The Vanishing Girl Child

J. Kishore
Preface

This study of female feticide, its causes and preventive measures initially grew out of my interest in the feminist movement in the world. It began as a small study carried out by me with my wife Dr. Indu Grewal who presented a paper in the International Conference on Empowering Women organized by the International Humanist and Ethical Union (IHEU) in London in 2003. Later on, I kept studying religious, political, philosophical position of women and legislations in relation to their empowerment. Religious beliefs of people that determine the course of action of women in day to day life was better understood when I interviewed many Indian women and men on this subject. I do not claim that my findings are unique and new in this monograph, but rather they are an attempt to reinforce human values that dignified woman as human as man and as equal too.

My interest in the subject began with trying to understand why there were discriminations in the religious scripture against women and why even great leaders failed to give equal status to women in their official orders. The equal status given to women is probably based on their obvious physical differences from men. However, the phenomenon of femininity/masculinity or gender roles cannot be seen in such a simplistic way. Rather, the phenomenon and roles have been created through the ages by men according to their own convinience.

Following up on how women are treated in history according to a variety of sources, I was both puzzled and fascinated by the fact that each revealed a similar sad story of women. My views are based on available references ad could be biased towards women. But it is what
I think it should be. I do not at all intend to hurt the sentiments of any religious or official agency but in good faith. I believe one day women will be liberated and empowered and both men and women will become equal.

I hope this book would be useful to academicians, researchers and students in the field of human right, public health, medicine, social development, ethics, feminist movement, judiciary and political system and any person who is concerned to humanity.

I would particularly like to thank Dr. Indu Grewal not only for her moral and philosophical support in this project but also for helping in conducting interviews of women in her health center. I am grateful to Rev. Bhante Sandawara for his blessings and Mr. M Subba Rao for his constant support and for lending me his valuable reference materials.

I am also grateful to Dr. Amrita Misra for her contribution who not only read and critiqued sources in a way that I like but also helped me fashion the overall presentation of the book.

My wife and son, Cynthal deserve special thanks for sparing me to complete this project.

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Dr. J Kishore

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Killing of women exists in various forms in all societies the world over. Unfortunately the killing of women is severe in China, India, Korea, Bangladesh, and Pakistan. India has special and most inhuman and unethical killing methods—dowry deaths, sati, rape leading to suicide or homicide, female feticide, and human sacrifices. Female feticide is one extreme manifestation of violence against women. Female fetuses are selectively aborted after prenatal sex determination, thus avoiding the birth of girls. Female infanticide is the murder of an infant girl child, often occurring as a deliberate murder of a girl infant child or as the result of neglect. It is found that out of 8000 abortions carried out in a clinic, 7997 were having female fetuses. Because of rampant female killing 35 to 40 million girls and women are missing from the Indian population alone.

More recently, International conferences such as the Vienna-1993, Cairo-1994, Copenhagen 1995 and Beijing-1995 explicitly highlighted this problem. The World Health Assembly in 1996 endorsed that violence against women is a public health problem. In 1998, the 50th anniversary of the ‘Declaration of Human Rights’ was celebrated by the United Nations with a global campaign for elimination of gender-based violence. The objective was to influence public opinion and attitudes, policies, practices and legislation to facilitate a violence-free life for women. Still, sex ratio is continued to be adversely favoring girls throughout the world. This is as a result of gender discrimination. The UN stated that discrimination against girls anywhere in the world is a social ill and human rights violation, which must be stopped (UN Oct 2003).

Worst gender ratios are found in South-East Asian Countries such as India and China indicating gross violation of woman rights. It would be interesting to analyze the reasons for such rampant violation against women. Modern technologies such as sex-determination by ultrasonography, amniocentesis, in vitro fertilization has aggravated this situation. The most disturbing situation is the sex selection advertisements that have appeared in leading newspapers like The New York Times in 2001 and various websites are still advertising sex selection. Ads in the North American editions of *Indian Express* and in *India Abroad* have specifically targeted South Asians living in America (Sachs 2001).

No moral and ethical theory supports such procedure for gender identification. In absence of awareness of women rights and indifferent attitude of government and medical professionals might have caused this disorder in society. Available legislation for prevention of sex-determination in India and abroad needs strict implementation besides launching of programs for extensive attitudinal changes of professional and people.

Recently the United Nations has declared the Millennium Development Goals that to be achieved by 2015 (UN 2001) and all countries including India are signatory on the declaration in September 2001. Unfortunately sex ratio as an important indicator of gender equality and women empowerment has been totally forgotten. This could be due to age-long belief system and male dominance religious system prevailing in all societies in the world. Why the root cause of all suffering i.e. myths and misconceptions about female, religious and holy wars for female is not the issue of discussion at the global forums. This book is the outcome of perception of the agony of women suffering, their undervalued status, every day humiliation, perception of dangerous imbalance of sex ratio, inhuman practice of killing of unborn girl child, and urgent need for change in the mindset of people. In this process of understanding of women, I have got total transformation in my life. I believe, we all can change if we are committed to the progress of mankind.
Defining Gender

All human societies divide their populations into two social categories, which they call “Male” and “Female”. Each of these categories is based on a series of assumptions and realities drawn from the culture and science in which they occur. Although this binary division of humanity into two genders is universal, on closer examination one can see that it is a rather more complex phenomenon, with many variations reported in how ‘male’ and ‘female’ behavior is defined in different cultural groups. Gender describes the socially constructed roles, activities, and responsibilities assigned to women and men in a given culture, location, or time. It differs from sex, which describes biological and genetic differences between men and women. Gender is learned and changes over time. Gender functions at the household level, community, and national levels and thus is embedded in a society’s social, cultural, economic, and political system.

There is always a debate on origin of human being. It is debated that human being, i.e., human behavior and human mind (intelligence and personality), perceived differences between various groups (ethnic or religious groups, social class, or gender) is the outcome of nature or nurture. In strict sense of ‘nature’ there is a biological reason for difference in human beings and it is politically accepted that one is inferior to another and this could never be altered and environment (nurture) does not play any role. Last century has witnessed many prosecution, colonization or exploitation of various groups of people in different parts of world on this basis. But this is rejected now throughout world in civilized countries and considered to be more primitive thought. Now human being is taken as the outcome of a complex interaction—within a specific environment—between cultural, ecology and social structure, and the psychobiological nature of human being.

Some anthropologists observed particularly in Western communities that women and their sexuality have often been seen as “less cultural” than men, and equated with “nature” (fertility, polluting, dangerous) rather than with the “culture” (controlled, creative and ordered) of the male world (Mac Cormack 1981). At the same time “culture” is considered as more superior and human than “nature”. This model provided a justification for the superiority of men, for it saw female “nature” as something to be conquered, transformed and then made productive by the forces of male “culture”. They have argued that this conceptual division of gender is artificial, a false dichotomy that represents a specifically Western and culture-bound way of looking at human behavior which is not found in other cultures. To some extent this concept is prevalent in most of the communities in world and female is always conquered in wars, games, etc. There are many evidences in history when women were kidnapped or conquered in wars or when a king won war then he used to keep all wives of looser king like any other property. More civilized communities would not accept now such concept about female.

Gender differences are determined by sexual characteristics. This is influenced by both biological and environmental factors. In all societies, men and women have different body shapes, and different physiological cycles; women menstruate, become pregnant, and give birth and lactate, while men do not. But this is not so simple and the gender of a particular individual can be resulted from a complex combination of a number of elements (Helman 1994). These include:

- **Genetic gender** is based on genotype, and the combinations of the two sex chromosomes, X and Y (XX-female, and XY-male).

- **Somatic gender** is based on phenotype, especially physical appearance, and the development of secondary sex characteristics (exter-
nal genitalia, breasts, voice and distribution of body fat and hair).

*Psychological gender* is based on the person’s own self-perception and behavior.

*Social gender* is based on the wider cultural categories of “male” and “female” which define how individuals are perceived by society, how they must look, think, feel, dress, act and perceive the world that they live in.

According to these various aspects of gender the binary division of male and female need to be understood in broader prospective. From one aspect only the gender cannot be defined segregated as male or female. At the genetic level, for example, the division of population into either XX or XY can be altered where certain abnormalities of the sex chromosomes occur, such as in Turner’s syndrome (XO), Klinefilter’s syndrome (XXY), Y polysomy (XYY), or even true hermaphrodism (XX/XY). There may be abnormalities at the level of physical structure due to hormonal differences such as adrenal insufficiency or hypersecretion. In adrenogenital syndrome, increased ACTH level causes ‘masculine’ characters in genetic females (Ganong 1983). So sexual categories include: male, female, intersexual (persons with both male and female sexual characteristics), and transsexual (persons who undergo surgical and/or hormonal intervention to reassign their sex) (Faushe-Sterling 2000).

A useful definition of gender is provided by de Lauretis: The cultural conceptions of male and female as two complementary yet mutually exclusive categories into which all human beings are placed constitute within each culture a gender system that correlates sex to cultural contents according to social values and hierarchies. Although the meanings vary with each concept, a sex-gender system is always intimately interconnected with political and economic factors in each society. In this light, the cultural construction of sex into gender and the asymmetry that characterizes all gender systems cross-culturally (though each in its particular ways) are understood as systematically linked to the organization of social inequality.

The sex/gender system is primarily a cultural construct that is itself constituted by social structure. That is to say, gender systems are differently manifested in kinship-ordered, agrarian, developing, and advanced industrialized settings. Type of political regime and state ideology further influence the gender system. States that are Marxist (for example, the former German Democratic Republic), theocratic (Saudi Arabia), conservative democratic (the United States), and social democratic (the Nordic countries) have quite different laws about women and different policies on the family.

