

LEGACIES OF REPUBLICAN-ERA POPULATION POLICY IN THE MODERN TWO-  
CHILD POLICY

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# LEGACIES OF REPUBLICAN-ERA POPULATION POLICY IN THE MODERN TWO-CHILD POLICY

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## ABSTRACT

Fears of a demographic crisis in China have led the Chinese government to relax its one-child policy to a two-child policy. Policies intended to reduce the cost of childbearing have not successfully raised the birth rate, and the government instead encourages women to take on the work of childcare and domestic labor. Comparing gender politics and intellectual debates on national population policy in the 1911-49 Republican Era and the present, this paper finds that in both eras, authoritarian governments advocated for a gender ideal that combined appropriated Confucian traditions with a modern nationalist ideal of women's citizenship, encouraging a focus on family in reaction to individualism, economic changes, and feminist challenges. Cultural, political, and intellectual discourses on gender shaped progressive intellectuals' beliefs about women, population, and reproduction. Chinese Communist leaders were aware of the discussion on population policy, first consciously rejecting state birth planning, then adopting it with a "socialist" justification. This paper contextualizes Chinese population policy's origins in pre-Communist programs of nation-building and modernization, and argues birth limitations have not been abandoned because of the enduring belief among political elites that it is the state's responsibility to create "modern" small families for national economic productivity and citizen "quality." My research finds parallels between modern and historical Chinese political anxieties about development and modernity, state control of the population, independent feminist activism, and globalized capitalism.

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## Introduction

Facing a demographic crisis, the Chinese government has sought to raise fertility rates through its “Comprehensive Two-Child Policy,” announced in 2015 and enacted in 2016. However, the policy has failed to address the underlying economic pressures and cultural changes behind the declining birthrate. China’s government now openly or tacitly encourages women to marry, have children, and prioritize duties to the nation and their family over personal autonomy and professional advancement. The two-child policy is not merely a modification of the Reform-Era one-child policy, nor is the Chinese Communist Party’s (CCP) current emphasis on raising the birthrate a complete reversal of past population policy focused on lowering it. The CCP’s current population policy framework builds upon a history that began in the Republican Era, where the government sought to manage the population by encouraging an ideal “modern” family model and regulating women’s reproduction. Republican goals for population policy and beliefs about motherhood endured in modified form throughout the Maoist era, and are now seeing a resurgence in reaction to the socioeconomic shifts of the present day.

I argue that the Republican Era’s discourse on population was fundamental to modern Chinese population theory, state intervention in reproductive and domestic life, and understandings of sexual, social, and political identity, leaving a strong and enduring legacy among Chinese government institutions. According to Michel Foucault’s theory of biopolitics, modern governance pictures the national community in biological terms, intervening in the lives of individuals to ensure citizen productivity and “healthy” social order.<sup>1</sup> Drawing on Susan

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<sup>1</sup> Lacking library access to Michel Foucault’s *History of Sexuality* (1976) and Frank Dikötter’s *Sex, Culture, and Modernity in China* (1995), I have referred to Susan Brownell’s review of Dikötter in *The American Historical Review* 102, no. 5 (1997): 1548-549, doi:10.2307/2171197 and the discussions of Foucault in scholarship including Leon Rocha, “A Small Business of Sexual Enlightenment: Zhang Jingsheng’s ‘Beauty Bookshop,’ Shanghai 1927-1929,” *British Journal of Chinese Studies* 9, no. 2 (2019): 1-30, <https://bjocs.site/index.php/bjocs/article/view/35> and Haiyan Lee, “Governmentality and the Aesthetic State: a Chinese Fantasia,” *Positions: East Asia Cultures Critique* 14, no. 1 (2006): 99-129, <https://doi.org/10.1215/10679847-14-1-99>.

Greenhalgh's argument that Maoist-Era officials combined discourses of "women, population, and nation" into a new biopolitical "narrative of population," I instead date the fundamentals of this narrative to the Republican-Era intellectuals who were predecessors or contemporaries to key CCP leaders.<sup>2</sup> While Republican population narratives had a limited impact on policy due to the limited governing capacity of the Republican state, debates on population and reproduction clearly influenced the era's popular print culture, mass campaigns, and official medical and educational institutions. The eugenicist, modernizing argument for state-led population control therefore provided overlooked context and inspiration for the CCP's population policy and policies on women. My argument that the modern Chinese government's basic population policy framework has neglected historical origins builds upon *China's Longest Campaign: Birth Planning in the People's Republic*, in which Tyrene White described Maoist population policy's influence on the one-child policy.<sup>3</sup> My comparison between the social and political context of population policy in the Republican Era and present day relies upon Leta Hong Fincher's work on modern Chinese "patriarchal authoritarianism" and the repression of Chinese feminist advocacy,<sup>4</sup> as well as Wang Zheng's work on the contradictory mandates of PRC "state feminist" institutions and the agency of feminist women within such institutions.<sup>5</sup> In addition to studying policy, I also cite official and popular news sources, and take an approach emphasizing the relationship between population policy and popular gender ideals.

### Republican-Era Policies on Birth Control and Reproduction

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<sup>2</sup> Susan Greenhalgh, "Fresh Winds in Beijing: Chinese Feminists Speak Out on the One-Child Policy and Women's Lives," *Signs* 26, no. 3 (2001): 847-886, <https://www.jstor.org/stable/3175541>.

<sup>3</sup> Tyrene White, *China's Longest Campaign: Birth Planning in the People's Republic, 1949-2005* (Ithaca, N.Y.: Cornell University Press, 2006), 20-26.

<sup>4</sup> Leta Hong Fincher, *Betraying Big Brother: The Feminist Awakening in China* (New York: Verso, 2018).

<sup>5</sup> Wang Zheng, *Finding Women in the State: A Socialist Feminist Revolution in the People's Republic of China, 1949-1964* (Oakland, California: University of California Press, 2017).

In the late nineteenth and early twentieth centuries, Chinese educational institutions and publishers began translating Western theories on birth control and eugenics from European, American, and Japanese writers. In the 1920s, particularly after Margaret Sanger's 1922 visit to China, the idea of a national "population problem" that could be solved through birth control became a popular topic of study and debate, influenced by Social Darwinism and the international neo-Malthusian movement. Publications like the progressive magazine *New Youth* hosted arguments over the merits of a national birth control policy, expressing fears about the size and "quality" of China's population. Women's rights advocates critical of traditional culture saw birth control as a means for women to establish bodily autonomy, pursue education and professional work by reducing their domestic burdens, and improve their status within the family and society by increasing their personal independence.<sup>6</sup> In reaction, culturally conservative intellectuals argued that allowing women to control their own fertility was unnatural, encouraged immoral, undisciplined female sexuality outside of marriage, and threatened the social order.<sup>7</sup> The traditional stigma of female sexuality, as well as fertility pressures from family, discouraged women themselves from advocating for birth control as an issue of individual rights and women's empowerment.<sup>8</sup> Instead, male intellectuals focused on the *national* implications of women's fertility.

Activism for birth control was often more theoretical than practical, and China's first dedicated contraceptive clinic, founded in Beijing in 1930, saw very little demand, mostly from

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<sup>6</sup> Yu Lianshi 俞莲实, "Minguo shiqi guanyu shengyu jiezhi de si da lunzhan" 民国时期关于生育节制的四大论战, *Shilin* 史林 5, (2008): 128-146; Hiroko Sakamoto, "The Cult of "Love and Eugenics" in May Fourth Movement Discourse," *Positions: Asia Critique* 12, no. 2 (2004): 329-376.

<sup>7</sup> Pan Rulong 潘如龙 and Yang Faxiang 杨发祥, "Ershi shiji sansishi niandai Zhongguo de jieyu lunzheng yu shixian" 二十世纪三四十年代中国的节育论争与实践, *Xinan Jiaotong Daxue xuebao* 西南交通大学学报 6, no. 6 (2005).

