

# Trends, Reflections and Local Practices of Chinese Fertility Policy Implementation

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## ABSTRACT

This paper demonstrates the basic elements of fertility policy promotion by analyzing the structure and related content of China's fertility policy system. In doing so, the report identifies the fundamental tone of China's fertility policy, taking into account the speedy and widespread nature of the policy system, where more relaxed slogans can be disseminated well compared to the traditional tone of propaganda. The above findings are inseparable from the stage of our fertility policy and the hierarchical structure of the government. As China is now entering a phase of loosed fertility policy, unlike the strict enforcement of the past, the management will transmit from a serious to a mild one. The grassroots government will also adopt a more relaxed tone to meet the mandates issued by the higher levels of government, as they are the government department closest to the people and the base. It is important to note that publicity of specific policies is time-sensitive and how this factor can be taken into account to better integrate with traditional publicity models is still to be explored. In the future, the promotion and implementation of policies can be met by a more relaxed tone of communication.

**Keywords:** *fertility policy, grass-roots government, policy implementation.*

## 1. INTRODUCTION

As a result of the Chinese planned parenthood strategy firstly implemented as part of the National Constitutional Law in 1982, the fertility policy has become an important administration of local government. China's fertility policy has constantly been changing. Some scholars divided the fertility policy since the founding of the People's Republic of China into four stages: the free birth stage, exploration and establishment of the fertility policy stage, the strict implementation of the fertility policy stage, and the relaxation of the fertility policy stage [1]. In the past, the fertility policy often discussed by the academic literature and even common people was actually the "One-child" policy, published and executed during the third stage: the strict implementation stage.

The "One-child" policy, that is, a couple can only have one child. If some families really have difficulties in making a living, in saying, need to have the second one, they can be arranged in a planned way after

examination and approval by the government. This administrative demand makes the public power invade private life and even the control of citizen's own natural bodies. Henceforth, the implementation of this policy became notoriously tricky for the government. This topic has also become the focus of academic discussion. In this research field, researches can be divided into three types: Depiction of problems in the implementation process, Analysis of causes, Settlement for the implementation of the policy. This article examines these three types of policy studies with a literature review demonstrated by the academic development and other related mass media resources.

## 2. TRENDS AND PRACTICES OF CHINESE FERTILITY POLICY

### 2.1. Problems in the policy implementation

This article will discuss the first type of existing researches in the first part by using the mass media reflections and collective memories as illustrations. The

process of implementing fertility policy can be discussed theoretically according to the logic of central government- local government- grass-roots department.

The first question is, how does the central government encourage local governments to cooperate with the fertility policy? To encourage local governments to implement policies, the central government will adopt promotion rewards and administrative penalties. At the same time, financial and tax incentives and other economic means are excluded [2]. According to the comparison between the fertility policy and other economic policies, there are few mutually beneficial interests between the local governments and the central government in implementing of the policy. Local governments must strictly enforce the requirements of the central government because the problem of the population is related to the interests and development of the whole country.

The second question is, how does the local government supervise the implementation of the policy? In Chinese academic literature, there is a lot of research in this field. The approaches used by local governments can be summarized into three types: (1) Quantification of the assessment indicators, (2) Provincial governments go directly to villages and towns skip the municipal, county, and township levels; (3) "One-vote Veto" system.

This article divides these three types of implementations into three phases from the perspective of the superior government. Under this logic, the quantification of assessment indicators is the first one. Because it is formulated before the lower governments implemented the policy, some scholars believe that the supervision of local governments over grass-roots governments is a top-down operation process [3]. The connection and effective management of different segments in this process depend on the mastery and control of information. However, quantitative indicators can solve the problem of information fuzziness to a certain extent to strengthen the control of data by local governments. The parallel system design of indicators and quantification of assessment is "the accumulation of indicators". It means increasing quantitative indicators from top to bottom departments of the government. The index addition range is about 5% [3]. For example, the municipal government requires that the compliance rate of county-level governments is 85%, county-level governments will require 90% of townships, and townships will require 95% of village-level departments. It is often ridiculously high at the grassroots level, even divorced from reality, and challenging difficult to complete, let alone over-fulfilling the task. The original intention of this institutional arrangement is to encourage lower-level governments to work harder. Still, the practice of

blindly increasing the number of indicators is often divorced from reality, which violates the principle of incentive intensity that should be followed in the design of the incentive mechanism [4]. This considerable pressure will induce the data fraud of grassroots organizations, which will invalidate the supervision from higher-level governments.

