



Centre for Air Power Studies (CAPS)

Forum for National Security Studies (FNSS)

CHINESE MATERNITY TOURISM IN THE US THREAT TO US SECURITY THROUGH MIGRANT POPULATION IMBALANCE

SHAHELI DAS

Research Associate, CAPS

The flourishing business of 'maternity tourism' is a new found issue of contention between China and the USA. The recent episode of raids launched by the Federal agents of the United States of America bear testimony to such a state of affairs. This industry which has now outgrown into a thriving business mainly caters to the affluent Chinese women who are desirous of giving birth to American children. This is not a new phenomena since affluent Chinese women have travelled to the US to deliver their children for many years. However today it has developed into a cause of concern for both the countries, especially the USA.

According to data offered by Chinese state media, in 2008, as many as 4200 Chinese women gave birth in the United States of America –a number which had more than doubled in 2012, when it stood at 10,000. The matter became alarming when the Immigration and Customs Enforcement (ICE) in 2015 claimed that an estimated number of 40,000 children of the 300,000 offspring of foreign citizens in the US are a result of this industry.ⁱ

The recent raids launched by the Federal agents have been concentrated in Los Angeles, Orange and San Bernardino Counties where they suspect that the business is being run more aggressively than in the other parts of the country. Further, the ICE has claimed that an approximate compensation for such tourism packages range from \$15000 to \$50,000ⁱⁱ with services which include facilities such as transport, lodging and food but not medical care.

What is 'Maternity Tourism'?

In the recent years 'maternity tourism' has escalated into a flourishing business across the prosperous nations of the world. The principle idea behind this business is to facilitate foreign women



Centre for Air Power Studies (CAPS)

Forum for National Security Studies (FNSS)

to travel overseas and deliver their children on foreign soil in order to enable them to secure nationality of that country for their new born children. These women, at a late stage of their pregnancy move to developed countries like the USA, Canada, the United Kingdom and Hong Kong through tourist visa, often misrepresenting the cause of their visit.

Why is the Industry Flourishing?

The question is closely related to the concept of American Dream or the American way of life. Amongst the various interpretations of 'the American Dream', the concept also resonates the idea of America being a country for immigrants where the latter seek to live a better life. Such is the case with the clients of 'maternity tourism'.ⁱⁱⁱ

They contemplate that US citizenship would be useful to their children on a number of grounds, such as securing education in an excellent US college, the provision of a form of insurance in case of a financial crisis in China, securing health and retirement benefits, a pollution free environment to reside in^{iv} and visa free entry to 183 countries.^v Such citizenship rights would also facilitate the immigration rights of the family members of the American child through application for green cards once he/she turns twenty one. The clients are also assured US passports for their children as well as social security numbers.

Limitations of the US Government:

Such a crisis clearly reflects the limitations of the US legislative system. The operators of this service cannot be prosecuted outright as their clients are not absolute legal offenders. This is because, according to the US Constitution, it is not unlawful for foreigners to travel to the US and give birth to their children there.^{vi} Further in the recent years efforts by lawmakers to revoke the provision enacted by the 14th Amendment of the Constitution to offer birth right citizenship, has failed. Members of the opposition claim that this is a violation of a fundamental principle of the Constitution.



Centre for Air Power Studies (CAPS)

Forum for National Security Studies (FNSS)

Moreover another essential limitation for the U.S authorities against this mushrooming business is that they are not based on propaganda through physical infrastructure but by word-of-mouth and online advertisement.

Significance :

'Maternity tourism' is not one amongst the other industries in the US that offer it economic benefit. Rather it deems to be a cause of great concern. However, before delving into the effect of this industry on the US, a brief discussion seems important on the need for pregnant women from China to travel all the way to the US to deliver their babies.

So why do Chinese mothers desire American babies?

Although the present international order seems to work in favour of China and one continues to remain fascinated by China's foreign policy approach and its projection of itself as a rising and responsible global power through the declaration of its Grand Strategy, President Xi Jinping's announcement of the China Dream, the call for the development of "One Belt, One Road" to integrate its economy with that of the other countries of Asia and Europe, and its military modernization. Yet China continues to remain confronted with a myriad of internal challenges at the present moment.

Some of these challenges refer to the trend of migration from the rural to the urban areas, the rural-urban income disparity, presence of an aging population due to the One Child policy that was adopted in 1979, environmental degradation and the social unrest caused by the Uyghur fundamentalists in Xinjiang. These issues have a bearing on maternity tourism because they have had a profound impact on the Chinese society and economy, in terms of being a source of poverty, unemployment and consequently social unrest. Thus, in order to ensure greater social, educational and consequently greater financial security for their future generation, US is a preferred destination for the Chinese women.

