News Agency, July 31, 1994); Ba Jiankun, *Xinjiang minzu jiaoyu de zongjie* [Overview of Minority Education in Xinjiang], in ZHONGGUO JIAOYU NIANJIAN 1988 (Chinese Education Yearbook, 1989) 302, 302-10 [on file with author].

at inland universities. In 1993, there were 110 Xinjiang classes at forty-six universities. By 1995, there were *Xinjiang ban* at fifty-four *neidi* schools and in 1989-1995, 5,000 Xinjiang minority students had graduated from inland universities. Similar classes exist for some other ethnic groups.<sup>49</sup> For example, there were "Tibetan classes" (*Xizang ban*) at twenty-eight inland universities in 1994.

*Minzu ban* are also found in upper middle schools, where their main task is to prepare students to go to universities. In Hainan, there have been upper middle school *minzu ban* since the early 1980s. Every year, twenty to twenty-five minority students from the cohorts of forty-five to fifty-five students go on to university.<sup>50</sup> Hainan universities also have *minzu ban*, with forty students at each and one year of preparatory classes required of each cohort.<sup>51</sup>

Since the early 1980s, one-year preparatory courses have been held at key universities and nationality institutes by agreement between minority areas and the schools.<sup>52</sup> By the end of the 1980s, 40,000 minority students had gone through such courses at over 140 tertiary institutions.<sup>53</sup> These *yu ke ban* serve students who failed to enter a university through the national enrollment system and become part of what is officially termed a "nationwide pre-college education system for students from minority ethnic groups." More than 11,000 minority students were enrolled in *yu ke ban* at 138 institutions in twenty-plus provinces in 1996.<sup>54</sup>

In Ningxia, for example, such classes exist at Ningxia University, Guyuan Normal School and Guyuan Ethnic Minority Normal School.<sup>55</sup> At Beijing University, there are *yuke ban* for Mongolian students, each enrolling thirty students, and at Jilin University, such classes exist for Tibetan

<sup>49</sup> *Xinjiang Develops Higher Education for Ethnic Minorities*, Xinhua News Agency, Nov. 11, 1991, available in LEXIS Asiapc Library, Xinhua File; *Strives to Raise Educational Level*, Xinhua News Agency, Jan. 27, 1993, available in LEXIS, Asiapc Library, Xinhua File; *China to Train More Professionals for Border Areas*, Xinhua News Agency, July 28, 1995, available in LEXIS, Asiapc Library, Xinhua File.

<sup>50</sup> Interview with Dong Xieming, head of Minority Education Office of the Provincial Education Commission of Hainan, Haikou (July 1, 1996).

<sup>51</sup> *Id.*

<sup>52</sup> *Education for Ethnic Minorities in Xinjiang "Blossoming"*, BBC/Summary of World Broadcasts, Sept. 18, 1995, available in LEXIS, Asiapc Library, Arcnws File (translating Xinhua News Agency, Sept. 12, 1995).

<sup>53</sup> *China Develops Minority Nationality Preparatory Courses*, Xinhua News Agency, Nov. 23, 1989, available in LEXIS, Asiapc Library, Xinhua File.

<sup>54</sup> *China Develops Pre-College Education System for Ethnic Groups*, Xinhua News Agency, June 17, 1996, available in LEXIS Asiapc Library, Xinhua File.

<sup>55</sup> Ningxia Hu Autonomous Region Education Office, *Zai Tansuo He Gaige Zhong Fazhan Minzu Jiaoyu* [Develop Minority Education in the Process of Exploration and Reform], 1 MINZU JIAOYU YANJIU 7, 7-11 (1990) [on file with author].

students.<sup>56</sup> Liangshan Yi Autonomous Prefecture in Sichuan has Yi preparatory classes at its normal schools. Students take an advanced secondary school curriculum for one year and then sit for the national entrance examination. If their scores are high enough, they go to universities. If not, they remain at normal school. Liangshan University, which is a college-level technical school (*da zhuan*) with an engineering emphasis, also has a preparatory class.<sup>57</sup>

There are also long-term programs to cultivate young talent. One involves bringing promising minority pre-college students to study at nationality institutes for three to six years.<sup>58</sup> The program for Tibetan students at middle schools outside Tibet, which by 1995 had enrolled some 13,000 students at 150 schools in twenty-six provinces, is also part of a long-term effort.<sup>59</sup> Some universities even have primary school-to-college (*yi tiao long*, "one lane") programs for minority students.<sup>60</sup>

### III. AFFIRMATIVE ACTION AND THE HIGHER EDUCATIONAL GAP

When the Chinese Communist Party achieved national power in 1949, minorities accounted for less than one percent of all university students. The proportion increased rapidly in the 1950s, peaking at 3.7% in 1956-1957 and declining somewhat thereafter as the national entrance examination introduced in 1954 began to affect student selection. Minority enrollment stood at 3.2% in 1964-1965, on the eve of China's tumultuous Cultural Revolution.

Universities were closed during the first few years of the turbulent decade that followed. When they reopened—with a hyper-politicized curriculum and without any examinations—preferences for minority admittees redoubled. By the end of the Cultural Revolution in 1976, 6.5% of university students were minorities. The reinstitution of the national entrance examination in 1977<sup>61</sup> caused the proportion of minority students to fall sharply, bottoming out at 3.7% in 1978-1979. In 1980, it was announced that

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<sup>56</sup> Edward Kormondy, *Observations on Minority Education, Cultural Preservation and Economic Development in China*, 25 COMPARE 161, 161-78 (1995).

<sup>57</sup> Interview with Liangshan Ethnic Affairs Commission, Xichang, Sichuan (July 25, 1996).

<sup>58</sup> ZHONGGUO JIAOYU NIANJIAN, 1949-1981 [Yearbook of Chinese Education, 1949-1981] 413 (Beijing: Renmin jiaoyu chubanshe 1984).

<sup>59</sup> *More Tibetan Students Studying in China*, BBC/Summary of World Broadcasts, Aug. 1, 1995, available in LEXIS, Asiapc Library, Arcnws File (translating Xinhua News Agency, July 30, 1995).

<sup>60</sup> Guo Sheng, *supra* note 36, at 343.

<sup>61</sup> XIAODONG NIU, POLICY EDUCATION AND INEQUALITIES IN COMMUNIST CHINA SINCE 1949 (1992); SUZANNE PEPPER, CHINA'S UNIVERSITIES (1984).

minimum score requirements would be lowered for minority applicants to universities.<sup>62</sup>

The percentage of minority students climbed again, peaking in 1991-1992 at seven percent before declining to 6.4% in 1992-1994 and 5.7% in 1994-1995 (see Appendix A).<sup>63</sup> The recent decline is related to the rapid expansion of Chinese higher education in the 1990s. There were nearly three million students at mid-decade and as many as seven million are expected to be enrolled at PRC universities in the year 2000.<sup>64</sup>

The imposition of tuition may also discourage some minority students, who are generally from poorer backgrounds than Han students. Until 1989, higher education was free, but the state assigned students their initial post-graduation positions. With the beginning of the system of two-way selection (*shuang xiang xuan ze*), in which the graduate chooses the work-unit and *vice versa*, modest tuition was imposed. Substantial tuition charges began in 1994, with the "combining of the tracks" (*binggui*) of self-supporting and publicly-supported students. By late 1995, 247 institutions had tuition. In 1996-1997, the number rose to 661 of China's 1,096 institutions of higher learning.<sup>65</sup>

Tuition varies from school to school—and within institutions according to whether a major is considered "hot" or "cold."<sup>66</sup> In 1996, the cost of educating an undergraduate was about 5,000 yuan per annum. The state wants to gradually make a portion of the student body cover the full cost. Another portion, however, cannot even pay tuition that covers one-third of the cost of their education. In 1996, ten to fifteen percent of students could not afford the existing school fees. Some relief is provided by the central government through the Prime Minister's Reserve Fund. Provinces also aid needy students by setting aside special funds to pay the tuition of impecunious minority students.<sup>67</sup>

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<sup>62</sup> ROBERT KLITGAARD, *ELITISM AND MERITOCRACY IN DEVELOPING COUNTRIES* 26 (1986).

<sup>63</sup> The 1994-1995 figure in Appendix A is based on the most conservative estimate of the number of PRC university students (2.8 million) and the 160,000 minority students in China in 1995.

<sup>64</sup> Chan Wai-Fong, *Confucius Revival May Hinder Higher Learning*, S. CHINA MORNING POST, June 2, 1994, at 10.

<sup>65</sup> *China to Charge College Students for Education*, Reuters, Mar. 31, 1996, available in LEXIS, Asiapc Library, Arcnws File; *More Colleges, Universities Charge for Tuition*, Xinhua News Agency, May 13, 1996, available in LEXIS Asiapc Library, Xinhua File; *Reforming the Universities*, CHINA DAILY, Oct. 9, 1996, at 4.

<sup>66</sup> CHARLOTTE IKELS, *THE RETURN OF THE GOD OF WEALTH: THE TRANSITION TO A MARKET ECONOMY IN URBAN CHINA* 166-67 (1995).

<sup>67</sup> *China's Needy College Students Cannot Afford School Fees*, BBC/Summary of World Broadcasts, Sept. 13, 1996, available in LEXIS, Asiapc Library, Curnws File (translating Ming Pao

Minority students are disproportionately in danger of having financial difficulties. For example, among Tibetans studying at *neidi* universities, about half come from rural families. A few of these students have had to withdraw from study after the imposition of tuition. Some universities have lost interest in recruiting new students from minority and poor areas or have reduced the number of minority students because "work-study, loans and subsidies" (*qigong zhuxue butie*) or "subsidies for the especially poor" (*tekun butie*) would have to be paid to them. Overall, such outlays equaled forty-five percent of the monies earned by universities through tuition in 1994.<sup>68</sup>

The central government has announced a policy of discounts or exemptions from tuition to reduce financial obstacles to minority enrollment. This includes charging lower tuition for some students from poor and minority areas—a policy embodied in the State Education Commission ("SEC") "Notice on the Deduction of Tuition Fees for Ordinary Higher Education Students with Economic Difficulties."<sup>69</sup> In the spring of 1996, the center also announced that students in normal, agricultural, forestry, nautical, physical culture and ethnic minority institutions were not to be charged tuition.<sup>70</sup> For most majors at nationalities institutes, however, tuition was charged for minority students in 1996-1997.

