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## Is it Time to Change China's Population Policy?

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China: An International Journal, Volume 2, Number 1, March 2004, pp.  
135-149 (Article)

Published by NUS Press Pte Ltd

DOI: <https://doi.org/10.1353/chn.2004.0004>



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## COMMENTS AND NOTES

### Is it Time to Change China's Population Policy?

PENG Xizhe

One of the notable features of China's family planning programme is its decentralised policy formation and programme implementation despite being formed at the end of the 1970s soon after the Cultural Revolution when central planning still dominated.<sup>1</sup> It is formulated and implemented primarily by the provincial governments though local authorities are given some flexibility in adapting the national policy to particular social, economic and cultural conditions locally. As a result, slightly different programmes have been applied in different localities. In the 1970s, this regional diversity was reflected in the implementation of different local regulations pertaining to marriageable age and birth intervals. The current family planning regulations can be grouped into five major categories (see Table 1).<sup>2</sup> Had all Chinese couples followed the local family planning regulations, the total cohort fertility rate in 1990 would have been 1.62, and 1.50 in 1999 as more people became urban residents and changed their birth control categories.<sup>3</sup> Therefore, the notion of "One Child Policy" (OCP) is actually an oversimplification. However, as the term is widely accepted, it will be used in this article.

By the late 1990s, the total fertility rate (TFR) ranged from below one in Beijing and Shanghai, to 3.11 in Tibet. Although it declined nation-wide in the 1990s (see Figure 1), the regional pattern remained more or less the same as in earlier decades (Figure 2).<sup>4</sup> On the whole, the rapid and continuous fertility decline has slowed down China's population growth.<sup>5</sup> It is estimated that in the last three decades, roughly 300 million births were avoided.<sup>6</sup>

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#### ABOUT THE AUTHOR

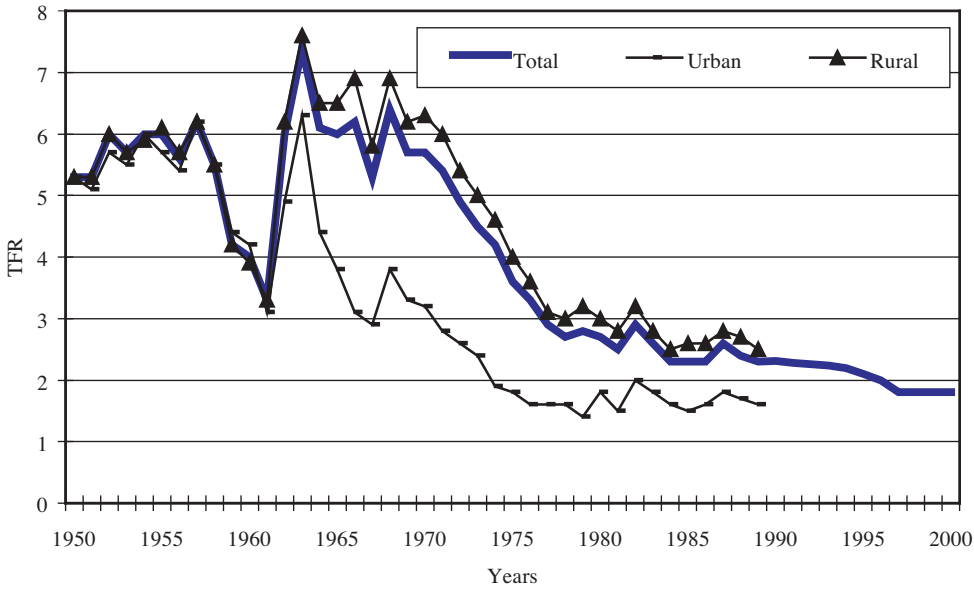
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**Table 1:** *Comparison of Various Local Family Planning Regulations, 1990s*

Group	Major Policy Regulations	Coverage
1	One child with very few exceptions in allowing couples to have two children	All urban residents and rural couples in Jiangsu and part of Sichuan province
2	Two children if the first one is a girl	Most rural couples
3	Two children with a four-year spacing	
4	Two or three children	Minorities in the rural areas of minority autonomous regions
5	No numerical regulation	Rural Tibetan population

