

A POPULATION STUDY OF CHINA AND LEGAL SOLUTIONS TO GENDER-SELECTIVE ABORTION[#]

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My story begins back in 1979 when I was selected by the U.S. State Department to be the first American social scientist to carry out field research in China. Chinese government officials were, of course, appalled by the idea that inquisitive social scientists, who could read, write, and speak Chinese might be wandering unescorted around the countryside. Not surprisingly, they turned down my research proposal. It took an intervention on the part of the then-President of the United States, Jimmy Carter, before the Vice Premier of the Chinese government, Deng Xiaoping, reversed his bureaucrats and extended permission for me to do my research.

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This was a Godsend. It meant that all doors were opened to me, this in a society in which all doors are normally closed. When the person who holds the keys to all the doors says, "Open the doors," they all open, and this was the happy circumstance that I found myself in at the beginning of the one-child policy. I not only witnessed the arrest of women for the crime of being pregnant, I was able to go with them as they were taken to jail. And I was able to be with them in the lockup as they were subjected to mind-numbing propaganda sessions, sessions at which they were threatened, harangued, cajoled, and ultimately brainwashed into forced abortions. These forced abortions were followed, in many cases, by forced sterilizations, as the state sought to ensure that these women could never again conceive illegal children.

I was even present in the operating room when women who were seven, eight, and even nine months pregnant were subjected to cesarean section abortions. I was introduced to you as someone who went to China as a pro-choice atheist. I assure you all that, as a result of my experience in China, I am no longer either pro-choice or an atheist. This seminar on sex-selective abortion is not the appropriate occasion for me to tell my conversion story in full, but I will say that I found God in China, in large part as a result of witnessing a brutal third-trimester abortion.

But something else happened while I was in China: the resurgence of the ancient and despicable practice of female infanticide. I first noticed that little girls were dying in mysterious circumstances shortly after birth. I began to suspect that the deaths were deliberate, and I asked several elderly midwives about it.

I approached the subject delicately. I said, "I know that in other parts of China, historically, families have not welcomed the birth of girl children. In fact, the poorer areas of China have seen fairly high rates of female infanticide as couples decide, in advance of the birth, that they can't afford to feed another girl child. They would never reject a boy child, since a boy can carry on the family name, a boy's name can be written down in the clan genealogy, and a boy can

support them in old age. I understand”—I said to these midwives—“that in other parts of China they expose their little girls, or in some cases drown their little girls at birth, to avoid having to care for another mouth that they're afraid they wouldn't be able to feed.”

The midwives with whom I spoke said, “No, sir, not here.” I should mention that I was doing my research in the Pearl River Delta of the southern Chinese province of Guangdong, which is one of the richest areas in all of rural China. “Ours is ‘a land of fish and rice’,” they told me, meaning that the Pearl River Delta was very wealthy. They went on to say that “We have always been able to afford to raise all of our children, our little girls as well as our little boys.”

But now something new is happening, something called the one-child policy which is limiting the ability of families to have as many children and as many sons as they want. “Some couples are telling us,” the midwives revealed, “in advance of the birth that they only want a boy. They say if it's a little boy, to wrap him in red cloth and we'll celebrate the birth of a son to continue the family name. If it's a little girl, we want you to drown that little girl before she has a chance to draw her first breath.”

What they were describing was female infanticide, and not just the resurgence of female infanticide in areas that had historically seen this heinous practice, such as Shanxi province, where I visited in 2011, or in Anhui province, a very poor area of China. No, this scourge was being visited upon very wealthy areas of China as well, areas where it had never been seen before in Chinese history. It is for this reason *that we can say with confidence that the one-child policy is the cause of this epidemic of female infanticide that we see in today's China.*

Now we have experts on the Indian situation with us here today, so I am going to leave that topic to them. Instead, let's spend a little more time on the Chinese situation, and then bring the question home to America. It may surprise you to learn that we here in the United States have a problem with sex-selection abortion.

First, a little history. In 1987, I was invited by Senator Brian Harradine to testify before the Australian Senate on the issue of sex selective abortions. I flew down to Canberra to address the question before the Australian Senate, which was whether to provide 7,000 ultrasound machines to China as part of its foreign aid program. My advice was straightforward. "Do not provide ultrasound machines to the Chinese government. These machines, although intended to provide prenatal care, would chiefly be used to identify the sex of unborn children as soon as that was possible, say, at twenty weeks gestation or so. If the unborn child was seen to be a little girl, then she would certainly be killed as a result."

