Sex Selection
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Methods Old and New

Choosing – or at least trying to choose – the sex of your baby is nothing new; people have tried many different things in various times and places in an attempt to affect the sex of their future baby. Eating more bananas, using alkaline douches, conceiving close to ovulation, increasing the intake of breakfast cereal, and using some positions for sexual intercourse rather than others, have all been thought to increase the likelihood of conceiving a son rather than a daughter. There is even some research support for the effectiveness of certain ‘folk’ methods of selecting the sex of a baby: bananas and breakfast cereal may increase the chances of conceiving a son, though not by very much; whereas limiting caloric intake may make a daughter more likely.1

Whether or not these ‘folk’ methods work, many people would find nothing to object to in these ways of attempting to influence the sex of your baby, and certainly wouldn’t support any moves to make such practices illegal. But nowadays there are far more effective methods of choosing the sex of your baby, such as embryo selection and sperm sorting, and some, perhaps many, people have reservations when they consider the use of these clinical procedures for sex selection.

Some of the methods which could be used to ensure that parents get a child of the sex they want do indeed raise significant moral issues, the most obvious one being abortion of a fetus of the unwanted sex.2 But there are other less obviously problematic clinical methods of sex selection, such as embryo selection, where a number of embryos are created from the parents’ eggs and sperm outside the womb, by in vitro fertilisation, and only ones of the desired sex are chosen for implantation into the mother; or sperm sorting, which is a method of ensuring that only sperm which are likely to produce male babies are used to impregnate the mother.3 Neither of these methods raises quite the same moral issues as abortion but nonetheless some people are reluctant to countenance sex selection even by these means. This suggests that they find something morally problematic about sex selection itself, even if the means of producing it aren’t themselves totally objectionable.4

What, if anything, is wrong with choosing the sex of your children? The fact that some people object to this practice isn’t, of course, enough to show that it’s wrong – we need to look at the reasons that they give for the view that it’s morally unacceptable, and also at the reasons that other people give for disagreeing with them, and for supporting this choice for those parents who want it.

Reasons for sex selection: medical and social

In the UK, sex selection (specifically sex selection by means of embryo selection) is allowed only for ‘medical reasons’: i.e. in order to allow ‘at risk’ parents to be confident that their child will be born free from serious sex-linked diseases or disabilities, such as muscular dystrophy or haemophilia. Sex selection of embryos for any other reason (sometimes known as ‘social’ sex selection) is banned.5

Is it the method – the means used to achieve sex selection - that people object to, or is it the goal of sex selection itself which seems so morally dubious?

1 Roger Highfield, ‘Diet before pregnancy can affect baby’s sex, new research suggests’, The Telegraph, 23rd April 2008.


3 According to the HFEA, “The only method of sperm sorting that is currently permitted in the UK is flow cytometry, which uses fluorescent dye to separate sperm carrying male chromosomes from those carrying female ones. This method is not 100% reliable, so it is not used in practice.”


4 Some people believe that even very early human embryos have a strong right to life. Such people are generally opposed to all embryo selection techniques, regardless of the purpose to which they are put, and indeed to all forms of IVF (since this normally involves creating some ‘spare’ embryos which aren’t implanted). Believing in the embryo’s right to life however is not a reason to oppose other forms of sex selection (e.g. through sperm sorting, or if we could find a drug for prospective parents that dramatically improved their chances of having a girl). For this reason, the status of the embryo is not something examined in any detail here; sex selection needn’t involve embryo selection and arguments against embryo selection therefore don’t apply to all (possible) forms of sex selection.
But what grounds are there for this prohibition? What makes the practice so objectionable? In trying to answer that question, we’ll be working with an important background principle, namely that

we shouldn’t condemn people, or prevent them from doing what they want to, unless we can give a good reason for doing so.

One important kind of reason in the context of sex selection and elsewhere is harm: is sex selection sufficiently harmful (and, if so, to whom) to count as a good reason for preventing parents who want to choose the sex of their child from doing so? But there may be other reasons too, not directly connected with harming people, which are worth looking at.

Before we look at the reasons against permitting sex selection, we should first consider why it is that some parents do very much want to choose the gender of their next child. One very powerful reason is to avoid having a child with a serious sex-linked disease or disability. Some diseases are genetically transmitted, but only to children of a particular gender, so that though children of the opposite gender may carry the disease-producing gene, they won’t actually suffer from the disease, though they may pass it on to their own children. Haemophilia, in which the blood’s ability to clot and hence prevent extended bleeding after injury is compromised, is a case like this; although girls may carry and transmit the damaged gene, only boys actually contract haemophilia. Parents who know that they themselves carry the haemophilia gene may want to ensure that they have a girl child, in order not to inflict this painful, debilitating and sometimes fatal disease on a boy child. The law in the UK recognises and allows sex selection (through embryo selection) for this kind of reason.