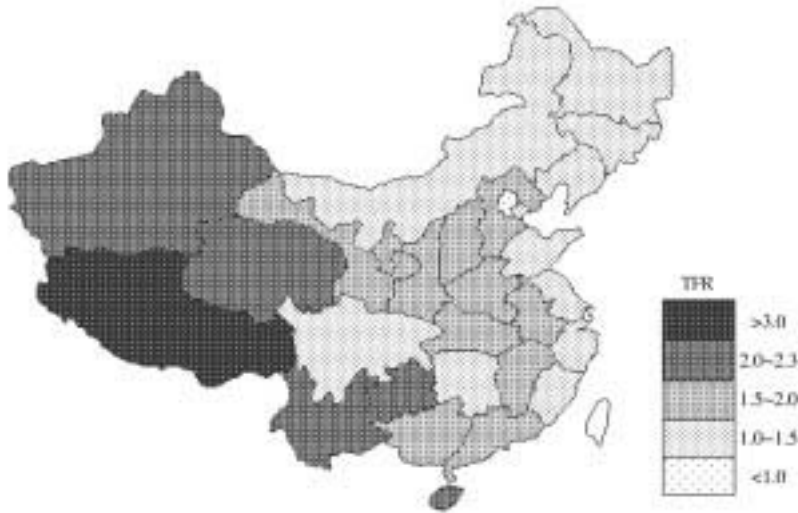
*Sources:* Details of provincial family planning regulations are available at <[www.cpirc.org.cn](http://www.cpirc.org.cn)> [15 Aug. 2002].

**Figure 1.** *Total Fertility Rate in China, 1950–2000*



*Sources:* Data before 1995 is from *Zhongguo jibua shengyu nianjian weiyuan hui* (China Family Planning Yearbook Editorial Committee), *Zhongguo jibua shengyu nianjian* (China Family Planning Yearbook) (Beijing: China Population Publishing).

<sup>1</sup> For a description of the evolution of China's population policy, see Peng Peiyun, ed., *Zhongguo jibua shengyu quanshu* (China's Family Planning) (Beijing: China Population Publishing House, 1997).

**Figure 2.** *Provincial Fertility Pattern in China, 1997–9 (%)*

*Note:* Based on estimations by China's State Family Planning Commission. Data for Taiwan, Hong Kong and Macao are not included.

- <sup>2</sup> For a detailed discussion, see Xie Zhenming, "Population Policy and the Family Planning Programme", in *The Changing Population of China*, ed. Peng Xizhe and Guo Zhigang (Oxford: Blackwell Publishers, 2000), pp. 54–5.
- <sup>3</sup> This is viewed as the "policy fertility", which is a weighted average assuming the reproductive behaviour of all couples of different nationalities in different locations conforming to the local government family planning regulations. See Guo Zhigang and Zhang Erli, *Zhongguo shengyu zhengce de chubu yanjiu* (Preliminary Analysis of China's Fertility Policy), unpublished research report, May 2001.
- <sup>4</sup> For an analysis of regional patterns of fertility in earlier decades, see Peng Xizhe, "Regional Differentials in China's Fertility Transition", in *The Revolution in Asian Fertility*, ed. Richard Leete and Iqbal Alam (Oxford: Clarendon Press, 1993), pp. 99–127.
- <sup>5</sup> There is some controversy over whether fertility in China was dropping as rapidly as indicated by the official statistics. There are many different estimates based on different data sources and methodologies. However, it is commonly accepted that China's current TFR should stand at about 1.8–2. See Zeng Yi, "Is Fertility in China in 1991–92 Far below Replacement Level?", *Population Studies: A Journal of Demography* 50, no. 1 (27 Mar. 1996); and John Wong, "China's Sharply Declining Fertility: Implications for its Population Policy", *Issues and Studies* 37, no. 3 (May–Jun. 2001): 68–86.
- <sup>6</sup> This is an officially accepted estimate. See Yang Kuifu *et al.*, *Zhongguo jibua shengyu xiaoyi yu touru* (Input and Benefit of China's Family Planning) (Beijing: China Population Publishing House, 2001).

## Major Concerns about China's Current Population Policy and Programme

Some of the controversy over the OCP has to do with the policy itself, while some is related to its implementation. The first round of debate occurred in 1984 when the central government under Zhao Ziyang tried to modify the policy by issuing Government Directive No. 7 which aimed at decelerating the implementation of the programme. This was politicised after the 1989 Tiananmen event and branded by some conservative Party officials as one of Zhao Ziyang's wrongdoings.<sup>7</sup> Since the early 1990s, when China's fertility rate began to approach below replacement level, the discussions have become more open and have incorporated more scientific findings.

