

**WOMEN'S RIGHTS AND BIRTH PLANNING IN CHINA:
NEW SPACES OF POLITICAL ACTION, NEW OPPORTUNITIES FOR
AMERICAN ENGAGEMENT**

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INTRODUCTION

Since China launched its controversial one-child-per-couple policy in 1980, influential American politicians and the media have advanced a powerful critique of the state-sponsored coercion used in the name of limiting population growth. While the focus on coercion has been helpful in drawing attention to the human rights abuses in the Chinese program, it has outlived its usefulness. That exclusive focus on coercion has limited both our understandings of, and our responses to, new developments in Chinese population affairs. Three of those limitations bear note.

First, the coercion critique has paid scant attention to the violations of women's interests and rights, when it is women and girls who have borne the heaviest costs of China's birth planning program. Second, the coercion story divides the world into two opposed systems--capitalist/socialist, free/coercive, good/bad--and defines the presence of coercion as the only thing worth noticing about the Chinese program. Evoking an older, bipolar cold-war world, the coercion perspective ignores forces of globalization that are profoundly transforming Chinese society, fostering not only change in the state program but also the emergence of new and progressive quasi-state and non-state sites of political activity. Finally, the coercion critique has encouraged punitive responses from the American government, rather than constructive engagements with Chinese reformers. The official American response has been less helpful than it could have been. China is changing. While continuing to draw attention to the human rights violations in the Chinese program, it is time to move beyond the single-minded focus on coercion to see the remarkable transformations that are taking place in the global and local Chinese politics of population and the opportunities they present for constructive American response.

This brief presentation draws on nearly 20 years of active scholarly research on China's population dynamics, policy, and birth planning program. That research has involved numerous trips to China, where I have conducted extensive interviews with both the makers of China's policy and the peasants who are its main objects. In those twenty years, I have heard many heartbreaking stories and seen many appalling things. In my scholarly work, much of it focused on the human costs of the Chinese policy, I have sought not to criticize China, but to understand how those troubling practices came about. That has seemed a more productive approach. This presentation draws heavily on interviews with leading Chinese women's rights scholars and activists.

I want to make three points. First, despite the heavy costs China's restrictive population policy has imposed and continues to impose on women and girls, important pro-woman changes are occurring not only within the Chinese population establishment, but also outside the state--that is, beyond the scope of formal law, which often follows as much as leads social change in China. Given the growing role of non-state forces in Chinese politics, it is important to attend to and support these developments. Second, the promising changes that have occurred in China have stemmed not from foreign criticism, but from a combination of internal critique and constructive engagements with international organizations. This history contains important lessons for the formation of American policy toward China in the future. Third, the prospects for further reforms to advance women's rights and interests will be shaped by a variety of cultural, political, and demographic factors, which present both challenges and opportunities. In this as in other domains, however, China will continue to follow a Chinese path to reform that will bear the marks of that nation's distinctive culture and politics. We must not expect Americanization.

I. DYNAMICS OF REFORM

Since the early 1990s, two streams of women-focused critique and reform of the birth planning program have developed within China. One has been located within the State Birth Planning Commission, while the other has been emerging from a loose grouping of women's advocates located outside the population establishment. Before we can assess the prospects for future change, we need to understand the dynamics behind the reform movements that are already developing.

Reforms in the State Birth Planning Commission

Since its creation in 1981, the State Birth Planning Commission's central mandate has been the fulfillment of stringent population control targets. In early 1990s, facing rising birth rates, the Commission oversaw the use of harsh administrative measures to reach targets. By early 1993, those in charge realized that fertility had fallen to a level far below what they had imagined possible. With the pressure to produce results off, in 1993-94 Commission leaders began to grow concerned about the social, physical, and political price that had been paid for pushing the numbers down so fast. Larger reform-era changes in Chinese society--in particular, the spread of an increasingly globalized market economy, the development of "socialist legality," and limited political reform in the form of local elections--also stimulated growing concern at the Commission with the human costs of population control.

