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WOMEN'S RIGHTS, FAMILY PLANNING AND FAMILY SIZE: AN INTERNATIONAL PERSPECTIVE*

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Introduction

The phrase "family planning" means very different things to different people, depending in part on their social and political perspectives. Within the United Nations, family planning refers to far more than birth control. It includes a wide array of measures and programmes aimed at expanding the range of human rights and freedoms and contributing to social and economic development.

Participants in a United Nations Seminar on the Status of Women and Family Planning held in Istanbul, Turkey, in July 1972 proposed a broad definition of family planning.[1/] They recommended that

"(a) The concept of family planning is to be understood as encompassing a variety of measures aimed at enhancing the enjoyment of human rights and the improvement of living conditions, such as:

(i) Adequate social, economic, legal and education conditions, and adequate social and medical measures for the care and protection of mothers and children;

(ii) The availability of all necessary information, advice and means permitting individuals to decide freely on the number and spacing of their children;

(iii) A proper education for young persons of both sexes to prepare them for responsible parenthood;

(b) It is also essential to take due account of the decisive influence of economic and social development in enhancing conditions for the enjoyment of human rights and the improvement of living conditions for all individuals, as well as on family planning policy, and consequently to take all appropriate national and international measures to advance such development;

(c) Individuals have a fundamental human right to decide freely and responsibly on the number and spacing of their children, taking into account the right of every child to be a wanted child and the needs of the community as a whole;

(d) States have a sovereign right to formulate and promote their own population policies, with due regard to the principle that the size of the family should be the free choice of each individual."

Encompassing aspects of individual, family and social wellbeing, this general formulation highlights the view that family planning is an integral element of economic and social development as well as a fundamental human right. Thus, family planning cannot be substituted for economic and social development, but should be provided simultaneously with other measures to promote the health and wellbeing of all people.

With the understanding that family planning includes this wide spectrum of services, this paper is addressed to a more specific aspect of family planning, namely, the ability to decide whether, and when, to bear children. In particular, the paper explores the relationship between the practice of "birth planning", as we call it, and the roles and status of women in private and public life.

I. The status of women from a demographic and human rights perspective

The United Nations in its Charter and in the Universal Declaration of Human Rights proclaimed its faith in the dignity and worth of the human person and in the equal rights of men and women. All Member States have pledged themselves toward this end. More recent declarations and numerous resolutions have called for equality between men and women in all areas of law, political life, education, employment, and marriage and the family. Moving beyond the concept of legal status alone, the Declaration on the Elimination of Discrimination Against Women, for example, demanded the eradication of prejudice against women and the abolition of all customs, regulations and practices in daily life that are based on the idea of the inferiority of women or that serve to discriminate against them.[2/]

These comprehensive goals are relevant not only to the expansion and protection of basic human rights but to the analysis of the association between various aspects of the status of women and demographic patterns of fertility, mortality and migration. Fertility and the social processes associated with it are of special importance in this regard. The status of women may be seen as both a determinant and a consequence of variations in reproductive behaviour: woman's health, educational opportunities, employment, political rights and role in marriage and the family affect and in turn are affected by the timing and number of her births and by her knowledge of how to plan them. The impact of birth planning on the individual woman's potential for personal autonomy and participation in all sectors of public life -- that is, the human rights aspect of population questions -- is clearly as important as the question of the impact on fertility of improvements in her status, which may be of greater interest from the demographic point of view.

One problem in analyzing the relationship between the status of women and childbearing patterns is the difficulty of measuring the status of women on a cross-cultural basis. Over-emphasis on the legal status of women often fails to reflect wide gaps between law and practice. The absolute condition of women measured in life expectancies, years of education, labour force participation rates and similar ways may be less relevant than the condition of women as compared to men, in each area, and is difficult to elaborate in universally accepted terms. Internationally comparable social indicators have not been developed. The status of women must be represented by a multidimensional cluster of variables reflecting many spheres of activity rather than by a single measure. Moreover, the very definition of what constitutes "high" or "low" status depends on the perspective of the observer. How does one deal, for example, with the common situation in which a woman's prestige in the eyes of her family and her community rises with every child she bears, or a man is ashamed when his wife is forced to work outside the home? The "objective" observer may define the first woman's status as low and the second as higher, a direct contradiction of the norms of the woman's own social situation.

In the absence of valid comparative measures, however, we must use those at hand. In this paper we deal with the status of women in public and private life as measured primarily by the number of years of their schooling, by their representation in the paid labour force as shown in censuses and surveys, by their participation in major areas of political decision-making, and by their age at marriage and rights and obligations within the family, insofar as these can be determined. Reference is made to the imperfect nature of these indicators, especially in the area of employment where the labour force figures often exclude large numbers of agricultural and other unpaid workers who are nevertheless actively involved in the process of production.

II. The right to determine freely and responsibly the number and spacing of one's children

Our main purpose is to examine the relationship between childbearing patterns and the exercise of women's rights in other spheres. In 1966, the United Nations proclaimed for the first time that "the size of the family should be the free choice of each individual family".[3] The International Conference of Human Rights, in 1968, declared more broadly that couples have a basic human right to decide freely and responsibly on the number and spacing of their children and a right to adequate education and information in this respect.[4] By 1969 the concept had evolved to include the right to knowledge and the means to space and limit births,[5] and it will probably continue to evolve as individual and family rights in this area are further elaborated.