<sup>8</sup> Michelle T. King, "Margaret Sanger in Translation: Gender, Class, and Birth Control in 1920s China," *Journal of Women's History* 29, no. 3 (2017), 61-83.

relatively well-educated urban couples.<sup>9</sup> In small-scale surveys of educated urban women from 1929-30, a substantial majority expressed approval of birth control and interest in learning about contraception. However, in one 1933 survey of married, educated women in Shanghai, only half of the 120 respondents were willing to answer a question about how they might avoid pregnancy. Only 26 of those respondents had suggestions for contraception other than abstinence. 23 admitted to having used birth control methods in the past, while 76 said that abortion was “common” among the women they knew, likely a result of the lack of reliable contraception.<sup>10</sup> When Sanger planned a return to China in 1936, one newspaper commentator wrote that despite public fascination over her 1922 visit, “Chinese women’s fertility has never been checked by [Sanger’s recommended methods] ... Obviously, Madam Sanger’s ideas are out of fashion... The only people who advocate for birth control have already got a son and a daughter.”<sup>11</sup> This viewpoint may not have been entirely accurate, but it indicates the gap between elite advocacy for birth control and popular practice, as perceived by a writer outside the field of population studies. Though birth control advocacy which made use of traditional Chinese medical theories and methods might have better received by the general population (such an approach was used in the Maoist Era with some success), Republican activists focused on Western medical methods, which they considered more modern and scientific.<sup>12</sup> These “scientific” methods—namely “the rhythm method,” medications, condoms, spermicides, diaphragms, and suppositories—actually

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<sup>9</sup> Tina Johnson, *Childbirth in Republican China: Delivering Modernity* (Lanham, MD: Lexington Books, 2011), 124-159.

<sup>10</sup> Yu Lianshi 俞莲实, “Minguo shiqi chengshi shengyu jiezhi yundong de yanjiu” 民国时期城市生育节制运动的研究 (doctoral dissertation, Fudan University, 2008), 161-169.

<sup>11</sup> “Zuotanhui” 座谈会, *Tie bao* 鐵報, March 11, 1936, East View Global Press Archive.

<sup>12</sup> Sarah Mellors, “Less Reproduction, More Production: Birth Control in the Early People's Republic of China, 1949–1958,” *East Asian Science, Technology and Society* 13, no. 3 (2019): 367-389; King, “Sanger in Translation.”

had a wide range of effectiveness, and none were completely effective in preventing unintended pregnancy for couples practicing birth control.<sup>13</sup>

Chinese social scientists and public intellectuals mainly framed the birth control issue as an abstract question for the government of how to shape and control China's entire population, not a matter of individual preference. Male intellectuals of the New Culture Movement also saw birth control as key to an ideal "modern" family in a culture and political system built on liberal ideals. The New Culture family would be small and nuclear, based on a free marriage of intellectual equals, and independent from the authority of an elderly patriarch. The new family structure was meant to be individually empowering and free, but also serve the national interest by producing and educating a modern, patriotic generation. In the New Culture family, women would ideally possess greater personal independence than in traditional family structures, but remain primarily domestic and maternal.<sup>14</sup> In both birth control and family reform, male intellectuals argued on behalf of the nation's women in ways that could overlook actual women's concerns and neglect more radical possibilities of family, sexuality, and reproduction, using the "progressive" form of Western patriarchy as a model.

The Nationalist government's nation-building project and external threats exacerbated the intellectual tendency to view the issue primarily as a matter of national strength and development rather than part of a struggle for gender equality, giving weight to a eugenic argument for birth control.<sup>15</sup> The legacy of May Fourth "scientism," the belief that national problems could be solved through the purely objective truths offered by Western science, also lent itself to

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<sup>13</sup> Rocha, "A Small Business of Sexual Enlightenment."

<sup>14</sup> Susan L. Glosser, "'The Truths I Have Learned': Nationalism, Family Reform, and Male Identity in China's New Culture Movement, 1915-1923," in *Chinese Femininities/Chinese Masculinities*, eds. Susan Brownell and Jeffrey Wasserstrom (Berkeley: UCLA Press, 2002), 120-148.

<sup>15</sup> Johnson, *Childbirth in Republican China*; Paul J. Bailey, *Gender and Education in China: Gender Discourses and Women's Schooling in the Early Twentieth Century* (New York: Routledge, 2007).

sweeping plans to “scientifically” manage China’s population.<sup>16</sup> Debates on birth control were therefore dominated by male intellectuals and medical professionals who believed China’s population needed to be eugenically managed by the state, rather than feminists seeking freedom to limit their own fertility for personal reasons. While CCP founding member Chen Duxiu criticized the racism of eugenic theory as a justification for Western and Japanese imperialism in China, he also believed eugenics could strengthen the Chinese nation and “race,” a position shared by the preeminent population theorist Chen Changheng and other widely-read intellectuals.<sup>17</sup> Late Qing reformers and revolutionaries, including Liang Qichao, had already written on how to strengthen the Chinese “race” and nation before eugenic theories became popular in China in the Republican Era.<sup>18</sup> Popular articles, textbooks, and prominent academics popularized the beliefs that modern Chinese nationalism was built on a historic Chinese racial identity, that European and Asian races were superior to others, and that Asians faced a Darwinist competition for future survival and supremacy.<sup>19</sup> Like leading Western eugenicists including Margaret Sanger, most Chinese eugenicists used nationalism and racial theory to argue that birth control could not be a purely voluntary individual choice, but had to target the poor and disabled in a mass campaign of sex education, contraceptive services, and even forced sterilization, ideally implemented on a national policy level. Their reasoning was that otherwise, the educated upper classes who produced the most eugenically desirable offspring would be the only ones with the resources, knowledge, and will to limit their births. At the same time, the

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<sup>16</sup> Susan Greenhalgh, “Science, Modernity, and the Making of China’s One-Child Policy,” *Population and Development Review* 29, no. 2 (2003): 163-196, <https://www.jstor.org/stable/3115224>.

<sup>17</sup> Sakamoto, “Love and Eugenics.”

<sup>18</sup> Gao Min 高敏, “Minguo shiqi shengyu jiezhi sixiang tan wei” 民国时期生育节制思想探微, *Shang 商* 4, no. 18 (2014): 60.

<sup>19</sup> Frank Dikötter, “The Discourse of Race in Twentieth-Century China,” in *Race and Racism in Modern East Asia : Western and Eastern Constructions*, eds. Rotem Kowner and Walter Demel (Leiden: BRILL, 2012), 351-368.

lower classes would remain too ignorant, medically underserved, and culturally traditional to willingly adopt birth control. Without a state eugenics policy and mass education in birth control, the net result would be “degeneracy” and national decline.<sup>20</sup> The close link between birth control and eugenics contributed to the Nationalist government’s interest in population theory and attempts to standardize and “modernize” birth, reproduction, and domestic life. With the consolidation of authoritarian Nationalist power and rise of anti-Japanese Chinese nationalism, the argument for population management through birth control became mainstream, and the argument for birth control as a way to empower women declined.<sup>21</sup>

Some writers tried to reconcile birth control’s promise of individual freedom with its importance in nationalist population theory. One 1936 article in *Linglong* women’s magazine said that contrary to popular belief, “marriage actually has two purposes. One is for the enjoyment of individuals. One is for the continuation of the race. The former concerns individual freedoms, we absolutely cannot interfere with it; [but] the latter concerns the future of the race and the well-being of society, so the government necessarily must control it.” But what of the tensions between individual freedoms that must be protected and the public good that must be legislated? The *Linglong* piece simply assumed that individual benefits and the public good would *both* be served through birth control, and the government should do its best to ensure couples were both happy with each other and appropriately fertile.<sup>22</sup> The mainstream birth control movement of the Republican Era largely failed to consider the conflict between individual and national interests. It could cite sociological and feminist theories of the day to argue that limited fertility was simply in women’s best interests, and women would come to

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<sup>20</sup> Sakamoto, “Love and Eugenics.”

<sup>21</sup> Yu, “Minguo shiqi guanyu shengyu jiezhì de sì dà lúnzhān.”