Even where there’s no medical reason for considering sex selection, parents may nonetheless have a strong preference for having a child of a particular sex, either boy or girl, and there can be a wide variety of reasons for this preference. Sometimes there’s a background cultural privileging of one sex over another, leading parents to feel that a child of that sex is more important and therefore more worth having. Sometimes individual parents strongly want to have the kind of relationship they feel will only be possible with a child of one sex rather than another. This is not necessarily because children of that sex are felt to be more important, but simply in recognition of the fact that the sexes differ, and may offer different possible kinds of parent-child relationships. These parental feelings may be very strong indeed: women who already have several sons and very much want a daughter may express their feelings in terms of an overwhelming desire for a girl, and for a mother-daughter relationship different from that which is possible with their sons, much-loved though they are.

Consider, for example, the following remarks (reported in The Sun newspaper) from a woman who has five sons but is desperate to add a girl to their family:

“Don’t get me wrong, my boys are my world and I love them to pieces. It’s not about not wanting my boys. It’s about wanting a girl to join them. I’ve already chosen the name for my long-awaited girl - Patience ... My boys don’t like shopping and couldn’t care less when I buy them surf style necklaces and trendy shirts. They don’t want pretty clothes; they want toy guns and computer games ... [but] I love my boys for who they are and embrace their characters.”

Similarly, another woman writing on In-gender.com says:

“... There will be no girl... I will never be the one helping my daughter decide what to wear, teaching her all the amazing stuff about the female body or sharing her life. I am very sad I will miss out on all this.”

In the face of these strong feelings, and in the light of the principle mentioned above – that we shouldn’t stop people from doing what they want to do unless there’s a good reason for it – we need to consider carefully what reasons there might be for banning sex selection in all but serious medical cases.

5 The Human Fertilisation and Embryology Act 1990 (as amended), Schedule 2 1ZA(c), allows embryonic sex selection to take place only if there is a “particular risk that any resulting child will have or develop (i) a gender-related serious physical or mental disability, (ii) a gender-related serious illness, or (iii) any other gender-related serious medical condition”. Gender-related conditions (as defined by the Act) include both those which only affect one sex and those which affect one sex significantly more than the other.


6 Kim Willis, ‘Why I will use an illegal procedure to ensure I have a baby girl’, The Sun, 16th February 2011.
Objections to sex selection (1): bad consequences

When people are reluctant to see sex selection permitted, two reasons often seem particularly important to them. First, they think that bad social consequences are likely to flow from allowing it, and second, they think that the motives and attitudes which lie behind the desire to have a child of a particular sex are morally dubious. We need to consider how persuasive these reasons are, and whether there’s good evidence to support them.

One of the main bad consequences that could follow from permitting sex selection is population sex imbalance (i.e. substantially more males than females, or females than males). There is a fear that most parents who want to select the sex of their child will choose to have sons, and that this will lead to a population skewed in favour of male children, many of whom won’t be able to find partners when they grow up. Girl children (it is sometimes argued) may also suffer in the case of population imbalance, because if they’re relatively scarce, this may lead to their being treated as commodities to be bought (or kidnapped) and sold, rather than as full persons with their own preferences and rights.

In some countries where sex selection is widely practised it has indeed led to population imbalance. For example, in China in 2005, it was estimated that more than a million ‘extra’ males were born and that the number of males under the age of 20 exceeded the number of females by around 32 million.

Similar problems are reported in parts of India and in South Korea. However, this isn’t enough to show that it should be banned in the UK. Such evidence as there is suggests that unfettered sex selection wouldn’t in fact lead to a skewed population in the UK, even though it has done so in some other countries. The likely consequences of a policy of permitting sex selection are highly context-sensitive: they vary from one culture or country to another, with differing cultural features leading to very different outcomes. In cultures where sons are strongly favoured, and where there’s a strong commitment to heterosexual monogamy within the framework of marriage, then permitting sex selection may indeed lead, and in some cases has already led, to imbalance in the population. But the UK is not overall such a culture, and so the bad effects which a sex-selection policy might have or has had elsewhere needn’t happen here. Bad effects from the policy elsewhere aren’t enough to show that it should be banned here.