At the Central Nationalities University (*Zhongyang minzu daxue*) in Beijing, at least ninety percent of students must be minorities. Ninety five percent of the students attending the Central Nationalities University are minorities.<sup>71</sup> Tuition in 1996-1997 stood at 1,400 yuan for Journalism majors; 1,200 yuan for such majors as Banking, Trade & Economics, Taxation & Law; and 1,000 yuan for Education Management, Foreign Trade Secretarial and History majors. Only Ethnic Language & Literature, Linguistics and Anthropology were tuition-exempt. Although the University provided student subsidies of 89.5 yuan per month, tuition is still judged by minority area officials to be unaffordable for many minority students.<sup>72</sup>

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(Hong Kong) July 27, 1996); *Training More Ethnic Minority Officials in Ningxia*, Xinhua News Agency, Mar. 17, 1996, available in LEXIS, Asiapc Library, Xinhua File.

<sup>68</sup> Zhang Qiang, *Zhao sheng "binggui" ying chongfen kaolu minzu xuesheng de shiji kunnan* [In Enrolling Students Through the Combined Tracks System, the Actual Difficulties of Minority Students Should Be Fully Considered], 6 *ZHONGGUO GAODENG JIAOYU* 39 (1995).

<sup>69</sup> *Id.*; *China to Aid Poor Students Through University*, Reuters, Apr. 19, 1995, available in LEXIS, Asiapc Library, Arcnws File.

<sup>70</sup> *Colleges to Charge Students in 1997*, BBC/Summary of World Broadcasts, Mar. 31, 1996, available in LEXIS, News Library, Txtnws File.

<sup>71</sup> Interview with officials of the Ethnic Minority Secondary School of Liangshan, Xichang, Sichuan (July 25, 1996).

<sup>72</sup> *Id.*

Similarly, at Southwest Nationalities University (*Xinan minzu daxue*) in Chengdu, Sichuan, where eighty percent of students must be minorities, tuition for 1996-1997 was 1,700 yuan for all majors except Bilingual Han/Tibetan Administration, which was 500 yuan.<sup>73</sup>

For several reasons, a disproportionate number of minority students now seek to become teachers. Lower entrance requirements for teacher training institutes and normal universities is one reason. Another reason why these schools attract large numbers of minority students is because, apart from ethnic cohorts and preparatory classes at universities outside the autonomous areas, teachers' colleges (*shifan daxue*) are a tuition exempt avenue to higher education. Teaching for a minority student also means a career in his or her home area, working in the indigenous language. There is great demand for teachers due to the rapid expansion of minority primary and secondary education; and, because fewer young Han graduates than before volunteer to work in the minority areas. Additionally, in these areas most higher education institutions are dedicated to teacher training. For example, in the Liangshan Yi Autonomous Prefecture, four of the six tertiary institutions are devoted to teacher training. In the autonomous areas of Guizhou, three of the four tertiary institutions are teacher training institutions.<sup>74</sup>

In minority areas, the imposition of tuition has lowered the percentage of minority students. For example, in Xishuangbanna Dai Autonomous Prefecture, Yunnan, officials maintain that the costs of attending a university discourage minority students from even enrolling in upper secondary schools, which are viewed as useless without the prospect of going on to university.<sup>75</sup> In Xinjiang in 1995, about one half of students in the tertiary system were self-supporting (*zifei* or *zikaoban*). Tuition in 1995 at local higher education institutions generally amounted to about 2,000 yuan per year. Xinjiang's Han students are mostly urban, while seventy-seven percent of its minority tertiary students are from peasant families.<sup>76</sup> The average per capita urban Xinjiang income is almost four times greater than the income of Xinjiang Uygur peasants. The ratio is larger still if Han urban incomes are compared to Uygur rural incomes. Many minority students cannot afford tuition, even the

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<sup>73</sup> Yunnan Jiaosheng Bao, interview (May 26, 1996).

<sup>74</sup> Hasi Bagen, *supra* note 6, at 63.

<sup>75</sup> Interviews with officers of the People's Political Consultative Conference of Xishuangbanna, Jinghong (Apr. 21 and 24, 1996).

<sup>76</sup> *China's Moslem Minority Left Behind in Oil Rush*, Reuters, Apr. 25, 1993, available in LEXIS, Asiapc Library, Arcnws File; Interviews in Urumqi with officials of the Xinjiang Education Commission (June 28, 1995) and the Xinjiang Ethnic Affairs Commission (June 30, 1995).

900 yuan per year that they must pay if they are government-supported.<sup>77</sup> The proportion of minority students in the region's tertiary institutions decreased from 56% in the early 1990s to 51.7% in 1994.<sup>78</sup> In 1997, Xinjiang's governor asserted that sixty percent of students at Xinjiang's twenty-one universities were from ethnic minorities,<sup>79</sup> but the accuracy of this figure has not been confirmed.

At the same time that the proportion of undergraduate minority enrollment has stagnated or declined in the mid-1990s, there has not been much progress in raising the number of minority graduate students. In 1993, only three percent of graduate students were minorities<sup>80</sup> despite preferences for minority admission to the PRC's small contingent of graduate students. For example, at Inner Mongolia University, the minimum examination score for Han applicants to enter graduate studies in 1995 was 315, while for minorities the minimum could be dropped to as low as 280.<sup>81</sup>

Some provinces provide special financial support to minority students who go on to graduate school. Hainan minority students from impoverished families who are admitted to graduate programs may apply to have their tuition and living expenses subsidized by the provincial government.<sup>82</sup> In other cases, provinces provide subsidies through the universities themselves. In 1995, it was announced that over the next five years, fifty-four *neidi* universities would train 900 graduate students from Xinjiang, including 150 Ph.D. students.<sup>83</sup> This intervention was made because the percentage of

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<sup>77</sup> *China's Moslem Minority Left Behind in Oil Rush*, *supra* note 76; Interviews in Urumqi with officials of the Xinjiang Education Commission (June 28, 1995) and the Xinjiang Ethnic Affairs Commission (June 30, 1995).

<sup>78</sup> *Xinjiang Boosts Education for Ethnic Minorities*, Xinhua News Agency, July 10, 1994, available in LEXIS, Asiapc Library, Xinhua File; *Ethnic Education*, Xinhua News Agency, May 28, 1994, available in LEXIS, Asiapc Library, Xinhua File; *More Ethnic Minority Students Receiving Education in Xinjiang*, Xinhua Gen. Overseas News Serv., Jan. 20, 1992, available in LEXIS, Asiapc Library, Xinhua File; *Xinjiang Develops Education for Ethnic Minorities*, Xinhua Gen. Overseas News Serv., Nov. 11, 1991, available in LEXIS, Asiapc Library, Xinhua File; *Xinjiang Stresses Education for Ethnic Minorities*, Xinhua Gen. Overseas News Serv., Aug. 15, 1991, available in LEXIS, Asiapc Library, Xinhua File; *Minority Education Thrives in Xinjiang*, Xinhua Gen. Overseas News Serv., Nov. 9, 1989, available in LEXIS, Asiapc Library, Xinhua File; *Ethnic Discrimination Claim Rejected*, BBC/Summary of World Broadcasts, Sept. 9, 1988, available in LEXIS, Asiapc Library, Arcnws File (translating Xinhua News Agency, Sept. 3, 1988).

<sup>79</sup> Jorge Svartzman, *Xinjiang Government Dismisses Separatist Threat*, Agence France Presse, May 12, 1997, available in LEXIS, News Library, AFP File.

<sup>80</sup> Kormondy, *supra* note 56, at 162.

<sup>81</sup> Interview with Inner Mongolia University officials, Hohhot, Mongolia (Apr. 9, 1995).

<sup>82</sup> *Hainan's Minority Ethnic Students Encouraged to Seek Higher Degrees*, Xinhua News Agency, Nov. 21, 1996, available in LEXIS, Asiapc Library, Xinhua File.

<sup>83</sup> *China to Train More Professionals for Border Area*, Xinhua News Agency, July 28, 1995, available in LEXIS, Asiapc Library, Xinhua File.

minority academics surpasses the proportion of minority graduate students (see Appendix B), while advanced degrees are increasingly required for an academic appointment in China. If the percentage of minorities among graduate students is not increased, minority faculty will become even more rare in the future than they are today.

One reason for the low percentage of minority graduate students is that many minority undergraduates intend to become cadres.<sup>84</sup> Preferential admissions have mainly been directed at overcoming the dearth of educationally-qualified minority cadres by turning out more bachelor's level graduates. Within this context, the affirmative action drive has borne some fruit.