Beside socially determined gender inequalities may have many other reasons. According to Blumberg and Chafetz, among others lack of economic power of women is the most important determinant of gender inequalities, including those of marriage, parenthood, and sexuality. The division of labor by gender at the macro level reinforces that of the household. This dynamic is an important source of women’s disadvantaged position and of the stability of the gender system. Another important source is juridical and ideological. In most contemporary societal arrangements, ‘masculine’ and ‘feminine’ are defined by law and custom; men and women have unequal access to political power and economic resources, and cultural images and representations of women are fundamentally distinct from those of men—even in societies formally committed to social (including gender) equality.

It is said that inequalities are learned and taught, and “the non-perception of suffering and disadvantages of women helps to perpetuate it further.” Many governments do not take an active interest in improving women’s status and opportunities, and not all countries have active and autonomous women’s organizations to protect and further women’s interests and rights (U. ariza.edu 2004).
Gender and Body Image

Religiously and culturally approved body image is different for female. Beauty of the woman is defined differently and in some cases women need to undergo painful alteration. The Satapatha Brahmana (I.2.5.16), a religious text of Hindus maintains that in order to be attractive a female should have broad hips and a slender waist. According to Manu in Manu Smrti, girls with red hair, physical deformities, either too much or no body hair, a sallow complexion and a sickly physique were to be avoided. He advocates marriage with a woman who is well formed, has a pleasant name, the gait of a goose or an elephant, fine teeth and hair, and delicate physique (Manu Smrti 3.8 10). The Visnu-purana (III.10.18-22) adds that a girl should not have a hairy chin or upper lip. Her voice should be musical. She should not have hairy legs or ankles, and should be of the right height. She is even forbidden dimples when she laughs. The mangal-sutra, tied by the husband round the bride’s neck during the Hindu marriage-ceremony, is another gender-based symbol of matrimony.

In Imperial China, binding of women’s feet is common and artificial fattening of girls in some parts of West Africa. In India women’s nose and ears piercing for wearing beautifying ornaments is common. The most controversial (Gordon 1991) is probably female circumcision in its various forms. It usually involves the removal of all, or part, of external genitalia, and is carried out on girls ranging in age from one month to puberty. An estimated 80 million girls and women living in 1990s have undergone circumcision –especially in sub-Saharan Africa, and Arab world, Malaysia and Indonesia and some of the Western countries (Ladjali 1993).

Female circumcision carries with it the dangers of infection, hemorrhage, damage to adjacent organs, scar tissue formation, and long-term difficulties with micturition and menstruation, and later with childbirth (Ladjali 1993, Jeffcoate 1962). Especially women in many societies, to conform to culturally defined standards of “beauty” use various forms of self-mutilation or alteration. These include the widespread use of orthodontics to straighten front teeth; plastic surgery of noses, ears and chins; ear piercing; ‘body building’ regimens; breast prostheses; ‘face-lifting’ surgery; hair implants for baldness; as well as the use of false teeth, eyelashes and fingernails. Also included here are the various forms of dieting used by women in order to reduce their weight to ‘attractive’ dimensions usually designed by the male societies.

Anorexia nervosa is a psychiatric disease contributed by her body image in which female wants to be slim because obesity is curse. To suit the desire of male communities female has to wear particular type of dresses that is approved by religious norms. It is sinful to imitate like male by wearing male dresses according to majorities of religions.

Some young people, especially women, are at risk for HIV/AIDS because they have a poor self-image and deny that they need contraceptives and preventive measures against infections (Offer 1988). Due to submissive status she can’t use contraceptives herself and many a time afraid of asking her partner’s sexual history. Preventive measures such as awareness about partner’s status of HIV, previous sexual history, and using contraceptive during sexual act if taken by her may endanger her relationship.

Women’s lack of control over their own bodies and sexuality is at the root of a wide range of women’s human rights violations in the world, and taboos around women’s sexuality serve to maintain the structures, which support these violations. In the end, it can be stated that the combination of laws, social practices, traditions, religious and cultural constructs intertwines to shape the concept of sexuality and gender.
3
SEX RATIO

‘Sex ratio’ is the number of females per thousand males in a population. If the sex ratio is nearly one, there is balance between the sexes and indicates gender equality. But if it is too less or too much greater than unity, there exists sexual imbalance in the population. Any great sexual imbalance in a population usually leads to a social disequilibrium (Kishore 2002, UNADI 1980). Female infanticide and feticide can be better understood by the study of sex ratio in 0-6 years age group. This is now being used in India to expose the myth that India is doing well in reverting imbalance due to sexism. Sexism involves inequitable gender relationships and refers to institutional and interpersonal practices whereby members of dominant gender groups (typically man) acquire privileges by subordinating other gender groups (typically women) and justify these practices via ideologies of innate superiority, difference, or deviance (Krieger 2000, Fausto-Sterling 2000, Essed 1996, Krieger et al 1993).

China

It was found that as many as 50 million women are “missing” in China—“victim of female feticide, selective malnourishment of girls, lack of investment in women’s health and various forms of violence”. A one child per couple policy, population control policy, and modern medical technology have combined to create a demographic nightmare that threatens China’s stability. It may even endanger the country’s prospects for democracy. Over the next two decades, as many as 40 million young Chinese men will not be able to marry, settle down and start families. There won’t be enough wives to go around. Growing numbers of lonely men in migrant shantytowns and isolated farm villages will pose a threat to social order. They could force Beijing to tighten its grip on society or even seek military conflicts overseas to keep restless bachelors occupied.

China’s census reports that 116.9 Chinese boys were born for every 100 girls. The figure worldwide is 105-107 boys. Southern China’s Guangdong and Hainan provinces and the Guangxi Zhuang Autonomous Region now share the most marked imbalance in the country at 100 girls to over 130 boys. Many government officials seriously disbelieved these figures and blamed: (1) the reliability of the data, (2) migrant population aged 10-30 years, (3) with holding reporting of births of girls so as to have an excuse to have another child, preferably a boy (4) girl child trafficking, and (5) adoption of children by foreigners, that is, mostly girls (China Daily May 26, 2004). However, ground reality can not be ignored. A report by a University of Kent team says China will have 29-33 million unmarried males aged 15-34 by 2020. Other studies put the figure at 40-60 million. These unmarried young men are called guang guan, or ‘bare branches’, in Chinese. The government is alarmed at the bachelor surplus and concerned about this seriously dangerous ratio.

China’s economic changes have exaggerated distortions. Women from rural areas are seeking factory jobs in the booming eastern coast. Rural men are finding employment in public works in the interior. Valerie Hudson, a Brigham Young University political scientist who studies the political effects of gender imbalances, says, “Anybody who is expecting China to become a democratic paradise, well, I don’t think they’re looking at the sex ratios.” Many Scholars have noted that in the mid-1800s a quarter of men never married for lack of women. This led to the Nien rebellion, which took the then Qing dynasty 17 years to crush. “If the Harmful traditional anti-Semitic practices in China cannot be held accountable for what they have wrought the public, they will have to forgive Hitler, Stalin and Mao, too” say World NetDaily.com (2004).
Adverse sex ratio in China could be beside the one child policy, son preference. If parents desire a son and government desires a one child policy then obviously females must be prevented from taking birth in Chinese land. Another contribution of son preference is the lack of an effective social security system. Only one-tenth of farmers in China are covered by social security. With no social security system to rely on, they turn to giving birth to sons to support them when they are old. The nuclear family structure in the wake of a rapid fertility decline coupled with a strong son preference naturally led to prenatal sex selection of children when the means to predetermine the sex of an unborn child, such as ultrasonic scanning technology, made its appearance in most remote area of the country. When fewer children for each couple has become a social trend, people like to make their choices and son is always a preference.

The WHO has stated “Son preference affects all aspects of a woman’s life, including child care, health, education and employment, because she is discriminated against the moment she is born and sometimes even before if sex-selection procedures are available (WHO 1997).

India

In the Economic survey 2001, it is stated that the worrying problem is missing women from the country. These missing millions of females were either never born or died of chronic malnutrition or because of lack of medical attention. The United Nations has expressed serious concern over elimination of girls by abortion and infanticide in India. Recent data showed that the girl-to-boy ratio had dropped to fewer than 800 girls per 1,000 boys in some parts of the country (UN 29th October 2003). The most affected states are Punjab, Haryana, Himachal Pradesh and Gujarat, where the ratio has ‘drastically declined’.

The provisional census results of 2001 reveal that there is continued decline in sex ratio (the number of females per 1000 males). This ratio has consistently shown a drop through last century starting from 1901 (Table 3.1) with marginal improvement in last census (from 927/1000 in 1991 to 933/1000 in 2001). For this little reversal, the Indian Government celebrated and announced a great success in the field of women empowerment. However, this improvement is not real as far as girl child is concerned.

Table 3.1: Sex Ratio (female per 1000 males), India 1901-2001

<table>
<thead>
<tr>
<th>Year</th>
<th>Sex Ratio</th>
<th>Sex Ratio in Children (0-6yr)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1901</td>
<td>972</td>
<td>-</td>
</tr>
<tr>
<td>1911</td>
<td>964</td>
<td>-</td>
</tr>
<tr>
<td>1921</td>
<td>955</td>
<td>-</td>
</tr>
<tr>
<td>1931</td>
<td>950</td>
<td>-</td>
</tr>
<tr>
<td>1941</td>
<td>945</td>
<td>-</td>
</tr>
<tr>
<td>1951</td>
<td>946</td>
<td>-</td>
</tr>
<tr>
<td>1961</td>
<td>941</td>
<td>976</td>
</tr>
<tr>
<td>1971</td>
<td>930</td>
<td>964</td>
</tr>
<tr>
<td>1981</td>
<td>934</td>
<td>962</td>
</tr>
<tr>
<td>1991</td>
<td>929</td>
<td>945</td>
</tr>
<tr>
<td>2001</td>
<td>933</td>
<td>927</td>
</tr>
</tbody>
</table>

(Source: Registrar General of India)

The declining child sex ratio, which is the indicator of accelerated disequilibrium in favor of boys, was most pronounced in states of Punjab, Haryana, Delhi, Gujrat, Chandigarh, Maharashtra, and Tamil Nadu. Punjab has an alarming ratio of 793 girls per 1000 boys as per census 2001 against the national child sex ratio of 927. For Haryana and Delhi the ratios were 820 and 865 girls per 1000 boys, respectively (Table 3.2). Most of the worst affected states are in northern India and probably share common reasons. These were the states where the private fetal sex determination clinics were first established and the practice of selective abortion of female fetuses become popular in the late 70s and early 80s.