Their promotions and advertisements also represent the imbalance of index between higher-level governments and grassroots ones. More severe slogans are adopted for those grassroots governments that face significant pressure in controlling the birth rate.

Slogans about fertility policies have also been characterized by violent and threatening symbolism. For example, the slogan, "No one over born, rather than a river of blood," is illustrated with a pair of scissors dripping with blood. Such violent symbols are only found in slogans related to fertility policies. In other slogans such as "Severe punishment for black and evil crimes, maintain social stability," and the environmental slogan "Green water and green mountains are the silver mountains of gold" are not as threatening as those related to fertility policy. These highlights, even more, the specificity and violence of maternity policies and the damage that was once done to women and their lives.

On the other hand, if the grassroots government faces less pressure, a more kind-hearted, less threatening propaganda and promotion strategy will be used. Such a humane part of the fertility policy is found in the Nanchang Family Planning Office in 1976. The slogan on the poster, "Family planning changes old customs and makes the country rich, the people strong, and the family happy," is gentler and more humane. Two children in the pictorial respond to Nanchang's family planning policy of "two children for one couple and four or five years between second births". The fertility policy at the time incorporated the traditional Chinese culture of 'changing the customs' and did not force a rewriting of people's family deconstruction. Instead, it uses a positive way to echo customs. Meanwhile, the poster shows the father teaching his daughter to write, which emphasizes the political trend of the time not to favour sons over daughters.

Generally speaking, in the process of policy implementation, the superior government will inspect the work of the subordinate government. So, the inspection becomes the second phase. To reduce information circulation and information asymmetry segments, provincial governments often go directly to villages and towns. This means skipping the municipal, county, and township levels. This method can reduce the possibility that the grassroots department has advanced notice by informal network relationships.

Using personal network relationships to cope with the inspection from the superior government, which is

common in practice. The approaches which are often used can be summarized into three types. The first one is "Reception", prior interaction between the inspectors and the grass-roots departments. By providing accommodation, travel, and meals, arranging the daily life of the inspectors' team, the grass-roots government establishes and strengthens informal interpersonal relationships and creates informal interactive situations to weaken the formal administrative inspections. The second one is "Accompanying", which is also crucial for the grass-roots departments to acquire critical information through informal personal relationships. "Accompanying" means that the grassroots government arranges personnel to accompany the team of inspectors during the inspection process.

On the one hand, the accompanying person will take care of the team's daily life; On the other hand, during the process, the personnel accompany the inspectors to conduct the household investigation. The third type is "Bribery". When the inspectors find out problems (such as false birth statistics, missing birth reports, etc.), the accompanying personnel immediately use "red envelopes" (a red envelope containing money) to bribe the inspectors. The inspector will delete the records of the problems after receiving the "red envelope".

According to those mentioned above, when provincial governments go directly to villages without the accompanying personnel from municipal, county, or township levels, the inspectors can find more about the actual situation. However, through case analysis, some scholars presented that, in a specific practice, because the superior inspector and village cadres do not know each other, the village cadres will remind relevant personnel when they see the superior inspector's team [5].

After the inspection, it is the evaluation of the results. Universal governments adopt the "One-vote Veto" system. That is to say, if the responsibility target is not fulfilled, the other achievements of government officials will be wiped out at the same time, and they will not be promoted or appraised. The joint and several liability mechanisms are embedded in the interaction of all levels of governments, departments, and segments of the grass-roots department, forming a political interest community. But the community of political interests is a double-edged sword. When the pressure of punishment is too big, it will encourage the grass-roots department to organize and mobilize highly, and produce a solid force to resist the implementation of policies, such as the grass-roots government departments (public security, health, etc.) to help provide false documents, the village committee (neighbourhood committee) to inform the public to conceal relevant negative information, etc.

Does the last question follow as what kind of measures the grassroots department used to make people

cooperate with the fertility policy? The policy actually involves the private sphere of social life, which needs public power to intervene in the family will and personal body. Therefore, making the public obey the policy has become a complex problem for the grassroots department implementing the procedure. In academic researches, some scholars divided the implementation of measures into two terms: soft and hard [2]. Soft measures include publicity and education, interest guidance, and so on, while hard measures can be divided into three types: administrative control, economic fines, and comprehensive control. Administrative control means punishing those who violate the "One-child" policy: Dismissal, demotion, and public criticism. This measure is mainly aimed at personnel of government, a state-owned enterprise, and public institutions. In Liu's article, he argued that compared with cities, the effectiveness of administrative penalties is significantly reduced in rural areas. Still, it can also reduce the pressure of abrupt inspection in daily time. In addition to comparing rural and urban areas, an interesting point also needs to be discussed. In China, there is an immense difference between private and state-owned enterprises in terms of administrative power. However, he didn't evaluate the effectiveness of this measure in private enterprises. The economic fine is a measure to impose a family planning fine on over-born households, and it is effective both in rural and urban areas. This measure is also discussed frequently in other studies. For example, scholar Ouyang Jing mentioned a practical approach of collecting penalties in Ju town.