There are ethnic subgroups in the UK who do possess the cultural features which favour the production of an imbalanced population. But this result won’t necessarily affect the majority of people in the UK, since members of such subgroups may choose to have children with other members of the same group. If they do marry outside their subgroup, then these cultural features are likely to be diluted; if they don’t do so, then the population imbalance will only occur inside that sub-group. And though that imbalance may well be harmful to the members of that group, that doesn’t seem a sufficient reason for constraining the reproductive liberties of all of the rest of the population.

In any case as the examples of India and China show, legal prohibition does not guarantee that sex selection will not take place; it appears to have occurred in those countries despite laws prohibiting fetal sex determination and sex-selective abortion.

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7 See Wendy Rogers, Angela Ballantyne and Heather Draper, “Is sex selective abortion morally justified and should it be prohibited?” Bioethics, 21, (2007), 520-24: 522.
10 Dubuc and Coleman, for example, argue that “circumstantial evidence strongly suggests that since the 1990s, sex-selective abortions have become sufficiently prevalent among India-born mothers in England and Wales to alter the secondary sex ratio, especially among higher-order births. No other explanation seems possible.” Sylvie Dubuc and David Coleman, ‘An Increase in the Sex Ratio of Births to India-born Mothers in England and Wales: Evidence for Sex-Selective Abortion’, Population and Development Review, 2007, 33(2), 383-400: 394-5.
11 According to the Office of National Statistics (2001 Census Data), “non-White ethnic groups” make up less than 8% of the total population. 4% are “Asian or British Asian” (which includes Bangladeshi, Indian, and Pakistani) and just 0.4% are Chinese. ONS, Focus on Ethnicity and Identity, 2004. http://www.ons.gov.uk/ons/rel/ethnicity/focus-on-ethnicity-and-identity/focus-on-ethnicity-and-identity-summary-report/focus-on---ethnicity-and-identity-summary-report.pdf.
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Furthermore, banning sex selection can cause so-called ‘reproductive tourism’: the practice of seeking treatment overseas in order to escape restrictions in one’s own country. Indeed, there is evidence now that prospective parents from the UK have been travelling to the USA, where it’s possible to access sex selection procedures, though at considerable cost. The willingness of prospective parents to seek sex selection elsewhere if it isn’t available at home suggests that prohibition may not be very effective and one might argue that if people are going to access sex selection anyway then we may as well allow them to do this in their own country within a properly regulated healthcare system, rather than forcing them to suffer the cost, inconvenience, and risks of treatment overseas.

This argument has some force but is not a decisive argument for allowing sex selection. Why not? One reason is that, even if it is often circumvented by people going abroad, the UK ban on sex selection may still be partially effective, sufficient to discourage many people from taking steps to choose the sex of their baby (for example, those who can’t afford the time or money needed to travel overseas). A second (more important) reason is that, if it could be shown that sex selection were seriously morally wrong, then we might still be justified in banning it even if that ban could be circumvented by people going overseas. For when something is seriously morally wrong (the sexual exploitation of children, for example) we may still have good reason to ban it here even if people can evade that ban by going to other parts of the world where it’s allowed or tolerated. So this argument about sex selection and ‘reproductive tourism’ may well depend on the more fundamental question of whether sex selection actually is ethically objectionable. Concerns about the rise of ‘reproductive tourism’ will only provide us with a good reason to allow sex selection, if sex selection is not itself seriously morally wrong or harmful.

Irrespective of the possibilities of ‘reproductive tourism’, however, it seems clear that banning sex selection is not guaranteed to eliminate it, and permitting it may not have the bad effect of creating population imbalance. In addition, concerns about population sex imbalance could be dealt with through regulatory measures: for example, we could require clinics providing sex selection procedures to balance each couple selecting a boy with another couple selecting a girl, such that each sex selection clinic generated roughly equal numbers of boys and girls.

Alternatively, we could encourage or require sex selecting parents to donate any viable spare embryos to others who need them, thus almost completely eliminating any unbalancing effects, while also benefitting the recipients of the embryos and allaying some people’s concerns about embryos being ‘discarded’.

So even if there are legitimate worries about population imbalance, it doesn’t seem that we would need to forbid sex selection in order to deal with them.

Objections to sex selection (2): bad motives

Concerns about population imbalance are however only one kind of objection to choosing the sex of your child; there are other quite different ones which focus on the motives and attitudes of those who want to make such choices.

Firstly some people feel that children are a great gift to us, and argue that we should accept them as they are, without trying to determine their features too closely.

To appreciate children as gifts is to accept them as they come, not as objects of our design or products of our will or instruments of our ambition. Parental love is not contingent on the talents and attributes a child happens to have.

