

Female Foeticide in India with Special Reference to the North East

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Introduction

Foeticide is a global bioethical issue today. The debate whether it should be allowed or not is continuing. Until now, there is no universally accepted view or decision. In the meantime, female foeticide is becoming a burning issue in India. If foeticide is considered as a crime, female foeticide is a worse crime as it has sexual bias. It is a serious challenge to the equality of human right. More importantly, it will affect sex ratio of the population. That juvenile sex ratio is rapidly declining in some states is clearly seen in 2001 census report. The magnitude of the decline- 82 points in Punjab, 59 in Haryana, 54 in Himachal Pradesh, 50 in Gujarat, 42 in Uttaranchal and 29 in Maharastra- was much higher than in the previous decade.¹

Whatever may be one's opinion regarding foeticide, female foeticide, for the foetus being female, is not accepted by society. In spite of social non-acceptability, it is sad to say that female foeticide is a real phenomenon in India.

Indian government has been trying to check this problem by making laws that are more stringent. Many suggestions to resolve this problem have been given by social workers and intellectuals. However, the problem persists.

Persistence of this problem is, in the opinion of the authors, mainly because of the fact that the causes of this problem still exist, and there will be this problem until or unless the causes are removed. In this line, causes of this problem, steps to be taken up for resolving this problem and the possible role of bioethics in tackling this problem are discussed below :

Origin and evolution of female foeticide

Female foeticide originated at a time when prenatal sex determination technique was developed. Those who believe in a golden past and lament

only the ever-increasing decline of bioethics may hastily attribute the origin of this problem to the decline of bioethics. We are afraid that this view is an oversimplification. We need to view it objectively. The problem is a recent phenomenon because the precondition of this problem i.e., prenatal sex determination technique is a recent development. The problem could not precede its precondition. The fact that this problem arose soon after prenatal sex determination technique was developed, is the proof that causes of this problem had existed for at least quite some time before the development of prenatal sex determination technique and in vitro fertilisation. No doubt, these are the techniques, which enable us to realize a possibility in the form of female foeticide and sex selection before fertilisation. In our opinion, female foeticide was evolved from female infanticide, which was quite common in India before the invention of prenatal sex determination technique.

Factors of female foeticide

Most parents prefer son to daughter. Strong preference for sons in Indian tradition, especially in Northern and western India has historical, traditional, social and economic roots.² This leads to either female infanticide or female foeticide. Female infanticide was prevalent not long ago. Invention of prenatal sex determination technique was quickly followed by female foeticide. Foeticide is simpler, and more importantly emotionally less involved and easier to conceal from the society. This simpler means coupled with ever increasing social factors of female homicide leads to increasing rate of female homicide in the form of female foeticide. Then, what are the factors ? That is, why do parents strongly prefer sons to daughters ?

Social problems are caused by many factors, and it is not easy to clearly find out the cause effect relationship. We are of the opinion that, (i) Dowry, and (ii) cares of the aged parents are the main factors of this problem and (iii) Poverty and poverty of bioethics.

(i) Dowry: - Dowry or Dahej (Hindi) is the payment in cash or/ kind by the bride's family to the bridegroom's family at the time of marriage. In the past, dowry was a voluntary gift. Now, it becomes obligatory. Problem arises not because of its obligatory nature, but because the quantity of dowry is a function of the qualification and socio-economic status of the groom. Highly qualified grooms naturally get more dowry.

Quite paradoxically, some families try to meet their debts by extracting a large cash of dowry in exchange of their son's hand in

marriage.³ Others try to meet their ambitions, for example, by obtaining education of their sons abroad or building an extension to their house.⁴ It implies that dowry is no longer a one-time transaction. In fact, rituals, occasions, festivals, and indeed any minor pretext result in more demands in the name of dowry. Thus, dowry makes a woman a liability on the part of parents in India. In what way, dowry makes a woman a liability and how it may lead to female foeticide are discussed below :