In 1982, minorities had less than seventy percent of the educational level of the Han, and sixty percent fewer university graduates per 1,000 people.<sup>85</sup> There were 15.5 college students nationally per 10,000 people, but only 10.1 minority students per 10,000 people. There were also large differences among minority groups. At the high end of the scale, ethnic Koreans averaged 65.2, Mongols 36.9, Man 21.0 and Hui 18.1 per 10,000 people. At the low end, the Tujia and Bouyei had 2.4, Miao 2.1, Tibetans 1.5 and Yi 1.3 per 10,000 people. By 1990, 1.42% of Han had a higher education. The highest attainment among minority groups was 4.3% (of Koreans), while only 0.52% of Tibetans had obtained a higher education. These figures, however, represented a dramatic rise from those of eight years earlier, when only 1.57% of Koreans and 0.117% of Tibetans had higher educations. Altogether, the proportion of minorities with higher education among the total population increased by almost three-fourths of a percentage point in 1982-1990.<sup>86</sup>

Education, together with affirmative action in hiring and promotion, make a significant difference in terms of minority entry into "elite" positions. In Xinjiang in the 1980s, ethnic inequality widened for the transitions to primary and lower middle school, but declined for the transitions to upper

<sup>84</sup> In communist practice, cadres is the term for anyone who works in the state or party apparatus and has some kind of administrative task, i.e., officials both high and low.

<sup>85</sup> Minority university graduates per 10,000 persons equaled 62% of the nationwide figure. ZHONGGUO SHEHUI TONGJI ZILIAO [China Social Statistical Data] 170, 182 (Beijing: Zhongguo tongji chubanshe, 1987) [on file with author].

<sup>86</sup> Postiglione, *supra* note 32, at 39; Deng Bihai, *supra* note 21, at 59; Zhang Tianlu, *Population Development and Changes of China's Minority Nationalities*, in A CENSUS OF ONE BILLION PEOPLE 449 (Li Chengrui ed., Beijing: Populations Census Office, State Statistical Bureau 1987); Yan Ruxian, *Marriage, Family and Social Progress of China's Minority Nationalities*, 8 NEW ASIA ACAD. BULL. 79 (1989); Yang Chunpu, *Wo guo shaoshu minzu wenhua shuiping da fudu tigao* [Our Country's Minorities' Cultural Level is being Raised to a Great Extent], 6 MINZU 40-41 (1994).



middle school and college. Ethnic occupational inequality thus declined somewhat. While minorities who fell even further behind Han in their rate of attending primary and lower middle school were likely going to end up as peasants whether or not the educational gap widened, the diminution of the Han/minority gap at the upper secondary and tertiary levels meant that a greater proportion of minority people could compete for "elite" positions.

These gains certainly did not close the Han/minorities gap. In 1990 minorities were fifty-five percent of the labor force in Xinjiang, but only 36.3% of those were working in "elite" positions. Nor did the gains increase the percentage of minority cadres—that percentage actually declined slightly. Increased access to upper middle school and university meant that more minorities were entering a broadened range of "elite" positions. It is particularly notable that by 1990 a Xinjiang minority person with a high school or university education had a better chance of gaining an elite position than an equally-educated Xinjiang Han. This indicates that for minorities who manage to gain access to higher education, affirmative action plays its intended role of enlarging and diversifying the minority middle class.<sup>87</sup>

#### IV. AFFIRMATIVE ACTION IN EXAMINATIONS

Preferential admissions are facilitated by several factors. One element is to make the process of taking the national entrance examination easier for minority students by allowing them, in many cases, to use indigenous languages. Minority students who seek admission to the thirteen nationalities universities and to some of the approximately 117 minority area universities and polytechnics can become *min kao min* or "minorities taking the examination in a minority language," as opposed to *min kao han*—"minority students taking the examination in *Hanyu*" (i.e. Chinese). Many *min kao min* students take some of their courses in their autonomous region's main minority language. It is also possible to take the entrance exam in an indigenous language and then enroll in classes taught solely in *Hanyu*.

Many of the *min kao min* students end up attending national universities. Some sixteen to eighteen percent of minority tertiary students are enrolled in nationalities universities.<sup>88</sup> An indeterminate, but large percentage

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<sup>87</sup> EMILY HANNUM & YU XIE, ETHNIC AND GENDER STRATIFICATION IN AN ECONOMIC REFORM ERA: THE CASE OF XINJIANG 5 (1995).

<sup>88</sup> *Guangxi Boosts Education in Minority Areas*, Xinhua News Agency, July 14, 1994, available in LEXIS, Asiapac Library, Xinhua File; ZHONGGUO JIAOYU SHIYE TONGJI NIANJIAN [China Educational Statistics Yearbook] 140-41, (Beijing: Guojia jiaoyu weiyuanhui jihua jianshe ce 1994); for an overview of the nationality institutes at the end of the 1980's, see LIU YINGJIE, ZHONGGUO JIAOYU DA SHIDIAN, 2079-

of the remaining minority students attend minority area universities, rather than schools in the largely Han coastal areas, where three-quarters of the prestigious keypoint (*zhongdian*) (i.e., elite) universities are located.<sup>89</sup> Thus, many minority students are not particularly disadvantaged by becoming *min kao min*, as they plan to study and work in their native regions. Students in autonomous regions with a large number of non-*Hanyu* speakers, i.e. Xinjiang, Inner Mongolia and Tibet, can easily become *min kao min*; minority students who are from ethnic groups without written languages (Li, Bai, etc.) or who live in areas where the minority population is linguistically diverse (Yunnan, Guizhou, etc.) or consist overwhelmingly of *Hanyu*-speakers (Guangxi, Ningxia, etc.) generally cannot become *min kao min*.

In addition to being able, in many cases, to take the national examination in their indigenous languages, minority students can apply to some minority area institutions that have their own entrance exams. These are arranged by the local government and given in the local language. A student in Tibet, Xinjiang or Inner Mongolia who seeks to enter a university that uses *Hanyu* as the sole medium of instruction may still take the national examination in a minority language. Alternatively, a graduate of a secondary school in which a minority language is used can take a "B text" (*B juan*) entrance exam. Although the exam is in *Hanyu*, it is easier than the standard one.<sup>90</sup>

The amount of preferential treatment given to minority students to some extent depends on whether a student has chosen the *min kao min* or *min kao han* path. For example, in Kashgar prefecture, Xinjiang, the number of "added points" (*jia fen*) awarded to the few non-native *Hanyu*-speaking minority students who take the national entrance examination as *min kao han* varies annually, but generally 80 to 140 points are added, which is considerably higher than the points awarded to *min kao min* students. Hui applicants, who are native *Hanyu* speakers, are given added points as

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81, (1993); Gregory Guldin, *The Organization of Minority Studies in China*, CHINA EXCH. NEWS, Summer 1991, at 7.

<sup>89</sup> Kormondy, *supra* note 56, at 166. For example, the vast majority of the 952 tertiary students from Xinjiang's Turpan prefecture who matriculated in 1994 did so at Turpan institutions; almost all the rest attended other Xinjiang institutions. Interview with a Turpan bureau chief, Turpan (July 2, 1995). Lijiang Naxi district produces about 40 minority university students each year, but only a few go to keypoint universities and most go to nationalities institutes. Interview with official, Lijiang District Education Commission, Lijiang (July 17, 1996). Every year seven to eight Zhaojue County students go on to higher education, but most go to Southwest Nationalities University or the Central Nationalities University. Interview with the Director of Zhaojue County Personnel Office, Zhaojue (July 24, 1996).

<sup>90</sup> Postiglione, *supra* note 32, at 39; BERNARD OLIVIER, *THE IMPLEMENTATION OF CHINA'S NATIONALITY POLICY IN THE NORTHEASTERN PROVINCES* 242 (1993).

minorities, but usually only ten to twenty. In Liangshan, *min kao min* applicants to normal universities take both the national examination and a test of their Yi language skills. They receive forty added points for being minorities and have the score on the Yi language exam (fifty points possible) added to their score.<sup>91</sup>

## V. AFFIRMATIVE ACTION THROUGH QUOTAS

Quotas are basic to the entire admissions process at Chinese universities. There are quotas for the total number of students that each university may enroll because the number of students who sit for the national entrance examination exceeds the number of seats at PRC universities, with the ratio being about 2:1 in 1994. A quota also distributes students among universities, according to their capacities, and within universities, in keeping with the needs of the state (*guojia quyao*) for trained personnel and the interests of the applicants. University departments propose their own quotas annually and negotiate with the university authorities, who in turn make a proposal to the SEC. The latter fixes the number of students to be admitted, but this quota may be negotiable. For example, in early 1993, the SEC proposed that 789,000 students be admitted to higher education nationwide. By the fall of 1993, the actual intake ended up being 925,000.<sup>92</sup> Minority students benefit from quotas that set aside a certain percentage of spaces for them. In Yunnan, every year about twenty-four percent of applicants to the province's universities are minority students and twenty-four percent of admittees are minorities.<sup>93</sup> In Xinjiang, the minimum number of points needed by minority students on the national entrance examination to qualify to apply to universities is also a function of an ethnic quota system. At Xinjiang University, the region's comprehensive (*zonghe*) institution, the exact percentage of minority admittees varies annually, but roughly fifty-five percent of spaces in each new class are to be filled by minorities.<sup>94</sup>

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<sup>91</sup> Interview with Liangshan Ethnic Affairs Commission (July 25, 1996). Minorities are 45.4% of the Liangshan population.

<sup>92</sup> Liu Renjing, *College and University Admissions: The Rate of Growth Must be Appropriate*, CHINESE EDUC. & SOC'Y, Nov.-Dec. 1995, at 7.

<sup>93</sup> Interview with an official of the Yunnan Minority Education Commission, Kunming (July 10, 1996); *Yunnan Excels in Ethnic Minority Education*, Xinhua News Agency, Aug. 24, 1995, available in LEXIS, Asiapc Library, Xinhua File.

<sup>94</sup> Interviews with Professor Wang Jiamin and Uyghur students, Central Nationalities University (June 12, 1995); interview with a Turpan prefecture bureau chief (July 8, 1995). Because the cohort of college-level technical students (*dazhuan xuesheng*) at the university is disproportionately Han, overall Han and minority students each make up a half-share of the student body.