At the launch of the OCP, the intention was made clear that this should be a policy measure for a period of only 20 to 30 years.<sup>8</sup> After more than 20 years of implementation, it has met its primary objective of slowing down China's population growth. On the other hand, there are also profound socio-economic and demographic consequences. Current policy debates have concentrated on these issues.

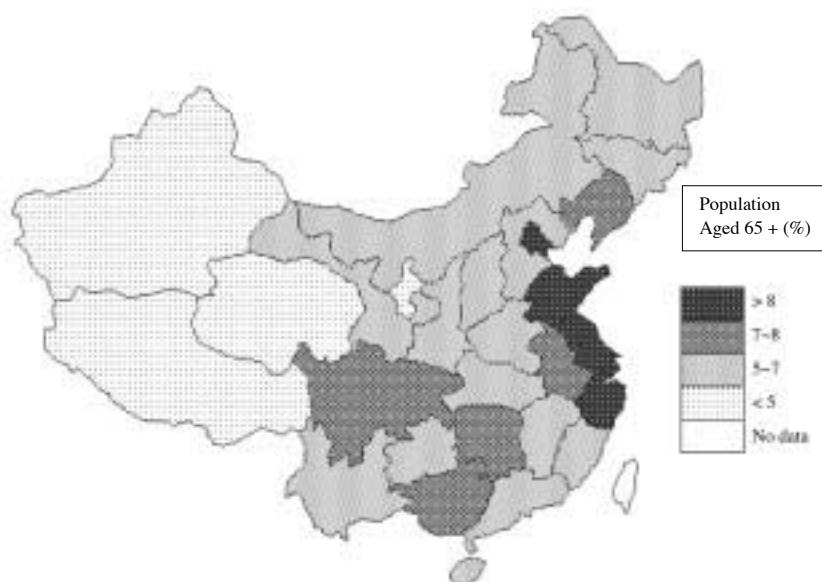
## Population Aging

A major debate is centred on China's aging population. In 2000, there were 88.11 million elderly (people over 65 years), and the proportion in the total population for the first time in China's history exceeded seven per cent, indicating that for the country as a whole, China had become an "aged society".<sup>9</sup> An aging population has long been a major challenge facing many cities and the wealthier rural areas in the eastern region. In Shanghai, 13 per cent of the city population is 65 and above. Regional variations in population aging are very similar to the regional variations in current fertility, indicating that the aging process is mainly determined by the decline in fertility (see Figure 3).

<sup>7</sup> There was an open debate at the 5th National Conference on Population Sciences organised by the China Population Association in 1990. Some of the articles presented are published in the conference proceedings.

<sup>8</sup> See *Guanyu kongzhi woguo renkou zengzhang wenti zhi quanti gongchan dangyuan, gongqing tuanyuan de gongkaixin* (An Open Letter to All Members of the Communist Party and Communist Youth League), Central Committee of Chinese Communist Party, 25 Sep. 1980.

<sup>9</sup> National Bureau of Statistics of the People's Republic of China, *Communiqué on Major Figures of the 2000 Population Census*, no. 1 (28 Mar. 2001).

**Figure 3.** *Regional Variations in Population Aging, 2000*

Source: National Bureau of Statistics of China, *China Statistical Yearbook 2001* (Beijing: China Statistics Press), p. 95.

Aging is occurring worldwide. In the next 50 years, the proportion of people over 65 will more than double, growing from 6.8 per cent of the global population to 15.1 per cent.<sup>10</sup> However, unlike many developed countries, aging in China is coming at a much earlier stage in terms of socio-economic development. It is also occurring over a shorter time span.

It is projected that it will take only 27 years for the percentage of the population 65 and above in China to increase from the current seven per cent to 14 per cent. The rapidity of this change is in sharp contrast to some European countries, where the comparable change occurred over a period of 85 to 115 years.<sup>11</sup> It is also estimated that by the middle of this century, while India takes over China in becoming the most populous country in the world, China will remain the country with the largest elderly population worldwide.<sup>12</sup>

<sup>10</sup> United Nations Population Fund (UNFPA), *The State of the World Population 1998* (New York: UNFPA, 1999).

<sup>11</sup> See Kevin Kinsella, "Demographic Dimensions of Global Aging", *Journal of Family Issues* 21, no. 5 (Jul. 2000): 541-58.

<sup>12</sup> China's Family Planning Commission estimates that the total number of Chinese over 65 will reach 332 million by 2050.