A number of legal, economic, social and cultural factors may constrain women from fully exercising the right to plan births, however. Such constraints include, for example, legislative restrictions on access to relevant education, information, advice and services; inadequate family planning programmes that leave many women -- especially poor and rural women -- without knowledge of the possibility or the means to regulate fertility safely and effectively; cultural definitions of woman's primary role as sexual partner, homemaker and breeder of children rather than as full participant in the life of her community;

and patterns of male dominance within the family, including hostility to the use of female contraceptive methods and to the independent rights of the woman, among others.

The results of surveys on the attitudes of men and women toward contraception and on their knowledge or practice of birth planning are always difficult to interpret, for they depend on the way questions are worded, cultural values, the particular interview situation and a number of other factors. The extent of ignorance about ways to prevent births, for example, may well be overestimated in many studies. Nevertheless, surveys show that in rural areas of some developing countries as few as 15 percent of women claim to know of any method of birth control. In general the figures in Asian, African and Latin American studies tend to run closer to 30 to 50 percent, and are higher in urban areas, among men, and among the better educated. In most industrialized countries from 90 to 100 percent of women are likely to know of a method. The percentages of couples who say they have actually practiced some method are even smaller. Figures as low as one percent have been reported in some studies during the 1960s, although a more typical range is 5-20 percent for Africa, 20-40 percent for Asia, 40-60 percent for Latin America and from 75-90 percent for developed countries.

In questioning the apparent lack of knowledge and infrequent practice of birth planning among many groups, it would be a mistake to assume that blocked access to information and services is the sole reason. Motivational factors are likely to play a much larger role. Where structural and cultural conditions encourage high fertility, then family planning programmes are likely to make little difference. On the other hand, where couples are already motivated to space or limit births the provision of information and services is crucial in enabling them to do so safely and effectively. This is where the real benefits of family planning programmes appear to lie.

Clinic-centered programmes tend not only to replace less effective with more effective methods but also in many cases to replace periodic abstinence or male-regulated methods with female-regulated methods. There are costs and advantages in this latter shift. If birth planning is to be a truly joint decision with shared responsibility, then more effective male methods need to be developed so that the burden (with current side effects) of contraception does not always rest with the woman. On the other hand the introduction of "invisible" female methods such as the pill and the intrauterine device is highly significant in giving women the freedom to control their own bodies privately, if they wish, especially where the man may be consistently less motivated to prevent a pregnancy. It may also offer an alternative to the practice of the rhythm method, which requires considerable knowledge and skill to be used effectively.

III. The right to physical and mental health

What is the impact on the individual woman of her ability to plan births? Certainly the knowledge alone of the possibility and means of doing so gives women a power to shape their lives in ways undreamed of by those who have never questioned the inevitability of their childbearing or who have resorted in desperation to cumbersome, ineffective and often dangerous methods to stop unwanted births. Birth planning in this respect is an essential ingredient of health and human dignity. And when the power to space and limit pregnancies is translated into an actual decision to do so, the impact on women's status may be dramatic. Disaggregated into its components of the ability to delay the first birth, to space births several years apart, to stop childbearing earlier in the life cycle and to limit the total number of births, each aspect of birth planning may be examined separately for its effect on the woman's health, on the health of her children, and on the exercise of her economic, social and political rights in the society and in the family.

States Parties to the International Covenant on Economic, Social and Cultural Rights recognized "the right of everyone to the enjoyment of the highest attainable standard of physical and mental health".[6/] Steps are to be taken in particular to reduce the rate of stillbirth and infant mortality and to assure the healthy development of the child. If we are to speak of the right to determine freely the number and spacing of births, we must include the right of the infant to live a healthy life.

Evidence on the health benefits of birth planning, aside from the issue of the safety of particular methods, appears to be unambiguous: maternal and infant mortality and morbidity rates are lower when first births are postponed to the late teens or early twenties, when childbearing ceases by the mid-thirties, when births are spaced more than two years apart and when the total number of births does not exceed four or five.[7/] Thus, the right to space and limit births is directly related to the right to health, and infringements on the one automatically affect the other. Such infringements are especially harmful when lack of knowledge or means to prevent conception leads women to resort to illegal abortion, where the risks to health and even to life itself are extremely high. The risk extends to the existing children as well, whose mother may die or be unable to care for them.

A number of studies also suggest that the mental health of mothers and children is superior when births are planned and wanted, as expressed by various measures of social and psychological wellbeing. Children have a right to be loved and wanted.[8/] Women have the right to be mothers by choice, to take into account their own health, their personal plans, the plans of their family and factors such as the state of health of the existing children in deciding on family size.

The exercise of the right to determine freely and responsibly the number and spacing of births affects the exercise of women's rights in other spheres as well. The direct impact is somewhat more difficult to establish than for physical and mental health, however, for the effect of birth planning cannot easily be isolated from other factors influencing the status of women in education, employment, and public and private life.

IV. The right to an education

According to the Universal Declaration of Human Rights, everyone has the right to an education. In the Declaration on the Elimination of Discrimination Against Women, among other documents, girls and women, married or unmarried, are to be assured equal rights with men in education at all levels, including study in educational institutions of all types, the same choice of curricula, and equal access to scholarships and other financial support.9/

Equal education has proved to be an illusive goal, however, even in countries where equality under the law is guaranteed. Illiteracy rates in most countries are much higher among women than among men, although the situation is improving. Females are less than half of the school population in most countries and their proportions decline rapidly at the highest levels of training. Within educational institutions certain fields of study are often strongly sex-typed as appropriate for females only or males only, although the degree of sex-typing varies considerably across countries. In many areas the relative under-representation of girls and women in schools is compounded by an overall scarcity of educational resources, placing them at an even greater competitive disadvantage. The scarcity is often greatest where population pressures are most acute.

