

CHINA'S ONE CHILD POLICY: A VIOLATION OF HUMAN RIGHTS AND SOCIAL CONSEQUENCES

*Mukesh Kumar Khatwani**

Abstract

Nowadays the biggest social threats that are being faced by the world are increasing population and global warming (environment). China, being the largest country regarding population in the world and contributing about 22 per cent to the total world population is also facing the both threats. In order to control China's government in early 1950s took concrete steps and introduced population planning throughout the country. In early 1970 "late-long and few" policy of population controlling was initiated and no doubt the policy remained very much successful. Despite its success of this policy the government reviewed and introduced "one child policy" in late 1970s. Later policy of population is not uniform and optional but it varies from region to region, from ethnic group to group and from urban to rural areas. In the context of human rights and dignity the policy violates the basic human rights which are entitled in Universal Declaration of Human Rights and other international charters. Of course, China has succeeded to control its increasing population, but simultaneously Chinese society has fallen in many social problems which is result of the forceful imposition of one child policy. The paper attempts to highlight the social consequences of one child policy such as imbalanced sex ratio, increasing number of old aged, selective abortion, infant abandonment and adoption, trafficking in women, female suicide, diffusion of HIV/AIDS and Sexually Transmitted Diseases (STDs).

* Lecturer, Area Study Centre, Far East & South East Asia, University of Sindh, Jamshoro

Introduction

China is the most populous country in the world with 1,306 millions, about 22 per cent of world population. The 69.6 per cent of Chinese total population lives in rural area and depends on farming and agriculture. Chinese society has greatly remained under the influence of Confucius, well known philosopher (551-479 BC) and latter on with his name "Confucianism" was developed as a religion and code of social and political matter in China. Traditionally, the Confucius ideology places a strong emphasis on filial responsibilities and intergenerational connections¹. The Chinese family system is patriarchal, patrilocal, and patrilineal. Patriarchal means the legal head of family should be oldest male and only he reserves sole authority in all family matters; patrilocal means the family should be centered in the husband's home and patrilineal denotes that descent must be counted only through the male line. Historically, the extended family was dominant family form in China. Despite falling family size and increasing proportions of nuclear families the tradition of patrilineal and patrilocal extended families remain important in contemporary China. According to 1990 census of China around 27 per cent of households in China contained 3 or more generations and about 73 per cent of the populations aged 65 and above live in households made up of 2 or 3 or more generations². Due to the legacy of patriarchal, patrilineal and patrilocal in China, the preference in family has always been given to son rather than daughter; this is why it has become very much essential for a family to have a male child for keeping the lineage. The tradition of son preference in Chinese society traced in The Book of Rites "A woman is to obey her father before marriage,

her husband during married life and son in widowhood"³. Mencius, a Chinese philosopher has said "There are three things that are unfilial, and to have no children is the greatest of these"⁴. It obviously shows the wide range acceptance of male dominance in Chinese society and subordinate position of females.

Background of Population Planning

In 1949 the first and most basic task that confronted China Communist Party (CCP) was to provide basic subsistence for more than 500 million people⁵. In 1953 communist government urged the Ministry of Health to study the method of population planning and to teach people how to practice population planning. However, before it the great communist leader Mao Tzu in his speeches always took pride in saying "over 600 million people are the country's wealth"⁶. In 1954 population planning took an official and national concept, and it was considered very much essential to promote health for women and children. The government strongly realized to take concrete measures for controlling population as the economic reforms can be ensured for the improvement of living standard.

In 1970s family planning programme "later- long- fewer" was initiated to control the birth rate and uplift the living conditions of people. Under this policy of population control the couples were encouraged to get married later; space at least five years between first and second child, and have a limited number of children. The policy discouraged the traditional Chinese extended family system and encouraged nuclear

family; so that increasing population could be controlled as well as economic reforms could also be ensured for improving the living standard. This policy remained very much successful in bringing down the birth rate from 5.8 children per married woman in 1970 to 2.7 in 1979, before the introduction of one child policy.