<sup>22</sup> Sha Le 莎樂, “Jiehun yu jiyu” 結婚與節育, *Linglong* 玲瓏 no. 233, April 22, 1936, University of Heidelberg Archive, accessed on March 30, 2020.

embrace it once liberated from the false consciousness of traditional patriarchy. Such faith in the positive impact of birth control overshadowed questions of individual choice and rights, and encouraged a state-centric approach to birth control advocacy.

Though it never had the resources to implement a large-scale population policy, the Guomindang (GMD) tried to regulate birth practices, birth control, and midwifery. Public health laws in GMD-controlled areas officially licensed midwives with modern medical training while banning “untrained” traditional midwifery, which the GMD government saw as dangerous to women’s health. These policies were technically implemented on a national level after 1927, but the GMD never had the funds or governing capacity to enforce them, nor the funding for more than a small pilot program that trained midwives to use Western medical techniques and collect demographic information at births.<sup>23</sup> Public schools in GMD-controlled areas provided sex education, but entirely avoided the topic of birth control, teaching boys to practice sexual abstinence while teaching girls to maintain good health for reproduction.<sup>24</sup> GMD laws also banned abortion: despite the GMD’s interest in limiting population growth, the party and mainstream medical establishment considered abortion an immoral, unhygienic, and backwards practice, the worst of many traditional reproductive practices that endangered women’s health. In the context of these regulations, doctors advocating for birth control policies argued contraception was a safe and modern alternative to abortion and traditional methods for birth control.<sup>25</sup>

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<sup>23</sup> Johnson, *Childbirth in Republican China*.

<sup>24</sup> Jen-Der Lee, “Sex in School: Educating the Junior High Students in Early Republican China,” in *Gender, Health, and History in Modern East Asia*, eds. Leung Angela Ki Che, Nakayama Izumi (Hong Kong: HKU Press, 2017), 61-91.

<sup>25</sup> Johnson, *Childbirth in Republican China*, 20.

While the Sino-Japanese War sapped the GMD's already weak funding and logistical capabilities, resource scarcity eventually led the government to view the "population problem" with increasing urgency.<sup>26</sup> Unable to increase available resources for the population, the GMD instead considered measures to limit the population's size. In 1941, the government formed a Population Policy Research Committee of demographers, medical professionals, and academics, many of whom had personal connections to politicians. The committee concluded that China was overpopulated, and it successfully advocated for the formal legalization of birth control devices in 1945.<sup>27</sup> The need for such a policy was perhaps a result of inconsistent local laws and their enforcement, as contraceptive devices and medications were already commercially available and openly advertised throughout the Republican Era.<sup>28</sup> The policy was likely intended to signal the first step in a more proactive program for birth control education and population control, but it was rendered irrelevant by the civil war and foundation of the People's Republic.

#### Republican Motherhood in Education, Political Movements, and Culture

Despite the lack of a national birth control policy, the Nationalist government also put forth more successful and culturally significant policies and propaganda campaigns that encouraged state control of reproduction, women's health, and childrearing. Throughout the Republican Era, mainstream perspectives on women's education emphasized motherhood as women's main purpose in society. Borrowing from the Meiji ideal of the educated "good wife, wise mother" (賢妻良母), central and local educational authorities of the early Republican Era saw motherhood as women's most important responsibility, but felt the state needed to intervene through education to create appropriately skilled, modern, and nationalist mothers. From its

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<sup>26</sup> Yu, "Minguo shiqi guanyu shengyu jiezhì de sì dà lúnzhān."

<sup>27</sup> Pan and Yang, "Birth Control in Debate and Practice."

<sup>28</sup> Yu, "Minguo shiqi chengshi shengyu jiezhì yundong de yanjiu," 293-294.

beginnings in the late nineteenth and early twentieth century, women's public education in China was less for the sake of women's personal empowerment, and more out of nationalist reformers' belief that women were both victims and causes of Chinese national weakness and "backwardness." These reformers pictured traditional Chinese housewives as ignorant, unproductive, and detrimental to Chinese modernization, ignoring the value of childcare and domestic chores as well as women's labor in fields like farming, spinning, and handicrafts.<sup>29</sup> Conservative critics from the late Qing onwards argued that educating girls risked undermining the moral authority and control of their families. In response, many advocates for women's education argued education was an ideal way to ensure selected "traditional" moral values like modesty, frugality, and filial piety, maintaining familial and social stability.<sup>30</sup> The system emphasized that women's ultimate role in society was to become mothers and, in turn, educate their children to be good citizens. For example, 1935 goals for the Nationalist educational system included "develop kindness, fraternity, physical stamina and knowledge in future mothers in order to save our people from destruction and lay a solid foundation for the society and the nation."<sup>31</sup> Feminist activists, particularly those associated with the May Fourth Movement, were critical of this emphasis on motherhood in the educational system, but the "good wife, wise mother" justification for women's education remained mainstream throughout the Republican Era.<sup>32</sup> While the Republican-Era education of boys sought to create politically active citizens, education of girls sought to create mothers who were physically healthy, knowledgeable, and

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<sup>29</sup> Gail Hershatter, *Women in China's Long Twentieth Century*, (Berkeley: University of California Press, 2007); Melissa J. Brown, "Dutiful Help: Masking Rural Women's Economic Contributions," in *Transforming Patriarchy: Chinese Families in the Twenty-First Century*, ed. Gonçalo Santos and Stevan Harrell (Seattle: University of Washington Press, 2017), 39-58.

<sup>30</sup> Bailey, *Gender and Education*; Prasenjit Duara, *Sovereignty and Authenticity: Manchukuo and the East Asia Modern* (Lanham: Rowman & Littlefield, 2003).

<sup>31</sup> Military History Bureau of the Republic of China, *History of the Sino-Japanese War (1937-1945)*, comp. Hsu Long-hsuen and Chang Ming-kai, trans. Wen Ha-hsiung, (Taipei: Chung Wu Publishing, 1971), 114-115.

<sup>32</sup> Bailey, *Gender and Education*, 121.

moral enough to raise “high-quality” modern citizens, making women a symbolic nexus between the government and the national population.

Republican academia also spread a new ideal of modern motherhood reliant on birth control and education: Families should be small enough for mothers to personally spend a large amount of time and resources on each child, and childrearing was a modern science that only educated mothers—not the backwards rural poor—could excel in.<sup>33</sup> “Domestic science” became a popular topic of advanced study and a professional specialty for women. Elite, college-educated women reframed domestic labor and childrearing as a modern and scientific endeavor, equal in status to men’s work. By claiming a unique ability to “modernize” rural and poor women’s domestic skills, elite women could justify careers in sociology, education, and medicine. These educated women pointed to their symbolically maternal professions to justify remaining single or childless, arguing that caring for one’s own children and working for the national population as a whole were equal ways to perform a woman’s maternal duty.<sup>34</sup> In both the content of their work and the way they explained their profession, female academics emphasized the value of domesticity and motherhood. Their ideal of “scientific” domesticity and childrearing spread among the urban, literate population through articles and advertising in the popular press.<sup>35</sup> The new ideal of motherhood drew on medical science, sociology, population theory, feminism, and nationalism. It reified the domestic and maternal role of women, yet redefined this role as a source of moral authority and national strength.

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<sup>33</sup> Helen M. Schneider, “Raising the Standards of Family Life: Ginling Women’s College and Christian Social Service in Republican China,” in *Divine Domesticities: Christian Paradoxes in Asia and the Pacific*, ed. Hyaewool Choi and Margaret Jolly (ANU Press, 2014); Johnson, *Childbirth in Republican China*, 40-77.

<sup>34</sup> Helen M. Schneider, *Keeping the Nation’s House: Domestic Management and the Making of Modern China* (Vancouver: UBC Press, 2008).

<sup>35</sup> Yu Lianshi, “Minguo shiqi guanyu shengyu jiezhì de sì dà lúnzhan,” 143-8.

