

Author's response to reviews

Title: Illegal births and legal abortions - the case of China

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Author's response to reviews:

Reviewer's comments on 'Illegal births and legal abortions: the case of China'.

Reviewer: P Kane

- 1) "Abstract - results, line 4. I think you mean what is usually translated as the State Family Planning Commission (SFPC) and which recently became the National Population and Family Planning Commission." Corrected.
- 2) "Introduction, 1st para. The Roman Catholic Church is opposed to all artificial contraception, allowing only what it calls 'natural' methods. 'Ambivalent' does not really sum this up accurately." Corrected, p.4.
- 3) "China's Population Policy, para 2 and 3. The 1973 policy was strengthened..." The text is corrected and the reference added, p. 6.
- 4) "Illegal pregnancy, para 3. The incentives offered with the one child certificate are of little value in cities."
- 5) "----- para 4. Workplaces in urban settings - now that so many are private enterprises, does this system really still apply?"
- 6) "----- para 5. The enormous growth in migration has undermined some of the effectiveness of the rural system." We have now modified the text to more clearly indicate the "historic" nature of many of the issues described as well as the apparently large variation from place to place.
- 7) "Abortions and sex ratio, para 4. Although this states that abnormal SRBs may result from sex-selective abortion, hiding or not reporting girls, or extra deaths among newborns, the paper only discusses abortions." Text added (p. 12)
- 8) "Then start a new para for 'Ultrasound scanning is now widely available...' and rephrase that sentence, which appears to contradict the rest of the paragraph." Corrected (p. 13).
- 9) "----- para 5. The data given here are rather old. Could not Table 2 be updated to give some SRBs and fertility data from the most recent censuses?" Added new data and text modified (p. 13)
- 10) "Is Chinese policy unique? para 2. Vietnam ..." This sentence is now left out.
- 11) "Has the Chinese policy been wise? Para 2. The aim of ensuring equity in the policy...Cecilia Nathansen Milwertz (Accepting Population Control: urban Chinese women and the one-child family policy. Curzon Press 1997)" Thank you for the reference which we had not had before. This book was very useful for our paper, and we have now cited it in various places.
- 12) "---- final para. This reads a bit confusingly." The final par is now revised to make it clearer.

Reviewer: Benagiano

The reviewer made several (very helpful) suggestions directly to the text. We have taken those into account with the exception of :

p. 4 "once the woman or couple has been deemed eligible for childbearing in general" We have modified that sentence to make it clearer but kept the original thought.

p.15 (p.15 in the current version) "The increased sex ratio in China is not intended, and the comparison with other Asian..." We have modified that sentence to make it clearer but kept the original thought.

"Has the Chinese on child policy been wrong, the 1st para." We have modified the title and added a new sentence explaining our position, but kept the original thought.

The final paragraph has been modified to make our thought clearer.

Reviewer: P Garenne

General comments

1a) Concepts: "the paper deals with complex matters: legal status, legitimacy, population policies,

unauthorized or unapproved pregnancy, illegal birth vs. illegal pregnancy. It would be appropriate to properly define and use these terms consistently." We have now specified the definition of the key term "illegal pregnancy" and "illegal birth" (p.8), and checked that the terms are used consistently 1b) "I doubt that a live birth can be really termed "illegal" even in the Chinese context." This was our question before the study: if an intercourse (Finland) and pregnancy (China) can be defined illegal, can this also concern the child. Our answer was that in China not, but in Finland (100 years ago) partly yes. Our data from Finland shows (Discussion, p.13) that being illegitimate was not only a religious concept, but also concerned secular rights, such as inheritance.

2) "Value judgments: the paper is full of value judgments." In the first part our aim is to describe what has happened. In Discussion, which is clearly separated by a title, we give our opinions. We are not ethicists and come from different backgrounds and cultures, but agree on these "lay value judgments". We hope that the revisions made due to other comments have now clarified the distinction between the description and judgments.

3) "...However, it should be remembered that even in this case, the society influences persons in a variety of ways: through legislation (rights and duties of parents and children), through economic incentives (subsidies) or dis-incentives (costs or taxes), and through moral pressure, stigma and social rewards (attention, gifts, etc.)." We fully agree and reference to that is made in various places in Introduction and Discussion. We hope that the changes made in Introduction and Discussion make that clearer.