My advice, unfortunately, was ignored. The ultrasound machines went to China and were, I have it on good authority, principally used for the purpose I feared: eliminating unborn baby girls. As ultrasound machines have become more common in China, their use has probably reduced the number of cases of female infanticide. At the same time, however, it has certainly increased the number of cases of sex-selection abortion. If you have traveled in China, as I have, you can go into elementary school classrooms and see the disparity in the sex ratio. In certain provinces of China classrooms of twenty-five students contain seventeen, eighteen, or nineteen boys and only five, six or seven little girls. The cause of this unbalanced sex ratio is no mystery. Seven or eight little girls are missing and presumed dead because they have been eliminated by sex-selection abortion.

Let me share with you one more anecdote. I was in Kansas in March 2013 testifying in favor of a bill to ban sex-selective abortion at the state level, and I met a young Chinese-American woman who had been brought over to the United States at the age of 8. She was now in her early 20s. She told me she was the eighth pregnancy of her mother and that her mother's seven previous pregnancies had all been little girls, her older sisters, and they had all, one by one, been eliminated by sex-selection abortion. And I said, "Why are you here?" And she said, "The only reason that I survived is because when they did the ultrasound on my

mother for her eighth pregnancy, when she was carrying me, the ultrasound technician got it wrong and thought that I was a little boy, and so my parents carried this pregnancy to term. And when I was born, of course, they decided, after eight efforts, to keep me." She has become a Christian. She told me she's engaged to be married, and she intends to have a large family and many girls.

Being an anthropologist, I collected genealogies when I was in China. Let me leave no doubt in your mind about the patriarchal nature of this patrilineal society. For instance, I have in my possession a genealogy for the He Clan of Xingcha Village in Guangdong province. The genealogy traces the He lineage back some 2,000 years, over some seventy generations. Thousands of names are written in this genealogy, and each and every one is the name of a man. There are no names of women written in this genealogy. The mother, the daughters, the aunts, simply didn't count in the ancient historical Chinese system of tracking births. Only sons mattered, and only their births were recorded. This exaltation of the male line continues, to some degree, in China today, and is one of the driving forces behind female infanticide.

So we know we have an epidemic of sex-selective abortion in China and in the Confucian-oriented cultures of East Asia. We know we have a problem in India, which we will hear about shortly. But we also have a problem here in the United States, and we know we have a problem in the United States because of a number of studies that have been done. Let me just summarize quickly that the results of the 2000 census data, an analysis of the 2000 census data that was done in 2008 by two Columbia University economists, shows that the sex ratio at birth among U.S. born children of Chinese, Korean, and Asian-Indian parents is skewed in a way that suggests sex-selection abortion is responsible.¹ Firstborn children in these groups, that is Chinese, Korean and Asian-American firstborn children, have normal sex

1. See Douglas Almond & Lena Edlund, *Son-biased Sex Ratios in the 2000 United States Census*, 105 PROC. OF THE NAT'L ACAD. OF SCIS. OF THE U.S. 5681 (2008), available at <http://www.nrlc.org/uploads/sexselectionabortion/ColumbiaUniversityStudySexRatios.pdf>.

ratios, roughly 106 boys for every 100 girls. But the second sex ratio, the second-born children have skewed sex ratios. It's roughly 120 boys per 100 girls. And the third child conceived in these families was especially off balance, because the sons outnumbered daughters by fifty percent. They concluded that this deviation in favor of sons is evidence of sex-selection.

Now one thing that's troubling about this is that the practice does not seem to diminish over time. And this is one reason why I think we need to have a legal remedy to help solve this problem. The Columbia University economists went on to note that whether a mother gave birth to a boy could not be predicted by her immigration status. Indeed, mothers who were U.S. citizens were slightly more likely to have sons, so that simply being here for a few years does not seem to lessen the practice of sex-selection abortion. It may in fact allow it to increase in the absence of laws banning it. Sex selection is not a tradition from the old country that easily dies out, so this enduring nature of sex-selection abortion underlines the need for a legislative remedy.