Hainan province annually announces quotas of minority students. In the Tongzha municipality, for example, where the population is sixty percent minority, sixty percent of students at Tongzha University must be minorities.<sup>95</sup> Minority enrollment is ensured by awarding at least 100 points to the entrance examinations of minorities who apply to nationalities institutes and twenty points to those who apply to other institutions. The precise number of added points depends on how many minority applicants there are from Tongzha in a given year.<sup>96</sup> In Liangshan, all university applicants receive twenty added points as an area preference (*dichu youhui*); minority students receive an additional twenty points. If these added points prove to be inadequate, minimum score requirements can be lowered further to fulfill minority quotas.<sup>97</sup>

It was decided in the early 1980s that twenty to twenty-five percent of higher education students in Inner Mongolia must be from minority groups. The actual proportion initially rose to twenty-four to twenty-five percent and was twenty-three percent in the mid-1990s. This was accomplished, in part, by giving local minority liberal arts applicants ten added points on the entrance exam and giving fifteen points to prospective minority science majors.<sup>98</sup> Without these added points, no more than two percent of admittees to Inner Mongolian universities would have been minorities.<sup>99</sup> By 1994-1995, Inner Mongolia's nineteen tertiary institutions generally provided only a five to ten point advantage to minority applicants, depending upon local circumstances, because the sixteen to seventeen university students per 10,000 population among Inner Mongolian minorities was higher than the national average. At the region's leading institution, Inner Mongolia University, the minority student population was thirty-three percent in 1995, a stable quota required by regulation.<sup>100</sup>

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<sup>95</sup> Interview with Dong Xueming, Tongzha Municipal Ethnic & Religious Affairs Office, Tongzha, (July 3, 1996).

<sup>96</sup> Interview with officials of the Tongzha Li Autonomous Prefecture Education and Science Office, Tongzha (July 3, 1996).

<sup>97</sup> Interview with Liangshan Ethnic Affairs Commission, (July 25, 1996).

<sup>98</sup> There are actually five kinds of examinations: sciences, liberal arts, languages, athletics and fine arts. Takers of the last three of these examinations account for less than five percent of all examinees. If the rest of China is like Guangdong in this respect, science candidates outnumber liberal arts candidates by about two to one. IKELS, *supra* note 66, at 166.

<sup>99</sup> Interview with Mongolian intellectuals, in Hohhot, Mongolia (Apr. 9, 1995); interview with Rong Shen, Vice-Director of the Inner Mongolian Ethnic Affairs Commission, in Hohhot, Mongolia (Apr. 13, 1995).

<sup>100</sup> Interview with Mongolian intellectuals, in Hohhot, Mongolia (Apr. 9, 1995); interview with Rong Shen, Vice-Director of the Inner Mongolian Ethnic Affairs Commission, Hohhot, Mongolia (Apr. 13, 1995).

Inner Mongolia Normal University, the main training ground for teachers for minority grasslands schools, had a 1995 student body that was forty-nine percent ethnic Mongolians, with many of them studying in *minzu ban*. About forty-five percent of faculty were Mongolians. These figures approach the fifty percent quota maintained by the university for both students and faculty. Minority applicants to the university's Mongolian or bilingual streams generally have their entrance examination minimums lowered by ten points, while minorities who seek entry to the *Hanyu* stream have typically received an extra five points. University authorities decided that for 1995-1996, however, no preferential policy was needed because the minority quota could be filled with applicants who met the standard admission requirements.<sup>101</sup>

In most minority areas, however, the proportion of minority tertiary students has been well below the minority proportion of the population. In Ningxia, for example, minorities made up about thirty-three percent of the population in the late 1980s, but were only eighteen percent of students at the seven regional institutions of higher learning. This figure nevertheless represents a rise from the 14.5% at these institutions in 1983. A "quota" is now in place for Ningxia University, Ningxia Agricultural Institute and Ningxia Medical School, to recruit twenty percent of each incoming class from mainly Hui minority districts.<sup>102</sup>

In Tibet, where it is claimed that as of 1995, 96.7% of the population were ethnic minorities,<sup>103</sup> it was decided in 1980 that at least sixty percent of new entrants to tertiary institutions be minorities.<sup>104</sup> By 1995-1996, the four tertiary institutions under the TAR government were attended by more than 4,000 students. The student body of Tibet University (*Xizang daxue*; founded 1985), according to a 1995 official source, is over ninety percent minority.<sup>105</sup> Western reporters have given figures of seventy-two percent in 1989 and

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<sup>101</sup> Interview with officials of Inner Mongolia Normal University, in Hohhot, Mongolia (Apr. 13, 1995).

<sup>102</sup> Ningxia Hui Education Office, *Zai tansu he gaige zhong fazhan minzu jiaoyu* [Develop Minority Education in the Process of Exploration and Reform] 1 MINZU JIAOYU YANJIU 7, 7-11 (1990).

<sup>103</sup> *China Denies Population Transfer into Tibet*, Xinhua News Agency, Aug. 12, 1996, available in LEXIS, Asiapc Library, Xinhua File.

<sup>104</sup> Zhang Yenming, *supra* note 28, at 209.

<sup>105</sup> *Tibetan Language Used Widely in Tibetan Classrooms*, Xinhua News Agency, July 11, 1995, available in LEXIS, Asiapc Library, Xinhua File. Supporters of the exiled Dalai Lama dispute this figure. See Anders Andersen, *Development and Cultural Destruction in Tibet*, WTN, Mar. 19, 1995 (asserting that 55% of the students enrolled at Tibet University are "Chinese"); Pema Thinley, *Educating Chinese at Tibetan Expense*, TIBETAN BULL., July-Aug. 1996, at 13.

"two-thirds" in 1995 for ethnic Tibetan enrollment at the University.<sup>106</sup> A 1995 study by Tibetologists in Beijing reported that in 1992, ninety-two percent of Tibet University's 1092 students were minorities.<sup>107</sup>

There are two other institutions of higher learning in the TAR, the Tibet Institute of Agriculture & Animal Husbandry (*Xizang nongmu xueyuan*; founded 1978) and the Tibetan Traditional Medical Institute (*Yao wang shan zang yi xueyuan*; founded 1989). Sixty percent of the former and 100 percent of the latter's students were ethnic Tibetans in the early 1990s.<sup>108</sup> Furthermore, the TAR government supports a Tibet Institute of Nationalities (*Xizang minzu xueyuan*; founded 1957) located in Xianyang, Shaanxi, which had a forty percent minority enrollment in 1993.<sup>109</sup>

In Guangxi, where thirty-nine percent of the population was of minority ethnicity in 1995, 39.6% of the region's higher education students were from minorities, up from 17.7% in 1978 and 34.9% in 1989.<sup>110</sup> Three of twenty-four tertiary institutions in Guangxi are devoted especially to training minorities.<sup>111</sup> In Yunnan, the stable twenty-four percent minority enrollment over recent years indicates a quota. The figure, however, is an overall one: minorities at Yunnan University, the provincial keypoint school, were only

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<sup>106</sup> Teresa Poole, *Paying the Price of Progress*, INDEPENDENT, Aug. 20, 1995, at 10; Guy Dinmore, *Tibetans and Chinese Divided by Gulf of Misunderstanding*, Reuters, Oct. 31, 1989, available in LEXIS, Asiapc Library, Arcnws File.

<sup>107</sup> ZHONGGUO GUO QINGKUANG SHU—BAI XIAN SHI JING SHEHUI DIAOCHA: LASA JUAN [Book on China's National Condition: Economic and Social Investigation of One Hundred Counties and Cities: Lhasa Volume] 544 (Ge Le & Jin Xisheng, eds., Beijing: Zhongguo da baikequanshu chubanshe 1995).

<sup>108</sup> Yang Chaoji, *Lizu xizang shiji; cujin goajiao gaige* [Gain a Foothold in Tibet's Reality; Promote the Reform and Development of Higher Education], ZHONGGUO GAODENG JIAOYU Oct. 1993, at 18-19; *Tibet Trains More Agricultural Managers, Technicians*, Xinhua News Agency, May 8, 1990, available in LEXIS, Asiapc Library, Xinhua File; *College of Tibetan Medicine Set up in Lhasa*, Xinhua News Agency, Sept. 3, 1989, available in LEXIS, Asiapc Library, Xinhua File. The Agricultural & Animal Husbandry Institute for 1990 was 80% minority, if higher technical students (*dazhuan xuesheng*), middle technical students (*zhongzhuan xuesheng*) training students (*peixun xuesheng*), and preparatory students (*jichu yuke xuesheng*) were added to the figure for regular university students (*benke xuesheng*). ZHONGGUO GAODENG YUANXIAO [China's Higher Institutes and Schools] 384 (Yin Zhang, ed., Beijing: Kexue puji chubanshe 1991).

<sup>109</sup> Kormondy, *supra* note 56, at 162 (applying the ethnic proportions stated above to total enrollment figures for 1993 derived from ZHONGGUO JIAOYU SHIYE TONGJI NIANJIAN 114-141 (1994)). The overall percentage of minorities at Tibetan higher learning institutions depends on whether the Nationalities Institute is within that category. If so, minority enrolment in the four schools is 64%. See also, ZHONGGUO JIAOYU NIANJIAN 691 (Beijing: Renmin jiaoyu chubanshe 1993) (in 1992 overall percentage for four institutions was 63.4).

<sup>110</sup> *Minorities Benefit From Autonomous Administration*, Xinhua News Agency, June 8, 1995, available in LEXIS, Asiapc Library, Xinhua File.