The belief that women's personal health and domestic life were national policy issues found renewed validation in the New Life Movement of the late 1930s. The mass campaign did not directly touch on birth control, but its ideals of increasing the health, strength, morality, and patriotism of the citizenry according to standard scientific principles echoed eugenic principles and population theory of the era.<sup>36</sup> The movement to "revitalize" the population explicitly included women, and extended to individual health.<sup>37</sup> As Prasenjit Duara writes, the ideal woman citizen of the New Life Movement represented "tradition within modernity" as the head of a newly private domestic sphere. The Nationalist government wanted women who could help meet the demands of modern capitalism and nationalism while physically embodying nostalgic ideals of traditional culture, authentic morality, and patriarchal family through her dress, conduct, and childbearing.<sup>38</sup> Though the New Life Movement was skeptical of consumerism, advertising popularized and commercialized its themes of women's personal and domestic hygiene, nationalism, and modernity, combining propaganda themes with references to scholarship on "domestic science," sociology, and reproductive health.<sup>39</sup> The movement emphasized women's educational and professional capabilities, physical strength, and importance as citizens, but also cautioned women to avoid perceived moral corruption of professional, cosmopolitan "New Women."<sup>40</sup> The movement came after the GMD's repression of leftist feminism, and despite its focus on women's duties as citizens, the GMD refused to grant women equal political rights. In conclusion, the Republican government's healthcare programs, educational system, and cultural

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<sup>36</sup> Johnson, *Childbirth in Republican China*.

<sup>37</sup> Hsiao-pei Yen, "Body Politics, Modernity and National Salvation: The Modern Girl and the New Life Movement," *Asian Studies Review* 29, no. 2 (2005): 165-186; Schneider, "Raising the Standards of Family Life."

<sup>38</sup> Yen, "Body Politics"; Duara, *Sovereignty and Authenticity*.

<sup>39</sup> Tani E. Barlow, "Wanting Some: Commodity Desire and the Eugenic Modern Girl," in *Women in China: The Republican Period in Historical Perspective*, ed. Mechthild Leutner and Nicola Spakowski (Münster: Lit Verlag, 2005), 312-350.

<sup>40</sup> Yen, "Body Politics"; Louise Edwards, "The Shanghai Modern Woman's American Dreams: Imagining America's Depravity to Produce China's 'Moderate Modernity,'" *Pacific Historical Review* 81, no. 4 (2012): 567-601.

movements emphasized women's maternal duty and state control of the population according to modern, scientific principles, setting a precedent for the CCP's perspective on reproduction and related programs of social engineering.

### Communist Policies on Reproduction in the Republican and Maoist Eras

In the Republican Era, Chinese Marxist thinkers were well-aware of the controversies around birth control, and highly critical of the mainstream birth control movement's elitism and embrace of eugenics. However, they were not necessarily opposed to birth control itself: socialist and leftist intellectuals both within and outside the CCP emphasized that birth control could have positive effects if it was part of a larger program for development and reform. Others, including Mao, were more skeptical, arguing that the "population problem" was fundamentally caused by imperialist and capitalist exploitation, and that there would be no need to limit fertility in a socialist society free of poverty and scarcity.<sup>41</sup> The Maoist critique of mainstream birth control advocacy was largely accurate: Sanger and the international birth control movement were openly classist and imperialist, building ties to eugenicist organizations that blamed the world's social and economic problems on the "overpopulation" of colonized and poor countries.<sup>42</sup> At the same time, just as the mainstream progressive perspective assumed any woman with modern education and access to birth control would (and should) use it to limit the size of her family, Mao's perspective assumed that any woman without the pressures of poverty and resource scarcity would (and should) shun birth control and want a large family. Both perspectives failed to

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<sup>41</sup> Yu, "Minguo shiqi guanyu shengyu jie zhi de si da lunzhan." Similarly, CCP leaders argued that the mainstream feminist movement was bourgeois and would be rendered irrelevant after the revolution. The Party's dedicated women's organization, the All-China Women's Federation, was created with the dual purpose of mobilizing women for general policy campaigns and advocating for women's interests, giving feminists a degree of political power. However, "women's issues" were often neglected and subordinated to other policy mobilizations. See Wang Zheng, "'State Feminism?' Gender and Socialist State Formation in Maoist China," *Feminist Studies* 31, no. 3 (2005): 519-551 and *Finding Women in the State*.

<sup>42</sup> Aiko Takeuchi-Demirci, *Contraceptive Diplomacy: Reproductive Politics and Imperial Ambitions in the United States and Japan* (Stanford: Stanford University Press, 2018), 105-115.

consider that women's choices for fertility are driven by personal preferences as well as the constraints of social, political, and economic factors.

Maoist population policy was inconsistent in practice, with strong pro-natalist leanings moderated by pragmatic realities—a socialist China was not yet free of scarcity and poverty. While the CCP officially allowed birth control for married women during wartime, it was only made available in base areas to cadres and intellectuals considered to have more important revolutionary duties than childbearing. Within the Party, even limited provision of contraception was controversial, and abortion, sterilization, and contraceptive access outside of marriage were all officially restricted. After the founding of the People's Republic, Mao encouraged the “baby boom” that came with peacetime, even labelling population studies a reactionary discipline for its connections to birth control.<sup>43</sup> The Ministry of Health enacted strict limitations on abortion and sterilization that in practice amounted to a ban, while moving to end the importation and domestic production of contraceptives. The policy was only moderated after a deluge of complaints from female cadres and urban workers prompted an official Party investigation led by Zhou Enlai, which concluded that smaller families had better living conditions. His investigation led to a pro-birth control policy in 1954 that allowed women to purchase their own contraception with the support of the healthcare system. However, supply remained severely limited in cities and nonexistent in rural areas, abortion and sterilization remained difficult to access, and healthcare and Party personnel often refused to provide information or approval out of personal opposition to artificial contraceptive methods.<sup>44</sup>

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<sup>43</sup> This era in population policy coincided with a similar pro-natalist policy in the Soviet Union, which included a 1936-55 abortion ban. Greenhalgh, “The Making of China's One-Child Policy.”

<sup>44</sup> White, *China's Longest Campaign*, 20-26.

After new rural healthcare networks and the first national census in 1953 measured a post-war baby boom, Mao and Party leaders began to actively advocate for “birth planning” (计划生育), distinguished from “birth control” (节制生育). The new policy direction was justified not as a matter of reducing family size, but as a way to coordinate population growth in line with the first Five-Year Plan and the needs of the masses.<sup>45</sup> Maoist government sought to distinguish the idea of “birth planning,” required of disciplined masses for the collective good, from the idea of “birth control,” imposed by elitist authorities for the good of capitalism.<sup>46</sup> However, the fundamental theory of “birth planning” drew on Republican population theory. Both theories claimed the state should further Chinese development and raise living standards by limiting births according to a central plan, while maintaining that birth control was only moral for married couples who already had or planned to have children. For both eras, the wellbeing of individuals was secondary to the wellbeing of the entire nation, and the possibility of greater autonomy for women through birth control was seen as more a matter of economic productivity than a basis for radically rethinking women’s roles in society and the family.

Maoist “birth planning” had a greater influence on policy, culture, and popular practice than Republican-Era birth control had in its day, though like in the past, its impact was largely limited to cities.<sup>47</sup> Moreover, Maoist-Era policy was inconsistent, based in some years on realistic fear of famine and the continued pro-birth control advocacy of Zhou Enlai, in others on utopian production drives which focused on the strength of a large population.<sup>48</sup> In 1970, the “later, longer, fewer” campaign encouraged a new cultural model of smaller families through

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<sup>45</sup> White, *China’s Longest Campaign*, 32-41.

<sup>46</sup> Susan Greenhalgh, “Planned Births, Unplanned Persons: “Population” in the Making of Chinese Modernity,” *American Ethnologist* 30, no. 2 (2003): 196-215.

<sup>47</sup> Mellors, “Less Reproduction, More Production.”