The other study that I'd like to mention is particularly troubling because it was done by an Asian-Indian physician who interviewed sixty-five immigrant Indian women in the U.S. who had pursued fetal sex selection. This study done by Dr. Puri found that eighty-nine percent of the women, these Indian-American women carrying girls, aborted during the study, and that nearly half of these women had previously aborted girls.² More troubling still, these women told Dr. Puri how they were victims of family violence, how their husbands or in-laws had shoved them around when they became pregnant with girls, kicked them in the abdomen, or denied them food, water, and rest in an attempt to make them miscarry the girls they were carrying, or to force them into abortions they did not want. And even the women who were carrying boys told of their guilt over past sex-selection abortions, the feeling of being unable to save their

2. Sunita Puri, *"There is such a thing as too many daughters, but not too many sons": A qualitative study of son preference and fetal sex selection among Indian immigrants in the United States*, 72 SOC. SCI. & MED. J. 1169 (Apr. 2011).

daughters. This is happening in this country ladies and gentlemen, not overseas.

There are objections, of course, to banning sex-selection abortion. Some would say that the U.S. doesn't need it. I think we've already demonstrated that it does. We have the problem here. Just from the census data, from anecdotal evidence, we know we have it here. We also have it because of what Dr. Smolin referred to as the sort of growing eugenics agenda on the part of parents, who as they reduce their fertility, are evermore determined to have children who are perfect according to whatever definition of perfection they happen to come up with.

Now, in China this is quite conscious, by the way, on the part of the government. One of the governing slogans of China's one-child policy is late-marriage which reduces fertility, late birth which further reduces fertility, few births which in most cases means one in the cities and two in the countryside, and quality births. What is quality birth? Well, a quality birth is the idea that you should only have perfect children for the state to breed a better Chinese man and a better Chinese woman. And the idea of quality births, which is now imbued in the Chinese population, has resulted in children being abandoned at birth not only because they're little girls, but also if they have the slightest handicap: a clubbed foot, a cleft palette, a blemish on the face, any sort of child that is even not pleasant to look at. Anything is grounds for abandoning a child, boy or girl, because of this drive, this desire to have perfect children. In China, it's done crudely and cruelly by doctors who sometimes kill handicapped children at birth.

Here we are more sophisticated. We use sophisticated genetic techniques to find things we consider imperfections in the womb and then eliminate the child before they come into the world, but that too, will contribute, in the future, to sex-selective abortion here. So I believe that the problem is not going to get better. It's going to get worse, much worse in the future. Sex-selection abortion is the ultimate form of discrimination against women. It is a discrimination that kills. After all, we're not talking about pay or job opportunities, opportunities for advancement, or

representation on the boards of Fortune 500 companies. We're talking about discrimination that kills.

Laws against sex-selection abortion exist in India and China but have not been rigorously enforced and have scarcely curbed the practice. Sex-selection abortion, however, is generally prohibited in Europe. The only exception to that is Sweden, and we now see abortion tourism from Great Britain and other Scandinavian countries to Sweden for the purpose of aborting unwanted girls. The logical first step in curbing any heinous practice is to ban it. It would enjoy such a ban – and enjoys widespread support in the United States. I think that the one poll we have, the Zogby poll of 2006, shows eighty-six percent of Americans oppose sex-selection abortion.³

Finally, let me add the following observation. I mentioned that I testified before the Kansas Senate in March 2013. I know that there were state senators who opposed the bill who were present. But I note that they simply listened to my testimony, offered no hostile questions and, when the vote came, largely voted in favor of the bill. In fact, only one of the committee members voted against it. I offer this incident as evidence that this issue—the issue of sex-selection abortion—is very, very difficult for the so-called “pro-choice” side to address. How is a radical feminist to endorse, in good conscience, an abortion that is carried out for the sole purpose of eliminating one of her unborn sisters. The cognitive dissonance associated with such a quandary can well be imagined.

I close by noting that we have here with us one of my heroes, Congressman Trent Franks. Congressman Franks has introduced a bill in the House of Representatives to ban sex- and race-selective abortion. I am happy to report that this legislation has passed the House, although it still awaits action in the Senate. I know that he will have more to tell us about his much-needed legislation during his presentation. Thank you very much.

3. Steven Ertelt, *New Zogby Poll: Americans are Pro-Life on Numerous Abortion Issues*, LIFENEWS.COM (Mar. 6, 2006), <http://www.lifenews.com/2006/03/22/nat-2164>.