Ironically, ultrasonography, one of the most beneficial diagnostic
tools used to monitor fetal health, is widely misused in sex determination, leading to abortion (Bardia et al 2004). Ultrasound clinics are available in many places that barely have electricity. The town of Palwal, about an hour and a half away from Delhi, has about 40,000 residents — small by India’s standards. Yet it has no fewer than 24 ultrasound machines. Not coincidentally, the population of Haryana, the province, has one of the most lopsided gender ratios: 830 females for every 1,000 males (Lazaro 2001). In 1994 the Indian government outlawed sonograms for sex determination. In few selected areas implementation of law has shown improvement in sex ratio. However, in a country where abortion is legal and widespread, this law is difficult to implement. A contribution of this law has been a raise in the price of sex determination tests.

A worrying trend is that sex determination is far more common in urban areas than in rural areas and among literate than illiterate women. The states worst with the sex ratio are economically stronger. Punjab for instance has topped in economic growth as compared to other states. Similarly, certain districts such as Southwest and Northwest Delhi where some of the richest and most educated Indians reside, have decline of girl children as high as 59 points since 1991 census. These districts are adjacent to Haryana and Punjab. The absolute differences in sex ratio were high in rich states as compared to poor states (Table 3.2). This explodes the myth that with increasing levels of affluence and education, gender bias gets eroded gradually. Couples accept the outcome of the first pregnancy—whether it is boy or a girl. However, for last births, at the all-India level, the male to female sex ratio was 1.434 (or 697 girls for every 1000 boys). Similar adverse sex ratio was observed in Northern India that indicates the strong effect of gender preference on reproductive behavior (Visaria 2004, Arnold et al 2002).

When sex ratios of different religions are compared particularly in India, the worst is found in Sikhs, Hindus, and Jains as compared to Christians and Buddhist (Table 3.3). Literacy rate is not seems to be beneficial to sex ratios. There could be a stronger factor than literacy in causation of decline in female population.

<table>
<thead>
<tr>
<th>Rank States &amp; U T</th>
<th>Sex Ratio 1991</th>
<th>Sex Ratio 2001</th>
<th>Absolute Change</th>
<th>Rank in 2001 Census</th>
</tr>
</thead>
<tbody>
<tr>
<td>1 Punjab</td>
<td>875</td>
<td>793</td>
<td>-83</td>
<td>1</td>
</tr>
<tr>
<td>2 Haryana</td>
<td>879</td>
<td>820</td>
<td>-59</td>
<td>2</td>
</tr>
<tr>
<td>3 Himachal Pradesh</td>
<td>951</td>
<td>897</td>
<td>-54</td>
<td>6</td>
</tr>
<tr>
<td>4 Chandigarh</td>
<td>899</td>
<td>845</td>
<td>-54</td>
<td>3</td>
</tr>
<tr>
<td>5 Gujarat</td>
<td>928</td>
<td>878</td>
<td>-50</td>
<td>5</td>
</tr>
<tr>
<td>6 Delhi</td>
<td>915</td>
<td>865</td>
<td>-50</td>
<td>4</td>
</tr>
<tr>
<td>7 Uttaranchal</td>
<td>948</td>
<td>906</td>
<td>-42</td>
<td>7</td>
</tr>
<tr>
<td>8 Dadar &amp; N Haveli</td>
<td>1013</td>
<td>973</td>
<td>-40</td>
<td>29</td>
</tr>
<tr>
<td>9 Daman Dia</td>
<td>958</td>
<td>925</td>
<td>-33</td>
<td>11</td>
</tr>
<tr>
<td>10 Goa</td>
<td>964</td>
<td>933</td>
<td>-31</td>
<td>13</td>
</tr>
<tr>
<td>11 Maharashtra</td>
<td>946</td>
<td>917</td>
<td>-29</td>
<td>10</td>
</tr>
<tr>
<td>12 Arunachal Pradesh</td>
<td>982</td>
<td>961</td>
<td>-21</td>
<td>20</td>
</tr>
<tr>
<td>13 Nagaland</td>
<td>993</td>
<td>975</td>
<td>-18</td>
<td>31</td>
</tr>
<tr>
<td>14 Orissa</td>
<td>967</td>
<td>950</td>
<td>-17</td>
<td>18</td>
</tr>
<tr>
<td>15 Bihar</td>
<td>953</td>
<td>938</td>
<td>-15</td>
<td>15</td>
</tr>
<tr>
<td>16 Manipur</td>
<td>974</td>
<td>961</td>
<td>-13</td>
<td>21</td>
</tr>
<tr>
<td>17 Jharkhand</td>
<td>979</td>
<td>966</td>
<td>-13</td>
<td>27</td>
</tr>
<tr>
<td>18 Madhya Pradesh</td>
<td>941</td>
<td>929</td>
<td>-12</td>
<td>12</td>
</tr>
<tr>
<td>19 Meghalaya</td>
<td>986</td>
<td>975</td>
<td>-11</td>
<td>32</td>
</tr>
<tr>
<td>20 Uttar Pradesh</td>
<td>927</td>
<td>916</td>
<td>-11</td>
<td>9</td>
</tr>
<tr>
<td>21 Assam</td>
<td>975</td>
<td>964</td>
<td>-11</td>
<td>24</td>
</tr>
<tr>
<td>22 Karnataka</td>
<td>960</td>
<td>949</td>
<td>-11</td>
<td>17</td>
</tr>
<tr>
<td>23 Andhra Pradesh</td>
<td>975</td>
<td>964</td>
<td>-11</td>
<td>25</td>
</tr>
<tr>
<td>24 Chhattisgarh</td>
<td>984</td>
<td>975</td>
<td>-9</td>
<td>33</td>
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<tr>
<td>25 Tamil Nadu</td>
<td>948</td>
<td>939</td>
<td>-9</td>
<td>16</td>
</tr>
<tr>
<td>26 Andaman Nicobar</td>
<td>973</td>
<td>965</td>
<td>-8</td>
<td>26</td>
</tr>
<tr>
<td>27 Rajasthan</td>
<td>916</td>
<td>909</td>
<td>-7</td>
<td>8</td>
</tr>
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<td>28 Pondicherry</td>
<td>963</td>
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<td>-5</td>
<td>19</td>
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<td>29 West Bengal</td>
<td>967</td>
<td>963</td>
<td>-4</td>
<td>22</td>
</tr>
<tr>
<td>30 Mizoram</td>
<td>969</td>
<td>971</td>
<td>+2</td>
<td>30</td>
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<tr>
<td>31 Kerala</td>
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<td>32 Tripura</td>
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<td>975</td>
<td>+8</td>
<td>34</td>
</tr>
<tr>
<td>33 Sikkim</td>
<td>965</td>
<td>986</td>
<td>+21</td>
<td>23</td>
</tr>
<tr>
<td>34 Lakshadweep</td>
<td>941</td>
<td>974</td>
<td>+33</td>
<td>28</td>
</tr>
<tr>
<td>35 Jammu &amp; Kashmir</td>
<td>NA</td>
<td>937</td>
<td>-</td>
<td>NA</td>
</tr>
<tr>
<td>India</td>
<td>945</td>
<td>927</td>
<td>-18</td>
<td></td>
</tr>
</tbody>
</table>
The trends of adverse sex-ratio are alarming for India and could be disastrous if economic boom associated with son preference leading to infanticides, feticides and girl neglect spread to the most populous state like Uttar Pradesh, Madhya Pradesh, and Bihar. As these states undergo the demographic transition to smaller families they will continue to want more boys than girls. To meet this goal, people are taking recourse to expansive gender selection technologies in a situation where even basic health care is missing (Kaur R 2004).

People with high education and economic status from urban cities do get sex-determination particularly in big cities, as reported by Vasudev. Due to modern techniques and medicines, the procedure has become easy and painless. There are 21,000 registered ultrasound machines in the country and 700 ultrasound machines in Delhi alone. However, many more may be running without registration. Some of the centers have advertised sex-determination tests. Abortion pills like MTPill and Misprost are easily available on drug shop’s counters without doctors’ prescription (India Today 10th Nov 2003; p 14-15). Sex determination has become a lucrative business for doctors due to weak legal prohibition. They are usually not afraid of Indian law for the simple reason-implementation is always slow and legal proceedings take decades together (Sex Selection in India 2001).

Table 3.3: Distribution of Sex ratios according to their religions in India

<table>
<thead>
<tr>
<th></th>
<th>Hindus</th>
<th>Muslims</th>
<th>Christian</th>
<th>Sikhs</th>
<th>Buddhists</th>
<th>Jains</th>
</tr>
</thead>
<tbody>
<tr>
<td>As % of total population</td>
<td>80.5</td>
<td>13.4</td>
<td>2.33</td>
<td>1.84</td>
<td>0.76</td>
<td>0.40</td>
</tr>
<tr>
<td>Sex Ratio</td>
<td>931</td>
<td>936</td>
<td>1009</td>
<td>893</td>
<td>953</td>
<td>950</td>
</tr>
<tr>
<td>Sex Ratio (0-6 yrs)</td>
<td>925</td>
<td>925</td>
<td>964</td>
<td>736</td>
<td>942</td>
<td>870</td>
</tr>
<tr>
<td>Literacy</td>
<td>65.1</td>
<td>59.1</td>
<td>80.3</td>
<td>69.4</td>
<td>72.7</td>
<td>94.1</td>
</tr>
</tbody>
</table>

Factors Responsible for Declining Sex Ratio in India

Factors prevailing in India and responsible for female feticides are:
- Preference for the male child for religious or culture reasons. Sikh, Hindus, Muslim and Jain had lower sex ratio as compared to Christians and Buddhist (Indian Census 2001 released in Sept. 2004).
- Low status of women leading to gross neglect in and outside their homes (Grewal I, 2004).
- Discrimination against girl child and indifferent attitude toward women.
- Social and Economic dependence of women enhancing their vulnerability.
- Stigma attached to being an unmarried woman enforcing her into suppression and torture.
- The evil of dowry system in Indian culture that has percolated to neighboring regions also causes suicides and homicides.
- Easily accessible and affordable procedures for sex-determination before and during pregnancy.
- Unethical medical practices leading to illegal sex-determination and abortions.
- Two-child norm forcing parents to undergo sex-determination because of a strong desire for at least one male child.
- Lack of political power of women.
- Lack of quality health services.