This rapid aging of the population has already put great pressure on China's socio-economic development, especially on the social welfare system. The heavy pension and medical care obligations are regarded as one of the major causes of the infamously low efficiency at the country's state-owned enterprises. Even after two decades of reform, however, the current system suffers from a variety of shortcomings, and faces tremendous difficulties in the old industrial base regions especially where there is a higher level of population aging. There are frequent reports of social unrest linked to pensions.<sup>13</sup>

China's current state-supported pension system and other social welfare provisions are highly urban biased. There is very limited social welfare provision for the rural elderly. The fertility transition facilitates the decline of average family size and rapid nuclearisation of the family. The reductions in economic returns from cultivated land and the weakening of family support have made the elderly in the countryside more vulnerable.

By 2030, the aging phenomenon in China will peak.<sup>14</sup> At present, the government is insufficiently prepared to cope with the problem. Some advocate relaxing the OCP to slow down the aging process and create a relatively favourable age structure in the future. However, this argument is flawed in that the potential increase of young people cannot solve the aging problem in the short to medium term, and may actually give rise to a higher child-dependency ratio in the immediate future. This could lead to a larger population in the long term, thereby worsening the situation. The urge for policy relaxation is strongest in areas with a very low fertility rate, such as some coastal regions.<sup>15</sup>

## Abnormal Sex Ratio

An abnormal sex ratio at birth is another issue linked to China's OCP. Researchers in the late 1980s attributed the situation mainly to mis-reporting of births.<sup>16</sup>

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<sup>13</sup> See William Hurst and Kevin O'Brien, "China's Contentious Pensioners", *The China Quarterly* 170 (Jun. 2002): 345–60.

<sup>14</sup> World Bank, *Old Age Security: Pension Reform in China* (Washington, DC: World Bank, 1997), p. 14.

<sup>15</sup> In Shanghai, for example, internal discussion on policy modification began as early as the mid-1990s, but no modification has been approved by the central government due to fear of the domino effect.

<sup>16</sup> For example, Zeng Yi *et al.*, "Causes and Implications of the Recent Increase in the Reported Sex Ratio at Birth in China", *Population and Development Review* 19, no. 2 (1993): 283–302.

However, it soon became clear that it was real and that pre-birth selective abortion in favour of boys was the primary cause.<sup>17</sup> The government has employed tough measures to try to prevent and reverse the trend, but with very limited success. The continuous and increasing skew in the sex ratio at birth indicates that the situation has worsened over the years.<sup>18</sup> In 1982 it was 108.5, and 110.9 by 1987, 111.3 by 1990, 115.6 by 1995 and 116.9 by 2000.<sup>19</sup> From Table 2 it can be seen that there are regional variations.

Some blamed the rigid implementation of the family planning programme as the major cause. Indeed, there is some kind of relationship between the fertility level and abnormality of sex ratio at birth. Provinces with a normal or slightly higher sex ratio at birth actually belong to two groups. One is where there is a concentration of minority people and the fertility rate is relatively higher, the other group is where there is low fertility. The most serious problem is occurring in the provinces/regions which fall somewhere in between.

**Table 2:** *Regional Variations in the Sex Ratio at Birth, 2000*

<b>Sex Ratio at Birth</b>	<b>No. of Provinces</b>	<b>Provinces, Autonomous Regions and Municipalities</b>
≥119	7	Shanxi, Guangxi, Hunan, Anhui, Hubei, Guangdong, Hainan
113–9	9	Hebei, Zhejiang, Jiangxi, Gansu, Chongqing, Sichuan, Jiangsu, Fujian, Henan
111–2	8	Qinghai, Beijing, Shanghai, Jilin, Shandong, Tianjin, Shanxi, Liaoning
108–10	4	Inner Mongolia, Yunnan, Ningxia, Heilongjiang
<107	3	Tibet, Xinjiang, Guizhou

*Source:* China's 2000 Population Census, <<http://www.sfpc.gov.cn/cn/news20020516>> [25 Nov. 2002].

<sup>17</sup> According to the 2000 Population Census, the sex ratio for the 0–4 and 5–9 age groups is 119.5 and 114.4, respectively. If mis-reporting caused the abnormal sex ratio at birth, it would re-appear in the young age groups in the census or surveys conducted a few years later. This is certainly not the case in China.