The parents of the groom fix the quantity arbitrarily and many a marriage was cancelled due to disagreement over the quantity of dowry. In some cases, marriage occurred peacefully even though the stipulated amount of dowry was not given on the day of the marriage. However, such marriages occurred only after parents of the bride promised to pay the remaining balance on a fixed date. What happens to the marriage if the parents are not able to pay on the fixed date? Many a marriage ends in divorce. A divorced daughter will return to the parents and the parents have to take care of the daughter physically, socially, and economically. This situation is exaggerated because majority of women are economically dependent. Socially, there is virtually no damage of divorce to the divorced man. However, life of a young divorced woman is terrible, and she is the laughing stock of the society. Therefore, consequence of a broken marriage is qualitatively different in man and woman. Therefore, parents of a woman always try to save their daughter's marriage at any cost. However, there are innumerable cases where they are unable to keep their promise. Their last hope, if they fail to pay the remaining portion of dowry, is God, and naturally, they pray to God that nothing unwanted happens to the marriage of their daughter. However, their immediate God is not the supreme Lord or whoever one believes to determine their fates, but their daughter's husband and her in laws. It is entirely at the mercy of the immediate mortal Gods that hinges the extremely delicate thread of their daughter's marriage. Sometimes, a change of heart of the mortal Gods saves the marriage. Otherwise, there are only three possible resolutions: first is divorce, second is the killing of the woman by her husband and / or in laws and third is suicide by the woman. Because of the qualitative difference of consequence of divorce in man and woman, the first option affects a woman more. The second and third option free the woman and their parents from the social trauma that they will face after the first choice and also the parents of the woman are not liable to pay the rest of the dowry. However, the effect of the death of the woman due to inability to perform their social obligations will haunt the woman's parents until their death.

So, a natural question rises: Which will be better between killing a daughter in foetal stage by the parents and their daughter being killed either by self or by others later? It seems that there is justification in their killing of daughters during foetal stage. They may or may not be aware of the fact that chance of a female birth is almost equal to that of a male birth and these are random events; if these random events are disturbed, sex ratio in society will be severely affected. This broad social outlook is of no importance and meaning to those parents who are having immediate economic problems.

One may question the law of this state. Of course, there are laws against exploitation of women, laws against dowry system, laws against wife killing etc. However, if the party of the groom can prove that they did not demand anything as dowry, if they can give some legal reasons of divorce other than dowry, and if they can prove the death of the woman as suicide, then they are innocent in the eye of law. Therefore, their activities are legal. Laws, however good they are, have many loopholes and limitations. Laws alone cannot solve a social problem.

(ii) Care of aged: Everybody feels that he will need care and help when he becomes old. A daughter will go to her husband's home after marriage. She will serve the aged in laws, no doubt. However, contribution of a woman to her parents after marriage is generally negligible. Therefore, every family feels the need of at least a son.

In the past, a family produced as many children as possible. Nowadays, number of children per family particularly among the middle class families is on the decline. This may be good for India having problem of excessive population. Moreover, some may conclude that this is maturity and an effort to check population explosion. However, there is also another reason. Middle class parents cannot afford to have many children, and they have a limited resource of time to commit to their children as, in Darwinian language, they are also fighting for their survival and existence. If they cannot have two children, they should have one and that should be a son. In an earlier study, 72% of the respondents from Bombay and its suburbs considered abortion as a sin as it is a murder and rejection of God's will. However, quite paradoxically, 95% of these women favoured termination of pregnancy if they knew that the foetus is female.⁵ This double standard in ethical reasoning clearly indicates how desperately parents like to have sons.

Of course, there is no surety that a son will take care of parents in old age. As families are becoming increasingly nuclear and as sons

move to far places in search of livelihood, sons' contribution to parents are on the decline. It is not known what will happen in a few decades time but now, sons, it seems, are necessary. That is, the probability that a son will take care of his aged parents is much more than that of a daughter.

(iii). Poverty: Poverty plays an important role in female foeticide. Firstly, fear of the problems that parents will face at their daughters' marriage may lead poor parents to commit female foeticide. Secondly, Poor people look forward to their offspring for financial help. Main help comes through child labour. Child labour affects both sexes. However, in a society where there are crimes against women in the form of molest, rape, abduction etc., sons are better helpers. Sons can go far and wide in search of job for quick financial return. In short, sons are better commodities than daughters. This is one reason of son preference..