What effect does the ability to determine the number and spacing of one's children have on the exercise of woman's right to an education and to equal treatment in the schools at all levels?

Delaying the onset of childbearing, either through delaying entry into marriage or de facto unions or by postponing the first birth within marriage, is the most relevant aspect of fertility regulation in this regard. Postponing the first birth should have the greatest impact on a woman's opportunities for vocational training or for secondary, college or university education in those countries or among socioeconomic groups in which she had a high probability of pursuing an education beyond the normal first years of childbearing to begin

with, and in which the birth of a child would effectively limit her chances of staying in school. Where few girls receive higher education, delaying the first birth is likely to make little if any difference as to her educational opportunities although it may well have a significant effect on other aspects of her life.

In societies where women marry and bear children early and in which virtually all women marry, the obstacles to the woman's exercise of her right to an education may not be her lack of knowledge or means to plan and space children so much as the social, economic and cultural pressures that steer her into an early marriage in the first place. Parental control over the decision as to which of their children will attend school, the timing of their children's marriages and the choice of spouse may preclude a young woman from making an individual decision attaching a higher priority to education than to early motherhood. On the other hand, the ability to delay marriage or a first birth does become salient as higher education for women becomes more generally accepted and valued.

Spacing pregnancies, limiting the number of births and ending childbirth earlier in the life cycle should also act independently to free women for formal schooling of various types, although the impact of these fertility variables on education is probably far weaker than the impact of postponing the onset of motherhood. They may affect women's attendance at adult literacy classes, however. In the long run, one would expect that as women increasingly delay, space and limit their births, spending shorter and shorter periods of their lives in childbearing, their claim to equality in education will become all the more persistent. But education itself may be the very precondition necessary for motivated birth planning.

Is it possible to untangle the network of interacting variables into cause and effect? On one side, as we have seen, early marriage itself or in

combination with childbearing can "prevent" education by forcing or inducing women to discontinue their studies. Thus, where other structural and cultural conditions favour higher education for women, the effective postponement of marriage and/or births is often crucial to the exercise of their human rights. On the other side, education can "prevent" marriage and childbearing or postpone it beyond the average age of family formation as long as the woman stays in school. From a demographic point of view the effect of education on reproductive behaviour is the more interesting aspect of the association. Indeed, the educational level of women appears to be one of the strongest factors affecting fertility, especially in high-fertility countries.

It may be, as some writers have suggested, that the number of years of formal schooling is simply the most visible and quantifiable element in a cluster of interdependent forces affecting fertility, and that it is not higher education per se but its association with factors such as openness to new ideas, higher standards of living, exposure to an urban environment, and a greater range of options and interests outside the home that is responsible for the apparent influence of one on the other. Nevertheless, most studies show that the educational level of the wife is more strongly correlated with a couple's fertility than the educational level of the husband, suggesting that however the causal mechanism works, investment in female education may have a greater impact on fertility than the same investment in schooling for men.

The relationship is not a simple one, however, nor is it inverse in all cases. The number of years of schooling a woman has received is, after all, only one factor among many influencing her reproductive behaviour; other biological, economic, social and cultural variables affecting fecundity, family size preferences and access to birth control may render it more or less functional. The question is, how, and under what conditions, does a woman's education make a difference?

Higher education for women can work indirectly to reduce fertility in at least three ways, through (a) delaying marriage and increasing the probability of non-marriage, thus reducing or eliminating the time span of exposure to the possibility of conception; (b) reducing desired family size, by creating aspirations for a higher level of living for the couple and their children and by stimulating women's interest and involvement in activities outside the home, especially employment; and (c) exposing women to knowledge, attitudes and practices favourable to birth control, including a higher level of communication between husband and wife, enabling them to bring their actual reproduction in line with their desired family size. But structural and cultural determinants may weaken the relationship between education and any of these intervening variables, thereby altering the overall association between education and fertility.

In most developing countries, the education of women appears to have a very strong impact on fertility, but where higher education is confined to a small elite then its impact on overall birth rates is slight. However, even the transition from illiteracy to literacy resulting from very low levels of schooling is shown to have some influence on family size in many areas, unlike the situation in industrialized countries where a significant reduction in family size may not appear until much higher levels of schooling are reached. Studies in many developing countries also show that women with higher educations marry considerably later, are less likely to marry at all, desire smaller families and are far more likely to know about and practice "modern" effective contraception than are less educated or illiterate women. Yet the majority of women of reproductive age in a number of developing countries, and especially in rural areas, is illiterate and without effective options in this area.

Even a high level of education may not contribute to a lower desired or actual family size if a woman does not find adequate outlets for her skills in a career or other rewarding non-familial activities, however. And just as even

a high level of education may not motivate a woman to want a smaller family if her training does not lead to active participation in employment outside the home, female employment itself may not influence fertility significantly unless a woman's education has prepared her for other than subsistence agricultural labour, unpaid work in a family enterprise or low-status, low-paying jobs.

v. Rights pertaining to employment

International instruments declare that everyone has the right to work, to free choice of employment, to just and favourable conditions of work, to protection against unemployment, to fair remuneration and to equal pay for equal work, among other rights.[10/] Women, married or unmarried, are to have equal rights with men in this regard. In addition, in order to eliminate other forms of discrimination against women in employment, measures are to be taken to prevent their dismissal in the event of marriage or maternity, to provide paid maternity leave with the guarantee of returning to former employment, and to provide child-care facilities and other necessary social services.

