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22 | WHY DOES THE END OF THE ONE-CHILD POLICY MATTER?

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IN OCTOBER 2015, thirty-five years and one month after it was launched with a dramatic Open Letter to all Communist Party members, the policy advocating one child for all was quietly ended with a terse announcement from the party's Central Committee that, as of January 1, 2016, all married couples would be allowed to have two children.

Some have seen the end of the notorious one-child policy as a momentous change for China and its people. But is it? Journalists and many scholars have treated it as simply a demographic measure, yet the one-child policy was much more than that. Designed to upgrade the “quality” of China's population as well as limit its quantity, the one-child policy was the centerpiece of a gigantic, sprawling state project that sought to transform China's backward masses into a competitive labor force and modern citizenry befitting a global power. In seeking the meaning of its demise, we need to consider this larger context.

EFFECTS, PLUS AND (MOSTLY) MINUS

The one-child policy was the harshest and most unpopular fertility policy ever imposed on a large national population. Though it was deeply flawed—it was neither demographically necessary nor

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politically feasible—the state was determined to enforce it, with exceptions allowing couples in certain circumstances to have two, no matter what. Not surprisingly, the policy profoundly remade China and its people.

Some of the effects were generally positive. Although the impact on fertility was relatively modest and hard to assess—the state’s claim that it averted 400 million births is inflated by at least 50 percent—the quantity-quality project, working with market forces and societal changes, created a generation of well educated, healthy, savvy global citizens able to lead China to global prominence. It also modernized Chinese society, creating a population with the social and demographic profile of a modern nation.

Yet the human costs of those achievements have been monumental. How can one measure the costs to the health and psyches of rural women whose bodies for decades bore the brunt of the policy? How does one gauge the impact of the loss of female life snuffed out through infanticide and, later, routinized abortion of female fetuses by women desperate for a son? How does one grasp the enormity of the loss suffered by parents when their hopes for a family are crushed or when their single child is lost? These kinds of damage are incalculable and irreparable.

Reproductive modernization created not only individuals who fit the new, modern, supposedly scientific norms (the “quality child,” the “good scientific mother,” and so on), but also deviants, so-called “backward” persons who, because they fell outside the norms, were excluded from the state’s regime of social welfare and virtue. One huge category of have-nots includes couples who violated the policy and carried an unauthorized pregnancy to term. While the parents were subject to strong state sanctions, their unplanned offspring, known as “black children,” suffered even more. Unless their parents managed to get them a household registration (essentially identity pa-

pers), unplanned children have been treated as nonpersons and deprived of state benefits, from schooling and health care to the right to work, marry, and even die. Another type of “unmodern person” includes those who have rejected the state’s conservative norms on reproduction, sexuality, and marriage. Gay couples, unmarried mothers, and childless adults have lived lives of social exclusion and faced intense social pressure to conform.

The policy also distorted the population structure, accelerating aging, emptying out working-age members, and leaving the generation of single children, numbering over 150 million, with the burden of caring for their aging parents on their own. Reflecting many villagers’ preference for sons, the policy also produced a huge gender gap among infants: 119 boys to 100 girls, among the highest in the world. While women have married up the social ladder, some twenty to forty million men, mostly at the bottom of the social hierarchy, have remained unwed, unable to marry in the culturally acceptable ways. Known as “bare branches,” they are consigned to live lives beyond the pale.

MORE FREEDOM AND MORE BABIES?

What difference does it make, then, that the one-child policy has now been abandoned? Two main answers have been advanced: more freedom and more babies.

The Western media have cheered the CPP’s decision, calling it the end of decades of “brutal horror” (in the words of the *Boston Globe*) and the beginning of a new era of reproductive freedom for Chinese couples. Setting aside the problematic assumptions buried in these assertions (that China is unfree and America, the implicit foil, is free, or that the policy has not essentially changed in thirty-five years), let us consider this widespread claim. A close look at how

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the policy fits into China's political discourse and governance structures suggests that, without other changes, ending the one-child policy will not enlarge the circle of reproductive freedom very much.

The official rationale for the policy shift makes clear that it had nothing to do with reproductive rights and everything to do with tackling demographic changes—especially the decline in the working-age population and increase in the elderly that threaten China's plans to move into the ranks of prosperous, highly developed countries. Since the early 1980s, population has been deemed a “strategic area of long-term state interest.” Even if the policy were liberalized further (to include unmarried couples or to allow three children, for example), it would not substantially expand reproductive freedom for individuals, since population is of overriding interest to the state. Since the early 1970s, population planning has been part of development planning. Unlike in other countries, where family planning programs encourage couples to plan out their childbearing, under China's state birth planning program the state determines the number of births couples should have to meet the needs of the country. (The term “family planning” is a misnomer in the Chinese context.) Birth planning remains one of a handful of “basic state policies” to which, President Xi Jinping declared in May 2016, China must adhere for the long term.

China has not abandoned the state planning of births. Although the central government profile of the State Birth Planning Commission, formed in 1983, was lowered by its 2013 merger with the Ministry of Health, the apparatus of state birth planning remains in place. That includes state monitoring of births, social compensation fees for violators, sanctions against officials whose localities exceed birth limits, a national law and countless regulations on population, plus state and quasi-state birth planning bureaucracies hundreds of millions strong. In making the policy change, the state neither redefined

the population project nor dismantled the institutional and legal structures guiding birth work; instead, it simply made an incremental “adjustment” in the rules on births, from allowing two children for couples in which one member is a single child (a 2013 innovation) to allowing two for all couples.