<sup>48</sup> White, *China’s Longest Campaign*, 42-70.

birth planning. The campaign was spearheaded by Zhou Enlai, internally justified for economic reasons, and supported by Mao. It set clear national targets for birth rates, created birth planning offices and “leading small groups” at all levels of government and Party organizations, and budgeted central funding to fully subsidize contraceptive products and surgeries.<sup>49</sup> Over the 1970s, the policy approximately halved the fertility rate in both urban and rural areas, often through coercive methods, and laid the groundwork for the stricter one-child policy that would follow.<sup>50</sup> By trying to solve scarcity in the national economy with a demographic shift to “modern” small families, propagandized as healthier and more productive, CCP leaders had simply adapted and implemented the “reactionary” Republican-Era population policy ideas that they would be familiar with from the public debates of the 1920s and 30s.

### The One-Child Policy

Though the one-child policy that was gradually rolled out in 1978 and made national in 1980 was not the beginning of state-sponsored birth control or birth planning in China, as is often presumed, it marked an extreme new phase of Chinese population policy. The policy was enshrined in the constitution, nationally planned and hyper-locally, coercively enforced, imposed total state control of reproductive life, and created a demographic shift that changed cultural beliefs on family and gender.<sup>51</sup> The creation of the policy was influenced by similar factors that had motivated population theorists of the Republican Era: foreign neo-Malthusian theories, anxiety about Chinese citizens’ insufficient education and skills to compete in the international

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<sup>49</sup> White, *China’s Longest Campaign*, 58-61; 70-110.

<sup>50</sup> White, *China’s Longest Campaign*, 73; Martin King Whyte, Wang Feng, and Yong Cai, “Challenging Myths About China’s One-Child Policy,” *The China Journal* no. 74 (2015): 144-159.

<sup>51</sup> White, *China’s Longest Campaign*; Gonçalo Santos and Stevan Harrell, *Transforming Patriarchy: Chinese Families in the Twenty-First Century*, (Seattle: University of Washington Press, 2017).

capitalist economy, and the desire to scientifically engineer a stronger nation through eugenics.<sup>52</sup> Not only were couples rewarded or punished for their adherence to birth planning, they were prohibited from having children at all if deemed medically “unsuitable” in a mandatory examination, a policy that had once been proposed by eugenicist writers in the Republican Era.<sup>53</sup> Two-child exceptions and lighter penalties were often allowed for rural and ethnic minority families, but the policy specifically targeted and disproportionately impacted rural and ethnic minority women, continuing a eugenicist history of labelling these groups “backwards,” “low-quality,” and excessively fertile.<sup>54</sup> As in the Republican and Maoist Eras, lowering the birthrate was justified as a way to support development programs intended to raise the cultural “quality,” economic productivity, and modern education of rural women. These development programs were often run by Women’s Federations and female academics who had studied sociology and domestic science in the Republican Era.<sup>55</sup>

The one-child policy imposed severe limitations on family size, yet official texts, political statements, and educational materials of the Reform Era put renewed emphasis on women’s domestic and maternal role, in contrast to the Maoist emphasis on women’s formal employment. Reminiscent of the Republican Era’s movement to educate women without sacrificing their domestic and maternal role, Reform-Era government and society stressed the importance of proper, “modern” motherhood and domestic work at the same time that it encouraged women to

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<sup>52</sup> Susan Greenhalgh, *Cultivating Global Citizens: Population in the Rise of China* (Cambridge, Mass: Harvard University Press, 2010); Paul Bailey, *Women and Gender in Twentieth-Century China* (New York: Palgrave Macmillan, 2012), 143.

<sup>53</sup> Bailey, *Women and Gender*, 143; Sha Le, “Jiehun yu jiyu.”

<sup>54</sup> Bailey, *Women and Gender*, 144-5; Hong Fincher, *Betraying Big Brother*, 180-181; Wang Feng, Yong Cai, and Baochang Gu, “Population, Policy, and Politics: How Will History Judge China’s One-Child Policy?” *Population and Development Review* 38 (2012): 115-129.

<sup>55</sup> Ellen Judd, *The Chinese Women’s Movement Between State and Market* (Palo Alto: Stanford University Press, 2002); Schneider, *Keeping the Nation’s House*.

take part in the emerging market economy.<sup>56</sup> This is not to say Maoist government had actually “liberated” women from their “narrow-minded” and bourgeois domestic sphere, as it claimed.<sup>57</sup> Rather, like in the Soviet Union, the government encouraged women to take on non-domestic labor that was officially recognized and rewarded while providing inadequate replacements for childcare and other critical domestic labor. This left women with both new and traditional responsibilities, and men did not alleviate the burden by taking on domestic work and childcare.<sup>58</sup> In contrast, in the Reform Era, official commentaries and state-owned enterprises going through mass layoffs urged women to devote more time and energy to motherhood as a key duty to the nation and society.<sup>59</sup> The privatization of housing, childcare, and employment further increased the pressure on women to correctly manage the domestic sphere. Pressure on women to have careers while providing high-quality, time-intensive parenting only increased as the labor market became more competitive and economic reforms made childcare, healthcare, education, and retirement more costly.<sup>60</sup> Faced with a new double burden and rising costs of living, China’s female labor force participation has declined from roughly 50% higher than the OECD average during the Reform Era to only 21.5% higher in the present day.<sup>61</sup>

### The Two-Child Policy and Modern Birth Planning

The one-child policy was subject to domestic and international criticism, but remained largely intact until the 2010s. The political importance of the one-child policy, the official claim

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<sup>56</sup> Schneider, *Keeping the Nation's House*, 224.

<sup>57</sup> Harriet Evans, “Past, Perfect or Imperfect: Changing Images of the Real Wife,” in *Chinese Femininities/Chinese Masculinities*, eds. Susan Brownell and Jeffrey Wasserstrom (Berkeley: UCLA Press, 2002), 335-360.

<sup>58</sup> Bailey, *Women and Gender*, 131-7; Hong Fincher, *Betraying Big Brother*, 124-6.

<sup>59</sup> Bailey, *Women and Gender*, 136, 142.

<sup>60</sup> Johnson, *Childbirth in Republican China*.

<sup>61</sup> The World Bank, *Labor Force Participation Rate, Female*, retrieved March 1, 2020, <https://data.worldbank.org/indicator/SL.TLF.CACT.FE.NE.ZS?locations=CN-OE>. Though OECD women’s labor force participation has also increased over time, a steady drop in Chinese women’s employment makes up the majority of the narrowing gap between China and the OECD average.

that it was a key factor for China's economic "miracle," and the intensely personal significance of its implementation made it difficult for the state to recognize the deep flaws in the policy and begin loosening birth restrictions.<sup>62</sup> The policy was internally controversial, and its enforcement was often difficult and alienating for both targeted women and the (usually female) cadres tasked with ensuring women met birth planning goals.<sup>63</sup> It was vocally criticized by international human rights groups and foreign governments, particularly in the 1980s and 90s. Domestically, limited public criticisms of the policy emerged alongside the rise of feminism in academia in the 1990s. Encouraged by new leadership in the National Family Commission, elite intellectual "insiders" in academia and government began to tentatively criticize aspects of the policy, such as an overreliance on dangerous and invasive surgeries, while upholding its basic legitimacy.<sup>64</sup> Despite its unpopularity, the policy was not revised on a national level until the "demographic dividend" of a large workforce with few children began aging into a "demographic crisis" of a gender imbalance and a steadily shrinking labor force caring for a large generation of elders.<sup>65</sup> As was the case with the National Population Policy Research Committee in the Republican Era and population policies of the early PRC, modern birth planning policy is led by government figures and state-affiliated intellectuals concerned with large-scale economic issues, rather than citizen demands or feminist advocacy for reproductive rights and autonomy.

Over the 2000s, local governments began to gradually increase exemptions to allow more second children. In 2013, the central government granted a two-child allowance to only-child parents, which had already been the policy in most provinces.<sup>66</sup> When fewer than expected

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<sup>62</sup> Wang, Cai, and Gu, "How Will History Judge China's One-Child Policy?"

<sup>63</sup> White, *China's Longest Campaign*.

<sup>64</sup> Greenhalgh, "Fresh Winds in Beijing."

<sup>65</sup> Whyte, Wang, and Cai, "Challenging Myths About China's One-Child Policy."