In most countries, women are far from achieving equality in employment with men. General conditions of unemployment, underemployment and low wages, where they occur, adversely affect both men and women, of course. But women often find it particularly difficult to exercise their right to equal work and equal pay.

Conditions vary greatly from country to country according to their culture, socioeconomic structure and level of development. In general, however, one finds that women are less likely to be gainfully employed outside the home than are men, although they may be engaged in equally heavy unpaid domestic or agricultural labour. They are also more frequently classified as unemployed and looking for work than are men in many countries. Female earning often average

only a fraction of male earnings even when other factors such as type of work, education, training and experience are taken into account. Almost everywhere one finds women in the paid labour force disproportionately concentrated in lower status, lower paying jobs. Most employers do not provide paid maternity leaves or guaranteed return to former employment after childbirth, as the Declaration on the Elimination of Discrimination proposes, and child-care facilities in most countries are inadequate to meet the needs of working parents.

Moreover, whereas rates of male gainful employment vary little from country to country or through the normal working years in the life cycle, rates of female employment differ enormously across nations and within major subgroups of the population, usually follow well-defined patterns by age, and generally fluctuate according to women's marital status and the number and spacing of their children.

In this section we are looking at the relationship between variations in female employment and fertility. The major problem in analysing such a relationship derives from the difficulty of distinguishing cause and effect, as was the case for education. Does the opportunity or need to work actually influence women to have fewer children, or is it more often the case that women who have fewer children for a variety of reasons are free to take outside employment? The relative weight given to one factor over the other depends on unique situations in every country, but it is possible to make a few generalizations.

Let us look at the impact of birth planning on female employment first. Where cultural and structural conditions are conducive to female employment and where worker-mother roles are incompatible, one can point to the considerable advantages that women practising effective birth planning have over those who accept early and frequent childbearing as inevitable. Delaying marriage and the first birth may enable women to complete their education and vocational training so that they are qualified for more highly skilled jobs or to establish

themselves in a profession, where such options are open to them. Controlling the timing of births permits women to combine employment and childbearing in the least disruptive way. Keeping family size small frees women to work who might otherwise be overwhelmed by domestic responsibilities, especially in those countries where child-care assistance is scarce. Finally, having the last child early in the life cycle eases the burden on women working away from home and may encourage those who have stayed at home to re-enter the labour force. Viewed in this light, the exercise of the right to determine the number and spacing of children can have a direct impact on the woman's exercise of her economic rights. On the other hand, where opportunities for women in employment are few, or where women are discriminated against on the assumption that they are (or will be) married and have children and that they have less right to a job or an income than a man, then an individual woman may not be able to improve her chances in the labour market at all by delaying, spacing or limiting her births.

The other side of the coin is this: to what extent might the full exercise of women's rights to equality with men in employment influence the number and spacing of their children? If a consistent causal effect were to be found, the implications for development strategies would be clear: ensuring women's right to equal work and equal pay should serve the purpose of reducing birth rates while simultaneously facilitating economic and social development. However, the relationship depends not on the simple fact of gainful employment but on the sector of the economy in which the woman is employed, her occupation, income, work commitment, duration or continuity of employment, whether it is full or part-time, and the availability of child care, among other factors.

Most research has focussed on the concept of role incompatibility in attempting to explain variations in the strength of the association between female employment and fertility. The more mutually exclusive are the roles

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In most developing countries the employment-fertility relationship is less clear, although a distinction must be made between urban and rural areas and between the "modern" and"traditional" sectors of the society.

In rural areas, paid employment (where it exists) usually has little impact on fertility, partly because the value of large numbers of children often remains strong, and partly because the employment is likely to be of an agricultural, marketing or cottage industry type in which a woman may either keep her young children with her while she works or leave them with other family members. The same reasoning holds true for women who are engaged in unpaid production.

In urban areas, on the other hand, women's paid employment is more likely to be incompatible with raising a family if it takes her out of the home and if she has difficulty in finding ways to care for her children. She is also more likely to learn about birth control and have access to family planning services in urban than rural areas, although much depends on the sector of the economy in which she works. For example, some studies in urban centers of developing countries have shown that women in the professions and in white-collar occupations are more favourably disposed towards the use of contraceptives and have fewer live births than skilled manual workers, who in turn have smaller families than women in sales, trade, or the service sector.

Generally speaking, however, the opportunities for labour force participation of women in non-agricultural sectors of the economies of developing countries have been extremely limited. Although such employment may have a significant effect on the reproductive behaviour of individual women, and may acquire greater force in the future, in the aggregate its demographic impact has been slight.

VI. Rights pertaining to marriage and the family

Perhaps no issue in the area of women's rights has been as sensitive or as controversial as the idea of equal rights of men and women "as to marriage, during marriage, and at its dissolution", although the principle is clearly stated in Article 16 of the Universal Declaration of Human Rights. In many countries equality within the family has not yet been recognized in civil law, and, upon marriage, women may be deprived of many civil rights such as the independent ownership of property or the right to work without their husband's consent. But even in countries where legislation favours equal rights, traditional cultural patterns of male dominance in private life are slow to change. The distinction is sometimes made between "formal ideology" and "everyday ethics" in this regard. Formal ideology, such as the doctrine of equalitarianism, is best seen in laws and practices relating to the participation of women in education, employment and other aspects of public life. The everyday ethic is seen better in sectors of life that are not under public surveillance, at the level of interpersonal relations between the sexes, where the equalitarian doctrine is slower to permeate.