Is this a convincing objection to sex selection? There are many other gifts that life can bring us and we don’t always think that there’s anything objectionable about choosing some aspects of these over others: think of a person with many talents who reluctantly but definitely chooses to become an artist rather than a scientist, even though she has the capability to do either. There’s nothing morally problematic about her consciously choosing between these different ‘gifts’ and we wouldn’t expect anyone to make such important decisions for her. Alternatively, we could encourage or require sex selecting parents to donate any viable spare embryos to others who need them, thus almost completely eliminating any unbalancing effects, while also benefitting the recipients of the embryos and allaying some people’s concerns about embryos being ‘discarded’.

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13 ’Cross-border reproductive healthcare’ would be a more accurate expression.


15 Obviously some countries’ healthcare systems are better (and better regulated) than others, and so the extent of any additional risk will vary considerably, depending on where the prospective parents choose to go.

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choices at random, based on the toss of a coin. So even if something is a gift, it may be acceptable consciously to choose some aspects of it over others, or to choose one gift over another. Perhaps the same might be said of (as yet non-existent) future children. Whichever one is eventually born should be cherished and cared for but – before any child is created – there’s not necessarily anything wrong with having a preference for one possible gift over another.

A rather different kind of concern is expressed in the view that parents who try to choose the sex of their child are overly controlling, and are closing off avenues for the child’s future development.

However all education – moral, intellectual, practical – will have some effect on the child’s character, and we can’t really hope to avoid shaping our children in some ways rather than other ways. Parents commonly bring their children up to share their own religion, or lack of it; to find enjoyment in reading certain kinds of books (or not) and in playing or following certain kinds of sports (or not); to have strong commitments to some values (such as honesty or kindness) or perhaps to other ones (such as competitive success or sexual modesty). In each of these cases, some ways of developing are made easier and more likely for the child, and other ways are made harder and more alien. If this were to count as an argument against sex selection, then it would count as an argument against a huge swathe of other parental practices, which are impossible to control, and where it would be undesirable even to attempt to do so. Unless we are to remove autonomy from a large area of the lives of parents and their children then we have to accept that when parents open up some avenues for development for their children then they’ll also and inevitably close off some other ones.

Yet another objection to sex selection is the claim that it is sexist, and hence discriminatory.

How is it sexist? Because, so it is thought, it relies either on beliefs about the innate superiority of the selected sex, or at the very least on stereotyped views about the sexes, without which the choice of one sex rather than the other would be hard to understand. People prefer to have a boy, say, because they associate boys with physical energy and intellectual ambition, and associate girls on the other hand with domestic virtues such as tidiness and gentleness and affection. But such views are unwarranted, so the argument goes: they’re the product of discriminatory attitudes to women, and indeed it’s sometimes claimed that permitting a practice like sex selection, supposedly driven by stereotypical views, actually encourages sexism and discrimination against women elsewhere.

But this argument is not an entirely persuasive one. People may prefer a child of one sex rather than the other without believing in the innate superiority of that sex – they may simply like some of the features associated with children of that sex, or they may value the kind of relationship that they think will be possible with a child of the sex they favour. Or they may simply want to have the experience of bringing up a child of a particular sex because they already have the experience of rearing children of the other sex.17 This is what happens in cases of family balancing, where parents who already have more than one child of one sex seek to have a child of the other sex.17 There need be nothing sexist in such an aim; it may in fact be a clear case of valuing diversity. (We’ll return to the issue of family balancing below.)

None of this is to deny that sex selection may in some, perhaps many, cases be driven by sexist attitudes. But even where this is so, it’s not clear that this form of sexism causes serious harm to any specifiable individuals. Sexism which isn’t substantially harmful, while still of course morally objectionable, isn’t necessarily bad enough to warrant a legal ban on the practice of sex selection, with all the implications for reproductive liberty that that would involve, along with the monetary, practical, and social costs of policing (and, in some cases, criminalising) doctors and parents.

However there’s one worry about sexist attitudes which does claim that the sexism involved in sex selection would significantly harm other people. This is the view that, even if sex selection in this country wouldn’t lead to population imbalance or be harmful to specific individuals here, it would have a damaging effect on countries where bad outcomes of that kind were more likely. It would, in short, set a bad example, and could lead to serious population imbalance and the growth of sexism elsewhere.