<sup>66</sup> Yi Zeng and Therese Hesketh, "The effects of China's universal two-child policy," *Lancet* 388 (2016): 1930-1938, <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5944611/>.

couples made use of their exemptions to have a second child, the central government implemented a “Comprehensive Two-Child Policy” for all married couples in 2015—though some provinces continue to monitor and restrict reproduction for married individuals with disabilities and hereditary illnesses.<sup>67</sup> The fundamental logic of the one-child policy has remained intact, and modern population policy continues the Republican, Maoist, and Reform-Era belief that a smaller population has higher “quality” and state planning is necessary to counteract traditional Chinese fertility preferences, particularly those of rural families.<sup>68</sup>

The central government seems to have recognized popular dissatisfaction with birth planning programs. The 13<sup>th</sup> Five-Year Plan (2016-2020) promised to “reform and improve the management of family planning services” and “improve the strategy on population development and establish sound mechanisms for integrated decision-making on population and development.”<sup>69</sup> In 2018, the National Health and Birth Planning Commission was reorganized as the National Health Commission, and references to “birth planning” were excluded from the 2020 national civil code (effective January 1, 2020). Though these changes prompted a relaxation in birth-planning law enforcement for local governments and sparked speculation that the birth limits would soon be abolished, birth restrictions still remain in place.<sup>70</sup> State media has tacitly acknowledged the one-child policy’s negative effects and limitations on reproductive choice, such as in a *People’s Daily* article that claimed the two-child policy would address

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<sup>67</sup> Zeng and Hesketh, “China’s universal two-child policy,” Joanna McMillan, *Sex, Science and Morality in China* (Oxfordshire: Taylor and Francis, 2006), 70.

<sup>68</sup> McMillian, *Sex, Science and Morality*; Greenhalgh, “Fresh Winds in Beijing.”

<sup>69</sup> *The 13th Five Year Plan for Economic and Social Development of the People’s Republic of China*, trans. Compilation and Translation Bureau, Central Committee of the Communist Party of China (Beijing: Central Compilation and Translation Press, 2016), 185.

<sup>70</sup> Viola Zhou, “Could China be about to abolish population controls?” *Inkstone*, August 28, 2018, <https://www.inkstonenews.com/society/china-drops-family-planning-civil-code-draft-phase-out-birth-limits/article/2161672>; “Zhonghua minzu gongheguo minfadian” 中华人民共和国民法典, *China Law Translate*, May 29, 2020, <https://www.chinalawtranslate.com/civilcode/>.

gender inequality and empower women to “[realize] their own dreams and aspirations in both career and life.”<sup>71</sup> However, the two-child policy is yet another top-down population plan chosen by the Central Committee, made for economic reasons unrelated to the unpopularity of the one-child policy. Official coverage overwhelmingly emphasizes the economic benefits of the policy, such as increased consumption and a larger future workforce, while acknowledging the need for better maternal healthcare, childcare, maternity leave, and workplace protections for mothers to allow the policy to actually succeed in raising the birth rate.<sup>72</sup>

After more than a century where officially-endorsed population theory mostly focused on reducing the birthrate, the government now faces the task of raising the birthrate—without abandoning the two-child limit that officially determines an ideal, “modern” family. Despite a slight increase in births after the new policy came into effect, the birth rate has continued its declining trend, and hit an all-time low in 2018.<sup>73</sup> The government has begun to recognize the longstanding foreign scholarly consensus: without the one-child policy, the fertility rate would have probably gradually declined to current levels as a function of economic changes and social service reforms that made smaller families more desirable.<sup>74</sup> Official sources have begun to acknowledge high expenses and lagging social services as causes for the low birthrate, admitting that past population policy neglected these issues.<sup>75</sup> The 13<sup>th</sup> Five Year Plan stated, “We will

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<sup>71</sup> Zehui Dai and Weiwei Jiang, “A Qualitative Content Analysis of the Two-Child Policy on Chinese News Media,” *China Media Research*, 14 no. 3 (2018): 71.

<sup>72</sup> Dai and Jiang, “A Qualitative Content Analysis,” 73 -81.

<sup>73</sup> “Census Statistics,” *China Data Online*, All China Data Center, accessed April 2020, <https://www-china-data-online-com>; Sui-Lee Wee and Steven Lee Myers, “China’s Birthrate Hits Historic Low, in Looming Crisis for Beijing,” *New York Times*, January 16, 2020, <https://nyti.ms/2tpRi6X>.

<sup>74</sup> Wang, Cai, and Gu, “How Will History Judge China’s One-Child Policy?” 122-3; Susan Greenhalgh and John Bongaarts, “Fertility Policy in China: Future Options,” *Science* 235, no. 4793 (1987): 1167-1172, <https://www.jstor.org/stable/1698242>.

<sup>75</sup> “Jiusan xueshe zhongyang: guanyu zhongshi jiating jianshe wanshan xiangguan gonggong zhengce de jianyi” 九三学社中央:关于重视家庭教育完善相关公共政策的建议, *Zhongguo tongyi zhanxian xinwen wang* 中国统一战线新闻网, March 1, 2018, <http://tyzx.people.cn/n1/2018/0301/c417762-29842260.html>.

provide better public services related to reproductive health and maternal, newborn, and child health as well as to childcare and early childhood education. We will make sure that relevant economic and social policies are effectively adapted to the policy of allowing all couples to have two children.”<sup>76</sup> In 2018, a spokesperson from the National Health Commission told journalists, “At present, the masses’ willingness and behaviors in child-bearing are more obviously influenced by economic and social factors... We will... promote a coordinating linkage between birth policy and related economic and social policy.”<sup>77</sup> Accordingly, local governments and Women’s Federation chapters have created programs to support the costs and challenges of childcare, including constructing workplace daycares, training family planning officials to teach parents fundamentals of early childhood education, and offering subsidies to parents.<sup>78</sup> Such programs are not coordinated on a national level, do not supply enough quality childcare to meet demand, and have not alleviated economic pressures enough to raise the birthrate.<sup>79</sup> Instead, the bulk of domestic work and childcare still falls on women. Some women reject having a first or second child as too personally draining, expensive, and professionally detrimental, while others

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<sup>76</sup> *The 13th Five Year Plan*, 185.

<sup>77</sup> “Guojia weisheng jishengwei zhidaosi fuzeren jiu 2017 nian chusheng renkou da Jiankang bao, Zhongguo renkou bao jizhe wen” 国家卫生计生委指导司负责人就 2017 年出生人口答健康报、中国人口报记者问, January 18, 2018, <http://www.nhc.gov.cn/jczds/s3582r/201801/b2e4fa203b7a475bb3649e33425807f8.shtml>.

<sup>78</sup> Orange Wang and Jane Li, “From one-child policy to ‘baby bonus,’” *Inkstone*, July 13, 2018, <https://www.inkstonenews.com/society/chinas-liaoning-province-plans-reward-people-having-more-children/article/2155157>; Steven Lee Myers and Olivia Mitchell Ryan, “Burying ‘One Child’ Limits, China Pushes Women to Have More Babies,” *New York Times*, August 11, 2018; Matt Sheehan, “Can China’s One-Child Policy Enforcers Transform Rural Education?” *Huffington Post*, October 12, 2015, [https://www.huffpost.com/entry/china-rural-education-reap\\_n\\_55df2fdee4b029b3f1b1cc9f?nc7syvi=](https://www.huffpost.com/entry/china-rural-education-reap_n_55df2fdee4b029b3f1b1cc9f?nc7syvi=); “Funü zuzhi zai wei hu funü quanyi zhong fahui dute er zhongyao zuoyong” 妇联组织在维护妇女权益中发挥独特而重要作用, *Zhongguo funü bao* 中国妇女报, November 6, 2019, <http://paper.cnwomen.com.cn/content/2019-11/06/064577.html>.