4) "Table 1 ...Why not using the full data set and perform a comprehensive analysis in relation with population policies, in particular before and after 1979." Abortions are a necessary (a contrast to the strictness of being allowed to have children), but a side issue in this paper. If the table is considered confusing, rather than expanding Table 1 and its discussion, a better option might be to delete the table and give the main content in the text. Because the other referees did not comment Table 1 we have kept the table, but are quite willing to delete it if so wished by the editors.

5a) "Table 2 could also be presented more explicitly (full 1970-1999 period) and could be better analyzed. Comparison could also be made with Hong-Kong" We have now added new data from China and South Korea. We did not have new data from Taiwan and our original data source did not include Hong-Kong.

5b) "Furthermore, comparison could be done within China between urban and rural areas, which exhibit different trends in sex ratios. Interestingly, increases in sex ratios tend to be higher in rural areas where ..." The comparison between rural/ urban is briefly mentioned and references in the text (p. 12). We have not discussed the sex ratio in length, because it is not the focus of this paper (just one "result" of illegal pregnancies). In depth discussion should include the reliability of the statistical data as well as the expectations in urban and rural areas.

6a) "A more precise description of the main phases in China population policies since 1953 would be appreciated." We have added some new text and references (p.6), but to keep the paper concise did not expand the text much.

6b) "More details could be provided on the "pregnancy certificate", since this is central to the argument. .. How are resolved the contradictions between the out-of-quota birth and the child's rights? If parents pay the fines, is the situation of the child completely cleared?" These all are central and important research questions, and we hope that our essay will encourage such research in the future. We have added some data from Nathansen's study from two urban areas. Our practical experience and observations suggest that the variation over time and place is notable, and systematic studies are needed.

7) "The section on sex ratios could be more developed." See comment 5b) above and comments 7 and 8 of Kane.

Details (page numbers in the referee comments refer to old version)

1)) Abstract: "The "National Family Planning Committee" is more often called "State Family Planning Commission"" .Corrected

2) Abstract: "abortion was available long before 1979." The key here is "on request". We have had a choice between "unrestricted abortions" or "abortions on request". Because the last mentioned is widely used in international public health literature, we ended up in using it.

3) Abstract:" the conclusion is poorly stated." Reformulated.

4) Page 4: ""references to fertility are obtainable from the authors on request" is not appropriate." This and the two other similar ones are now presented as Appendixes.

5) Page 5: ""China is not a country of laws" is not appropriate." We have modified this (p. 5).

6) Page 6: ""the 1973 policy was traditional in its approaches". Improper statement." Changed.

7) Page 12: "in theory, "extra deaths among newborn girls" do not affect the sex ratio at birth. Please be more explicit if wanted to speak of "female infanticide" leading to unregistered birth." We mean both infanticide and (probably more common) poorer care of sick newborn girls. We have now added a new reference in which the latter is documented. We agree that in theory neither of them should influence the sex ratio at birth, but knowing the way statistics are made, they very often do. For the reasons given above (comment 5b) we have not expanded that discussion.

8) Discussion. Page 13: "if "illegal or unauthorized pregnancy and birth are not mentioned in official

Chinese documents", how they can be "illegal?" That is explained in the next sentence as well as on (newly formulated) p. 8, in which we explain the definition.

9) Page 13: "approved by family planning authorities" refers more to a "state decision" than to a "societal decision". The sentence is deleted.

10) Page 13: "In most Western European countries, illegitimate children did not have the same rights as others, in particular in terms of inheritance, custody etc." This is very likely so, but because we studied only Finland as an example, we did not generalize the text beyond that.

11) Page 14. "China population policy based on explicit targets and provincial quota is certainly unique." Our interpretation is that some features are unique, others not.

12) Page 14. "Religious norms and state laws are often different..." Yes, we agree, and have tried to make the sentence clearer.

13a) Page 14. "End of second paragraph... Increased sex ratio in China, as in other countries, is certainly intended, and the result of obvious decisions." The literature and observations we have suggest that the increased sex ratio was not intended. It is a result of decisions made for other aims (to decrease fertility).

13b) "However, many Asian countries have a low TFR and no increase in sex ratios." We refer to countries strongly favoring men. We have now modified the sentence.

14) Page 15: "... The second paragraph should be restated." Done.