Could the widespread practice of birth planning significantly alter the status of women as compared to men in private life? And how does a woman's educational or employment status affect her role in the family? Do laws and practices relating to the status of women at the time of marriage, during marriage and at its dissolution (through death, divorce, desertion, separation, annulment) influence reproductive behaviour in a way that can be isolated from the effects of other, related forces? The area is a rich and fascinating one to explore, for it is of course in the everyday interaction between the sexes that extraneous factors such as education or employment are translated into actual fertility patterns through the medium of sexual expression and birth planning behaviour.

1. Rights on entering marriage

The United Nations has declared that child marriage and the betrothal of young girls before puberty is to be prohibited and that women shall have the same right as men to free choice of a spouse and to enter into marriage only with their free and full consent. The inheritance of widows is banned. Minimum standards for age at marriage are to be set in every country at not less than 15 years, with all marriages being officially registered.11/

Legal minimum ages for the first marriage of girls range across countries from about 12 to 20 years, while actual averages range somewhat higher from about 14 or 15 years to 24 or 25. In setting a legal minimum age for marriage most countries have legislated inequalities by setting a higher minimum for males than for females, although there is a trend towards greater equality in laws enacted in recent years. In general, the pattern in Western industrialized countries has been one of delayed marriage and relatively high proportions of women remaining single throughout their childbearing years (from 5 to 20 percent) while in developing countries early and universal marriage for girls is more the rule. However, there are important exceptions to this generalization, and in recent years the marriage patterns of many developing and industrialized countries appear to be converging toward an intermediate position. In most countries the average age at first marriage for women tends to be higher among educated and employed women and higher in urban than rural areas, although in some cultural settings one finds women of the highest socioeconomic status being married earlier than women workers or peasants.

Social pressures to marry girls off while they are very young remain strong in many regions. An unmarried daughter past a certain age may be considered a disgrace to the family. Moreover, one generally finds that in countries where girls marry very early, the age gap between males and females

on entering marriage may average as high as ten to twelve years. In countries where women marry later the difference in ages is usually much smaller. Thus in a number of countries the girl's already subordinate position at the time of her marriage is compounded by the additional advantages her husband has accrued with his age and "experience".

What impact would the ability to space and limit births have on the timing of marriage and the exercise of the woman's rights at this crucial transition period in the life cycle? Having discussed the effect of birth planning on education and employment in the previous sections, we will attempt here to consider only the direct, independent effect of birth planning on the timing or probability of marriage.

The essential contribution of birth control is of course the separation of sexual behaviour from reproduction. In examining the effect of contraception on the timing or probability of marriage, then, much depends on the cultural mores of the particular society. Where premarital heterosexual relations are common, the ability to delay the first birth could serve to raise the average age at marriage and place women in a far better bargaining position over the choice of a spouse, especially where a high proportion of early first marriages appear to be "caused" by an unplanned pregnancy. It could also increase her chances of an eventual marriage in societies where out-of-wedlock births are common and yet where a woman without children has a better chance of finding a husband than a woman who has had children by another man. If the early pregnancy is intended as a means to ensure marriage, however, as in societies where a woman's fecundity must be proven before she is acceptable as a bride, then there would be little motivation for birth planning at this stage in the life cycle.

Effective birth planning can also lower the average age at first marriage by making it possible for couples to marry early while postponing their childbearing. Much of the decline in the average age of brides in some Western countries, especially among college students, may be attributed to this factor.

Whatever its impact on the timing and probability of marriage, the separation of sexual activity from reproduction -- especially when reproduction outside of marriage is severely condemned -- would seem to provide women with a far greater degree of control over the choice of husband and the decision of whether or not to marry than they could otherwise achieve. The major exception is where exposure to the opposite sex, the choice of spouse and the timing of marriage is controlled entirely by the girl's parents or other relatives, in which case her knowledge of birth planning would make little difference to her situation.

Turning the question around, how much impact on family planning behaviour and fertility would we expect the abolition of child marriage or betrothal to have, or the exercise of the right to free choice of spouse or to marry only with free and full consent? And to what extent do the timing and number of marriages influence birth rates?

Let us address the second question first. Discounting for the moment the effect that a later age at marriage has on the woman's position within the marriage, we would expect variations in nuptiality to determine fertility patterns most strongly in societies in which birth control is not widely practiced within marriage and in which the rate of out-of-wedlock births is very low. Thus the decline of birth rates in Western Europe in the late 19th and early 20th centuries can be attributed in good part to patterns of late marriage, with high proportions of women -- perhaps one-tenth to one-quarter -- never marrying, while the early and universal marriage of girls in many developing countries, especially in parts of Asia and Africa, set the stage for high levels of fertility.

Where birth control within marriage is widely practiced, the timing of marriage <u>alone</u> is less influential in determining completed family size; differentials appearing early in the reproductive years as a response to

marital postponement may disappear by the time childbearing is completed. Of course, if marriages are delayed in conjunction with higher education or nonagricultural female employment, family size may be reduced in the quest for a higher standard of living for the couple and their existing children.