It would be interesting to analyze each factor that is suspected to be the cause of female feticide. This will help in designing preventing strategies for modifiable risk factors that could be directly and indirectly causing female feticide. Without classifying them according to some system, they are listed on the basis of their bearing on female feticides in next chapter.
CAUSES OF FEMALE FETICIDE
Status of female in different religions

Is son preference a cause of female feticide?

Obsession for a son is deeply entrenched in our society and is, by and large, an Asian phenomenon. A number of cultural, social, and economic factors influence the relative benefits of sons and daughters and ultimately parent’s gender preference. The factors that underlie ‘son preference’ are mainly sociocultural. In the context of India’s patrilineal & patriarchal society, having a son is imperative for continuation of family lineage. There is a mindset that sons are important as only they can perform many religious functions. According to Hindu traditions, sons are needed to perform last rites. Sons are expected to provide economic support to the family especially during old age of the parents.

Desire for sons often results in repeated, closely spaced pregnancies, birth to unwanted girls (Figure 4.1), and premature female death. The desire for a male child manifests itself so blatantly that parents have no fears about terminating the girl child even before she is born. The birth of a girl child is taken as a curse as she is perceived to be an economic and social liability. The discrimination is reflected in all aspects including nutrition, education and health care. There is a well-documented practice of preferential treatment of boys and gross neglect of female children in intra-household and outside allocation of resources (NHRC 1999-2000). After birth she has to learn quite early on that she is a second-class citizen in her mother’s home.

Is Women’s Status Religious in Origin?

Adverse sex ratio has been linked with low status of women in communities. Status of women can be determined by her position in industry, occupation, economy, education, health, and decision power in her family. It could be due to woman identity that is determined by societal beliefs and human values systems. The first question that comes to mind is, why do women have low status? We have learned about gender and biological origin of gender difference. But difference in biological characteristics does not mean inferior character. Could this character have originated and preserved by religion? From in-depth analysis, it is found that organized religion always has been and remains the greatest enemy of women’s rights. In 19th Century famous feminist Elizabeth Cady Stanton wrote “the bible and the Church have been the greatest stumbling blocks in the way of woman’s emancipation.” All religions without exception discriminates against female child.

STATUS OF WOMEN IN HINDUISM

With the Hindu, religion is not a thing for times and seasons only, but professes to regulate his/her life in all its many relations. It does this by prescribing ceremonies, observations, and codes of conduct, which are binding on him/her and his/her family from before his/her birth to generations after his/her death. Hindu religion covers issues of individual and national concern, and there are virtually no contingencies for which it has not provided laws (Wilkins, Modern Hinduism 1887). These
laws are embedded in its sacred books.

Ramayana, Upnishada, and Manusmrti are the most sacred codes of conduct in Hindu societies glorified throughout not only India but also in other countries. Now Diwali, a Hindu festival, is being celebrated in various countries such as USA, UK, Indonesia, and Malaysia. Various TV channels, serials, movies, and videos devoted to deities, gods, superstitions, and magic further promotes religious sentiments particularly in India. Currently, there is flooding of pravachans of Gurus, kathas, jagranas, and magic remedies, vastu shastras, which further strengthen religious feelings.

According to stridharma, the dharma of women entails devotion to one’s husband. A woman’s career is her husband. This means that a woman’s obligation in life is to serve her husband and provide him with children, especially sons (Heinz 1999: 161). He is essentially her “lord” for the very meaning of the word husband (Pati) means both husband and lord. In addition, she worships him by eating his leftovers. This is considered a sign of respect in Hindu Society.

Obedience to and dependence upon men characterizes women’s traditional roles in the family. Sita and Savitri, are vital examples of glorifications of stridhrma in Hindu literature. Pativrata, or total devotion to the husband, set out by Hindu scriptures is the wifely ideal (Lebra et al. 1984, p 26-27; Kane 1941 p 567). The ideal wife is one whose sole joy in life is to satisfy her husband. Her only concern is to perform properly any of the services demanded by her husband. Such a woman is attached to her husband even after he has died. In addition, under Hindu customary law, marriage is seen as a sacrament with stricter obligations for women than men.

There is tremendous pressure on a woman from the family members to have a son because only a son can be the heir of ancestral property in Hindu society. Only a son can perform last ceremony of the parents particularly of father.

A devotee had offered 3.5 kg gold to Balaji deity a famous hill shrine of Lord Venkateswara at Tirumala for begetting son. When son was born the devotee had to offer gold of the same weight as of newborn to Balaji temple (Rationalist Voice 2003).

Religious sacrifices

In India ritual murder of children is very common. Many such incidents go unreported. A 40 year old man allegedly ‘sacrificed’ a four-year-old girl in Miragpur village, 30 km from Roorke. Som is said to have confessed that he sacrificed the girl to propitiate a deity. Another incidence reported by “Ansar Burney Welfare Trust International” (human rights section) New Delhi, in January 2004. Indian police arrested a couple after they sacrificed a neighbor’s daughter in the hope that it would give them a child of their own. Police also arrested a witch of the village who told them it was the only way for them to have children. The couple had been charged with abducting the six-year-old innocent girl, sacrificing her to the Hindu goddess Kali and then throwing her body into a pond in a village near India’s southern most tip of Kanyakumari (Religion Today 16.6.2004). In the eastern Indian hills of Chhotanagpur, tribal people try to abduct children each year, believing their blood, if sprinkled on fields, guarantees a good harvest (Religion Today 16.6.2004). In all religious sacrifices girl child is a common victim.

Sacrifices for Religious Morality

The scriptures of the 6 orthodox ‘astika’ schools of Brahmanism, including the sects of Vasihnavism and Vedism, Women guilty of lesbianism have their fingers chopped off, whilst adulterous wives are eaten alive by dogs. Husbands mutilated their own wives in accordance with bigoted Vaishnava laws. Thus, Devadasa, a merchant of Pataliputra, cuts off the nose of his adulterous wife, and marries another. These instances from court literature show that the harsh Vedic laws of Manu and Kautilya were actually enforced in all their severity (Agarwal S).
The death penalty was almost invariably prescribed for Aryan women guilty of infidelity. Aryan races all over the world practiced this; thus the Germanic warrior would instantly slay his wife and her lover. The barbaric Indo-Aryan males were no different. Later, when Brahmins attained absolute dominion over non-Aryan native Indians, they invented ever-harsher methods of destroying women. Hence, the cruelty involved in the manner with which Aryan women were butchered increased with a corresponding hardening of Brahmin power.

In Ramayana

The position of women in the time of Vaalmiki appears to be the same as the position of Hindu women in all ages. They cooked food, obeyed their husbands and looked after their children (Ay K Ch 21). Chastity was the supreme virtue. There was no case of a woman giving up family life and doing tapas. They had no direct contact with God or gate to heaven but only through their husbands (Gupta PH). For a woman, husband was God. Anasuya, aged and pious wife of Sage Atri advised young Sita that, “Whether he was virtuous or sinful, cruel or kind, rich or poor, slave to desires or faithful, the wife must serve him well and worship him” (Ay K Ch 117).

Birth of daughters was not favored. Dasaratha, Rama, Lakshmana, Bharata, Sathrugna, had all sons but no daughters. Almost all rishis had no daughters though some of them had as many as 100 sons. This indicates that women occupied such as insignificant place in life that not much notice of them was taken by Vaalmiki in his epic.

Women were considered more or less as property. Addressing Kaikeyee, Rama said “I am willing to surrender to my brother, Bharata, not only the kingdom, but also Sita, together with every object of desire, my wealth and my life” (Ay K Ch 19).

Women were insulted, raped, tormented and disfigured by men. Surpanakha, the sister of Ravana fell in love with Rama and solicited his hand. But Rama and Lukshmana both made jokes at her while she kept trying to allure and exhibit her excessive love for Rama. They punished her for her impertinence by cutting off her nose and ear (Ay K 16,17). This incident shows that the Rama who has been designated as Purushotam by Hindus had neither culture nor chivalry. This is one of the most disgraceful conduct of God of Hindus against woman in all times. Otherwise, Ram, the “ideal husband”, showed little regard to female life; for instance, he killed Tadaka [Alld. 1048], merely because she was a “Rakhisri”, or Black Shudra woman. He cut her body into pieces after maiming her in the cruelest manner available. He mutilated her genitals and then shamelessly chopped off pieces of her body one by one after thrusting his sword into her vagina (Agarwal S).

Deserting Sita in forest when she was pregnant is another cruel incidence against humanity and act of violence against women. Sita was praise for sacrifices and ultimately committed suicide by burying herself alive. Thousands of people including rishis, devas, kings and Brahmins gathered to witness the ghastly scene but not one of them had courage or good sense to raise his little finger to prevent the tragedy, rather all of them praised Sita for her scarifies.

Anjana was the most beautiful wife of Kesarin. Vayu saw her and was overwhelmed with desire to possess her. In spite of her protests and wails he raped her. As a result, she gave birth to Hanuman, Greatest Ramabhakta (Kishkindha Kand Ch 66).