<sup>111</sup> *Higher Education for Minorities Thrives in Guangxi*, Xinhua News Agency, Nov. 30, 1989, available in LEXIS, Asiapc Library, Xinhua File.

eight percent in 1993.<sup>112</sup> This percentage may be the result of a low quota, which was the case, for example, for Hainan University, the province's top institution, where only five percent of students need be minorities.<sup>113</sup>

In some areas, quotas are used to further disaggregate applicants. In Xinjiang, quotas are set not only in terms of minorities from given regions, but also as to the number of admittees from each ethnic group. The cutoff (*fenshuxian*) is fixed at the points attained by the lowest-scoring students within the ethnic groups who fill particular quotas so that the University may achieve a proportionate distribution among all thirteen of the region's substantial ethnic groups.<sup>114</sup>

By contrast, in Yunnan there is no strict relationship between representation of minority groups in the population and the admission of students from each group (see Appendix C). For the ten minority groups least represented in the tertiary student population,<sup>115</sup> however, the province sponsors upper secondary school cohorts in each of its eight autonomous prefectures. These are set up in the best county-level high schools with the best teachers in the county assigned to teach these cohorts. It is hoped that eighty-five percent of the graduates of these cohorts will go to university. An eighty yuan monthly subsidy is provided to each student, with sixty yuan coming from the provincial minority affairs commission (*sheng minwei*) and twenty yuan from local government.<sup>116</sup>

Locally, some applicants from minorities officially deemed to be "advanced" receive less preference than other minorities. Those from some small or assertedly "backward" minorities benefit from especially strong preferences. In Yunnan, the authorities consider that the Man, Bai, Hui, Naxi minorities are on a plane of development similar to the Han and accord them less preference than other ethnicities. On the other hand, the few Dulong, Nu and Jinuo applicants are given thirty or more added points (cf. Appendix D).<sup>117</sup> In Inner Mongolia, greater latitude in admissions is given Daur than Mongols and even more eased requirements are allowed Ewenkis. Oroqen senior middle school graduates are admitted without taking the entrance

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<sup>112</sup> *Success in Ethnic Minority Education in Yunnan*, Xinhua News Agency, Aug. 24, 1995, available in LEXIS, Asiapc Library, Xinhua File; Kormondy, *supra* note 56, at 162.

<sup>113</sup> Interview with officials of the Tongzha Municipal Ethnic & Religious Affairs Office, Tongzha (July 3, 1996).

<sup>114</sup> Interview with Wang Jiamin (June 12, 1995).

<sup>115</sup> Miao, Yao, Lahu, Jipo, Wa, Lisu, Hani, Dai, Dehong and Bulang.

<sup>116</sup> Interview with Yunnan Education Commission officials, Kunming (Apr. 20, 1996).

<sup>117</sup> Interview with faculty of Yunnan Ethnic Studies Institute, Kunming (Apr. 19, 1996).

examination.<sup>118</sup> Although the northeastern Korean minority is much better educated on the whole than the Han and supplies a disproportionately high number of cadres in Yanbian Korean autonomous prefecture,<sup>119</sup> all tertiary educational institutions in China's three northeastern provinces and in Inner Mongolia must enroll fixed quotas of Korean students.<sup>120</sup> At Yanbian University, the ratio of minority students, including Koreans, is fixed at seventy percent.<sup>121</sup>

## VI. AFFIRMATIVE ACTION THROUGH ADDED POINTS

Almost all minority students who apply to universities benefit from the award of added points on the entrance exam. These may add to an advantage already provided by admission with lowered scores. There is great variation, however, in the number of points awarded to minority students. Works published outside China often state that minorities receive a bonus of anywhere from ten to thirty points, depending on the field and university.<sup>122</sup> Specialists in China, however, know that the range of added points is much wider. One has stated that the extra points accorded minority status vary according to region and may be between ten and eighty out of 630-640 points typically needed to gain admission.<sup>123</sup> Another expert claims that the added points given to minorities can range from twenty to 100.<sup>124</sup>

The situation of added points is even more complex. The SEC varies by province the minimum scores needed to qualify to apply to three kinds of schools: keypoint universities, ordinary (*putongde*) universities and higher technical schools. A higher minimum is always needed to apply to the first of these categories. Variations in the minimums by province are based on the

<sup>118</sup> Interview with Inner Mongolia Normal University officials (Apr. 14, 1995).

<sup>119</sup> In the late 1980s, Koreans had a university attendance rate twice the national average. They were 41% of the Yanbian population, but 51% of its cadres. Cui Longhao, *The Portion and Development of Koreans in China*, in KOREANS IN CHINA 83 (Dae-Dook Suh & Edward J. Schultz eds., 1990). See also CHAE-JIN LEE, CHINA'S KOREAN MINORITY: THE POLITICS OF ETHNIC EDUCATION 137 (Westview 1986).

<sup>120</sup> OLIVIER, *supra* note 90, at 245.

<sup>121</sup> Yoshiharu Hara, *University Hones Skills of Chinese-Koreans*, DAILY YOMIURI, Feb. 24, 1995.

<sup>122</sup> Klitgaard, *supra* note 62, at 164 n.64; Arthur Rosett, *Legal Structures for Special Treatment of Minorities in the People's Republic of China*, 66 NOTRE DAME L. REV. 1503 (1991) (10 points); Kormondy, *supra* note 56, at 167 (20 points); Julia Kwong and Hong Xiao, *Educational Equality Among China's Minorities*, 25 COMP. EDUC. 229 (1989) (30 points); Guldin, *supra* note 88 (10 points, at nationalities institutes); Zhang Yenming, *supra* note 28, at 186 (up to 30 points).

<sup>123</sup> Lu Yumin, State Minority Affairs Commission, Education Department Deputy Office Chief, interview (June 30, 1994). The figure of 630-640 points needed to gain admission doubtless refers to keypoint universities. The maximum number of points on the 1996 entrance examination was 750.

<sup>124</sup> Zhang Tianlu, specialist in minority population studies, Beijing Economics University, interview (June 22, 1995).



relationship between the total quota for students taken from each province by the universities in each category to the scores achieved by students from each province who apply to schools in each category. While cutoffs are reconfigured annually, the provincial minimums are predictably interrelated. For example, the minimum for students from Jiangsu, where scores tend to be relatively high, always greatly exceeds the minimum for students from Guizhou, where scores tend to be relatively low.

Quotas for each province's sons and daughters are negotiated yearly between the universities and central authorities. If the center decides to increase the number of students from a certain province, it will ask universities to dip down further into the pool of applicants from that province, effectively lowering the minimum score needed for students from that province. For example, in 1989, the center decided to boost the number of Xinjiang minorities at *neidi* universities by lowering the minimum score for all Xinjiang applicants.<sup>125</sup> Such moves benefit not only minority students, but also some Han students who live—or successfully claim residence (*hukou*)—in minority areas. At the same time, they boost minority admissions. To fine tune the mix, the authorities may also vary the number of added points given to *min kao han* and *min kao min* students or vary the points by region of origin within a minority area—for example, more for southern or northern Xinjiang.<sup>126</sup>

The minimum score needed to apply also varies according to whether the prospective major is in the sciences (*li ke*) or liberal arts (*wen ke*). Incoming classes must be balanced by sex, with institutions attempting to select fifty percent males and fifty percent females in liberal arts and eighty percent males and twenty percent females in science and technology. The sexual quota system in liberal arts is effectively a preference for males, who are accepted with much lower scores than females in order to fill the male quota.<sup>127</sup>

Besides lowering minimum scores for areas with significant minority populations, the number of added points for Han and minority students may be varied annually within a province. In Hainan, the added points given minority students may change radically from year to year, depending on how large the gap is between the actual scores of minority and Han students. If the gap is small,

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<sup>125</sup> *Minority Education Thrives in Xinjiang*, Xinhua News Agency, Nov. 9, 1989, available in LEXIS, Asiapc Library, Xinhua File.

<sup>126</sup> Interview with a Kirghiz student, Central Nationalities University (June 12, 1995).

<sup>127</sup> Hu Xiaolu, *The Role of the Entrance Examination in the Admissions System to Higher Education in the People's Republic of China* (Unpub'd M.A. Thesis, Kent State University, USA, 1986).

only forty to fifty added points may be awarded, but if the gap is large, 100 points may be needed for ethnic balance.<sup>128</sup>

Added point variations can also be found within universities in response to state policy decisions. For example, at Central Nationalities University, added points usually vary from five to eighty, "depending on the students' backgrounds."<sup>129</sup> *Min kao han* students who came there from Xinjiang in 1990 had received a 100 point advantage. They learned, however, that earlier Xinjiang cohorts had received an even larger number of added points. At the same time, in response to another policy stance, the added points given the University's applicants have steadily decreased over the years<sup>130</sup> as minority students are urged to "engage in self-strengthening" (*zhiqiang*), so that the award of added points based on minority status will eventually not be needed.<sup>131</sup>

## VII. THE DISTRIBUTION OF AFFIRMATIVE ACTION BENEFICIARIES

The percentage of minority tertiary students enrolled outside the minority areas is not known precisely. In 1993, there were 163,224 minority higher education students in China and 161,103 students (Han and minority) attending autonomous area tertiary institutions. The five autonomous regions had 46,767 minority tertiary students. If we add to this the number of minority students in nine provinces with significant minority populations, there were 144,776 minority students in fourteen provincial-level jurisdictions (See Appendix E[1]).

There is minority higher education enrollment data for minority people in each of China's thirty provinces and most of the universities in the fourteen provinces in Han areas. Most minority students thus go to university within their provinces but outside their autonomous prefectures or counties,<sup>132</sup> except for students from minorities mainly found in Tibet, Xinjiang, Guangxi and Inner Mongolia, who mostly enroll within their autonomous regions. For example, in the mid-1990s, about 21,000 Xinjiang minority students attended the twenty-one regional institutions; about 4,000 Xinjiang minority university students studied

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<sup>128</sup> Interview with Dong Xueming (July 3, 1996); Interview with officials of the Hainan Province Institute of Nationalities, Office of Research in the National Economy, Tongzha (July 5, 1996). Only two or three minority students per year from Sanya, the second largest Hainan city, are admitted to keypoint universities without "special consideration" (*zaogu*). Interview with officials of Sanya, Hainan People's Congress Standing Committee, CCP Party committee, Ethnic Affairs and Religion Office (July 5, 1996).