These concerns, which grew out of China's own experience of population control, were supported by China's growing involvement with the international movement for women's reproductive health associated with the 1994 International Conference on Population and Development held in Cairo. The Cairo process gave supporters of change a vocabulary of reform that dovetailed with concerns that were developing domestically. In the wake of the conference, collaborations with foreign organizations advancing reproductive health agendas multiplied. From international organizations, reformers in the Commission received crucial financial resources and organizational and technical know-how to pursue more woman-centered, health-oriented approaches to the state planning of births. As documented elsewhere, since the mid-1990s the state has introduced a package of programmatic, policy, and legal reforms--culminating in the new Population and

Birth Planning Law--designed to improve the delivery of services while retaining control over population growth.

New Voices from Outside the State

Meantime, another dynamic of change has been developing outside the population establishment. Since the mid-1990s, a loosely defined group of women scholar-activists has begun to speak out about the harmful as well as helpful effects of birth planning on women's health and well-being. Crucial to the emergence of these women's rights activists have been the multiplying connections to transnational agencies and feminist and reproductive health networks, forged in particular at the Fourth World Conference on Women held in Beijing in 1995. The international women's conference gave the women's movement in China, which had been moribund during the 1960s and 1970s, fresh energy and life. Since the conference, a number of women's rights activists have begun to work to raise consciousness about the effects of state birth planning on women and girls, and to promote policy and program changes to alleviate them. These individuals come from a variety of backgrounds--from population studies to bioethics, women's studies, women's activism, and even journalism. They are located in such diverse institutions as universities, the social science academies, the All-China Women's Federation, and a variety of newly emerging NGOs. Women's advocates must exercise great caution in criticizing what remains a "basic state policy" of the party and government. In this restrictive political climate, transnational links have been critical, for they have given these women (and some men) new concepts, political support, and external resources to pursue their agendas.

II. A GENDER CRITIQUE FROM OUTSIDE THE STATE

Although they remain few in number, unorganized, and dependent on a fragile tolerance by the state, these women's rights advocates represent a new voice on population, with the potential to question the policies that have guided population work for the last 20 years. What have they been saying about the impact of birth planning on women's lives?

Contradictory Effects on Adult Women

The women's advocates I talked to all maintained that the birth control program has had huge and largely unexamined effects on women's lives. They also agreed that those effects have been not exclusively good, as the state has claimed, but contradictory, with harmful consequences mixed in with the good. On the positive side, birth planning has facilitated women's personal development, enabling them to acquire skills and education and to devote themselves to work and income acquisition as never before. While such benefits might be enjoyed by the majority of urban Chinese women, for rural women, they emphasized, the harm has outweighed the benefits. In the birth planning program, they felt, rural women have been treated less as subjects than as objects to be managed and used in the achievement of state plans and goals. The effects of this objectification extend from women's health to their psychological well-being and socioeconomic security.

Threats to Infant Girls

A strict one- or two-child policy enforced in a culture with a strong son preference has also proved dangerous for rural infant girls. Statistics show that the sex ratio at birth has been rising steadily, reaching about 117 today. That means that for every 100 girls born, 117 boys are born, much higher than the biologically normal level of 106. In the past infant girls were sent away, hidden, abandoned, or even killed; today female fetuses are increasingly being aborted. Death rates among female infants have also been rising, producing what demographers call an "excess female mortality"--higher than biologically expected level--that is high and rising in some places. Despite the political risks of criticizing the state program, some of my interviewees acknowledged that the birth program was a contributor to these problems faced by the infant girls.

The emergence of this women's health and rights critique is highly significant, for it suggests the evolution of a discourse on population that departs from the official line. Although the commentators I spoke with followed rather than led the state in interrogating the benefits of birth planning to women, they have moved

much further than the state has in dismantling the official view that birth planning has been an unmitigated good for women. These activists also have visions of new paths to political change that might allow women themselves to begin articulating their own reproductive needs and interests.

III. NGO PROJECTS ON BEHALF OF WOMEN AND GIRLS

While this gender critique is developing at the level of discourse, other promising developments are occurring at the level of practice.

NGO Activities To Promote Women's Interests

Recent work has highlighted the significant innovations in the state program, but initiatives emerging from NGOs are significant as well. Let me give just a few illustrations of the many activities that are developing. One major project has supported rural income-generation activities that have worked to boost women's income and thus power in the family. Another important project is a magazine for rural women that carries special sections on reproductive health. Yet another is a telephone hotline set up for women to call in and get advice on a wide range of problems, including sexual and reproductive health and rights. Many of these projects have been developed on local initiative and been supported in part by resources from foreign organizations.

