



Dodging Old Traps: Aligning, Affirming and Addressing Disability Rights and Reproductive Autonomy

A new law enacted October 8, 2008 was a victory for supporters of reproductive autonomy and disability rights. The Act, Senate Bill 1810, calls for comprehensive information and support for women who receive a prenatal or postnatal diagnosis of Down syndrome or any other conditions. Prior to this bill, there were few requirements for information about prenatal genetic conditions related to the lived experiences of people with disabilities. Physicians and health professionals had to determine individually how to talk about a disability diagnosis to a pregnant woman or new mother. As a result, pregnant women, couples and new mothers have often received guidance that is both limited and influenced by our societal bias against disability. This lack of balanced information may be contributing to the high rate of abortion upon a prenatal diagnosis of Down syndrome.

The passage of the Prenatally and Postnatally Diagnosed Conditions Awareness Act is intended to shift this imbalance in information. By mandating accurate, comprehensive information about both the positive and negative aspects of disability, the Act has the potential to expand the discourse about disability in our country, and to better prepare women and their families to make the reproductive decisions that are right for them.

Generations Ahead recognized that SB 1810 offered an important opportunity for cross-sector alliance building. Because the Act contributes to both a reproductive autonomy and disability rights agenda, Generations Ahead was able to bring reproductive rights and disability rights organizations to work together, and bring a cross-sector critical analysis to the information sheet developed in response.

Beyond “Rights” vs. “Choice”

For disability rights activists, supporting SB 1810 was a given. Here was a bi-partisan bill that would elevate the national conversation around disability and provide additional support to women who choose to keep and raise children with disabilities. The National Down Syndrome Congress, the National Down Syndrome Society and the American Association of People with Disabilities were among the organizations whose efforts helped SB 1810 become law.

For reproductive rights and reproductive justice activists, on the other hand, SB 1810 was cause for skepticism, even alarm. Co-authored by Senator Sam Brownback (R-KS), a long-time opponent of abortion rights, SB 1810 could have criminalized abortion in the guise of prioritizing disability rights.

In other words, debate around SB 1810 had the potential to ignite a long-standing tension



between the disability rights and reproductive rights communities: the tension between reproductive autonomy for women, *including* the choice to terminate a pregnancy because of a disability diagnosis, and equal rights for people with disabilities, including valuing the lives of people born with Down Syndrome or other conditions.

Generations Ahead reached out to both disability rights groups and reproductive rights and justice groups to show that the Act was an opportunity to move beyond the narrow terrain of disability rights versus reproductive choice. They highlighted the fact that Senator Ted Kennedy co-authored the bill, and he had ensured that there was no anti-choice language in the legislation. They highlighted common ground among these organizations: their shared interest in ensuring that pregnant women receive unbiased, non-directive information about prenatal genetic conditions and the range of reproductive and postnatal services available to address these conditions.

Generations Ahead documented this position in an information sheet drafted before SB 1810 passed. They then reached out to ally groups to contribute to and endorse the document. Generations Ahead and the other organizations who signed on – the World Institute on Disability, the National Women’s Health Network, the Disability Rights Education and Defense Fund, and the Reproductive Health Technologies Project – released the information sheet on October 16th, posted it on their websites, and sent it out to existing constituents and to potential allies in disability rights, reproductive rights, and reproductive justice communities.

This action was a timely step forward in linking reproductive autonomy and disability issues. “I believe this work opened the door further to deeper relationships between disability rights reproductive rights and reproductive justice,” says Jessica Lehman, Disability Rights and Justice Project Director at Generations Ahead.

“It was an example of how Generations Ahead is trusted to respond to issues not traditionally acted on by reproductive rights and justice organizations,” said Emily Galpern, Reproductive Health, Rights and Justice Project Director at Generations Ahead. “Involving these groups in disability issues will lead to a better understanding of the nature of disability and the value of disabled citizens to their families, their communities and society.”

Common Ground to Build Power

The leadership of Generations Ahead articulated a framework that encompasses disability rights, reproductive rights and justice. Their work in response to the Act is one small step beyond the trap of the disability rights vs. reproductive choice divide. Instead of being pitted against one another and potentially losing battles for both groups, these communities can begin to speak with united voices on issues affecting their communities.

Generations Ahead will continue to support cross-sector conversations among these groups and others by hosting roundtable discussions and conducting opportunity-based alliance building. These ongoing efforts provide a foundation from which to monitor the implementation of the Act and support the provision of culturally appropriate information on a broad range of disabilities and on the spectrum of reproductive options available to pregnant women, new mothers and their families.