<sup>79</sup> Ni Dandan, “Shanghai’s Underground Child Care Market,” *Sixth Tone*, May 14, 2017, <https://www.sixthtone.com/news/1000171/shanghais-underground-child-care-market>; Wee and Myers, “China’s Birthrate Hits Historic Low.”

depend on the labor of migrant domestic workers whose own professional interests and reproductive rights are restricted by labor and residency policies.<sup>80</sup>

The primary official tactic for raising the birthrate is focused on social services and economic conditions for prospective parents, but changing culture, gender relations, and generational dynamics also play a role in the low birthrate. The demographic crisis has therefore also given rise to policies and official rhetoric seeking to pressure heterosexual women into marriage and having children. One 2018 *People's Daily* article called reproductive decision-making “a state affair,” arguing it is citizens’ duty to raise the birthrate. Health officials in the city of Yichang directly called on cadres to have two children as their duty to the nation, setting a precedent for increased pro-childbearing propaganda at local levels.<sup>81</sup> In the past five years, articles in state-affiliated media have promoted the viewpoint that urban college-educated women should marry and have children early as a way to avoid hiring discrimination, rather than take issue with workplaces for viewing all women as future mothers and mothers as bad employees. Though such hiring discrimination against women is illegal and vocally opposed by the CCP and ACFW, it is common in practice, and the law is rarely enforced.<sup>82</sup> There is a self-reinforcing quality to women’s reproductive lives and low professional status: women who earn less are more likely to be pressured into having more children, and the expectation that women should have children and devote much of their time to their care is a main factor in the

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<sup>80</sup> Hong Fincher, *Betraying Big Brother*, 175-8; Chen Jingnan, “How Chinese Education Leaves Mothers Overburdened,” *Sixth Tone*, February 28, 2017, <http://www.sixthtone.com/news/1999/how-chinese-education-leaves-mothers-overburdened>; Dong Yige, “Feminism and Queer Activism in China,” (panel discussion, *Gongchao.org* and *Made In China Journal*, virtually hosted, September 19, 2020).

<sup>81</sup> Myers and Ryan, “Burying ‘One Child’ Limits”; Yan Jie, “Hubei Cadres Told to Lie Back and Think of Falling Birth Rates,” *Sixth Tone*, September 20, 2016, <http://www.sixthtone.com/news/1350/hubei-cadres-told-to-lie-back-and-think-of-falling-birth-rates-/>.

<sup>82</sup> Hong Fincher, *Betraying Big Brother*, 174-5; Myers and Ryan, “Burying ‘One Child’ Limits.”

discrimination that limits their status in the workplace.<sup>83</sup> Authorities have also sought to make divorce more difficult: the new civil code institutes a mandatory thirty-day “cooling-off” counselling period for divorce applications and encourages attempts at reconciliation.<sup>84</sup> Official *People’s Daily* commentary argued that this will prevent “reckless divorce,” benefitting public order, marital stability, and the wellbeing of children.<sup>85</sup> A 2016 domestic violence law excludes sexual violence within marriage and is poorly enforced on a local level, with police routinely rejecting victims’ claims and harassing activists working on the issue.<sup>86</sup> In the autumn of 2020, several high-profile instances of domestic violence went viral, prompting large numbers of Internet users to call for better enforcement of the domestic violence law and a new law to increase protections for victims, such as allowing for quick unilateral divorce on the grounds of personal safety. The latter suggestion was censored.<sup>87</sup> Additionally, some provinces have imposed stricter restrictions on abortion.<sup>88</sup>

The government’s goal to raise the birthrate could be helped by lifting the two-child restriction, as proposed in 2017 by the Shaanxi statistics department and a vice dean at the Central Party School.<sup>89</sup> Such an idea seems to be an obvious next step: if not enough parents are having even one child, why not allow three or more children to couples who want them? The

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<sup>83</sup> Yue Qian and Yongai Jin, “Women’s Fertility Autonomy in Urban China: The Role of Couple Dynamics Under the Universal Two-Child Policy,” *Chinese Sociological Review* 50 no. 3 (2018): 275–309.

<sup>84</sup> “Chapter 4, Divorce,” in “Zhonghua minzu gongheguo minfadian” 中华人民共和国民法典, *China Law Translate*, May 29, 2020, <https://www.chinalawtranslate.com/civilcode/>.

<sup>85</sup> “Minfadian: shehui shenghuo baikequanshu” 民法典：社会生活百科全书, *People’s Daily*, May 28, 2020, [http://paper.people.com.cn/rmrb/html/2020-05/28/nw.D110000renmrb\\_20200528\\_1-13.htm](http://paper.people.com.cn/rmrb/html/2020-05/28/nw.D110000renmrb_20200528_1-13.htm).

<sup>86</sup> Hong Fincher, *Betraying Big Brother*, 159-186.

<sup>87</sup> Manya Koetse, “Justice for Lamu: Death of Chinese Vlogger Sparks Online Movement against Domestic Violence,” *What’s On Weibo*, October 7, 2020, <https://www.whatsonweibo.com/justice-for-lamu-death-of-chinese-vlogger-sparks-online-movement-against-domestic-violence/>; Sui-Lee Wee, “Her Husband Abused Her. But Getting a Divorce Was an Ordeal,” *New York Times*, September 16, 2020, <https://www.nytimes.com/2020/09/16/world/asia/china-domestic-abuse.html>.

<sup>88</sup> Myers and Ryan, “Burying ‘One Child’ Limits.”

<sup>89</sup> Xi Yue, “Chinese Province Suggests Ending Birth Restrictions,” *Sixth Tone*, July 23, 2018, <http://www.sixthtone.com/news/1002666/chinese-province-suggests-ending-birth-restrictions>.

government could stop enforcing penalties for three-child parents, fining single mothers and refusing to allow them assisted reproductive technologies, and making it impossible for same-sex couples to legally marry, artificially conceive, use surrogates, or adopt. Instead, the government continues to legally restrict and punish reproduction outside of heterosexual marriage, eugenic health restrictions, and the birth planning limit.<sup>90</sup> Moreover, rather than continue following legal family planning allowances for minority ethnicities, the government of Xinjiang has begun to harshly enforce the two-child policy among Uighur women through forced abortions and sterilizations, part of the recent genocidal crackdown on Uighurs.<sup>91</sup> Policies in Xinjiang make it particularly clear that birth planning policy is less concerned with the *size* of national population and more concerned with the population's ethnic composition and culture, conformity to mainstream ideals of family structure, and submission to centralized political control.

Modern limitations for reproduction ultimately draw on Republican intellectuals' ideal of a "modern" family: marriage should be between a consenting adult man and woman, balance traditional filial piety with modern independence from the extended family, and produce an appropriate number of children for the benefit of the nation and Han people, the household's living conditions, and the eugenic suitability of the parents. Historically, the CCP criticized aspects of this ideal, such as eugenics and filial piety, but the importance of heterosexual, able-bodied monogamous marriage and state control over reproduction was further codified in the PRC legal system through the Marriage Law of 1950 (amended 1981), 1994 "Maternal and

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<sup>90</sup> Wee and Myers, "China's Birthrate Hits Historic Low"; McMillian, *Sex, Science and Morality*, 70; Huizhong Wu, "Unmarried Chinese woman sues hospital over refusal to freeze eggs," *Reuters*, December 23, 2019, <https://www.reuters.com/article/us-china-health-fertility/chinese-woman-sues-hospital-over-egg-freezing-in-first-challenge-to-marriage-laws-idUSKBN1YR0FW>.

<sup>91</sup> Mei Fong, "China's Xinjiang Policy: Less About Births, More About Control," *Atlantic*, July 11, 2020, <https://www.theatlantic.com/international/archive/2020/07/china-xinjiang-one-child-birth-control/614014/>; Lyman Stone, "The Chinese Communist Party Wants a Han Baby Boom That Isn't Coming," *Foreign Policy*, June 30, 2020, <https://foreignpolicy.com/2020/06/30/chinese-communist-party-han-baby-boom-sterilization-ethnic-minorities/>.