Women were killed whenever men felt like it or for minor crime. When Viswamitra asked Rama to kill Tadaka, a Rakshisi woman, Rama hesitated and stated that, “no warrior stains his sword with the blood of a woman,” but the rishi explained to him that “in the past Manthra, a daughter of King Virochana was slain by Indra”, Vishnu slew the wife of the Sage Bhrigu”, and “many other great-soul princes of old also condemned wicked women to death” (Bala Kanda Ch 25). Finally Rama killed Tataka.
A mother was no equal to a father in Vaalmiki Ramayana. When Rama decided to go into exile in obedience to the command of his father his mother asked him that, “there is no higher duty than service to the mother. I am with your father equally an object of your reverence and I command you not to go into forests.” She even threatened to fast unto death if he disobeyed her command and warned him that being the cause of her death, he would go to hell. Rama plainly refused and stated that “my father’s command is founded on Dharma, hence it is superior to my mother’s ruling (Ay K Ch 21).

Parasurama cut off the head of his own mother with an axe at the behest of his father. None blamed him for it and on the other hand, he was praised as a “God, Avatar, and virtuous” man who “heroically” obeyed the command of his father (Ayodhya Kand Ch 21).

There was no divorce but a husband could discard his wife at will while the wife had no such right. Rama discarded his innocent and virtuous wife out of mere suspicion as one discards a worn-out garment. She simply had to suffer in silence and die.

Some of the examples from Religious Ramayana:

“Sitahi Chitai Kah Prabhu Bhata, Ahai Kuwar More Laghu Bhruta,’
Gai Lakshiman Ripu Bhagini Jani, Prabhu Biloki Bole Mradu Bani.”
“Sundari Sunu Main una Kar Dasa, Pradhin Nahin Tore Supasa,’
Prabhu Samartha Kosalpur Raja, Jo Kachu Karhin Unhi Sab Chhaja.”
(Ramacharitra Manas Aranya khand Ch 16).

i.e. when Surpanakha approaches Rama and proposes marriage, Rama looks at Sita and answers “You better go to my younger brother who is unmarried.” She approaches Lakshman but he returns her back stating that “O! Beautiful lady, I am slave of my brother, he is capable to get married because he is king of Kosalpur and all is justifiable for him.”

“Lakshaman Ati Laghavan So Nak Kan Binu Kinhi,
Take Kar Ravan Kahun Monou Chunoti Dinh.”
(Ramacharitra Manas Aranya Ch 17).

i.e. Lakshaman very quickly cut her nose and ear and disfigured her beauty. He called trouble from Ravana, King of Lanka and brother of Surpanakha.

“Kama Krodh Lobhadi Mad Prabal Moh Kai Dhari,
Tinha Mahan ati Darun Dukhad Mayarupi Nari.”
(Ramacharitra Manas Aranya Kand Ch 43).

i.e. in Ramacharitra Manas of Tulsidas, Rama explained to Narada that woman gives more severe pain than the suffering caused by desire, sex, alcohol, etc.

“ Avgun Mool Soolprad Pramada Sab Dukh Khani,
Tate Kinh Novaran Muni Main Y eh Jiyen Jani.”
(Ramacharitra Manas Aranya Kand Ch 44).

i.e. Woman is full of bad things, gives pain and she is the mine of suffering. That is why O! Narada I purposely prohibit you to marry a woman.

Vaalmiki stated about the Ramayana that “On hearing it (Ramayana), he who has no son will obtain a son, he who has no fortune will become wealthy; to read but a foot of this poem will absolve him from all sins. He who commits sins daily will be wholly purified by reciting a single sloka” (Uttara Kanda Ch 124). This recommendation by Vaalmiki of his own composition to the people Hindus has given an excuse to millions of rapists and exploiters of women to commit sin since it can be washed by just reading Ramayana (Gupta PH). How Hindus expect that men should treat women with respect and dignity?

In Mahabharata

Draupati is pawned in a game of dice, a clear indication of her status as a dispensable commodity owned by the five Pandava brothers to whom she is married. Draupati vastrharan (disrobing her) in Kaurava’s assembly (Figure 4.2) should surely be viewed as one most horrendous
and shameful events in the cultural Indian history not even so called God Lord Krishna was able to stop it (Young 1993). Status of Mahabharata’s women is not high and they were used as one of the commodities. Unfortunately, television serial Mahabharata has further popularized rituals and norms prescribed for an ideal wife and mother as slave of men.

**Bhagwat Geeta and Shree Krishna**

Shree Krishna said, “for, finding, refuse in Me, they also who, O son of Pritha, may be of a sinful birth- women, visayas as well as sudras, - even they attain to the Supreme Goal (Sankaracharya 1979).” On this Chinmayananda said “Born out of the womb of sin” the term used for women, traders and workers would be a blasphemous calumny against a majority of mankind-unpardonable crime even if the statement comes from the Divine mouth of a prophet (Chinmayananda 1979). In Brahmavaivarta Purana description of love between Krishna and Radha is most vulgar and lustful. At the same time he showed little respect to the monogamous relationship with Radha and got sexually involved with thousands of gopis (charming girls) in Brindavana (Chaudhari 1979). Rashleelas with gopis and stealing dresses of bathing girls on the bank of river are well known incidences. He abducted Rukmani a day before the time fixed for her wedding with Sisupala. He kidnapped Mitravinda from her Swayamvara grounds. His marriage with Lakshmana, daughter of the king of Madra, was also a forcible seizure (Narla 1988). According to Bankimchandra’s version Krishna had 16,022 wives and claimed to have 1,80,000 sons but no daughter (Ayyar 1956; Majumdar 1969). These examples are good enough to state that Krishna the God of Geeta had little respect for women and had left no opportunity to harass or assault women either mentally, or physical or sexually. In spite of all this, majority of women in India worship him as God, their savior and admire him as their ideal husband.

**In Upnishada**

The wife is the half of man, but this is merely due to the fact that, without her, the man cannot secure the essential offspring to continue his family, and perform the offering to his after death…. compared to men they are always inferior. Woman is the inferior part of sacrifices. She is ritually impure, and must be covered with a girdle. The gods with the thunderbolt of the butter have smote them and hence they are emasculated, they cannot control themselves or an inheritance. Even if many women are together and there is but a small boy, he takes precedence of them all. They are inferior even to a bad man, and their inferiority is marked by the ceremony on birth when the child is brought to the father (Keith 1925). Garbhopanishad describes the mother’s womb “as the seething cauldron of hell.”

**In Manusmtri**

“Baley Piturpashe Tishthepananigrasahansa Yovane, Putranan Bharteri Prete Na Bhatestriswatantratam”

(Manusmtri)

i.e. in childhood female should depend on father, in youth she should depend on husband, in case of death of husband she should depend on Son. But in no circumstances she should be let free.
“Nasti strinan Prathagyagyo Na Vartan Napyuposhnam’
Pati shushrushte yen ten swarge mahiyete”
(Manusmtri Ch 5:155)
i.e. there is no separate activities meant for women to gain “haven”,
extcept dedication to her husband; e.g., *Karva Choth* is a Hindu festival
in which all married women keep fast for the welfare of their husbands.

“Vandhyashtmedhivedhyabde dashme tu mritpraja,
Ayekadashe strijanani sadhyastavapriyvahini”
(Manusmtri Ch 9: 81)
i.e., if the woman is unable to give birth during ten years of her mar-
riage, or gives birth to a girl child, then her husband should marry some
other woman immediately.

“Putrena Lokajanyati Poutrenanantyamashnute,
Athy putrasya poutrena praghnasyapnoti vishtpam”
(Manusmtri Ch 9:)

“Punamno narkadhysyamattrayate Pitran Satuh,
Tasmatputra eti proktah swaymev swayambhuva”
(Manusmtri Ch 9:138)
i.e. man who begets son ensures his place in heaven; when he begets
grandson his berth to the heaven is doubly sure. When he begets great
grandson he has place in *Surya Loka* (Sun Heaven). That is why Brahma
himself appeared as male.

Many savage peoples put the adulterous wife to death, but none
did it by allowing wild dogs to devour the woman in public. Also, in
none of these cultures did the bigoted lawmakers go so far as the Brah-
mins, who defined adultery as to include mere touching, talking or meet-
ing a man! Even if a woman had touched another man with her hand,
she is to be devoured by savage dogs in public! These laws are stated in
the ‘humane’ and ‘wonderful’ religion of Hinduism (Manu Smrty 8.356).

“Offering presents (to a woman), romping (with her), touching
her ornaments and dress, sitting with her on a bed, all (these acts) are
considered adulterous acts (samgrahana)” (Manu Smrty.8.357).

In the Kautilyan period “if a woman was found guilty of a carnal
crime her generative organs were cut off and she was ultimately sen-
tenced to death” [Artha.4.13 cited in Jain p.164]. This ‘carnal crime’ of
Kautiya was sufficiently but vaguely worded so that premarital inter-
course, extramarital intercourse, and even post-marital intercourse were
all punished by amputation of the woman’s genitals. Even widows were
killed if they engaged in ‘immoral’ activities, and so many widows were
killed that their slaughter became institutionalized in the custom of sati.

Thus, Hinduism prescribes that the wife who touches, meets, or
even talks to a man who is not her husband is to be fed to animals! No
other nation, even in its darkest period, prescribed such savage punish-
ments for women. In this respect the Brahmanism is the darkest in the
entire history of humankind. Hinduism remains unsurpassed in its se-
vere persecution of women.

Harsh suppression of women in Brahmanism is evinced by the
testimonies of several travelers who visited India and were eyewitness
to the highly debilitating impact of Vedic and Vaishnava doctrines on
Indian women. Merchant Sulaiman, an Arab traveler of the 9th century
states that “If any man in the Indies runs away with a wife and abuses
her body they kill both him and the woman, unless it be proved that she
was forced, then the man only is punished with death; but if the woman
consented to the evil deed, they are punished with death, both one and the other.” (Arab p.56; 1200, p.68; E. Renaudot).