<sup>18</sup> Regulations, including heavy penalties, have been set up in many provinces/regions to prevent medical doctors from using ultrasound machines to identify the sex of the foetus. See for example, <<http://sdrd.sd-china.com/zfjd/400012>> [23 Nov. 2002].

<sup>19</sup> Report from China's State Family Planning Commission. See <<http://www.sfpc.gov.cn/cn/news20020516-1.htm>> [2 Nov. 2002].



However, similar abnormality can also be found in South Korea and India where there are very different family planning programmes.<sup>20</sup> It is believed that attempting to solve the problem by relaxing the population policy will have little impact, especially if the situation has been brought about by a rapid fertility decline, and in a society which has a strong preference for sons.<sup>21</sup> Nevertheless, if not arrested, the problem will have profound social implications in the future, such as insufficient brides, women's status, etc.

## Population Quality

Another concern is China's overall population quality. Some argue that China's current population policy has a "negative selection" process as it requires urban residents and people with higher social and education status to have fewer children, but grants poor farmers the right to have more. This, they argue results in a deterioration of the overall quality of the Chinese population. The counter-argument emphasises the importance of education in raising population quality. They stress that a smaller population would make it easier for society to enhance the educational quality of the entire Chinese population, while a larger population further jeopardises it.<sup>22</sup> The debate continues. Sometimes proposals to adapt a Singapore-like policy allowing couples with higher education to have more children are discussed.<sup>23</sup>

There is also worry about the negative social impact of the single-child generation. By 2001, there was a total of 80 million single children in China. These people are usually considered self-centred, individualistic, less socially responsible, and less able to care for themselves and their families. However, not all academic researchers fully support this stereotyping.<sup>24</sup> Furthermore, there is a worldwide trend towards single child families.<sup>25</sup>

<sup>20</sup> See for example, Chai Bin Park and Nam-Hoon Cho, "Consequences of Son Preference in a Low-fertility Society: Imbalance of Sex Ratio at Birth in Korea", *Population and Development Review* 21, no. 1 (1995): 59–84.

<sup>21</sup> Peng Xizhe and Huang Juan, "Chinese Traditional Medicine and Abnormal Sex Ratio at Birth in China", *Journal of Biosocial Sciences* 31 (1999): 487–503.

<sup>22</sup> Mu Guangzong provides a useful literature review on this matter. See *Zhongguo renkou suzhi wenti yanjiu* (Research on China's Population Quality), <<http://www.cpirc.org.cn/paper8.htm>> [29 Nov. 2002].

<sup>23</sup> For example, see report from <<http://www.cpirc.org.cn/news20020708-4.htm>> [8 Jul. 2002].

<sup>24</sup> See for example, W.S. Tseng *et al.*, "Longitudinal Analysis of Development Among Single and Non-single Children in Nanjing, China: A Ten-year Follow-up Study", *Journal of Nervous and Mental Disease* 188, no. 10 (2000): 701–7.

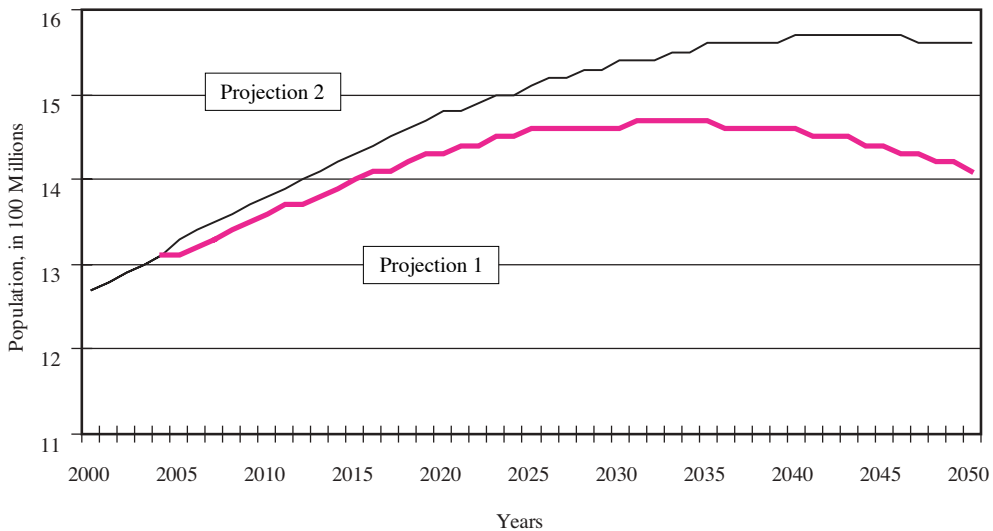
<sup>25</sup> A. O'Hanlon, "When One Child is Just Enough", *Washington Post*, 21 Nov. 1999.