Infant Health Care” law on eugenics, and the official implementation of birth planning programs.<sup>92</sup> While many countries recognize and support non-traditional families, the current Chinese legal definition of family is only progressive by early twentieth century standards. State media commentaries refer to the heterosexual family unit as “the basic cell of society,” and suggest that some traditional Confucian beliefs on family are compatible with “socialist morality” and should be encouraged.<sup>93</sup> A flood of public comments supporting same-sex marriage were insufficient in the civil code’s drafting process, and authorities are largely ambivalent or hostile towards same-sex relationships and parents.<sup>94</sup> Much like how the Nationalist government sought to redefine “traditional values” for modern society in the New Life Movement, the current Chinese government considers traditional gender roles a source of social stability while upholding state authority over reproduction, in the biopolitical dimension of Xi’s centralization of power.<sup>95</sup>

To this end, the CCP has specifically targeted feminist advocacy in recent years. The recent proliferation of both official and popular articles promoting traditional gender roles coincides with a crackdown on LGBT and feminist media and activism, demonstrating how the government prefers the “social stability” offered by patriarchy to the critical perspective of the

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<sup>92</sup> Rachel T. Hare-Mustin, “China’s Marriage Law: A Model for Family Responsibilities and Relationships,” *Family Process* 21, no. 4 (1982): 477-481, <https://doi.org/10.1111/j.1545-5300.1982.00477.x>; David Mirela, “China,” *The Eugenics Archive*, Social Sciences and Humanities Research Council of Canada, modified February 24, 2014, <http://eugenicsarchive.ca/discover/connections/530b949576f0db569b000005>.

<sup>93</sup> Hong Yiya 洪谊雅 and Huang Hengfen 黄亨奋, “*Renmin Ribao* xinzhi xinjue: lianghao jiajiao jiafeng zhuli jiceng shehui zhili” 人民日报新知新觉: 良好家教家风助力基层社会治理, *People’s Daily*, January 14, 2020, <http://opinion.people.com.cn/n1/2020/0114/c1003-31546653.html>; Shufang Wu, “The Revival of Confucianism and the CCP’s Struggle for Cultural Leadership: a content analysis of the People’s Daily, 2000–2009,” *Journal of Contemporary China* 23, no 89 (2014): 971-991, <http://dx.doi.org/10.1080/10670564.2014.882624>.

<sup>94</sup> Darius Longarino, “Could Same-Sex Marriage Advocacy in China Be Poised for a Breakthrough?” *ChinaFile*, September 17, 2020, <https://www.chinafile.com/reporting-opinion/viewpoint/could-same-sex-marriage-advocacy-china-be-poised-breakthrough>.

<sup>95</sup> Yen, “Body Politics”; Rocha, “A Small Business of Sexual Enlightenment.”

feminist attitudes it ostensibly supports.<sup>96</sup> The 2015 arrest of five feminist activists, 2016 Foreign NGO Law, 2017 shutdown of online feminist groups, and increased political supervision of academia have all drastically narrowed possibilities for feminist advocacy and discussion outside of state channels.<sup>97</sup> The seeming contradiction of the state persecuting feminists while claiming to stand for women's rights and progressive modernity has precedent in the GMD's crackdown on leftist feminists after the Shanghai Massacre of 1927 and the CCP's denunciation of "bourgeois" feminists in the Anti-Rightist Campaign of 1957.<sup>98</sup> In both these historical instances and the present day, Chiang Kai-shek, Mao Zedong, and Xi Jinping specifically targeted feminism as a potential source of subversion during their consolidation of power against perceived internal enemies. By advocating for women's autonomy and political power and offering an alternate way to conceptualize power and oppression, feminism challenges authoritarian governance's legitimacy.<sup>99</sup> Independent feminist advocacy for reproductive rights and justice further challenges the state's control of the population, highlighting the hypocrisies of state-coopted feminism.<sup>100</sup>

## Conclusion

While formal policies regulating family size were not enacted until the Maoist Era, the justification for such a policy in China was first articulated and propagated in the Republican Era. The era's popular press, institutions of authority, and government all drew upon the

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<sup>96</sup> Hong Fincher, *Betraying Big Brother*; Frankie Huang, "Get Ready for China's Baby Quotas," *Foreign Policy*, March 5, 2019, <https://foreignpolicy.com/2019/03/05/beijing-wants-babies-xi-jinping-natalism-china/>.

<sup>97</sup> Lü Pin, "Finding a Voice," *Logic* no. 7 (2019): 69-86; Wei Tingting, "Feminism and Queer Activism in China," (panel discussion, *Gongchao.org* and *Made In China Journal*, virtually hosted, September 19, 2020).

<sup>98</sup> Wang Zheng, *Finding Women in the State*, 242-264.

<sup>99</sup> Hong Fincher, *Betraying Big Brother*, 159-186.

<sup>100</sup> "Reproductive justice" is a theoretical framework for reproductive rights advocacy focused on addressing historic structural constraints on reproductive choice rather than addressing legal restrictions alone. It emphasizes the freedom to safely and affordably bear and raise children if desired, as well as freedom from unwanted childbearing. See: "A New Vision," Forward Together/Asian Communities for Reproductive Justice, 2005, <https://forwardtogether.org/tools/a-new-vision/>.

international birth control movement and its use of feminism, eugenics, and nationalism to make a political and economic argument for state-planned birth control. In an elite intellectual sphere where it was taboo for women to discuss sexuality and reproduction beyond the abstract academic level, individual women's reproductive interests were often overlooked, assumed to be the same as the highly-educated professional women who advocated for birth control, or subsumed to the national interest. The emerging scholarly and political consensus therefore focused on birth control as a tool for national population control and (limited) reform to the patriarchal social system, rather than a practical means of individual women's reproductive choice. Nationalist authorities further asserted power to control the population and women's traditional domestic sphere through programs to "modernize" domestic life, childbirth, and motherhood. The era's theories of population and the state's role in supporting a limited, nationalist concept of women's rights were inherited by the CCP, and influenced CCP understandings of population theory, gender equality, and economic development. Even when Maoist officials argued against birth control, they made their argument with the same premise as pro-birth control intellectuals of the Republican Era: that it is the government's responsibility to determine ideal family size and birth control access on behalf of women. Whether Nationalist or Communist, authorities argued they would liberate women from reproductive coercion by reforming traditional culture and controlling women's access to contraception, abortion, and sterilization—with little regard for women's actual wishes. Their pro- and anti-birth control arguments were merely two sides of the same coin, and the CCP eventually turned to a policy of enforced birth control more coercive and limiting than Republican theorists had ever imagined.

In the present day, the CCP has decided it must raise the birth rate, but does not want to sacrifice the control over reproduction and family size that it has asserted for over fifty years as a

critical component of central planning and development. It has therefore attempted to combine a restrictive birth-planning policy with policies to encourage non-disabled, heterosexual married couples (especially well-educated, urban Han ones) to fulfil their duty as citizens by having two children. Rather than fully addressing the economic pressures and workplace discrimination that have led women to have fewer or no children, the government and official media on both central and local levels have appropriated “traditional values” and encouraged women to prioritize childbearing and childcare over professional careers. Additionally, the CCP has resisted calls to support single mothers and same-sex couples’ access to reproductive technologies and legal recognition, and ceased allowing Uighur women exemptions for larger families. Though this approach has attracted criticism from feminists and online backlash from a younger generation more vocally assertive about sexism and individual freedoms, the police and Internet censors have specifically targeted feminist activism and online feminist community.<sup>101</sup> This demonstrates a key theme in the history of Chinese population policy: regardless of stated intentions to support women’s interests, national population policies were part of a broader cooptation of feminist ideas and repression of independent feminist activism. By legally restricting the definition and reproductive activity of a family, the state merely replaced the reproductive coercion of traditional patriarchy with authoritarian coercion. The modern Chinese government is unique in that it determines precisely two children as both a minimum and maximum for the ideal family size, but it is not unique in its assertion of control overpopulation and reproduction. State reproductive coercion is an international phenomenon in both left- and right-wing governments, stemming from birth control debates of the early twentieth century and influenced by domestic

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<sup>101</sup> Frankie Huang, “Why China’s Millennials Are at War with Marriage and Having Babies,” *Radii*, September 11, 2019, <https://radiichina.com/why-chinas-millennials-are-at-war-with-marriage-and-having-babies/>.

political context. The two-child policy can be best understood from this long-term historical perspective.

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