Peasant Initiative in Solving the Problem of Abandoned Baby Girls

So far I have talked only about projects initiated by urban elite actors. But China's rural people are also taking matters into their own hands and working to alleviate some of the costs strict birth control has imposed on rural women and girls. One of the most important arenas of such peasant initiative is that of the adoption of infant girls. As is well known, strict limits on births have led many couples to abandon infant daughters. Even as the state has tried to regulate the adoption of these abandoned girls, in the countryside, research in a few localities suggests that a whole informal culture of adoption has developed that flourishes largely outside the official apparatus of the state. In the localities studied, this research indicates, the babies are adopted not from state orphanages, but directly from their birth parents or through intermediaries. Few of these adoptions involve local cadres, and when cadres are involved, they do not try to prevent the adoptions, but only to collect fines for unregistered adoptions. These studies also suggest that it is women who are taking the initiative in finding daughters to adopt, especially when they had only sons. In the rural areas, at least, adoption seems to be an arena in which women are gaining informal power to shape family size and composition and to give abandoned girls good homes. The legal development of women's rights is important, but so too are informal practices that bolster women's status and rights on the ground.

IV. CHALLENGES AND OPPORTUNITIES AHEAD

These efforts to promote women's reproductive rights and health are being nurtured into existence in a larger political, cultural, and demographic environment that presents both challenges and opportunities.

Political Economy

First, the challenge of political economy. Although it failed to fulfill its promises to women, Maoism at least championed the goal of gender equality. In the post-Mao era, the advance of global capitalism coupled with the retreat of the state from direct intervention in many areas of life have left women vulnerable to many forms of discrimination. Although the economic and political reforms have had contradictory effects on the lives of urban women, it is the losses--of job security, formal political position, and much more--that have received the most attention. A new consumer culture has commodified the bodies, sexualities, and identities of women and promoted the image of the "virtuous wife and good mother" who has left the public sphere of production and politics to men. Moreover, the reforms have supported a biological notion of gender that sees women as by nature physically and psychologically different from men. This notion that women are

essentially different from men can be expected to shape the women's rights that will develop in Chinese legal thought and practice.

Traditional Culture

Second, the challenge of traditional culture. The notion of women's independent rights has few precedents in traditional Chinese culture, a culture in which women's social and legal place was within the male-defined family. In the countryside, where the majority of the population lives, the basic social and gender organization of the family has been quite resistant to change. These cultural constructs will color the way legal notions of women's rights develop.

An Stable but Unpredictable Demography

Third, the challenge of an unknowable demographic future. Despite the important reorientation that has occurred in the birth program, over the last twenty years the state's fundamental rationale for the drastic limitation of births has been the notion that China faces a real or potential population crisis--a crisis of people proliferating out of control, sabotaging the nation's economic growth and global ascent. Keeping the numbers down has been the number-one concern. Today's relaxation has been contingent on the achievement and maintenance of low birth rates over the last ten years. Should the birth rate somehow rise again, or turn out to be higher than the current estimates suggest, the reforms may well slow.

Falling Desires for Children

Fourth, the opportunity presented by social change. Twenty years of reform and economic advance have dramatically lowered childbearing preferences, even in the rural areas. In many parts of the country couples want at most two children, and in some of the more developed rural areas they want only one. These changes in Chinese society have made, and will continue to make, high-pressure tactics in the birth planning program increasingly unnecessary.

A New Gender Consciousness Among State Officials

Fifth, the opportunity offered by a new gender consciousness in the state. Since the mid-1990s, the Chinese state has made women's economic, political, and educational development a newly important part of its ongoing reforms. While implementation faces obstacles, this new commitment to women is a promising development.

CONCLUSION

These challenges are real and will continue to shape the way the issue of women's rights is handled in China's birth planning program. Yet China is changing--and fast. Globalization is producing fundamental transformations in China's society and polity whose implications for women and birth planning no one can predict. The history of the 1990s and early 2000s reveals the critical role of international organizations in supporting both the positive reforms in the state, and the emergence of new, quasi- and non-state spaces of political critique and action. These promising developments open up opportunities for new forms of constructive engagement by Americans that support the reform tendencies already in place.