## Future Population Growth

The fundamental issues are the extent to which the Chinese population will grow, and the future relationship between the population, resources and environment. There are various population projections based on different assumptions on fertility and mortality.<sup>26</sup> Even according to the lowest projection, the total population will increase by at least 100 million to 1.4 billion before the growth finally stops around the middle of the 21st century. Figure 4 portrays one such population projection.

China is a vast country with abundant natural resources. The large population, however, has caused almost all of the per capita indicators to be well below the world average. Further population growth will no doubt put more pressure on China's fragile environment and aggravate the relationship between population

**Figure 4.** *China's Population Projection, 2000–2050*



*Note:* Projections based on assumption (1) TFR = 1.8, and assumption (2) TFR = 2.0

*Source:* China State Family Planning Commission, <<http://www.sfpc.gov.cn>> [3 Nov. 2002].

<sup>26</sup> There are different predictions about the future population in China, primarily based on different fertility assumptions. For example, Zhai Zhenwu, "Population of China: Prospects and Challenges", in *The Changing Population of China*, ed. Peng Xizhe and Guo Zhigang (Oxford: Blackwell Publishers, 2000), pp. 246–56; and Cao Guiying, "The Future Population of China: Prospects to 2045 by Place of Residence and Level of Education", *Interim Report, IR-00-026*, International Institute for Applied Systems Analysis, Austria.

and natural resources. It is interesting to note that Chinese economists and environment researchers are usually more inclined to prefer a smaller population and rigid population policy, while demographers and sociologists are in favour of a more balanced population.

## Government Role

In China's new socio-economic era, there are debates over the capacity of the government to influence the situation. This is linked to concerns about the vulnerability of China's fertility transition, and the possibility of a rebound in fertility if the government loses control of population growth. The accuracy of the current population statistics is at the root of all these discussions. There is a general consensus about the general level of China's fertility and the size of the total population which are derived from various nation-wide population surveys and reports. Many researchers, however, are suspicious of the real population figure, especially at the regional level.<sup>27</sup> It seems that so far, the 2000 population census has not made the situation much better. Any future policy changes must address the need to obtain a credible database with solid information.

The administrative restructuring to date has affected 400,000 family planning personnel nationwide, and to some extent has shaken the foundations of China's family planning programme. In places where population growth has already been checked, the local government would like to spend more money on economic related policies. Yet, in certain parts of the countryside, where the fertility rate is still relatively high, the comprehensive rural fiscal reform (*fèi gāi shuì* or changing from fees to taxes) has put more financial constraints on grassroots family planning networks.

The success of China's population programme is not without cost, politically and socially. Indeed, many have regarded it as the most difficult task of the PRC government (*tianxia diyi nan*). Apart from the direct economic costs, the hidden costs of the programme can never be accurately estimated. The tension between the government and public over the permitted number of children is one such type of hidden cost. Thus, there is a desire to modify the OCP to make it equate better with couples' fertility desires. Questions are raised about the government's role in phasing out the programme. Some say that market forces and NGOs should be involved in providing family planning services, while the government

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<sup>27</sup> There is considerable literature on this issue. China's State Family Planning Commission may be the only government body which openly admits the problem in data quality and is trying to ameliorate it by applying various statistical techniques.

should concentrate on policy-related matters only. Nonetheless, there are those who take a more optimistic view, and highlight the government's determination and capacity to implement family planning. In March 2003, the State Family Planning Commission formally became the National Population and Family Planning Commission of China. It has enlarged responsibilities for strategic research on population issues and collaboration between different government agencies.<sup>28</sup> The restructuring is aimed generally at strengthening the capacity of family planning policy-making and programme implementation.

## Reproductive Health and Reproductive Rights

Since the 1994 International Conference on Population and Development, reproductive health has gradually become a component of China's family planning programme. Supported by the United Nations Population Fund and other international donors, several nationwide projects have been sponsored by the Chinese authorities since the mid-1990s focusing on the provision of quality reproductive health services.<sup>29</sup> These projects emphasise people's voluntary participation and individual rights and promote free choice of birth control methods (*zhìqīng xuānzé*). Though only at the experimental stage, they may potentially have a long-reaching impact on China's approach towards population control. It is hoped that the coercive element of China's programme can be eliminated.