Village cadres would divide into three teams when they go to the villager's house to collect the penalty. The primary mission of the first team is persuasion. At some time, the second team will observe the villager's house to see anything valuable. When persuasion doesn't work, the second team (execution team) should show the posture of moving valuable items. The third group, the guard group, comprises the fast and active cadres responsible for quickly controlling all the "weapons" when the first team is dissuading, such as hoes, spades, shovels, sickles, axe, kitchen knives, etc. To prevent the villagers from violence. The implementation group operates such technologies to prevent villagers from using "weapons of the weak" [6, 7].

Comprehensive control refers to the management restrictions on people's over-birth behaviour implemented by local governments through various channels to implement fertility policy [2]. These measures are "hidden rules" that do not conform to national laws and major policies. One typical measure links fertility with registered residence, education, social security, and other government-related matters. That is, children born illegally are not allowed to register their household registration. Without paying all the family planning fines, they will be restricted from entering

school or cancel their parents' social security. In addition to the above two measures, there are also some illegal and violent methods. These methods were prevalent in rural areas before the 1990s. For example, confiscating cattle and sheep from villagers who do not cooperate with the policy, detaining and beating the villagers who do not cooperate with the policy, etc. However, these illegal policy implementation methods have gradually disappeared with the seven regulations of systems [2].

In terms of the implementation of the grass-roots department, there is also a topic that is discussed frequently in this academic field. The implementation of the policy is an interactive process that involves interactive parties. The content above-mentioned is just related to one side, and another side is excluded. Facing the powerful state machines, the strategy adopted by citizens is also one of the focuses of academic researches. In multiple analyzes, the study from scholar Chen Xinxiang is the most accurate one. He identified these strategies into eight types through a case study: (1) Utilization of the rules; (2) Informal personal relationships (guan xi); (3) Violence; (4) Money; (5) Escape; (6) Deceit; (9) Modern scientific and technological means; (8) Mutually beneficial cooperation [8]. However, this classification is not fixed. For example, in the article of Fu and Zhang, the strategy "Deceit" is adopted by the department, which needs to accept inspection from superior government, but not villagers [9].

The inspected governmental departments usually deal with the inspection by using the method of data deceit. But in the former article of Chen, "Deceit" means a couple will adopt several approaches around their household. Because in China, the "One-child" policy represents that a couple in the legal sense can only have one child. So many couples will divorce in the legal sense but still live together, or they will conceal their marriages (the couple will live together, but they don't register in the government). Due to the different classification perspectives, the strategies adopted by villagers to evade the "One-child" policy are different. Although definitions are various, the contents involved are similar. After synthesizing existing researches, this article proposes a type of classification based on the perspective of interaction. According to the perspective of interaction, villagers and village cadres are interaction parties in the process of resistance to the policy. Under this logic, this article divides the strategy as "Conspiracy" and "Confrontation" based on the relationship between two sides. "Conspiracy" means villagers use money or personal, informal relationships (Guan Xi) to reach a temporary agreement or alliance with village cadres. "Confrontation" has two types: violent and nonviolent. Nonviolent includes deception and escape.

Throughout the descriptive literature, the levels involved are comprehensive, "Central -Local- Grass-roots" governments have been studied. The research mainly focuses on how local and grassroots governments deal with inspection and the specific practice of policy implementation in rural areas. However, there is the little depiction of the performance in cities.

## **2.2. Understanding the difficulties**

In the second part, this article will analyze the reasons for the difficulty of policy implementation. The pertinent study mainly focuses on the causes of supervision softening. Scholar Dong and Li summarized the logic of supervision softening in their articles [5]. First of all, they mentioned that due to China's financial reform in the 1990s, local governments have the right to arrange their own expenditure according to the principles and policies of the central government and local financial resources. This has led to forming a unique interest chain by local administrative departments at higher and lower levels. Secondly, because the implementer of policy supervision has the absolute power to affirm or deny the work of lower levels, the local administrative departments attach great importance to the implementers of policy supervision. At present, most policy supervision documents are published at the beginning of policy implementation. The purpose of superiors is that subordinates can more clearly grasp the policy. Still, subordinates generally regard such documents as the critical reference for dealing with policy supervision to focus all their work on the data, resulting in deceit in the inspected materials and arrangement of fraud in the inspected objects. Through such preliminary preparation, the superior supervisor will get satisfactory results of policy supervision.