Where de facto marriages and consensual unions are frequent, as in parts of Latin America and the Caribbean, formal marriage patterns are also less likely to have a significant effect on fertility. A large proportion of the female population, while not legally married, enters into more-or-less permanent consensual unions or more casual "visiting" unions in which childbearing is nevertheless accepted. The fruitlessness of trying to regulate birth rates through the medium of legislation raising the minimum age at marriage -- if such were considered desirable -- can clearly be seen in this case, as in cases where young girls continue to be betrothed or married before puberty in spite of legal prohibitions. At any rate, raising the minimum from 12 to 14 years, or from 14 to 16 may have no effect at all on the average age of the woman at the time of her first birth. Indian studies suggest that marriages would have to be pushed up over 19 or 20 years to have a significant demographic impact in that country.

The loss of parental control over the arrangement of their children's marriages, insofar as such control is associated with early and universal marriage within an extended family system placing great importance on large numbers of children, should serve to delay marriage on the average and to increase the probability of non-marriage for some women, either voluntarily or involuntarily. Courtship, after all, takes time, and an independently contracted marriage requires a degree of maturity not expected of a young girl whose primary obligation is to obey the wishes of her husband and his or her family. The free choice of a spouse -- even with a considerable amount of parental guidance -- also implies a degree of equality between husband and wife at the time of their marriage that may be essential to effective communication about family size desires and the practice of family planning, as we shall see.

2. Rights during marriage

According to United Nations instruments, men and women are to share equal rights and responsibilities within marriage, including equal rights and duties in matters relating to their children.[12/] It is interesting in this regard that aside from legal definitions of the rights and responsibilities of the spouses, evidence from surveys suggests that the greater are the resources that a woman brings into her marriage relative to those of her husband (especially in regard to her education and outside paid employment) the more equal her voice is likely to be in the major decisions of the family. And in general it appears from studies of predominantly urban areas in both industrialized and developing countries, that the more equal or "nontraditional" is the division of labour (including decision-making) in the home, the more likely it is that couples will (a) communicate with one another about sex, family size desires and birth planning; (b) report a high degree of sexual satisfaction; (c) express a desire for small families; and (d) space and limit their births effectively.

Patterns of male dominance within the household, where they exist, are frequently found to be associated with strong double standards of sexual behaviour and with extreme resistance on the part of husbands to their wives learning about or using female methods of contraception. Resistance is apparently often founded in the belief that wives will no longer remain sexually faithful or generally submissive to their husbands if they know how to prevent pregnancies. The implicit assumption here is that birth planning can indeed be a powerful means to greater independence for the woman in the family, at least under some conditions.

However, there are also those situations in which a woman's status is defined almost entirely by the number of children she bears, or by the number

of her sons, so that the more fertile she is, the greater is her authority. Under these conditions a woman who remained childless or who bore only one or two could well be the object of ridicule or pity. The experience of family planning clinics in several African countries, for example, has been that women are often more interested in learning about ways to increase their fertility than to decrease it. In the context of such beliefs it would be detrimental to the status of the woman to practice contraception as long as no alternative roles were possible under existing economic and social conditions. Insofar as the ability to space and limit births is associated with a higher rate of infant survival, however, birth planning could increase family size by lowering pregnancy wastage and child deaths.

The crux of the argument in the relation between equality within marriage and fertility appears to be the issue of alternative roles. When non-familial activities for women are highly valued and rewarded, such as essential agricultural production, wives' participation in these activities tends to bring a greater degree of equality into the marriage. Greater equality tends to create an interpersonal relationship more favourable to birth planning and lower fertility, while the resulting smaller family size itself permits a closer relationship between husband and wife and a greater degree of equality. But where non-familial alternatives are not available for women -- where the division of labour follows highly traditional lines and the individual woman has little autonomy, then frequent childbearing is rewarded and encouraged. A woman's prestige in the eyes of her husband, her relatives and the community at large may depend solely on the number of children she bears.

The rights and duties of parents regarding their children (and the reciprocal rights and duties of children regarding their parents) may also

play a crucial role in shaping reproductive decisions. It has become commonplace to assert that where children participate in economic or domestic production at an early age and carry obligations to support their parents in sickness and old age, the incentive for having large numbers of children is high. On the other hand where children become primarily consumers of material resources rather than producers, the costs of a large family may override the benefits.

The question is less frequently asked about the effect of the division of parental rights and responsibilities on family size decisions. Speculation on the differences between husbands and wives in their desire for additional children sometimes focuses on the assumption that because women tend to carry the major responsibility for day-to-day care of children whereas men are removed from the immediate burdens of child-care, the motivation to keep the family small should be higher among women. But this is not always the case. Alternative hypotheses suggest that men, being more closely associated with the financial responsibilities of children and more exposed to "modern" ideas outside the home, should be more strongly motivated to limit family size. The true answer must rest in the unique cultural and structural conditions of each society which determine the division of labour between the spouses and the perceived costs and benefits to each spouse of additional children. It must also rest with the nature of parental rights and responsibilities when the marriage dissolves, either through death, divorce or desertion.

We have been discussing the nature of informal equality between the spouses. It is not possible to examine here the relationship between the number and spacing of children and the exercise of a woman's specifically legal rights and obligations within the family because there is little systematic data in this area. How does the denial of certain of her civil

rights, such as the right to own, inherit or bequeath property, for example, affect her desired family size? Where only male children inherit property, does fertility increase until a desired number of sons are born? Is a woman who bears no children or who bears only one or two, or only daughters, disadvantaged under some legal systems more than others?