China's population programme is gradually giving more respect to the welfare of the individual. Some researchers argue that the numerical birth quota should be abolished from China's family planning programme. Others advocate that the responsibility of men in reproductive matters should be raised. According to official data, the use of male contraceptive methods (male sterilisation and condoms) accounted for only 13.1 per cent of all contraceptive usage in 2001, with the majority of couples relying on female methods, especially long-term ones such as IUD (47.17 per cent) and female sterilisation (36.86 per cent).<sup>30</sup>

<sup>28</sup> See government report, <<http://www.sfpc.gov.cn/cn/news20030327-3.htm>> [30 Mar. 2003].

<sup>29</sup> For example, the "Quality of Care" project that was initially launched in 1995 has covered one quarter of China's counties. See reports at <<http://www.cpirc.org.cn/qocface.htm>> [10 Sep. 2002].

<sup>30</sup> See State Family Planning Commission, *2001 nian quanguo jihuashengyu tongjiziliao huibian* (Data Collection of Family Planning Statistics in China 2001) at <[www.popinfo.gov.cn/popinfo/pop\\_docrkxx.nsf/v\\_tjzl/71C49DB7D42457BE48256BE3000CA7C2](http://www.popinfo.gov.cn/popinfo/pop_docrkxx.nsf/v_tjzl/71C49DB7D42457BE48256BE3000CA7C2)> [27 Nov. 2002].

High-ranking family planning officials from China have visited Sweden and the US to learn more about western views and approaches to population-linked reproductive health and rights. One consequence has been the deletion of words and phrases from local regulations that may provoke international criticism. On the whole, international cooperation is facilitating the process of the so-called “two transitions” in China’s family planning programme, namely the transition from focusing narrowly on family planning itself to combining family planning with socio-economic development, and the transition from focusing on social control to a combination of social control and an interest-oriented mechanism. Furthermore, China’s active participation in international human rights activities, including ratification of the International Covenant on Civil and Political Rights, and entry into the WTO will also help safeguard the reproductive rights of Chinese people.

It is certain that after more than 30 years of family planning, most Chinese couples seek to have smaller families. The present social environment makes implementation of a population control programme easier than before. Two children per family is still the most desired family norm for Chinese couples, no matter whether they live in rural or urban areas. This norm has been more or less consistent over the last two decades.<sup>31</sup>

## The Timing and Methods of Policy Change

It is argued that the current age structure of Chinese women is not favourable for an immediate change in population policy. A new baby boom is feared because over the next 10–15 years there will be a steady increase in the total number of women of reproductive age. There is concern that the single-child cohort born in the early 1980s will soon marry and produce children, and that any relaxation of the current population policy will have a doubling effect on the total population.<sup>32</sup> Therefore, the general view is that it is better to wait until the 2010s to make any major policy change so that the overall population age structure can adjust smoothly.

<sup>31</sup> Dr. Feng Xiaotian of Nanjing University has provided a literature review and survey reports conducted over the last two decades across China on fertility desires. *Ershinian chengxiang juming shengyu yiyuan bianqian yanjiu* (Research on Changes in Fertility Desire among Urban and Rural Residents over the Last Two Decades), unpublished research report.

<sup>32</sup> On the one hand, even with very low fertility, the large cohort will produce large numbers of children. On the other, according to current family planning regulations, new urban couples in which both husband and wife are single children, can have two children.

There is also uncertainty over whether the change should take effect from a specific point in time, or apply to some specific population groups.<sup>33</sup> In reaching a decision, the fairness to couples and ease of implementation must both be considered. It is interesting to note that many family planning professionals believe that maintaining the current policy is the optimum course for the time being.

## Current Position and Future Prospects

The already very low fertility rate is one dilemma that the Chinese government faces. While there is little room for further reduction of individual family size, the need is still pressing to slow down absolute population growth. Another, is the age structure issue. The increase in the proportion of people aged 65 and over needs to be slowed down. However, relaxation of the OCP could lead to a bigger population, which would in turn jeopardise efforts aimed at addressing the aging problem.

