What are Sex-Selective Abortion Bans?

Sex-selective abortion bans (SSAB) make it illegal for a doctor to provide abortion care if they suspect a pregnant person could be seeking an abortion due to a preference for the sex of the fetus. Similarly, abortion bans based on race selection or fetal diagnosis target the “reason” behind a person’s decision to end a pregnancy.

There are no good or bad reasons to have an abortion, and politicians shouldn’t interrogate personal decisions about pregnancy. These discriminatory bans particularly target people of color and seek to stigmatize their abortion decisions, ultimately restricting access to abortion care. These bans are yet another part of the strategy to chip away at abortion access without doing anything to address the underlying issues anti-abortion politicians use to justify the bans, including ableism, racism, and gender inequality.

In 2013, sex-selective abortion bans were the second most introduced abortion restriction in the U.S. and continued to gain momentum in 2014 and 2015. Thirteen of the fifteen states with the largest foreign-born Asian American populations have proposed the ban.

Why are these bans racist and bad for AAPI women’s agency?

Sex-selective abortion bans are based on anti-immigrant sentiments and disproportionally affect women of color, specifically Asian American and Pacific Islander (AAPI) women. Legislators who oppose abortion attempt to justify sex-selective abortion bans based on false claims that AAPI women terminate pregnancies based on a son preference. Proponents of sex-selective abortion bans claim that these laws are necessary because Asians who migrate to the U.S. bring “backward” values with them. However, there is no factual evidence showing that sex-selective abortions are prevalent in the U.S.; in fact, a study completed in 2014 found that the ratio of males to females at birth among Asian Americans is standard when compared to the ratio of all births in the U.S., and foreign-born Chinese, Indian, and Korean Americans actually have more girls overall than white Americans.

These stereotypes about the values of AAPI communities are not only ugly — they are dangerous, inaccurate, and encourage racial profiling in health care. Threatening providers with criminal and civil penalties could decrease the availability of services for communities that are already underserved by intimidating doctors out of providing abortions. Furthermore, they open the door to various other abortion bans, such as gestational bans or other bans based on race selection or fetal diagnosis that are unconstitutional and only restrict pregnant people’s rights and access to abortion.
The National Asian Pacific American Women's Forum (NAPAWF) is the only multi-issue, progressive, community organizing and policy advocacy organization for Asian American and Pacific Islander (AAPI) women and girls in the U.S. NAPAWF's mission is to build collective power so that all AAPI women and girls can have full agency over our lives, our families, and our communities.

Endnotes
2 U.S. Census Bureau, 2010 American Community Survey 1-Year Estimates, Table S0201; 2017 American Community Survey 1-Year Estimates, Table S0202
3 Brian Citro et. al., Replacing Myths with Facts: Sex Selective Abortion Laws in the United States, (June 2014), https://chicagounbound.uchicago.edu/cgi/viewcontent.cgi?article=1004&context=ihrc