(iv). Poverty of ethics: Prevalence of female foeticide does not only mean bad economic condition of a society but also poverty of ethics. Economy is not always decisive. It is true that there is little autonomy of the poor. It is even said that there is no free choice in poverty.⁶

However, the poorest of the society who suffer most during their daughters' marriage cannot afford the cost of female foeticide. Again all poor people do not commit either foeticide or infanticide. Otherwise, juvenile sex ratio should have been quite different from the present situation.

If we are to point out the most important factor of female foeticide, it is the poverty of bioethics. Because, members of upper middle class including bureaucrat officers who can afford dowry have reportedly committed female foeticide. In the final analysis, female foeticide is due to ignorance and distorted reflection of real role of sex in society coupled with bad economic situation.

(v). Son preference to maintain patrilineage: Due to ignorance of biology, most people do not give genetic identity to a married woman. People tend to forget/ignore the very fact that a woman inherits from her parents as much amount as her brother inherits from his parents. And parents think their sons as their real descendants, their identity, and their real asset. People's preference for sons to daughters because of this reason is clearly visible in areas of India where there is no problem of dowry.

Some Consideration for North East India

North East India is a region where plethora of problem exists. Under development, lack of employment opportunities, ethnic conflicts, and insurgencies etc. are a regular feature of the region. Besides we are also witnessing increasing instances of discrimination of women though the women of the region are playing a greater role in economic and social activities in comparison with their male counterpart.

Though hard and fast data about the existence of female foeticide are not available may be due to awareness among those involved in this obnoxious practice of the likely legal wrangles involved, it appears that there is an increasing practice of female foeticide among the middle class families. Instances of dowry related crimes are comparatively few in comparison with other regions of the country, however, it is expected that a fair amount of doery either in cash or kind is given to the bride at the time of marriage. Manages are becoming an expensive affair on the part of the parents of a bride. Hence one witness an increasing preference for male offspring.

The following table shows sex ratio prevailing in seven states of North East India during the last three decadal census, (female sex ratio per thousand male).

Sex Ratio in North East India⁷

	1981	1991	2001
Arunachal Pradesh	862	859	893
Assam	901	923	934
Manipur	971	958	974
Meghalaya	954	955	948
Mizoram	919	921	935
Nagaland	863	886	900
Tripura	946	945	942
North East India	901	921	932
All India	933	927	932

The table clearly shows that female sex ratio in comparison to their male counterpart is much below the all India average, though there are considerable signs of improvement during the census of 2001. There are two possible reasons for difference in female sex ratio of the region in comparison with the all India ratio. They are, illegal influx of foreigners,

and migration of people from other parts of the country to the region. If the above features are attributes which resulted in sex ratio imbalance for the region, it could be checked by taking up necessary regulations. However, if such a scenario occurs due to prevalence of female foeticide on a larger scale, it will seriously affect demographic balance and social equilibrium of the region with serious repurcursion in the near future. Serious attention of social scientists and activists are drawn for a critical observation and analysis of the issue.

How to tackle the problem

Experience shows that it is extremely difficult to control/cure a social disease. Both positive and negative controls are required. Removal of the causes of this phenomenon and imparting bioethics education (prescriptive bioethics) are the aspects of positive control; action taken against the culprit is the negative control. In this line, steps to be taken up for solving this problem are suggested.