One Child Policy

In late 1979 the one child policy was introduced by setting a target population 1.2 billion by the year 2000. The policy consists of a set of regulations that vary from ethnic group to group, urban to rural area and religion to religion. These regulations include restrictions on family size, late marriage, the space between first and second child (if second child is permitted). Today's one child policy has undergone many revisions and changes, the major revision in policy occurred in 1986, which allows couple to legally give birth to a second child.

As the one child policy was introduced to achieve sole objective of economic development rather than social development and improvement of human rights. This is why the formulators of the policy have either neglected the social consequences or given less importance to them. Thus policy itself has been bias one, for instance in terms of gender, urban-rural, ethnic groups, and localities etc. Generally a couple is allowed to have only one child but in case of first female they may have a second one and even in case of rural and ethnic groups a couple is allowed to have up to four or five children. In urban area couples receive a monthly stipend of around 5%

of the average worker's wage until the child reaches the age of 14, preferential treatment when applying for housing, increased maternity leave, highest priority in education and health for the child, and a supplementary pension because of the problem of lack of support in old age. On the contrary in rural areas a family receives a large allocation of farming plot. In 1982, family planning was included in the Constitution as a basic state policy. Since then, the marriage law has explicitly required couples to practice family planning. Under marriage law of 1980, women are required to submit proof of contraceptive use (usually in form of IUD, the presence of which was verified twice a year through mandatory medical examination) and abortion became the mandatory form of "remediation" for unplanned pregnancies⁷. In the late 1980s, clear provincial rules were demanded and regulations focused on preventing early-age marriage and childbirth, reducing the high rate of induced abortions were implemented. One of the incentives of one child policy since 1988 is the "one-child certificate" which is a contract between a couple and the local government. It gives a couple who agrees to have only one child certain economic rewards, such as a monthly stipend, free obstetric care, increased maternity leave, highest priority in education and health care for the child, preferential treatment when one is applying for housing, and a supplementary pension.

The policy in context of urban has successfully reduced the birth rate but in rural context it has not. According to Cooney and Li in 1991 approximately 91 per cent of mothers with worker registration had only one child, while only 59 per cent of those with agricultural registration did so. Similarly 87 per

cent of mothers with worker registration accepted the one child certificate as compared with 13 per cent of mothers with agricultural registration⁸. The reasons of success of policy in urban are strong monitoring and implementation system, attractive incentives, and changing family structure and norms (traditional to nuclear) due to increasing female education. While one child policy could not attract rural women because of strong traditional family structure, low female literacy rate, more requirement of labour force to work on farming land, preference to both one boy and one girl, especially former and the lack of effective monitoring system. According to Milwetz's survey of women in Beijing and Shenyang, while between 26 and 82 per cent of women said that they would prefer more than one child, the majority also agreed that some sort of population control measures were necessary in China⁹.

Social Consequences

No doubt the one child policy has left positive impact particularly in enabling the government to face the challenges of food shortage, ensure the economic reforms and improve the living standard of people. But simultaneously, because of traditional extended family structure, strong family bond, agrarian family, preference to having more male children the policy has also given birth to many social problems as well as psychological consequences to children without siblings.

a) Imbalanced sex ratio

Chinese census figures show that in the 1950s and 1960s, boy-girl birth ratios were relatively stable and normal. The forcibly application of one child policy and traditionally preference to

son in family have given birth to many social problems and imbalanced sex ratio is one of them particularly in rural area. It is reported that 99 per cent of Chinese children adopted by foreigners are girls. China's newborn sex ratio was 123 boys for every 100 girls in 2005, compared with 110:100 reported in 2000¹⁰. In the case of China, social scientists are talking about a future when 15 per cent of men won't have wives. According to Asia expert Nicholas Eberstadt, the trend, termed the "marriage squeeze," is an anthropological phenomenon partly due to China's "one child" policy¹¹. For controlling the imbalanced sex ration the Chinese government made Ultrasound exams for non-medical purposes illegal in 1994, but due to lack of its enforcement and proper monitoring system the tests for selective abortions are performed frequently. In many places outside urban areas in China, remaining unmarried is a matter of shame and defame. It is also reported that a great number of persons of married age involved in crimes and anti social activities are without family.