<sup>129</sup> Pat Harper, *GSU, China School Share Similar Goal*, CHI. TRIB., July 26, 1995, at 3.

<sup>130</sup> Kirghiz student interview (June 12, 1995); Wang Jiamin, interview (June 12, 1995).

<sup>131</sup> Lu Yumin, interview (June 30, 1994).

<sup>132</sup> Guo Sheng, *supra* note 36, at 340-41; *China to Improve Ethnic Education*, Xinhua News Agency, Nov. 21, 1995, available in LEXIS, Asiapc Library, Xinhua File.

outside Xinjiang.<sup>133</sup> All this means that only a small percentage of minority students attend national universities.

Most minority student bodies at the top PRC universities hover around the national proportion of all minority higher education students. For example, in 1993 six percent of Beijing University and five percent of Lanzhou University students were minorities.<sup>134</sup> The number of added points awarded to minority applicants to these top universities varies with the ethnicity of the applicant. Those from relatively highly-educated minorities may receive only a five to ten point advantage; those from generally less-educated ethnicities receive more points. Thus the number of points accorded to minority students by their native places are not necessarily honored in the admission process of top universities. These, after all, are the schools of choice for many minority students, as they are for Han students, so that the top universities can afford to be selective among minorities.

The top schools take many students from sensitive minority regions, but whether there are any special quotas in this regard is unclear. During the 1994-1995 academic year, about 800 Tibetans studied at universities outside the TAR, many of them at keypoint schools.<sup>135</sup> A large share of these students are products of the *neidi* Tibetan boarding secondary schools system, whose graduates on average score over 100 points higher on the national entrance examination than examinees who do their studies in Tibet.<sup>136</sup> In 1991, 745 of 1,600 entrance examinees in the TAR were minorities. Some 350 were admitted to study at *neidi* universities, in part because of lowered minimum scores.<sup>137</sup> Without lowering admission standards, the enrollment levels of Tibetan undergraduates in Tibet would only amount to fifty to seventy percent of what is actually attained<sup>138</sup> and there would likely be hardly any Tibetans studying outside Tibet.

<sup>133</sup> *Xinjiang Government Dismisses Separatist Threat*, Agence France Presse, May 12, 1997.

<sup>134</sup> Kormondy, *supra* note 56, at 162, 166, 168.

<sup>135</sup> *More Tibetan Students Studying in China*, Xinhua News Agency, July 30, 1995, available in LEXIS, Asiapc Library, Xinhua File.

<sup>136</sup> *Tibetan Schools in the Interior Region Successful*, Xinhua News Agency, Apr. 22, 1995, available in LEXIS, Asiapc Library, Xinhua File.

<sup>137</sup> *Tibetan Students Depart for Universities in China*, Xinhua News Agency, Sept. 11, 1995, available in LEXIS, Asiapc Library, Xinhua File. The Department of Information & International Relations of the Tibetan exile administration argued that the majority of seats at universities inside and outside the TAR that are reserved for Tibetan students actually "go to Chinese students due only to the fact that they have finished school from the 'TAR' or due to their Tibet residency registration." *The State of Education in Tibet Today*, World Tibetan News page (Nov. 18, 1994, no longer available on-line) <<http://www.tibet.ca>> [on file with author].

<sup>138</sup> Postiglione, *supra* note 32, at 40, citing Wang Tiezhi, *Shaoshu minzu jiaoyu de xin fazhan* [New Developments in Ethnic Minority Education], 4 JIAOYU JIANXUN (1987).

Further preferences are given to students from frontier, pastoral and mountainous regions. At Lanzhou University, for example, the minimum score needed by minorities from these areas is lowered by twenty-five percent. Minority applicants from remote areas who apply to nationalities institutes also have their minimums lowered by an additional ten to forty points. Han students from remote areas may also benefit. At Northwest University for Nationalities in 1993, the minimum scores for Han and minority applicants from remote areas were lowered by fifty and 105 points respectively.<sup>139</sup> In Yunnan, Han border area students (*bianjiang hanzu*), who are often very poor, receive fifteen to twenty added points.<sup>140</sup> Hainan Han students from minority areas are deemed to be from remote regions and accorded ten added points in applying to universities within the province. Minority students from the same areas automatically receive at least ten more added points.<sup>141</sup>

The extension of preferential policies to Han students living in some minority areas is not seen as part of a general effort to favor the poor. Impoverished Han students from Han areas receive no preferences. Instead, the favoring of Han students from remote minority areas is seen as part of national minority policy, aiding minority areas with great development difficulties to increase their supply of *ren cai* (talented people).

#### VIII. THE CONSEQUENCES OF AFFIRMATIVE ACTION

As a result of lowered minimums and added points, minority students are often admitted with much lower scores on average than Han admittees. For example, in 1986 Han students admitted to Xinjiang universities averaged 435 points in science and 440 points in liberal arts; minorities averaged 300 points in science and 245 points in liberal arts. In 1987, Han students from Xinjiang admitted to keypoint universities averaged 470 points in science and 445 points in liberal arts; minority students averaged 313 and 269 points respectively.<sup>142</sup> In the late 1980s, when a score of about 400 was the average minimum needed for admission in Han areas, Han students in Tibet needed 250 points for admission in Tibet; Tibetans could be admitted in Tibet with

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<sup>139</sup> Zhang Yenming, *supra* note 28, at 211; Kormondy, *supra* note 56, at 167-68.

<sup>140</sup> Interview with faculty of Yunnan Ethnic Studies Institute (Apr. 19, 1996).

<sup>141</sup> Interview with Sanya Education Office officials (July 6, 1996); interview with Hainan People's Congress officials (July 5, 1996).

<sup>142</sup> Cheng Shengykuan, *Xinjiang jiaoyude fangxiang zhanxian shi tigao zhiliang* [Raising Quality is the Orientation of the Front in Xinjiang's Education], *XINJIANG SHEHUI KEXUE* NO. 3, June 15, 1989, at 38-62 [on file with author]; Ba Jiankun, *supra* note 48, at 304.

about 190 (210 for liberal arts; 170 for sciences).<sup>143</sup> Despite these gaps, retention and graduation rates for minority students are not lower than for Han students. The reasons include the high retention and graduation rates of PRC undergraduates in general, the concentration of minority students in minority area universities and nationalities institutes and the provision of preparatory classes, ethnic cohorts and tutoring for minorities.

Because a preferentially-admitted minority student is likely to become a college graduate, minorities in China actively seek this benefit and "Han" people seek to be reclassified as minorities. From 1982 to 1990, some 14 million minority people who previously had elected to be classified as Han had themselves reclassified as minorities. The Han population rose about ten percent in 1982-1990; the minority population increased by more than thirty-five percent, with half the increase attributable to changes in ethnic status (*minzu chengfen*).

In order to make themselves eligible for preferential admissions, some Han claim a minority progenitor who lived hundreds of years earlier and apply (usually unsuccessfully) for minority status.<sup>144</sup> Five million people had applications to change ethnic status pending in 1990 when the process was brought to a close by government fiat. Han can, however, still seek a minority spouse in order to gain the benefits of preferential policies for their children. Even where there is no calculation of this kind involved in choice of a marriage partner, the children of "mixed" marriages are overwhelmingly registered as minorities.<sup>145</sup> Other Han, with no minority background, have

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<sup>143</sup> Zhou Runnian, *Guanyu fazhan xizang jiaoyu wenti zhi guanjian* [My Humble Opinion on Problems of Developing Education in Tibet], 5 MINZU YANJIU 46 (1988) [on file with author]; see also *Adopts Favorable Policy for Education of Minorities*, Xinhua News Agency, Feb. 16, 1993, available in LEXIS, Asiapc Library, Xinhua File.

<sup>144</sup> *Ten Million Chinese Opt to be Minorities*, Reuters, May 17, 1993, available in LEXIS, Asiapc Library, Arcnws File.

<sup>145</sup> I. Johnson, *Manchu Culture Makes a Tentative Comeback in a More Tolerant China*, BALTIMORE SUN, June 4, 1995, at 4A; Sheila Tefft, *Ethnicity Stirs in a China Set on Wealth*, CHRISTIAN SCI. MONITOR, June 27, 1995, at 1; June Dreyer, *Ethnic Minorities in Mainland China Under Teng Hsiao-p'ing*, in FORCES FOR CHANGE IN CONTEMPORARY CHINA 251-62 (Bih-Jaw Lin and James Myers eds., 1993); Michael Dillon, *Muslim Communities in China: the Hui People*, 135 CHINA NOW 12 (1990); DRU GLADNEY, *MUSLIM CHINESE: ETHNIC NATIONALISM IN THE PEOPLE'S REPUBLIC* 187-88, 221-22 (1991); interview with Zhang Tianlu, in Beijing, People's Republic of China (June 22, 1995); interviews Officials, Inner Mongolia Academy of Social Sciences, Hohhot, Mongolia (Apr. 14, 1995); *Minorities Regaining Preferential Status*, Xinhua News Agency, Mar. 10, 1988, available in LEXIS, Asiapc Library, Xinhua File; *Five Million Seek New Ethnic Identity*, BEIJING REV., Aug. 27, 1990, at 10; *Ten Million Chinese Opt to be Minorities*, REUTERS, May 17, 1993, available in LEXIS, Asiapc Library, Arcnws File; G. Crothall, *Millions Claim Ethnic Roots*, S. CHINA MORNING POST, May 18, 1993, at 10. In Tongzha, when people apply to change from Han to minority, family histories are checked for three generations. Interview with Religious Affairs Office Official, in Tongzha, People's Republic of China (July 4, 1996).