The decade-long population debates have fortunately resulted in some consensus, namely that China's current population policy should be generally maintained over the coming few years but local modification, at least as pilot experiments, should be conducted. Many provinces are now modifying local family planning regulations to allow more people in certain categories to have two children.<sup>34</sup> A "natural transition" towards a "two children per family" norm will be gradually put in place.<sup>35</sup>

As for the aging issue, it is an important period from now till the 2020s. This is because the dependency ratio is most favourable when both child and old-age dependency ratios are low. If sufficient jobs can be provided for the largest-ever working age population, there will be a one-time "demographic bonus" for development, such as in Japan, Hong Kong and various other east Asian economies.<sup>36</sup> China, therefore, must grasp the opportunity to develop its economy

<sup>33</sup> Author's own experience.

<sup>34</sup> See for example the new regulations in Jiangsu and Shanghai.

<sup>35</sup> It is estimated there have been 80 million single children born since the early 1980s. The government allows couples living in areas where the OCP is in force to have two children if they are both themselves single children. In addition to the majority of urban couples, couples in some rural areas in part of Jiangsu and Sichuan where the OCP is implemented, are also eligible to have two children if they meet the requirements.

<sup>36</sup> Nancy Birdsall *et al.*, eds. *Population Matters: Demographic Change, Economic Growth, and Poverty in the Developing World* (Oxford: Oxford University Press, 2002).

and reform its social welfare system to cope better with the serious aging problem after the 2020s. Nevertheless, the transfer of some dependency burden from the current generation to the next is inevitable.

The methods and approaches of China's family planning programme should be changed. While the interests of society remain the major rationale, the right of the individual should also receive more attention. Reproductive health and rights should be respected. The public's voluntary participation should be treated as the basic approach of the programme. Also, the family planning programme should be more closely integrated with other socio-economic programmes.

In March 2000, the government issued a directive reaffirming its commitment to population control.<sup>37</sup> It indicated that the present population policy would more or less be maintained for the coming years, allowing some minor modifications. In this context, the government population policy will decide the basic level of China's fertility, at least in the early years of the 21st century.

Deviation from this line will be determined jointly by the ability of the government to implement its policy and programme; the impact of continued social, economic and political reform; and the people's general desire for an ideal family size. Most likely, the Chinese government will maintain its commitment to population control and make every effort to achieve its population target in the 21st century.<sup>38</sup> At the same time, people's voluntary participation and preference will play much more important roles in determining the future fertility level in China.

Efforts to formulate a Family Planning Law began in the late 1970s. Although population control is written in China's Constitution and other national laws such as the Marriage Law, it was only on 29 December 2001 that the Law was formally passed by the Standing Committee of China's National People's Congress at its 25th meeting, after more than 20 years of preparation, four rounds of debate and more than 30 drafts.

The Law came into effect as of September 2002. Though its 47 items mainly reaffirm existing policy guidance and principles, its implementation does have

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<sup>37</sup> "Zhonggong zhongyang guowuyuan guanyu jiaqiang renkou yu jihua shengyu gongzuo wending dishengyu shuiping de jue ding" (Decision on Strengthening Population and Family Planning Work, Maintaining Low Fertility), Directive issued by CCP and the State Council, 2 Mar. 2000.

<sup>38</sup> The population targets are: 1.4 billion in 2010, and not more than 1.6 billion by the mid-21st century. Information Office of the State Council of the PRC, *China's Population and Development in the 21st Century*, Dec. 2000, Beijing.

significant implications for China's future population policy and programme. It makes clear that the current population policy will more or less remain unchanged in the near future, but the responsibility of modifying policy measures and regulations is assigned to provincial/regional governments, based on local conditions. It also legalises the position of the family planning network, especially the technical service network, thus bringing to an end the decades-long dispute between the family planning programme and Public Health Bureau.<sup>39</sup>

The Law emphasises the establishment and improvement of the interest-oriented mechanism related to population and family planning, and also tries to balance the rights and obligations of the government and individual in relation to family planning issues. Considering the huge regional disparities of the country, the State law can only provide a basic guideline for the country's family planning policy and define the basic rights and duties of citizens. The most difficult aspect of the work remains at the grassroots.

The renaming of China's State Family Planning Commission in March 2003 to the State Population and Family Planning Commission demonstrates the wider administrative and coordination functions assigned it by the State Council. Although China's overall population policy will remain, there will undoubtedly be some modifications and gradual changes in implementation measures over the next few years which reflect recent debate over changing the social levies placed on couples who give birth to more children than permitted, and other developments.

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<sup>39</sup> There has long been a dispute between these two networks, focusing on whether the technical service of birth control should be under the control of the Public Health Bureau. While the Family Planning Commission emphasises the integral features of family planning services and management, the medical authority insists on sector management and service quality.