There are socio-economic reasons of son preference. While one's preference cannot and should not be questioned, there should not be any advantage of sons over daughters. It calls for economic upliftment of the poor so that parents do not look for financial help from their young children. Improvement of economic condition will certainly reduce son preference. Son preference for the sack of patrilineage can be reduced through more emphasis on biology education

Another important reason of son preference is due to the social outlook of sons as the guardians of aged parents. One has the right to think of his old age and son preference for this reason cannot be called selfish. Success of organic evolution is through survival of the fittest and production of viable and fertile offspring. Of course, genetically speaking, one's role is over once one stops reproducing. Meaning and values of old age evolved through cultural evolution. Cultural evolution discovered the hidden use of old age in terms of social contributions of old people for old people can do more for the society because young people are busy in their own affairs like education, bringing up children, establishing of family etc. The same cultural evolution makes a young couple in anticipation of care by their sons in their old age prefer sons to daughters. If society reciprocates the contributions of aged and weak people of what they did during their prime by feeding, serving, taking physical and mental care of them, preference of sons by young couples

will surely reduce. To make it a reality, we need a rich government. An economic revolution so that a government has adequate fund to take care of the old people is essential. This should be the goal of every society. Having achieved this, parents will cease to think of having at least a son.

Before this becomes a reality, we need a strict control of prenatal sex determination and female foeticide. Those who conduct these activities and their clients must be severely punished, because, sex selection is not restricted to poor families only. Some rich people who can afford to give whatever dowry as being asked also like to undergo sex selection. Therefore, strict negative control is the need of the hour.

Then, we need to look into the existing dowry system in India. Dowry at present is like extortion from bride's parents. With the increase in the disparity between the rich and the poor, the problem of dowry also increases. It reaches such a dangerous level that strict negative control in the form of severe punishment of those who demand dowry is essential.

However, negative control will give only partial success, as the problem will be reduced as long as the control is applied and there will always be cases, which are concealed. Therefore, we should emphasise positive controls.

Social workers, mass media are taking up many positive measures like propaganda, discussions, plays etc. More emphasis is needed. Public should be made aware that the sinister character of present day dowry was evolved from an innocuous form of dowry which was in essence a voluntary gift of bride's parents during marriage. Dowry is not bad as long as it is voluntary on the part of the bride's parents and as long as it is not something to be quantified and bargained for. Because a young couple needs money to establish their family and it is good if parents of both parties give cash and kind to the young couple. Therefore, what is needed is not total ban of dowry but reevaluation and reinterpretation of dowry to remove the bad aspects of dowry and restoration of the good aspects.

Lastly, socialization will play the most important role in dealing with this problem. What we need is bioethically matured society in this regard so that youngsters are given proper socialization.

At a stage, we will surely teach our children about in vitro fertilisation, prenatal sex determination techniques, and prenatal genetic

examination for probable genetic predispositions to certain diseases. In our opinion, this teaching should be preceded by the teaching of social role of man and woman in families and in society. We need to impart our children to make them possess a world scientific outlook. We need to teach them that foeticide for the only reason that the foetus is female is a no one gains but everybody loses situation. If parents of a groom cause problems for a bride or bride's parents in marriage, they will also face the same problem in marrying their daughters. If they kill their daughters in law, the in law of their daughters may also kill their daughters. More importantly, if parents go on killing females at any stage of their lives for they are females, will severely imbalance the sex ratio of the population. This may lead to more crimes against women. It will affect gene frequencies, and gene pool of the population will become smaller. Lastly, it may threaten the very continuation of human beings on the earth.

While it is important to give bioethics education on female foeticide, it is also equally important to let children hear about the actual punishment of those who demand dowry, who conduct sex determination and female foeticide. They must also see social workers that do not only preach but also practice what they preach. We need to create an environment in which children will grow up as men and women with the idea that female foeticide is a crime one must not commit

Conclusion

Female foeticide is a serious problem with far reaching consequences. It originated and evolved in a specific space and time where there is more social advantage of having sons and when technology to determine the sex of a foetus is realized.

In order to solve this problem, social selection factors need to be changed so as not to give any advantage to sons. It needs not only improvement of economy but revolutionizing economy. Economic equality in abundance, and not equality of poverty is required.

However, as the above goal cannot be achieved in a short time and remnants of old idea will persist in some even after achieving this goal, negative control to punish the culprits is also essential. Society and law of state should take care of this.

Lastly, people need a radically changed thinking. Bioethics education addressing these issues is of prime importance. The ultimate aim is not

to control a problem but to eradicate it. It implies lesser and lesser negative control as time goes on till no negative control is required. So, bioethics education will become more and more important as time goes on.

Notes and References

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