The body of the woman is often consumed raw; other times it is cooked after the woman has been boiled alive. Sometimes, when the women have been sawed into many pieces, the different chops are then cooked as separate pieces and served to friends and guests. This barbaric act, which is fully sanctioned by the Vedas, is referred to as ‘purushamedha’ or ‘naramedha’, the Vedic term for Hindu human sacrifice (Yajur Veda 30.4). Hindu men know nothing better than killing, humiliating and torturing women and eating their flesh. Hindu husbands who eat the flesh of their own wives may be pious followers of the Vedas (Agarwal S).

It is well known that at one time girls were allowed to undergo ‘Upanayana’, which was a ‘right’ to take education during the Buddhist reign, but their position declined later. It started from Manu and went on deteriorating further. Altekar identifies the period of 500 AD to 1800 AD as one of further deteriorations. During this period the ‘Upanayana’ rite for girls was banned and marriage became the only alternative. The age of marriages of girls was lowered and child marriages became the rule. Widow remarriages were prohibited. ‘Purdah’ (Veil) was imposed on women that had secluded them completely. Hindu sastras considered women as untouchable in Brahmanical social order (Shudras), and they were debarred from reading or reciting the Vedas and perform any Vedic sacrificial rituals. Women were indoctrinated through the puranic stories, which inculcated blind-faith rather than rational thinking. It was impressed on their minds that they must visit temples, perform vows and observe fasts with more regularity than men folk to accumulate ‘punya’, i.e. virtue. In this context Altekar explains the paradox with these apt remarks: “Thus the very women whom religion had once considered as outcastes, were also the most faithful custodians of its spirit and traditions” (Jamnadas 2000).

Devadasi System

Devadasi is the system of votive offering of girls to the deities in Brahmanic temples; a system found in all parts of India, but was more prevalent in the south. In some parts of Maharashtra and Karnataka it is still prevalent and has become a source of exploitation of native Indians and tribals. Devadasi is the servant of god but wife of the whole town. When a girl is dedicated to or married not to a mortal-man but to an idol, deity or object of worship or to a temple, some rite is performed. She has to remain unmarried, and maintain herself by ceremonial begging, a system called “jogava” in Marathi, to get both ends meet. With “chal” (a string of small bells) in her feet, she carries the “jag” (a metal mask of god) in a “pardi” (a basket) on her head and begs whole life, or ends up in a brothel.

The term devadasi is a Sanskrit term denoting female servant of deity, but they are known by different names in different areas. Jogan Shankar gives the names by which they are known in various parts, such as Maharis in Kerala, Natis an Assam, Muralis in Maharashtra, Basavis in Karnataka State. Though the name ‘devadasi’ is popular, in Goa they use the term ‘Bhavanis’, ‘Kudikar’ on the West-Cost ‘Bhogam-Vandhi’ or ‘Jogin’ in Andhra Pradesh; ‘Thevardiya’ in Tamil Nadu; ‘Murali’, ‘Jogateen’ and ‘Aradhini’ in Maharashtra. In Karnataka, old devadasis are called as ‘Jogati’ and young devadasis as ‘Basavi’. The term ‘Basavi’ refers to feminine form of ‘Basava’ a bull which roams the village at will without any restriction. Hence ‘Basavi’ alludes to the foot loose position of the woman.

After initiation of a girl as devadasi, the ceremony of ‘the first night’ is celebrated by forcing her for sexual intercourse with the priest or businessmen and rich landlords but neither she nor the children of such union have any right over him, or his property. He can leave her any time. She has to lead a life of a cheap prostitute either near about or at metropolitan brothels. By the time her market value goes down, and she is thrown out of business, she becomes a habitat for a number of
diseases including AIDS and other STDs, and ends up in some village corner, desolate, rejected, friendless and rots to death. Fortunately, some are the live examples of devadasi who became famous also. The famous dancer Jailaxmi of Padanallur became the queen of King Ramanad. Devadasi Subalaksmi became a famous classical singer. The famous Lata Mangeshkar devadasi comes from the house of ‘Mangeshkar’ of Goa is renowned for singing all over the world.

Origin of devadasi system is religious and not economic. It is a matter of understanding. Unfortunately, 95 per cent of Devadasis are untouchables. There are three important legends support this system: a) Legend of Renuka or Yallamma, Legend of Renukamba, and Legend of Khandoba, all are based on folk stories and no historical evidences (Jamnadas 1998).

For the parents it is hard to decide whether their beloved daughters should become devadasis or should be killed. It is easy and more logical to kill innocent who have not even taken birth than marrying her to an idol later. That could be the reason for parents’ preference to kill her before birth.

Devadasi system among Muslims

The influence over Muslims of Hindu of devadasi tradition is mentioned by Vasant Rajas (Jamnadas 1998). Some Muslim sects had started offering girls to ‘dargas’. Such girls were called ‘acchutis’. There is a colony of such people in Lucknow in Uttar Pradesh even today. The girl is married to Koran, Nikah is performed, the girl is called ‘bibi’ and is condemned to lead a life of prostitution.

STATUS OF WOMEN IN BABYLONIA

The status of women in Babylonia was also not very good. Bride was a priced commodity so could be purchased. The code of Hammurabi (the ancient king of Babylonia, 2500 hundred years before Mohammad) in many sections refers to the bride price. If women unable to have children, she had to provide her husband with a concubine who could bear him children. But he cannot marry another free woman and if he marries then she will not be at the same level with the first wife (Law 144 and 145). The women were degraded and were denied all rights under the Babylonian law. In the past, women were degraded and used as objects of lust. There are many examples in history amply illustrate the fact that the status of women in earlier civilizations was very low to the extent that they were denied basic human dignity (Hekmat 1997).

STATUS OF WOMEN IN GREEK CIVILIZATION

Greek Civilization is considered the most glorious of all ancient civilizations. Under this very ‘glorious’ system, women were deprived of all rights and were looked down upon. In Greek mythology, an imaginary woman called ‘Pandora’ is the root cause of misfortune of human beings. The Greeks considered women to be subhuman and inferior to men. Though chastity of women was precious and women were held in high esteem, the Greeks were later overwhelmed by ego and sexual perversions. Prostitution became a regular practice amongst all classes of Greek society.

STATUS OF WOMEN IN ROMAN CIVILIZATION

When Roman Civilization was at the zenith of its ‘glory’, a man even had the right to take the life of his wife. According to Roman law women were under the complete control of the pater familias, the male head of the extended family unit. This power extended to life and death. A death penalty could be imposed upon a woman for adultery or drinking alcohol (Gellius). The pater familias arranged marriages and appointed guardians for the women of his family. A woman could not legally transact business, make a contract or a will, or manumit a slave without the approval of her guardian. However, a woman might request a new guardian or a reversal of a decision by a guardian by submitting her case to a magistrate (Encyclopedia Britannica 1968). By the time of
Augustus a free woman was exempt from the control of a guardian after she had borne three children; a freed woman after the birth of four. The law of guardians was not rigidly enforced and women frequently did transact business independently of them (Tetlow 1980).

According to religion, the Romans had an official state cult of Vesta, goddess of the hearth, of domesticity and continuity of family and state. The head of this cult was the pontifex maximus. Under him there was a college of pontiffs. There is no feminine form of the word pontifex. Women were excluded from the highest office in Roman religion (Tetlow 1980).

Law upheld the double standard. Only the adultery of a woman was a crime, which required punishment. Prostitution and nudity were common amongst the Romans. Marriages and divorces were arranged on the basis of political and economic reasons. Daughters were not given individual names. They were called by the feminine form of the name of their father. If there were more than one daughter, they were numbered (Finley 1977). Infanticide, especially of girl babies, was practiced.

**STATUS OF WOMEN IN EGYPTIAN CIVILIZATION**

In the third millennium B.C. the Sumerians accorded women a position, which was almost equal to that of men. Women were, for example, able to own and control the use of property. They were educated and legally able to take more than one husband. In the second millennium, however, Sumerian men achieved supremacy and reduced the rights and status of women from that time on (Kramer 1976).

In the West, Egypt was another exception. The status of Egyptian women was high and their legal rights approached equality with men throughout the last three millennia BC (Swidler). Marriages were monogamous and commonly by mutual consent. Women had equal rights in inheritance (Swidler). Because of these rights many women were able to become wealthy and through their wealth acquire political power. A few women even ruled as pharaohs (Queen Hatshepsut). But most of the time patriarchal system dominated and women remained inferior.

**STATUS OF WOMEN IN CONFUCIANISM**

The central doctrines of Confucianism are contained in “The Four Books” and “The Five Classics”, which are loosely attributed to Confucius (551 BC-479 BC) and his disciples. The Four Books were considered the essence of education and law by all subsequent dynasties and pertained to teachings of familial and social relations between ruler and subjects, father and son, husbands and wives, older and younger brothers, and friends. They taught the basic rites, rituals, behaviors and morals to be a man, but had no explicit instructions for women.

For women, there came to be “Four Books for Women.” The authorship of these four books is less ancient than those for men – some 1600 years – still their function was similar. Women in the palace read and expounded upon them, and eventually poor and ordinary women recited and memorized them. These women’s teachings taught women to be submissive to their husbands, obedient to parents and parents-in-law, diligent at womanly work (cooking, cleaning and sewing), and never meddlesome in public affairs.

In the practice of law, patriarchal principles were explicit: women (or wives) were viewed as junior to men (or husbands), and women’s crimes against men – especially of a wife against husband – were punished much more severely than the other way around. Women’s lives were more than just controlled by an inexplicable ‘tradition’ or ‘Confucian culture’: the state clearly played an active and far-reaching role in manipulating them.

By the late 1950s under the influence of Communist ideology, over 90% of women of working age had been mobilized into the labor force. Most of the localities became work units. This sudden increase of
women’s labor-force participation, however, did not necessarily change women’s secondary social and familial position. Women ended up subjugated in both private and public patriarchies.