purchased forged papers identifying themselves as minorities, in many cases to give their offspring an advantage in applying to universities. At least one set of corrupt officials were imprisoned for selling such papers.<sup>146</sup> There is anecdotal evidence that preferential admissions for minorities are envied and resented by many Han. Calls emanating from elite circles to scrap preferential admissions on grounds of quality control and equity date back at least to the mid-1980s.<sup>147</sup> In some places, such as rural Yunnan, these are echoed because the Han there are only slightly better off than their impoverished minority neighbors.<sup>148</sup> While special admissions for minorities are more resented than any other preferential policy in China, save family planning preferences,<sup>149</sup> the resentment is not strong enough to have been publicly displayed. This is so despite the fact that grievances of all kinds have, from time to time (e.g., during the Cultural Revolution and in 1989) been very publicly aired in China. When a single Han instructor at Xinjiang University in the 1980s put up a poster that argued that preferential admissions are unfair to Han, he received no manifest support from other Han, while minority students staged a protest in which they pointed out that they (then) could only take the entrance examination in *Hanyu*.<sup>150</sup>

It has been claimed that the lack of tensions over preferential admissions in China can be traced to the small difference in social rewards, particularly in income, made by a university degree.<sup>151</sup> While this explanation was likely true, there are additional reasons that preferential admissions have not produced obvious tensions. First, minorities are not the only group who have received preferential treatment in university admissions. The best keypoint senior middle school students have not had to take the national entrance examination, but are picked directly by prestigious universities. Moreover, some students are admitted to keypoint (i.e., elite) senior middle schools without taking the entrance examination, usually because they reside

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<sup>146</sup> *China Officials Nabbed in False Papers Scam*, Reuters, Nov. 16, 1995, available in LEXIS, Asiapc Library, Arcnws File.

<sup>147</sup> Ye Zhaoyang, *Colleges Enrolling Students Throughout the Country Should Set a Unified Test Score Requirement and Practice Unified Admissions*, 10 GAODENG JIAOYU ZHANXIAN 13, 13-14 (1984).

<sup>148</sup> Interview with Yunnan Ethnic Studies Institute Official (Apr. 5, 1996).

<sup>149</sup> See GLADNEY, *supra* note 145, at 164; Rosett, *supra* note 122, at 1522; Christopher S. Wren, *China's Policies on the Size of Families is Extended to Include Minorities*, N.Y. TIMES, Feb. 10, 1983, at A16; BILL BRUGGER & STEPHEN REGLAR, *POLITICS, ECONOMY AND SOCIETY IN CONTEMPORARY CHINA* 337 (1994).

<sup>150</sup> Thomas Kostrzewa, *Separatist Nationalism in Xinjiang* (unpublished Ph.D. dissertation, University of Notre Dame, 1996).

<sup>151</sup> Pyong Gap Min, *A Comparison of the Korean Minorities in China and Japan*, 26 INT'L MIGRATION REV. 4, 4-21 (1990).

near the school, in a neighborhood with many government officials, or the schools may lower the entrance requirements for offspring of officials in order to curry favor with them.<sup>152</sup>

Beginning in the mid-1980s, students "sponsored" by enterprises and local governments and self-supporting students began to be admitted to higher education with scores thirty points below those of the centrally-recruited, publicly-supported (*tongzhao gongfei*) students. By 1988, there were tens of thousands of such students, mostly in specialized two or three-year programs.

In 1991, self-supporting students and students who were supported by enterprise or local government units amounted to eleven percent of the total student bodies at PRC universities and by 1993 the figure was thirty-nine percent.<sup>153</sup> Beginning in 1994, the distinction between these students and others began to fade, since all students were to be charged the same fees. There are still students who might be admitted with lower scores for other reasons, however, such as athletic prowess or political leadership.<sup>154</sup> Athletes of a certain ranking are considered to be "special talents" (*tesu rencai*), as are municipal and provincial-level "three good students" (*san hao sheng*) (good in study, athletics and politics/morals). A student in this category might, for example, be awarded fifteen added points.

Second, preferential admissions are mainly practiced by minority institutions. While many predominantly Han institutions of higher learning engage in affirmative action as well, most preferential admissions scarcely, if at all, diminish the opportunities of Han students. In fact, it can be argued that preferential admissions for minorities have actually benefited some Han. These include not only Han in certain minority areas who may get added points on this account, but also Han who have benefited from the rapid expansion of higher education in China that was, in some measure, impelled by the need to accommodate increasingly larger number of minority students. The majority of the population of the minority areas, after all, is Han.

Third, the PRC state has long maintained that minority people were sharply oppressed in the "old society" by the elite who were mainly Han. Therefore, the PRC state established the autonomous areas. Just as in the former Soviet Union, where the Slavic majority regarded the Central Asian "republics" of the USSR as under the rightful control of their eponymous

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<sup>152</sup> Jing Lin, *Issues of Inequality in Chinese Education*, (unpublished manuscript, McGill Univ.) [on file with author].

<sup>153</sup> IKELS, *supra* note 66, at 169-70; Liu Renjing, *supra* note 92, at 7.

<sup>154</sup> *Id.*

minorities,<sup>155</sup> many Chinese have come to accept that having an autonomous government must result in some special rights for at least the predominant ethnic groups of the autonomous area.

As social differentiation accelerates and economic reform matures in China, fewer opportunities will be available to those with a relatively low level of education. Accordingly, university training will likely become more closely correlated with economic success. Already the "socialist market economy" of the 1990s has impacted preferential policies in several negative ways. Hiring quotas for minority workers, which exist on paper in some minority areas, have been rendered unenforceable by the national Industrial Law (*qiye fa*)<sup>156</sup> and minority officials complain that:

[W]ith the transition from planned economy to market economy, some preferential policies designed for minority areas have been weakened or made defunct. On the other hand, some new policies do not take enough consideration of the special situations of minority areas [and] our development has been restrained by these policies.<sup>157</sup>

As a university education becomes more necessary to economic (and political) success, affirmative action may become a subject of debate, at least in elite circles, despite the fact that the absolute number of places in universities will probably continue to expand very rapidly in China. That debate, should it occur, will be a major diversion from the more critical questions caused by the reforms, for example, the growth of illiteracy occurring both among minority and Han populations due to the demand by rural parents for the labor-power of their children.<sup>158</sup>

It may also be queried whether support for the continuation of preferential policies will be sustained in the face of the ever-rising vigor of Chinese nationalism. Despite the disclaimers of the PRC state, this nationalism is firmly Han-centered, with the Han seen as the epitome of the *Zhonghua minzu* (Chinese ethnic group) that is being forged from an amalgam of the Han and minorities. As misplaced efforts to "Sinicize"

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<sup>155</sup> See Gittelman, *supra* note 3.

<sup>156</sup> Interview with Turpan Bureau Chief, Turpan (July 2, 1995).

<sup>157</sup> COMMISSION OF MINORITY AFFAIRS OF DALI PREFECTURE, GUANYU QINGQIU GEI WO ZHOU MINZU YOUHUI ZHAOGU ZHENGCE DE WENTI [The Question of Requesting Preferential Special Consideration for Our Minority Area] (unpublished mimeographed document, July 4, 1996) [on file with author].

<sup>158</sup> Interview with Zhang Tianlu, Beijing Economics University Professor (July 22, 1995).



(*Hanhua*) the origins and identity of minority people go forward,<sup>159</sup> it is not inconceivable that elite voices against emphasizing the "special characteristics" of minorities, including the continued need for autonomy and affirmative action, will be raised in the early twenty-first century as they were during the Cultural Revolution.

On the other side of the coin there is the resentment of preferential policies that some minority people regard with reservation. Many minority intellectuals criticize preferential policies as too weak because they help get one into the university, but do not provide sufficient support for promotion once one has graduated and entered a workunit (*danwei*).<sup>160</sup> It has also been reported, however, that some minority students who were admitted under a quota system had a hard time with their studies and felt inferior to their Han classmates. This was the case at Xinjiang Teacher's University (*Xinjiang shifan daxue*) in the mid-to-late 1980s. The reaction has been even more pronounced at national universities.<sup>161</sup> Therefore, some minority students may view preferential admissions as a double-edged sword, which improves their lot at a psychological cost. At this point, most minority students seem quite willing to pay that cost, but if attacks on preferences of the kind found in other countries emerge in China, the burden on minority students can expect to increase exponentially.

Economic reforms have thus far not reversed the policy of affirmative action in higher education. The absolute number of minority graduates has slowly increased from year to year and the training provided to minorities is producing an increasing number of qualified technical and professional cadres. However, a number of problem areas can be observed. The percentage of minority students lags behind that of minorities in the general population of China and seems to be decreasing (See Appendix A). Minority graduates now often seek economic opportunities outside their native regions.

If the effort to produce trained elites for the minority areas is dissipated because of the mobility that attends reform, then support for affirmative action may wane among national and minority leaders, both of whom want to see highly-trained minority people mainly work in the minority areas.

Affirmative action necessarily highlights the ethnicity of its beneficiaries. Grouping minority students in preparatory classes and ethnic

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<sup>159</sup> See Barry Sautman, *Myths of Descent, Racial Nationalism and Ethnic Minorities in the People's Republic of China*, in *THE CONSTRUCTION OF RACIAL IDENTITY IN CHINA AND JAPAN* (Frank Dikotter ed., 1997).

<sup>160</sup> Interviews with Mongolian Intellectuals, in Hohhot, Mongolia (Apr. 9, 1995).