China’s population and development planners clearly hope that the policy change will spur a baby boom to push the fertility rate—now an unsustainable 1.7 births per woman—upward. (Experts agree that a 2.1 child per mother rate is needed to avoid population decline.) China’s recent history of policy tinkering suggests that any uptick in the birthrate is likely to be small. Of the eleven million couples eligible to have two children under the 2013 policy relaxation, only 15 percent opted to do so. In major metropolises the numbers were half that. Although many couples still dream of having a “complete family” of one son and one daughter, the economic demands of raising a quality single child place that dream off limits to all but the very rich. Like growing numbers of countries, which have tried but failed to raise births from rock-bottom levels, China is likely to be stuck with ultralow fertility for a long time to come.

FROM STATE TO MARKET: DANGERS AHEAD

If the policy shift will bring neither reproductive freedom nor renewed population growth, what difference will it make, and should it be cause for celebration or concern? Playing the contrarian, I want to suggest that reduced state control carries risks, for the power of the state is being replaced by the power of the market. Having the market shape reproductive ideas and practices may seem preferable, since market forces work indirectly (and mostly invisibly) by changing individual desires. Yet the market has insidious effects. In creating the policy rules, the state, for all its heavy-handedness, had to

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consider fairness across social sectors in order to limit collective protest. Though it was enforced raggedly and sometimes not at all, the official norm was one of equity—shared suffering—in which an entire generation was asked to sacrifice for the good of future generations. In the market, by contrast, the *de facto* norm is inequality based on ability to pay, and the result is a widening gap between rich and poor.

Especially since the 1990s, when China decisively embraced the global market, market forces and consumer norms have played an ever-widening role in reproduction, creating a vast gulf between the reproductive haves and have-nots. Many of these trends are actively opposed by the state, but to little avail. One thing money can now buy is “excess” children, which have become major status symbols. Even as the poor must comply with the birth rules to avoid heavy fines, the new class of wealthy celebrities—football star Hao Haidong and filmmaker Zhang Yimou are among the most visible—have openly violated the one-child rule, happily paying the fines to get the number of children they desire.

Another thing money can buy is top-of-the-line healthcare for young mothers. If, in the 1980s and 1990s, the good mother was one who sacrificed herself to give birth to a quality child, today she is one who spends heavily to pamper herself while receiving customized reproductive health and beauty services at one of China’s new maternal spas. Traditional postpartum practices of “sitting the month” have also been recast as an arena of class competition. While the rich may pay \$30,000 to spend their twenty-eight days of confinement in opulent maternal palaces with round-the-clock care, the middle class must settle for nannies who help out at home, and the poor may get no postpartum rest at all.

For the rich, money can also solve the problem of infertility, which has risen rapidly in recent years. Although surrogacy is illegal,

parents able to pay up to \$240,000 and willing to accept the risks have the option of hiring a surrogate to carry their child. Money can also buy an American birth. Birth tourism is big business, especially in California, and couples willing to pay \$60,000 and fortunate enough to escape the police crackdowns can give birth to an American citizen, gaining the promise of green cards in the future. With the end of the one-child policy, the motor force behind reproduction will shift even further in the direction of the market, widening the already large class divides in health care, family size, and social status.

OPPORTUNITIES TO DEMONSTRATE GLOBAL GOOD CITIZENSHIP

Much of the world has viewed China's compulsory birth policy as a blatant violation of the international ethical norm that a couple has the right to freely choose the number of children it has. Those creating the one-child policy saw things differently. By quickly reducing the growth rate of the world's largest population, they thought, China would contribute importantly to the welfare of the world, gaining respect as a responsible and ethical member of the community of nations. Those hopes were soon dashed, however, as news spread of widespread human rights abuses in the early 1980s, and concerns about the constructive ends of fertility control were drowned out by concerns about the intolerable means used to achieve them.

Little known outside China, since the mid-1990s, program leaders have been working hard to remove abusive practices and improve the program's legitimacy by gradually bringing it into line with internationally accepted practice. Childbearing preferences have fallen to historic lows, making coercive methods increasingly unnecessary. Although the one-child policy is now gone, ethical concerns persist because the adverse social legacies of the birth program have not been addressed, or even acknowledged. By taking steps to undo some of

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the policy's worst social effects, China has an opportunity now to demonstrate global good citizenship and earn the praise it believes it deserves. Among the many meaningful steps it could—and should—take, three stand out.

First, the Party-state should move quickly to right the wrongs done to those born outside the birth plan by giving them household registrations and ensuring they have access to all the benefits of citizenship. Second, it should ease the problems of the “bare-branches” by recognizing them as victims of the one-child policy (or, in state discourse, “sacrificers for the nation”) and providing the social and economic assistance they need to participate fully in social life. Third, the regime should abandon the rigidly conservative posture toward family structure that underlay the one-child policy, in which only heterosexual married couples were recognized as worthy of official reproductive support. By expanding the circle of those deserving reproductive care to include gay couples, single women (and men), and others of non-normative genders, sexualities, and family structures, the state could take important steps in the direction of social progress and equity, and perhaps even raise the birthrate. By such action, the state would not only ensure that the end of the one-child policy was more than symbolic, it also would send a message about new social priorities, finally earning the international recognition it has long sought for its work on reproduction and population.

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