Since the implementation of the one-child policy in the 1970s, the work unit also became the center for birth control, distributing free condoms and pills to women, providing quota for childbirth, and controlling second or multiple childbirths. The role of the family in gender-role socialization under communist China was rather similar to that in pre-modern times: while boys were expected to play with other boys or concentrate on school work, girls were more likely to be socialized to help the mother with household chores and daily life details. Family structure remained patriarchal, patrilocal and patrilineal, and girls continued to be valued less than boys (Zhan 2002).

Couples are penalized by wage cuts and reduced access to social services when more than one child is born. The government silently allowed particularly the families in rural areas (where antifemale bias is stronger) to have a second child without penalty if the first was a girl (Jones 2002). In this situation woman has no other option but to get abortion after detecting the sex of the fetus. Infanticide and abortion of a female fetus after ultrasound is a common practice. With great hope, due to rapid urbanization and globalization there is likely to be a transition in gender roles (Zhan 2002). Recently, Shanghai has loosened the One-Child policy and allows one more children to divorcees (Times of India 2004 June).

STATUS OF WOMEN IN JUDAISM

Traditional Judaism addresses the deity in the masculine gender, teaches that God’s message was conveyed primarily through men such as Abraham and Moses, bestows the privilege of leadership (rabbinate and priesthood) upon men, and has traditionally excluded women from such central areas of religious expression as study and vocal participation in the synagogue. It places prohibitions upon menstruating and postpar- tum women and discriminates against women in matters of inheritance. Men write the prayers and make the laws (Sered, 15).

In Judaism the status of female is so low that man prays daily to God thanking him for not “having made him a woman.” She is prohibited from entering the temple in the prayer quorum, the minyan, and touching the scrolls of the Torah during her menstruation. If a woman bears a male child she shall be unclean seven days and shall remain ‘in a state of blood purification for thirty-three days’, but if she bears a female she shall be unclean for twice that period (i.e. two weeks) and in a state of blood purification for sixty-six days (Leviticus 12.2-5). She is not allowed to wear pants. There are no equal rights for women as far as divorce is concerned. However, many women believe that Judaism is good for women’s security. The Torah itself, in Deuteronomy 17:8-12, grants license to the wise of each generation to reinterpret the law in accordance with its necessity, so that the commandments may truly be upheld.

STATUS OF WOMEN IN CHRISTIANITY

In Christianity-dominated Western world, two bible verses in particular, sum up the position of women: “I will greatly multiply thy sorrow and thy conception; in sorrow thou shalt bring forth children; and thy desire shall be to thy husband, and he shall rule over thee.” By this third chapter of Genesis, women lost their rights, their standing—even their identity, and motherhood became a God-inflicted curse degrading her status in the world.

In the New Testament, the bible decrees: “Let the woman learn in silence with all subjection. But I suffer not a woman to teach, nor to usurp authority over the man, but to be in silence. For Adam was first formed, then Eve. And Adam was not deceived, but the woman being deceived was in the transgression.” Tim 2:11-14.

One bible verse alone, “Thou shalt not suffer a witch to live” (Exodus
22:18) is responsible for death of tens of thousands, if not millions, of women. Do women and those who care about them need further evidence of the great harm of Christianity, predicated as it has been on these and similar teaching about women?

Church writer Tertullian said “each of you women is an Eve… you are the gate of Hell, you are the temptress of the forbidden tree; you are the first deserter of the divine law.” There are some verses from bible that have belittled and demeaned women:

*Genesis*
2:22. Woman created from Adam’s rib
3:16. Women cursed: maternity a sin, marriage a bandage. The Lord God said to the woman, “I will greatly increase your pains in child bearing; with pain you will give birth to children. Your desire will be for your husband, and he will rule over you.”
19:1-6. Rape virgins instead of male angel

*Exodus*
21:7-11. Unfair rules for female servants, may be sex slaves
22:18. “Do not allow a sorceress to live”
38:8. Women may not enter tabernacle they must support

*Leviticus*
12:2-4. Women who give birth to sons are unclean 7 days
12:4-7. Women who give birth to daughters are unclean 14 days
15:19-23. Menstrual periods are unclean; women during this period untouchables
19:20-22. If master has sex with engaged woman, she shall be scourged

*Numbers*
1:2. Poll of people only includes men
5:13-31. Barbaric adulteress test: “the husband will be innocent of any wrong doing, but the woman will bear the consequences of her sin.”

31:16-35. “Virgins” listed as war booty

*Deuteronomy*
22:5. Abomination for women to wear men’s garments, vice versa
22:23-24. Woman raped in city, she and her rapist both stoned to death
22:28-29. Woman must marry her rapist
24:1. Men can divorce woman for “uncleaness,” and not vice-versa
25:11-12. If woman touches foe’s penis, her hand shall be cut off

*Judges*
11:30-40. Jephthah’s nameless daughter sacrificed
19:22-29. Concubine sacrificed to rapist crowd to save man

*I King*
11:1-4. King Solomon had 700 wives and 300 concubines

*Proverbs*
7:9-27. Evil women seduce men, send them to hell
11:22. One of numerous proverbial putdowns

*Isaiah*
3:16-17. God Scourges, rapes haughty women

*Luke*
2:22. Mary unclean after birth of Jesus

*I Corinthians*
11:3-15. Man is head of woman; only men is god’s Image
14:34-35. Women keep in silence, learn only from husbands. It is disgraceful for a woman to speak in the church.
The various Christian churches fought tooth and nail against the advancement of women, opposing everything from women’s right to speak in public, to the use of anesthesia in childbirth (since the bible says women must suffer in childbirth) and woman’s suffrage. The only cause of lower status of women is religious deliberations. The bible establishes women’s inferior status, her “uncleanness,” her transgression, and God-ordained master/servant relationship to man. Biblical women are possessions: fathers own them, sell them into bondage, and even sacrifice them. The bible sanctions rape during wartime and in other contexts. The most typical biblical labels of women are “harlot” and “whore.” They are described as having evil, even satanic powers of allurement. Contempt for women’s bodies and reproductive capacity is bedrock of the bible. Jesus scorns his own mother, refusing to bless her and issues dire warnings about the fate of pregnant and nursing women (FFRF 2003). No sensible parents would like to bear daughter for such humiliations. That may be the reason for their preference to kill her before birth. All developments in Western world are going against Christian fundamentalism. Throwing away orthodox laws were the only solutions for women’s liberation during last centuries. This was carried out by women themselves and supported by their rationalist and humanist counterpart males.

**STATUS OF WOMEN IN ZOROASTRIANISM**

Zoroaster was said to have reached prophethood at the age of 30 years, and was killed at the age of 71. The basic philosophy of Zoroastrianism is that there are essentially two forces in the Universe - the dark and light or the evil and the good. Zoroastrians believe that two souls first appeared, namely Ahura Mazda and Ahriman. The former being light, power, righteousness and well-being and the latter being death, deceit, mischief and filth. Zoroaster’s teachings are based on six principles: (1) Good thoughts. (2) Good words. (3) Good deeds. (4) Eternal soul. (5) The Fruits of good and evil. (6) The Day of Resurrection or the Day of Victory of Good over Evil.

The Zoroastrian holy book *The Avesta*, projected the woman as subordinate of the male in a patriarchal society where he is the head of the family and society. Whereas the woman is related to as a parasite, deprived of all human and social rights. She has to obey the man and be under his direct control and command. She is expected to get married and rear children. The rights to ownership and justice were vested in father’s hands, bestowing upon him certain privileges. The father was also considered the religious head of the family. The purview of his authority was so vast that he had the right to even sell his children or disown them. He could also deprive his wife and children from family wealth and select somebody else as his heir (Yasna 46-10th verse).
Evidence shows that male children were preferred over female children in the Zoroastrian society. The male children get twice the share of the female children in the property of their father. It was for this reason that Zoroastrian families availed the services of a person called *Fouruhar Ashvan* to determine the sex of their children and help them ensure the birth of male children, especially since it was believed that salvation in the hereafter depended upon the number of male children in the family. This faith is common in Iran and among Parsis in Mumbai in India.

**STATUS OF WOMEN IN PRE-ISLAMIC ARABIA**

Before Islam spread in Arabia the Arabs looked down upon women and very often when a female child was born, she was buried alive (Naik 2002). Whether they follow Judaism or Christianity or any other faith, the status of women remained low.

**STATUS OF ISLAMIC WOMEN**

Women’s legal status and social positions are worse in Muslim countries than anywhere else. It is a common view that the prescribed role of women in Islamic theology and law is often argued to be a major determinant of women’s status. Women are perceived as wives and mothers, and gender segregation is customary, if not legally required. Whereas economic provision is the responsibility of men, women must marry and reproduce to earn status. Men, unlike women, have the unilateral right of divorce; a woman can work and travel only with the written permission of her male guardian; family honor and good reputation, or the negative consequence of shame, rest most heavily upon the conduct of women. Through the Shari’a, Islam dictates the legal and institutional safeguards of honor, thereby justifying and reinforcing the segregation of society according to sex. Muslim societies are characterized by higher-than-average fertility, higher-than-average mortality, and rapid rates of population growth. It is well known that age at marriage affects fertility. An average of 34 percent of all brides in Muslim countries in recent years have been under twenty years of age, and women in Muslim nations bear an average of six children.

Gender asymmetry and the status of women in the Muslim world cannot be solely attributed to Islam because adherence to Islamic precepts and the applications of Islamic legal codes differ throughout the Muslim world. For example, Tunisia and Turkey are secular states, and only Iran has direct clerical rule. “Hijab does not degrade a woman rather it uplifts her status and protects her modesty and chastity” said Naik (2002). However, many scholars have different opinions about Koran. It is interesting to examine the status of women in the holy book Koran. According to Islam, “Women are gateway to hell” as Shaykh Nefzawi’s described in his *The Perfumed Garden* (Shaykh 1963). Ahmed al-Ali showed in *Organisations Sociales chez les Bedouins*, that the practice of burying unwanted female children probably has a religious origin. As far as inheritance is concerned, a woman has half the share of a man and she has no power over the disposal of her own property (Warraq 1995). Islam is the fundamental cause of the repression of Muslim women and remains the major obstacle to the evolution of their position (Ascha G 1989). Islam has always considered women as creatures inferior to man in every way: physical, intellectually, and morally.