Imbalanced sex ratio in rural China today is an obvious evidence of frequent practice of female infanticide; again female infanticide is because of rigid and imposed one child policy. The article 35 of the law of the People's Republic of China on the Protection of Rights and Interests of Women forbids female infanticide by means of drowning, abandonment, or cruel treatment.

b) Increasing in Aging Population

The drastically falling fertility rate in China has given birth to an increased proportion of aging population (134 million); it is

increasing 3.2 per cent every year. The aging process in China is increasing in unbalanced way and definitely it is not in favour of economic development and reforms in China. About two decades ago the aging population of years 60 to 65 was only 7.6 per cent and above 65 was 4.9 per cent. Chinese census 2000 disclosed that number of aged persons of years 60 -65 rose to 10.5 per cent while above 65 rose to 7.1 per cent from 4.9 in early 1980s. The elderly people will be a big burden for China by the year 2050, when that population will reach to 400 million, accounting for 25 per cent of the total¹². Assuming fertility rates stay at current level among urban Chinese, about 1.3 children per couple, 35 per cent of urban population will be of aged 65 and above by 2050. They were 20.6 million in 2000, and will increase to 34.1 million by 2015, 45.6 million by 2025 and 55.9 by 2050¹³

c) Increasing Selective Abortion

Until 1953, induced abortion was available during first 10 weeks only in case of protecting a woman's or her child's health and for it physician's medical certificate was required. But in 1957, all pregnant women are allowed to perform abortion during their early 10 weeks. The 1979 abortion law abolished most restrictions, and set 28 weeks of gestation as the upper limit for legally performing abortions¹⁴. Since 1979, abortion has been available on request, and the ratio of legal abortions to birth increased in the 1980s.

Abortion is a major factor in keeping population growth under control. Most of the Chinese couples try to confirm about their coming offspring of having male or female and in case of later

they prefer immediately abortion, because son is regarded as lineage of the family. Selective abortion is one form of violation of basic humanitarian rights in China. It is very much interesting to know that violators are product of governments' imposed one child policy. On one hand strong traditional family patterns which give preference to male child, requirement of more persons to work on farming; on other hand imposed one child policy majority of people, particularly in rural areas seeks selective abortion and abandonment.

d) Infant Abandonment and Adoption

Female Infant abandonment is one of the burning social problems in today's China particularly in rural areas. There are reports that many female children are born each year but never recorded and most of them are known as missing girls. It is very difficult to collect data on these missing girls, however; Johnson estimates that 100,000 to 160,000 young children, mostly girls, are abandoned each year¹⁵. According to 1994 figures, despite legal penalties, the number of children abandoned in China annually approached 1.7 million¹⁶. Illegal adoption and abandonment are considered as violation of population policy not violation of adoption and abandonment laws. If someone adopts or abandons a child means he is violating the birth planning policy and must be punished. Further more the requirements of legal adoption are very strong i.e. adoptive parents must be above 35 years, and childless, even adopted child must be orphan or disabled. This is why the illegal adoption and abandonment are increasing every year.