Nor have we explored the relationship between fertility and equal rights within different kinds of marital unions -- nuclear families as compared to extended families, monogamous as compared to polygamous unions, legal marriages as compared to consensual or more casual visiting unions. Evidence regarding the effect of these differences in family structure on fertility is inconclusive and needs to be more precisely specified, along with the legal and de facto rights that a woman has within each type of union.

3. Rights on the dissolution of marriage

The International Covenant on Civil and Political Rights and the Declaration on the Elimination of Discrimination Against Women call for the equal rights of the spouses at the time of marital dissolution, either through death, separation, annulment or divorce. Provision is to be made for the necessary protection of children at the time of marital dissolution. In assessing the rights and responsibilities of parents the interests of the children are to remain paramount.13/

The United Nations has not addressed the question of whether couples have a basic right to terminate an unhappy marriage. Its instruments do declare that whatever the degree of restrictiveness a State imposes regarding divorce, the grounds for dissolving a marriage and the rights and obligations following its dissolution should be the same for men and women.

How might the practice of birth planning affect a woman's rights at the time of divorce or the probability of the divorce itself? In industrialized countries with liberal divorce laws one would expect that remaining childless,

or having only one or two children, would place women in a more advantaged position; they would feel less compelled to remain in an unsatisfactory marriage and more able to manage independently. Of course, much depends on their options outside the home. Some studies show that women who are gainfully employed have a higher probability of divorcing than housewives, and we do know that divorce tends to be more frequent among couples with no children, or with small families, even when unequal durations of marriage are taken into account. Under these conditions, birth planning should enable women more easily to exercise their equal rights at the time of divorce.

On the other hand, in societies where the husband has unilateral power to divorce his wife and take another, where the wife has no such power, and where her options outside the home are few, the fear of repudiation can motivate women to have many children as a form of protective "insurance". Thus where sterility or the absence of sons is frequently used to justify divorce, the woman with the most children may feel the safest in her marriage -- a marriage she depends on for her survival. Eliminating the husband's power to divorce his wife at will could lighten the pressure on a wife to reproduce so abundantly.

The impact on fertility of marital dissolution either through divorce, annulment, desertion, separation or death depends to a large extent on patterns of remarriage and on the length of reproductive time a woman "loses" between sexual unions. Under high mortality conditions, women may lose up to 7 or 8 years on the average due to the early death either of herself or her husband. If the remarriage of widows is forbidden, as it was in Hindu tradition, fertility is inevitably depressed; if widows are inherited, as in Moslem custom, fertility may not be reduced at all. Similarly, the impact of divorce, annulment or separation depends on the probabilities of the woman's remarriage or her entry into another type of sexual union.

It is difficult, with existing evidence, to evaluate precisely the relationship between reproductive behaviour and women's rights at the time of marital dissolution as to property, support, custody over children, remarriage, and so on. But there seems to be little doubt that such factors can play an influential role in shaping family size desires and decisions.

VII. Participation of women in public life and decision-making

The United Nations has declared the right of women to participate in public life and political decision-making on equal terms with men, specifically the right to vote in all elections, to be eligible for all publicly elected bodies, to hold public office and to exercise all public functions. Women have won the right to vote in all but a handful of countries, but in most nations -- even those that guarantee equality in the law -- women are poorly represented at the upper levels of decision-making in government offices or elective bodies. Their greatest successes have occured in countries where the Government actively promotes equality between men and women in public life, thus overcoming some of the traditional resistance to the idea of placing women in leadership positions. Elsewhere the story is not so encouraging. Many countries point to the one or two women in conspicuously high positions while ignoring the weight of evidence on the extreme underrepresentation of women as a major population group.

The participation of women in public life can have the same effect on fertility as other forms of employment. Women with reduced domestic responsibilities are more free to involve themselves in community or national activities, while women whose political involvement takes them out of the home and into a world of wider interests and rewards may desire and have smaller families. But beyond this relatively direct association between public life and reproduction among those who are themselves active participants, an expanded engagement of women in public affairs may have a far broader -- though less

direct and more difficult to measure -- impact on fertility patterns by providing a community or a nation with highly visible models of women who are active, competent, leaders and decision-makers. Such women can be a powerful force toward changing attitudes regarding female roles and responsibilities, whether they intend to or not. Even the simple act of voting is symbolic in manifesting a belief in women's capabilities of independent thought and action and in portraying women as active rather than passive participants in the life of their communities. The exercise of civic responsibilities in this area could carry over into private life, as women acquire greater awareness of and confidence in their ability to make autonomous decisions.

Of course, the participation of women in political areas specifically devoted to improving the status of women, promoting equality between the sexes or expanding birth planning information and services can have a tremendous impact on the questions we have been discussing. Women are becoming increasingly active in a number of countries as policy-makers in their own organizations, highly vocal social critics and skilled pressure groups. Governments are having to respond.

In the field of development planning and population policies, where women have been severely underrepresented in the past, many are beginning to take note of the overwhelmingly masculine character of research institutes and decision-making bodies. They are demanding that women play a larger role in determining and evaluating policies that affect their lives so intimately. In the long run, the direction of development planning and population research, along with the priorities for action, may shift considerably as the relationships between social and economic structures, equal rights for men and women and demographic behaviour are more fully understood.