This being one school of thought regarding the rising trend of Chinese maternity tourism to the USA, the second school of thought holds that the motive behind maternity tourism is not merely



Centre for Air Power Studies (CAPS)

Forum for National Security Studies (FNSS)

securing US citizenship for their children but also against the *One Child* policy which has been in force in China for decades as part of its population control measures. Many Chinese couples who seek boy child as their heir or siblings for their children risk the fury of the local government and travel abroad to have a second child.

The other unconstructive aspect of the one child policy in China is the outfall of a growing aging population of China which in due course of time may have a negative imprint of the flourishing Chinese economy. Thus the apprehension of a financial meltdown in China and the objective of securing financial security for their children have motivated many Chinese couples to engage in maternity tourism.

The increasing trend of pregnant Chinese women travelling to the US is not being viewed by the Chinese government on a positive note or as a matter of pride; rather it is a projection of the dissatisfaction amongst the masses regarding the social welfare programme of the country. Consequently China is endeavouring to bring about significant reforms in a vast array of sectors in order to offer improved conditions for well-being of its citizens.

At another level, on a hypothetical note, it can also be claimed that the absence of stringent measures on behalf of the Chinese government to curb the outflow of Chinese migrants to the US maybe a testimony of China's strategic motive to nurture the Chinese as the largest ethnic minority group in the US over the next few decades, as has been the case in Russia's Far East. As the international order is undergoing a power transition with a rising China and a declining USA, this may be a step forward towards its goal of becoming a superpower.

How has the 'maternity tourism' industry affected America?

This business has essentially resulted in an increase in the population count of the United States of America. Unlike most countries which have the provision of *jus sanguinis* (*right of blood*) whereby an individual secures citizenship of a country by virtue of either of his parent's being a national of that country, the liberal US constitution offers a *jus soli* (right of the soil) policy to identify its citizens. The



Centre for Air Power Studies (CAPS)

Forum for National Security Studies (FNSS)

jus soli policy enables an individual to get the citizenship of the desired nation by being born on its land.

The alarmed US government is today concerned about the outright exploitation of its liberal citizenship norms by foreigners which would in due course lead to over-population and consequently wide scale unemployment, hindrance to food security and other benefits leading to a financial crunch and consequently social unrest in the country.

However, in view of the maternity tourists from several other countries such as Korea, Turkey and Taiwan^{vii} the distinct yardstick that the USA has adopted towards each community within its borders has attained significant visibility through this recent incident of raids on Chinese maternity hotels. The high handedness of the US authorities towards the Chinese immigrants is reflective of the latent discontentment that is shared between the two countries at the present moment.

This being the cause of the latest uproar in America one may conclude that a new chapter of contention between China and the USA has opened up. The status of USA as a superpower which is virtually on the verge of decline has to take effective measures to deal with this blow. Measures such as generation of warning on the website of US Customs and Border Protection directing the observation of thorough and strict checking by its officials at the airports, medical insurance and most importantly the due date of pregnant women – before allowing them entry into the country – has been notified. It would be interesting to observe whether the two global giants resolve this issue amicably or allow it to escalate into another bone of contention between them.

(Disclaimer: The views and opinions expressed in this article are those of the author and do not necessarily reflect the position of the Centre for Air Power Studies [CAPS])



Centre for Air Power Studies (CAPS)

Forum for National Security Studies (FNSS)

- ⁱ “Federal agents crackdown on ‘birth tourism’ in California”, *BBC*, 3 March 2015. Link : <http://www.bbc.com/news/world-us-canada-31717213>
- ⁱⁱ “US crackdown on Chinese ‘maternity tourism’ in Los Angeles”, *Times of India*, 3 March 2015. Link: <http://timesofindia.indiatimes.com/world/us/US-crackdown-on-Chinese-maternity-tourism-in-Los-Angeles/articleshow/46450535.cms>
- ⁱⁱⁱ Michels Eva, “What is the American Dream”.Link : <http://america.day-dreamer.de/dream.htm>
- ^{iv} Jones Dow, “ US crackdown on Chinese ‘maternity tourism’ in LA”, *China Spectator*, 4 March 2015. Link : <https://www.businessspectator.com.au/news/2015/3/4/china/us-crackdown-chinese-maternity-tourism-la>
- ^v Lu Rachel, “ Look whose walking: Chinese Birth Tourism Goes Stateside”, *Foreign Policy*, 25 April 2014. Link : <http://foreignpolicy.com/2014/04/25/look-whos-walking-chinese-birth-tourism-goes-stateside/>
- ^{vi} Jones Dow, “ US crackdown on Chinese ‘maternity tourism’ in LA”, *China Spectator*, 4 March 2015. Link : <https://www.businessspectator.com.au/news/2015/3/4/china/us-crackdown-chinese-maternity-tourism-la>
- ^{vii} Kim Victoria and Shyong Frank, “ ‘Maternity tourism’ raids target California operations catering to Chinese”, *Los Angeles Times*, 3 March 2015. Link : <http://www.latimes.com/local/lanow/la-me-ln-birth-tourism-schemes-raids-20150303-story.html#page=1>