Similarly, in the article of scholar Ai Yun, it is also pointed out that the collusion between superior and subordinate governments is an important reason for the softening of supervision [3]. However, she considers it based on informal relations rather than economic interests, which is also the perspective of most scholars. Besides, in her article, there is a unique point of view. She analyzed the formation of supervision softening from the perspective of organizational sociology and pointed out that information control also had an important impact on management. Using the "principal-agent" theory, the superior government can be regarded as the "principal" and the subordinate government as the "agent". In the multi principal-agent model, the more the distance between the upper and lower governments, the longer the process of information flow, the deeper the degree of information asymmetry between the upper and lower governments. Therefore, the grass-roots government has more significant information

advantages. The resulting information asymmetry and information fuzziness lead to the softening of supervision. What's more, Scholar Zhou Xueguang believed that the design of the assessment mechanism within the government had formed a strong incentive (punishment) pressure to a great extent, which has promoted the formation of a community of interests among grass-roots governments, resulting in the substitution of the objectives of the central policy [10].

In addition to analyzing the reasons from the perspective of organizational sociology, some scholars also studied it from the perspective of economic sociology. For example, scholar Yao's article used the prisoner's predicament model and assurance game model (also known as the deer game) to explain the contradiction between policy executors and target groups [11]. In the prisoner's predicament, due to the inconsistency between individual rationality and collective rationality, individual interests and collective interests, one side breaches the contract, and the other one would suffer damage in the game. It isn't easy to reach a cooperative game. Then the result is a waste of a lot of social resources and a loss of policy and government authority. At the same time, the violation of the policy by the target group also makes the target group pay the price from serious economic punishment.

In the deer game, facing the "One-Child" policy, the target group often violates its commitment (no extra birth) and believes that extra delivery will not lead to punishment. Similarly, the policy executors also broke their commitment (this commitment is not to inspect and supervise the supernumerary target group). Still, they all secretly raided and captured the supernumerary target group. When there are an uncertain environment and mutual doubts in the deer game, the cooperation in the assurance game may not reach the Pareto optimal solution.

Using the game model to analyze the causes of difficulties of policy implementation is a good perspective. However, in the model created by Yao, the government has two choices: the passive implementation of policies. And Yao believed that this choice is the best for the government. But he ignored the incentive system in the governmental system. Because of that, the results of his analysis may not be very accurate.

### **3. THE SETTLEMENT**

In this part, this article will discuss the settlement mentioned in the research for implementing the policy. In scholar Fu and scholar Zhang's article, they put forward two suggestions to solve the difficulty of policy implementation. First, they mentioned that some work achievements are related to the previous officials, but the "One- vote Veto" system only accountable current

officials. They believed that this way is unreasonable. Therefore, it is necessary to optimize the incentive evaluation mechanism of the administrative system and build an incentive system organically combined with the bureaucratic system. Second, the reform must start with the mode of grass-roots political control to make a comprehensive transformation of the relationship between the grass-roots department and the higher-level government and village organizations; At the same time, it's also important to improve the awareness and ability of villagers' autonomy step by step, so that they can really grasp the connotation of the democratic system and the true meaning of villagers' autonomy [9].

Different from the perspective of organization, some scholars put forward suggestions from the legal system's perspective. For example, in his article, scholar Wang put forward three proposals on the law enforcement team to implement the policy. First of all, he believed that the township level government has long suffered from the disadvantages of insufficient administrative resources and poor enforcement of a single department. Therefore, it's necessary to strengthen and improve law enforcement cooperation among multiple departments in the follow-up reform. Second, because of the problem of villagers' escape, the governments of various regions should build a cross-regional cooperation mechanism to enforce the "One-child" policy. Finally, rural governance is challenging work, so the technical level and material security level of law enforcement departments should be improved [12].

### **4. CONCLUSION**

The changing system of Chinese fertility policy is depicted by the three scrutinizes proposed in this article. However, some studies in the academic literature have put forward some solutions to the problem of the complex implementation of the "One-child" policy. However, there are still too few of them. Moreover, with the publishing of the "Universal two children" policy and the "three children" policy, the "One-child" policy does not need to be implemented, and these problems disappear. However, encouraging people to respond positively to the new policies should become a new research hot spot for scholars. The interactions between higher-level government and the grassroots ones will continue, with the foreseeable contrast of harsh and mild practices.

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