e) **Increasing Trafficking in Women**

Trafficking is defined as the recruitment, harboring, provision, receipt, transportation and/or obtaining of individuals; using force or threats of it, coercion, fraud and/or using systems of indebtedness or debt bondage; for purposes of sexual or other forms of economic exploitation¹⁷ Trafficking in women is one of the burning issues of today's China. China's Public Security Department says that there were 12,281 prostitution-related cases prosecuted in 1984. By 1995, in the five months from January to May the figure had exploded to 113,000. Most of the sociologists and social scientists believe that one of the major causes of increasing in women trafficking and sell out is female infanticide and shortage of wives in rural China. Because of one child policy majority of people gives preference to son. From sociological point of view it is a ground fact that unmarried and single persons are more vulnerable to involve in criminal and anti social activities. Increased trafficking in women has been seen for purpose of marriage, prostitution within and outside China. The kidnapping of women for marriage by criminal gangs and middlemen has become a growth industry in China. Women are also being trafficked for sale as wives to husbands who often resell them¹⁸. Further more, the increased commercialization of sex within and outside China has made the situation worse. According to 1996 reports, police owned and operated brothels employing 70,000 prostitutes in the Shanxi province¹⁹. Article 36 of law on the Protection of Rights and Interests of Women and Children stipulates that trafficking or purchase of women shall be prohibited and government agencies shall be timely measure to rescue women and children from traffickers.

f) **Increasing Female Suicide rate**

Chinese society is more traditional wherein the family bond is very much strong; family generally consists of 2 or 3 generations. The value and importance to life is clearly shown in below Chinese saying "we receive our body including hair and skin from our parents and we dare not injure them if we are filial" (*shenti fafu shou zhi fuwu, bu gan huishbang, xiao zhi shi ye*)²⁰. Suicide is not allowed socially, religiously, as well as legally throughout world; however altruistic suicide (for a national cause) is acceptable in every society and he is honoured as national hero. International statistics on suicide shows higher ratio of male suicide than those of female, but on contrary in China the case is totally different. China has the highest suicide rate in the world, with an over all suicide rate of 230 per million people, while the world average is only one hundred per million people²¹. According to study by Harvard University, the World Bank and World Health Organization, some 56 per cent of the world's female suicides (about 500 per day) occur in China. Most of the victims are young rural women²². There are reports that about 287,000 persons commit suicide and 2 million more attempt it every year in China, 75 per cent of them occur in rural areas and female suicide rate is 25 per cent higher than that of males. Suicide is currently number one killer of people aged 15-34 in China, accounting 30 percent of deaths in this age range²³. Why female suicide rate in china is higher than that of males? Answer to this question according to eminent French Sociologist Emile Durkheim lies in complex social structure. He focused on social facts, social structures, cultural norms, and values, all of which he argued are external to the individual²⁴. Keeping this in mind, now we

should have to look at the present position of women both economically and socially in Chinese traditional society. They have lower social, economic and educational status, they suffer selective- abortion because of son preference and one child policy, frequent domestic violence, trafficking and purchase, and female infanticide. In this oppressive situation woman suffers a lot socially, economically, and psychologically. There are also reports that women failed to give birth to a male child even after many selective abortions, are beaten, humiliated, maltreated in family and even divorced in many cases, who often prefer to commit suicide as an offensive protest against the complex social structure in China.

g) Diffusion of HIV/AIDS and Sexually Transmitted Diseases

The Chinese government currently estimates up to one million Chinese citizens may be infected with the Acquired Immune Deficiency Syndrome (AIDS) virus HIV/AIDS. However, World Health experts believe the real figure lies between 1.5 and two million, and the United Nations Program on AIDS (UNAIDS) projects China could have between 10 and 15 million HIV cases by the year 2010²⁵. The number of people living with HIV/AIDS in the Chinese capital has grown by an average of 40.6 per cent each year since 1998. In 2002 alone, the number of HIV cases rose 140 percent. Currently there are more than 3 million sex workers in China. The increasing number of sex workers has also given birth to a many sexually transmitted diseases including HIV/AIDS. In 1988, China reported 56,090 STD cases, and by December 1989 the total number of reported annual STD cases reached 204,077. In 2002 alone, more than 740,000 cases of STDs were reported. There are five major modes of HIV/AIDS transmission; intravenous

drug users (IDUs), commercial blood donors, homosexual transmission, heterosexual transmission and mother to Infant transmission. The IDUs transmission ratio is decreasing while heterosexual and mother – to- infant transmission of HIV/AIDS is increasing in China. It clearly shows the increasing unsafe prostitution in China.

References and Notes

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