VIII. The status of women and demographic changes

At a time when the attention of the world is focussed on the dynamics of human population growth, structure and geographical distribution, one of the most burning issues is the way in which current and projected population trends have affected, and are likely to affect, the exercise of fundamental human rights and freedoms. Within this general area of concern, questions are being asked about the differential impact of population processes on human rights, as experienced by major subgroups in society, such as racial or ethnic minorities, religious groups, children, working people and the aged. In this paper we are concerned with the determinants and consequences of population trends as they are affected by, and, in turn, affect the degree of equality between men and women. Is it possible to isolate particular aspects of population processes in order to identify their general influence on women's status now and in the future? More specifically, how is the position of women in the family, in education, in employment, and in public life shaped under different conditions of population growth, structure and distribution? What demographic conditions appear to facilitate equality between the sexes and what conditions appear to hinder it?

It is easy to point to examples of countries with very rapid rates of population growth in which the advancement of women is apparently severely hindered by the burden of a high dependency ratio and by extreme population pressures on scarce material and social resources that limit their opportunities, not only absolutely but differentially, in comparison with men. There are also highly visible examples of countries with very low birth rates in which women appear to have achieved a rather high level of equality with men, especially in education and employment, and in which the necessary resources are invested in health-care, social security, child-care, maternity benefits and other essential social services. However, beyond these two extremes it is

almost impossible to evaluate the impact on the status of women of different rates of population growth in the middle range. And even including the extremes it is obvious that demographic conditions may play only a minor role in determining the absolute and relative position of women in the family and in society at large, as compared to the role played by economic conditions, stages of development, political and social structures, cultural values and beliefs, and public priorities for policy and action.

Moreover, a vast number of questions remain unanswered regarding the effect of specific population trends on the status of women and on their potential for equality with men. What is the effect of changing mortality conditions, for example? As health care, sanitation and nutrition improve, one immediate effect should be to make childbearing safer. But the trend could be disadvantageous if it means an "unwanted" increase in fecundity among women who are already overburdened with family responsibilities and who lack the knowledge and means to prevent further pregnancies. And a higher survival ratio among infants, if it occurs at a time of food shortages, could mean that female children are even more likely to be deprived of adequate nourishment, when males are given priority for scarce resources within the family.

What effect does urbanization have on the status of women? In rural areas with a heavy out-migration of males, the remaining female population may "improve" its status by taking over many activities formerly performed by men and acquiring a major decision-making role in the family and in the community. Or could the consequences mean only a double burden for the women left behind, and an increased competition for the attentions of the remaining males?

When women move to cities are their rights likely to be expanded or contracted, and in what ways? Under some conditions the move may represent a real freedom from the constraints and traditions of village life and an

opportunity for higher education, employment and new independence. Under other conditions it may represent an isolation from a formerly supportive environment, loss of child-care and household assistance, and a new division of labour between husband and wife even more rigid than the one left behind. Does the transition from extended to nuclear family, from polygamous to monogamous union, from early marriage to late marriage or non-marriage, from arranged match to free choice always represent an improvement? Or can it sometimes expose women to the possibility of greater male domination, or domination of a subtler type? Can the expanded gainful employment of women outside the home in most countries of the world always be taken as a sign of their emancipation, or does it often merely substitute one form of exploitation for another?

There appears to be little doubt that a continued high rate of population growth can have serious implications in retarding economic and social development, with accompanying repercussions on the status of women. This is particularly true in the areas of education, training and employment. In most countries, social services assisting parents with family responsibilities are still in short supply; the positive value of day-care centers as a means of raising women's aspirations and releasing them for education, economic production and political participation is yet to be fully recognized. Some critics of current development programmes have expressed the fear that under the pressure of competing economic priorities, women's right to equal participation with men in all aspects of social and economic development will be sacrificed to preferential treatment for males in training and employment, leaving women relatively untouched in their traditional roles. Yet the

participation of women is essential to the developmental process, and of great and immediate consequence. Women can be a driving force in society or they can retard progress. Much depends on the priorities set by development planners.

Policy-makers need to take more careful note of the demographic relevance of equality between the sexes. We have seen the extent to which equality in the spheres of education, employment, the family and public life appears to be associated with more effective birth planning and with a smaller desired family size among women who marry. Indeed, in some countries where women come closest to exercising their equal rights, birth rates have reached very low levels.

But regardless of the demographic conditions or goals of any particular country, the universal human rights aspects of birth planning and the status of women must be affirmed. Constraints on the exercise of the right to decide whether, and when, to bear children affect the exercise of other rights in marriage and the family, education, employment and public life. They may affect directly the right of women and of children to physical and mental health. At the same time, constraints on women's right to equality with men in all these spheres may severely limit the exercise of the right to decide freely and responsibly on the number and spacing of their children.

The aim of any population policy must be the enrichment of human life, not its restriction. Thus, the provision of family planning services is no substitute for radical social and economic reform but must be seen as an integral and simultaneous element among a variety of policies and programmes designed to promote the full exercise of all fundamental human rights.

A policy of raising the status of women and promoting equality between men and women, which expands the range of human rights and freedoms, is an

end in itself as clearly stated in the United Nations Charter and in many other international documents. It may also be a significant means to achieving desired population goals, a question only recently provoking serious interest. But the essential purpose remains the full utilization of the talents of all of a society's members, and the creation of a new basis for free and happy relations between men and women.

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