



## Immigration and Reproductive Justice: The Basics

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Over the summer, the 110th Congress failed to push through flawed, yet essential legislation that would have moved the immigration debate forward. Despite this setback, comprehensive immigration reform will continue to be a key issue throughout future election seasons and legislative sessions.

Immigration is a multifaceted issue, but one component that should not be overlooked as progressives continue to work on this issue is the reproductive health of immigrant women.

About 36 million foreign-born people live in the United States as of 2005--12 percent of the U.S. population. Over half of these immigrants are from Latin America, just under one-third are from Asia, 14 percent are from Europe, and the remaining 6 percent are from Africa, North America, and elsewhere. Slightly less than 50 percent of these 36 million immigrants are women, and 95 percent of these women are of childbearing age.

Female immigrants, both documented and undocumented, often work in industries that are low-wage and do not offer health insurance. They may not speak English and are likely to have reduced access to culturally and linguistically competent reproductive health information and services. As a result, access to affordable, quality reproductive health care is of significant concern to these women.

A vocal anti-immigrant lobby has touted sweeping mischaracterizations about immigrants, including beliefs that immigrants do not contribute to the economy and that they are to blame for skyrocketing health care costs. Each of these assumptions is incorrect. Immigrants are net-contributors to the U.S. economy, including \$7 billion annually to the Social Security Trust Fund alone, and they consume significantly less health care than native-born Americans.

### A Progressive Agenda Connects Reproductive Justice with Immigrants' Rights

Reproductive justice involves more than the right to end a pregnancy. Safeguarding an individual's right to determine her or his own reproductive future is an integral part of an overall agenda to promote social justice. That vision includes the ability of all people, whether American-born or immigrant, to:

1. Become a parent and parent with dignity.
2. Determine whether or when to have children.
3. Have a healthy pregnancy.
4. Have healthy and safe families and relationships.

Rejecting the efforts of comprehensive immigration reform opponents to control the reproductive decisions of immigrant women is an important component of ensuring continued reproductive freedom for all Americans and the humanity of all immigrants. By investing in the reproductive health care needs of female immigrants, we ensure a society that is healthy, productive, and just.

## **Population Control Efforts Have Been Tied to Anti-Immigrant Sentiments in the Past**

Racially restrictive immigration policies have peppered U.S. history. Some policies have tried to control the population's composition by barring admission to a number of women of childbearing age from specific countries or ethnic groups. The Page Act of 1875, for example, served to restrict the entry of "obnoxious" Asian individuals from entering the United States. The law claimed to deny entry to prostitutes and unskilled laborers but functioned primarily to prevent Asian women, including the wives of immigrants already living in the United States, from entering the country.

The early 1900s saw attempts at population control and social engineering by the eugenics movement. The philosophy behind the movement purported to improve the human race through reproductive interventions, including selective "breeding" and forced sterilization of "undesirable" populations. Even as recently as the 1960s and 1970s, thousands of Latinas, especially those of Puerto Rican and Mexican descent, were sterilized in public hospitals following childbirth without their knowledge or fully-informed consent.

## **Anti-Immigrant Sentiments Threaten the Reproductive Rights of Immigrant Women Today**

Even today, efforts to manipulate the composition of the U.S. population persist.

*Anti-immigrant*

*policies create  
barriers to immigrant  
women's reproductive  
health care*

- In most states, immigrants who have been in the United States for less than five years -- regardless of their legal status -- are denied Medicaid coverage for essential reproductive health care, such as prenatal care, despite the fact that they pay taxes and contribute to the economy. Only emergency services like labor and delivery are covered.
- The Deficit Reduction Act of 2005 requires that American citizens applying for or enrolled in Medicaid must present proof of citizenship, such as a U.S. passport or birth certificate, before receiving services. Although it does not disqualify documented immigrants who have met other eligibility requirements from receiving Medicaid coverage, the DRA has resulted in many eligible immigrants mistakenly thinking they have to be citizens in order to obtain services.

These legal barriers, combined with cultural and economic obstacles, have led to immigrant women receiving fewer basic reproductive health care services such as annual Pap smears, breast cancer screening, HIV/AIDS testing, and access to contraceptive options.

*Right-wing rhetoric  
about immigrant  
women's reproductive  
decisions has been  
used to influence the  
recent immigration  
debate*

- Anti-immigrant activists have accused immigrants of sneaking across the border to have "anchor babies" in the United States so that the child can then sponsor the parent to live legally in the United States. The reality is that by law a person must be 21 years of age in order to sponsor a parent to obtain permanent legal residence. Currently, parents may be separated from their children and deported to their country of origin at any moment, which causes great anxiety and stress for their American-born children who must choose between living with their parents and pursuing educational and economic opportunities. The fear of immigrant women giving birth to citizen babies led to the introduction of the Citizenship Reform Act of 2005, reintroduced this session as H.R. 133 with a companion bill called the Birthright Citizenship Act of 2007 (H.R. 1940). These measures would flout the 14th Amendment's guarantee of birthright citizenship

by denying citizenship to children whose parents are not citizens or permanent resident aliens.

- The conservative think tank Center for Immigration Studies has published a report that argues that the "family values" of immigrants are not as strong as commonly believed, given that their out-of-wedlock birth rates are roughly equivalent to that of American citizens. The implication is that any policies that make it easier for immigrants to enter the United States or become citizens will contribute to what conservatives see as the further erosion of so-called American family values.

This type of rhetoric is likely to resurface as Americans continue to debate our country's immigration policies. Progressives must be ready to identify these attacks and respond.

## **Organizations Working on Immigration and Reproductive Rights**

The National Coalition for Immigrant Women's Rights is comprised of a number of organizations that are working together to support comprehensive immigration reform and social justice for all immigrants. Founding members include:

- Legal Momentum
- National Asian Pacific American Women's Forum
- National Latina Institute for Reproductive Health
- National Organization for Women

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