This claim is a directly factual one, about the effect on other places of our permitting sex selection here, but there are good reasons to doubt whether it’s true. As was mentioned earlier, sex selection is currently being widely practised in other parts of the world, even where it’s illegal, and even where the

bad consequences have in fact already occurred. The presence of our supposedly good example of not permitting it doesn’t seem to be acting as a major influence on such cases, nor does it seem to have prevented the widespread occurrence of seriously sexist attitudes to women. Our practices here may simply not be particularly influential elsewhere. It may well be that people in China or India or Korea know little and care less about what the UK laws on sex selection are; and even if they did know we shouldn’t assume that they would have any desire to copy them – on the contrary, there might in some places be a reaction against such laws on general anti-Western grounds.

So such sexism as might be involved in the use of sex selection in this country doesn’t seem harmful enough to ground a plausible case for legal prohibition, even though, where the sexism occurs, it would be morally objectionable.

There’s one final worry about social sex selection which we should consider: some groups are hostile to it because they regard it as eugenics, which they see as always being wrong. It’s difficult however to see how this classification can be correct. Although ‘eugenics’ can be defined in various ways, the core feature of most definitions is that eugenics is the attempt to improve the human gene pool. But social sex selection doesn’t seem to involve anything like this. Sex selecting parents don’t seem concerned about the whole gene pool at all (and they almost certainly don’t desire an all-male or all-female population). Rather, their motives are, in a sense, more selfish than that: they simply want or prefer a boy or a girl because they think that they (or perhaps their families) will be better off, happier, with a child of that sex. In fact interestingly it’s medical sex selection (selection to avoid sex-linked genetic disorders) which is more vulnerable to the charge of eugenics, since that form of sex selection really is an attempt to reduce the incidence of genetically-determined disease in the population, but many people find this less morally problematic than social sex selection (as is reflected in the present legal position, which permits sex selection for the purposes of avoiding genetic disorders).

Family balancing: is it a special case?

Let’s now consider the case of sex selection for family balancing, where parents who don’t have a child of one particular sex want to select for that sex, in order to balance their family: e.g., a mother with three daughters may decide that she really wants a son. It’s sometimes thought that this form of sex selection is free of the worries about population imbalance and colluding with sexism which arise in other cases of sex selection. Could we perhaps justify permitting family balancing cases, alongside medical ones, while still banning other cases of social sex selection?

We can only justify a difference in our practice here if it’s clear that family balancing is morally different from ‘regular’ social sex selection. But this isn’t at all obvious. It’s true that family balancing cases are unlikely to lead to population imbalance in the UK, but then (as has been mentioned) the evidence suggests that regular social sex selection won’t lead to that imbalance anyway (and if it did, we could deal with the problem by regulation). It’s also true that family balancing practices won’t set a bad, sexist example for countries which would be threatened by population imbalance but, as we’ve already seen, our own practices in this area probably aren’t particularly influential elsewhere anyway. Finally, although family balancing considerations needn’t be driven by sexist attitudes, in some cases they may be, just as other types of social sex selection may be: we simply can’t say in advance which requests will be driven by sexist beliefs and which won’t.

So it doesn’t seem that sex selection for family balancing is so very different, morally speaking, from ‘regular’ social sex selection. Hence it would be hard to justify a policy which favoured one but not the other.

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18 See for example comments by Anthony Ozimic (Society for the Protection of Unborn Children) speaking on a recent Voice of Russia radio debate (‘UK parents are leaving Britain to choose sex of unborn baby’), 4th September 2012. http://ruvr.co.uk/2012_09_04/87084883/.

19 A much fuller treatment of these and other issues connected with eugenics can be found in Stephen Wilkinson, Choosing Tomorrow’s Children (Oxford: Oxford University Press, 2010), especially chapter 6.
**Conclusions**

Sex selection may have significant negative consequences in some countries and cultures and, where these are likely to occur, they must be taken seriously as objections to the practice. But there’s no reason to think that such consequences (in particular, population sex imbalance) would occur in the UK, and hence no reason to ban it on those grounds here. Sex selection may sometimes be driven by sexist attitudes, but it needn’t be, and often isn’t, and it would be unfair simply to assume that everyone who wishes to choose the gender of their baby is a sexist. Even where there are sexist beliefs and attitudes in play (such as gender stereotyping by parents), sex selection is unlikely to be substantially harmful in the UK context so, although such cases may be morally objectionable, that isn’t (on its own) a strong enough reason to prohibit the practice – we don’t generally expect or want law to enforce morality in every case. However, the fact that legal prohibition wouldn’t be justified in the UK doesn’t mean that sex selection should be paid for by the taxpayer, nor does it warrant a complete lack of regulation: indeed a proper regulatory regime would help to minimise any harmful effects.20

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20 For a much more extensive treatment of these issues, see Stephen Wilkinson, *Choosing Tomorrow’s Children* (Oxford: Oxford University Press, 2010), especially chapter 8.