<sup>161</sup> Zhang Yenming, *supra* note 28, at 238.

cohorts at PRC universities promotes, rather than diminishes ethnic consciousness.<sup>162</sup> This process contributes to occasional manifestations of ethnic political consciousness among Uygur and Tibetan students in *neidi* cities.<sup>163</sup>

## IX. CONCLUSION

While these events at times may worry PRC leaders, top officials can, with some justification, conclude that affirmative action in China's university system has, on the whole, been a positive experience for both ethnic minorities and the state. Minorities and the state have an interest in the fostering of a minority middle class. For minorities, a flourishing middle class is a pre-requisite to indigenized economic growth and political leadership in the minority areas. For the state, a minority middle class is a presumed bulwark of stability in those often turbulent regions.

Most beneficiaries of preferential admissions will likely become the professionally competent and politically loyal graduates that the policy is designed to produce. This alone may guarantee the future of affirmative action in higher education in China. Preferential policies in higher education nevertheless cannot by themselves provide the needed breakthrough to more amicable inter-ethnic relations in China.

The level of preferences offered to China's ethnic minority students should be significantly increased. The state must also adopt a much wider range of preferences in the economic sphere, so that opportunities for advancement continue to be offered after ethnic minority students graduate—not only in the public sphere, but also in the growing private sector. The PRC State Council has taken steps in this direction by announcing in late 1997 that it would boost low-interest loans, tax reductions, and special investment funds in the more than 400 minority-area counties.<sup>164</sup>

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<sup>162</sup> Interviews with Tibetan Students, Central Nationalities University (June 13, 1995).

<sup>163</sup> For example, it was reported that in January, 1992, two hundred Tibetans at the Central Nationalities Institute boycotted classes because Jiang Ping, the vice-chair of the United Front Work Department, termed the idea of rich cultural traditions in Tibet "useless nonsense." *Tibetans Stage Boycott* 4 TIBET PRESS WATCH 2 (1992).

<sup>164</sup> *State Council Issues Pro-minority Trade Policies*, Xinhua News Agency, Nov. 14, 1997, available in LEXIS, Asiapac Library, Xinhua File.

## APPENDIX A.

## MINORITY STUDENTS AT PRC UNIVERSITIES

Year	Number of Students	Percentage
1949-1950	1,285	0.93
1950-1951	2,117	1.36
1951-1952	2,948	1.52
1952-1953	5,536	2.56
1953-1954	7,999	3.10
1954-1955	8,883	3.04
1955-1956	14,159	3.47
1956-1957	16,101	3.62
1957-1958	22,421	3.39
1958-1959	28,163	3.47
1960-1961	29,921	3.16
1961-1962	28,729	3.45
1962-1963	24,825	3.31
1964-1965	21,870	3.24
1974-1975	30,607	6.11
1975-1976	36,578	6.48
1976-1977	34,460	5.51
1977-1978	36,030	4.21
1978-1979	37,378	3.66
1979-1980	42,944	3.75
1980-1981	51,220	4.00
1981-1982	53,739	4.66
1982-1983	59,630	4.94
1983-1984	69,633	5.0
1984-1985	94,095	5.3
1985-1986	99,468	5.3

Year	Number of Students	Percentage
1986-1987	118,735	6.1
1987-1988	125,422	6.1
1988-1989	131,599	6.3
1989-1990	137,948	6.6
1990-1991	141,767	6.9
1991-1992	152,858	7.0
1992-1993	163,224	6.4
1993-1994	178,000	6.4
1994-1995	160,000	5.7
1995-1996	187,000	-

Sources: ZHONGGUO MINZU TONGJI NIANJIAN (1949-1994) [Chinese Minority Statistical Yearbook] 244-45; GUO SHENG ET AL. XIN ZHONGGUO JIAOYU SISHI NIAN [Forty Years of Education in New China] 298 (Fuzhou: Fujian jiaoyu chubanshe 1989) (using data from SEC, Minority Education Department, personal communication, 1996); YINGJIE, *supra* note 88, at 2048; ZHONGGUO SHEHUI TONGJI ZILIAO, *supra* note 85, at 170, 182; Zhang Yenming, *supra* note 28, at 233; He Jiangcheng, *China's Policy on Nationalities*, in KOREANS IN CHINA 1-30 (Dae-sook Suh and Edward Schultz, eds., Honolulu: University of Hawaii, Center for Korean Studies 1990); CHEN HONGTAO, ZHONGGUO MINZU JIAOYU FAZHAN TUJING TANTAO [An Inquiry into the Way for China's Minority Education to Develop] 363, 383 (Beijing: Zhongyang Minzu Xueyuan Chubanshe, 1990); GUOJIA JIAOWEI, ZHONGGUO JIAOYU CHENGJIU [Achievements of Education in China, 1949-1983] 107 (Beijing: Renmin Jiaoyu Chubanshe, 1984); Amat, *supra* note 38; Amat, *Growing Role of Minority Cadres*, 7 CHINA TODAY, 41 (1992); *China to Improve Ethnic Education*, Xinhua News Agency, Nov. 21, 1995, Item no. 1121097; *Ethnic Regions Experience Rapid Economic and Social Development*, Xinhua News Agency, Sept. 29, 1991, Item no. 00929117; *Number of Minority Nationality Students Increases*, BBC/Summary of World Broadcasts, Sept. 25, 1993 (translating Zhongguo Xinwenshe, Sept. 23, 1993); D. Kwan, *Mao's Philosophy Set to Stay on Curriculum*, S. CHINA MORNING POST, Dec. 22, 1995, at 9; *Sixty Percent of China HIV Carriers Under 30*, Reuters, Oct. 25, 1995.

## APPENDIX B. MINORITY FACULTY AT PRC UNIVERSITIES

Year	Number of Faculty	Percentage
1953	623	1.85
1957	1,941	2.8
1965	3,311	2.4
1976	3,020	1.8
1978	5,876	2.8
1979	7,150	3.0
1980	7,808	3.2
1981	8,364	3.4
1982	9,150	3.2
1983	10,791	3.6
1984	10,841	3.4
1985	12,775	3.7
1986	14,236	3.8
1987	15,400	4.0
1988	16,900	4.3
1989	18,000	4.4
1990	17,533	4.4
1991	18,900	4.8
1992	19,400	4.9
1993	19,000	4.9
1994	21,000	5.3

Sources: SEC, Minority Education Dep't, private communication; GUO SHENG, *supra* page 112, at 300; LIU YINGJIE, *supra* note 46, at 1546, 2055; ZHONGGUO SHEHUI TONGJI ZILIAO, *supra* note 85, at 146, 170, 179, 182.

APPENDIX C: MINORITY UNIVERSITY ADMITTEES FOR VARIOUS ETHNIC GROUPS (total = 5200 per annum) IN RELATION TO POPULATION OF MINORITY GROUPS IN YUNNAN PROVINCE

Ethnic Group	Population (mill.)	Admitees
Bai	1.39	1,400
Yi	1.05	1,200
Hani	1.20	120-130
Zhuang	1.04	200
Dai	1.06	200
Miao	1.00	50-60
Lahu, Jinbo	.3-.4	20-30
Hui, Meng, Man, Naxi	less than .3	more than 200 each

APPENDIX D: TRANSLATION, "MINORITY STUDENTS SPECIAL CONSIDERATION POLICIES" (*Minzu sheng zhaogu zhengce*), HANDWRITTEN DOCUMENT, YUNNAN EDUCATION COMMISSION, SEPT. 9, 1994.

1. In border counties and counties that practice border policies, minority applicants will receive 30 added points. Han applicants born and raised in those areas and Han who have gone there with their parents for at least ten years will have 20 added points, but if the latter have gone to high schools in *neidi*, they will have 10 points subtracted from their added points.
2. The 20 + minorities in Yunnan, except the Bai, Hui, Naxi, Yi and Zhuang, will receive 10 added points, even if they live in *neidi* [but apply to universities in Yunnan].
3. Yi and Zhuang applicants who live in *neidi* will receive 10 added points if they have a rural *hukou*.
4. Minority applicants from high, cold, and poor mountainous areas, so designated by provincial or prefectural governments, and children of teachers who have worked for more than 10 years in these areas and continue to work there, will receive 10 [more] added points.
5. Bai, Hui and Naxi applicants from *neidi* and Yi and Zhuang urban applicants from *neidi* and minorities who enter Yunnan from outside, will have priority for admission if they have the same qualifications [as Han students].

APPENDIX E(1): PROPORTION OF MINORITIES AMONG TERTIARY STUDENTS  
IN THE FIVE AUTONOMOUS REGIONS AND NINE PROVINCES (EARLY 1990S)

Province	No. Minority Students	% Minorities Among Students	% of Minorities Among Students in Province
Inner Mongolia	8,530	23	19.42
Guangxi	13,380	26	38.24
Tibet	1,578	70	96.18
Ningxia	2,228	24	33.27
Xinjiang	20,991	54	62.42
Liaoning	18,934	12	15.62
Jilin	9,766	11	10.24
Hubei	7,515	5	3.75
Hunan	9,003	8	7.95
Sichuan	8,776	5	4.56
Guizhou	10,109	25	32.43
Yunnan	10,006	21	33.41
Gansu	4,794	12	8.30
Qinghai	2,638	38	42.14
Total	144,766		



**APPENDIX E (2): NUMBER OF MINORITY STUDENTS ENROLLED IN HIGHER EDUCATION INSTITUTIONS IN AUTONOMOUS AND NON-AUTONOMOUS AREAS OF NINE PROVINCES IN 1993**

Province	No. Minorities in Autonomous Area Institutions	No. Minorities in Non-autonomous Area Institutions
Liaoning	55	18,879
Jilin	2,522	7,244
Hubei	2,469	5,046
Hunan	1,712	7,291
Sichuan	3,122	5,654
Guizhou	1,595	8,514
Yunnan	2,591	7,415
Gansu	389	4,405
Qinghai	258	2,380

Source: Hasi Bagen, *supra* note 6.