Islam took the legend of Adam and Eve from the Old Testament and mentioned in the following Suras in Koran as:

39.6. He created you from one being, and then from that (being) he made its mate.

7.189. He it is who did create you from a single soul and there from did make his mate that he might take rest in her; i.e. man was the original creation-womankind was created secondarily for the pleasure and repose of man.

Mohammad describes women in general: “Be friendly to women for womankind was created from a rib, but bent part of the rib,
high up, if you try to straighten it you will break it; if you do no-
thing, she will continue to be bent.”

2.221. “And do not give (a Muslim woman) in marriage to idolaters
until they have accepted Islam, and certainly a believing slave is
better than an idolater even though he should please you,” i.e. no
Muslim girl may marry a man whose religion differs from hers.
This does not apply to a Muslim man and he can marry any woman
who is not an atheist.

Imam Jafar as Sadiq, the great grandson of Prophet Mohammad
said: “Virtuous is the one whose daughter does not start menses at
her father’s house” (Wasi al-Shia).

4.25. “So marry (slave girls) with the permission of their masters
and give them their bed wages justly.”

2.236. “the wealthy according to his means, and the poor accord-
ing to his means; i.e. a bride price must be paid for slaves as well as
free women.

2.223. “Your women are (like) a tilled field for you, so go into your
tilled field as you will.”

2.228. Women who are divorced shall wait, keeping themselves
apart, three (month’s) courses. And it is not lawful for them that
they should conceal that which All hath created in their wombs if
they are believers in Allah and the Last Day. And their husbands
would do better to take them back in that case if they desire recon-
ciliation. And they (Women) have rights similar to those (of men)
over them in kindness, and men are a degree above them. Allah is
Mighty, Wise.

4.11. Allah chargeth you concerning (the provision for) your chil-
dren: to the male the equivalent of the portion of two females.

4.15. As for those of your women who are guilty of profanity, call
to witness four of you amongst them. And, if they testify (to the
truth of the allegation) then confine them to the houses until death
take them or Allah appoint for them a way.

When a woman is to be stoned, a hole or excavation should be dug
to receive her, as deep as her waist, because the Prophet ordered
such a hole to be dug for Ghamdiyah, and ‘Ali also ordered a hole
to be dug for Shuraha Hamdiani…. It is laudable to dig a hole for
her, as decency is thus most effectually preserved. There is no
manner of necessity to dig a hole for a man, because the Prophet
did not do so in the case of Maiz (Hamilton 1975).

4.20. “If ye wish to exchange one wife for another…. That give
absolute power to the man to repudiate his wife and marry another
without any formalities.

4.3. Marry of the women, who seem good to you, two, three or
four, i.e. A Muslim can marry as many as four women. But this
rule did not apply to Prophet Mohammad. Thus, Mohammad di-
vinely legalized the institution of polygamy in his scripture and on
the basis of such permission many millions of Muslim males had
more than one wife in wedlock.

4.34. Men are in charge of women, because Allah hath made the
one of them to excel the other, and because they provide the sub-
sistence for women (for the support of women). So good women
are the obedient, guarding in secret that which Allah hath guarded.
As for those from whom ye fear rebellion, admonish them and
banish them to beds apart; and scourge (beat) them. Then if they
obey you, seek not a way against them Lo! Allah is ever High Ex-
alted, Great.

24.31. And tell the believing women to lower their gaze and be
modest (literally, guarding their sex organs’) and to display of their
adornment only that which is apparent.

33.53. And when ye ask of them (the wives of the Prophet) anything asks it of them from behind a curtain. That is purer for your hearts and for their hearts.

33.59. O Prophet! Tell thy wives and thy daughters and the women of the believers to draw their cloaks close round when they go abroad. That will be better, that so they may be recognized and not annoyed.

In numerous hadiths on which are based the Islamic laws it is learned that woman’s role—to stay at home, when going out must wear veil (Figure 4.4) to be at the beck and call of man, to obey him, and to assure man a tranquil existence. A woman cannot fulfill her duties towards God without first having accomplished those that she owes her husband. The woman who dies and with whom the husband is satisfied will go to paradise. A wife should never refuse herself to her husband even if it is on the saddle of a camel.

Figure 4.4: Women in Prison of Veil

(Source: TOI 2004)

Omar the second caliph (581-644) said: “Prevent the women from learning to write! Say no to their capricious ways.” Ali (600-661), the Prophet’s Cousin and the fourth caliph stated that “the entire woman is an evil and what is worse is that it is a necessary evil!” “You should never ask a woman her advise because her advise is worthless. Hide them so that they cannot see other men!… do not spend too much time in their company for they will lead you to your downfall!”

Suppression of women is continued till today. Society of Islamic republic of Pakistan is narrow-minded and rigid, and there is a lot of chauvinism that works against women. Except for a few big towns, women dare not come out on the streets alone. Even in metropolitan cities like Karachi, they cannot imagine riding bicycles or motorbikes. They have to face tremendous embarrassment and harassment if they go out alone to eat or even walk (HT 2003, 30th November). In Saudi Arabia despite wealth and grandiose projects, the female half of the population in these lands is deprived of basic freedom: the freedom to choose a husband; to choose the color of her garments; to move around in society; to pursue a chosen occupation; to initiate a divorce when she is subjected to domestic cruelty; to participate in political activities; to vote and to run for political office (Hekmat A 1997).

Considering these hadiths and words of Allah about woman how dare the parents respect and give dignity to their daughters. They choose much simpler method of silently killing their girls even before the world comes to knows about the sex of the baby. Once they are born, they are buried alive.

**STATUS OF WOMEN IN SIKKHISM**

Punjab is one of the richest states of India and comprising maximum people following Sikh religion. Unfortunately, Punjab is also leading in adverse sex ratio. There is widespread male preference in Sikh families. Recently, Sikh priests in the district of Fatehgarh Sahib in the northern Indian state of Punjab spoke against the practice of aborting female fetuses. The district has the lowest ratio of female-to-male births in India. A senior Sikh clergyman, Jathedar Manjit Singh stated that aborting a female fetus was prohibited in Sikkhism, and issued a call to socially boycott families that were known to have done such a thing.
The head of the Akal Takht - Sikhism’s highest religious body - had issued an edict last April 2003 condemning the practice. But the question is why families prefer male baby and undergo abortion if they came to know the female sex of the fetus? Is it because of the influence of Hindu religion on Sikhism or demand of male manpower for agricultural work, which is the prime occupation of Punjab?

Guru Nanak had advocated equal status for female. However there have been no female gurus of high order. There are few examples where female has headed the Akal Takht. One has to look seriously into the philosophy and practical aspect of religion as far as female status is concerned.

**STATUS OF WOMEN IN BUDDHISM**

Buddha was initially reluctant to allow women in Noble Order but due to persuasion of Ananda the chief disciple of Buddha he accepted “Maha Prajapati Gotami” the stepmother of Gautam Buddha as Bhikkhuni (Nun). However, Buddha prescribed Eight Rules (Narada 1988) to be followed:

1. A bhikkuni, even of a hundred years standing by Upasampada should solute a bhikkhu, rise up before him, revere him, and perform all proper duties towards him though he has received higher ordination that very day.

2. A bhikkhuni should not spend a retreat (vassa) in a place where there is not a bhikkhu.

3. Every fortnight a bhikkhuni should ask from the order of bhikkhu the time of Uposatha meeting and when a bhikkhu would come to admonish them.

4. The Pavarana (Formal termination of the rainy season) ceremony after the retreat should be held by a bhikkuni in the presence of both bhikkhus and bhikkhunis (to inquire whether through any of the three ways of seeing, hearing, or suspicion a wrong has been done).

5. A bhikkhuni who has committed a major offence should undergo Manatta (a form of disciplinary action) discipline in the presence of the Order of both Bhikkhu and bhikkhunis.

6. A female novice (Sikkamana) who is trained in the Six Rules for two years should receive the higher ordination from the Order of both Bhikkhu and bhikkhunis.

7. A bhikkhuni should on no account rebuke or abuse a bhikkhu.

8. Henceforth bhikkunis should not give admonition to bhikkhus, but bhikkhus should admonish bhikkhunis.

Buddha said to Ananda for women inclusion in order that “If women has not received permission to renounce the world and enter the homeless state under the doctrine and discipline proclaimed by the Tathagata, the holy life would have lasted long and the Sublime Dhamma would have survived for thousand years. But since women have entered this homeless state, the Holy Life would not last long and the Sublime Dhamma would now remain only for five hundred years” (Narada 1988; Gradual Saying, iv, p. 184). Mental and physical qualities of women are different from men but they should not be considered inferior. However, women’ ability to attain highest order is same as men, is strongly believed by the Buddha. Buddha is the first in human history who had established women’ organization for their own enlightenment. He established equal rights to both women and men. He accepted the vulnerability of women and for the safeguard of women he had made more rules for bhikkuni than for bhikku.

King Kosala was very disappointed when he heard that his Queen had given birth to a baby girl. He had expected a boy. To console the sad
"A female child, O Lord of men, may prove
Even a better offspring than a male.
For she may grow up wise and virtuous,
Her husband’s mother reverencing, true wife,
The boy that she may bear may do great deeds,
And rule great realms, yes, and such a son
Of noble wife becomes his country’s guide," (Samyutta Nikaya)

Maximum gender equality and safeguard of female child can be observed in Buddhist communities than in others. For example in Myanmar, women have equal rights as designated to men by the society approved by legal system. She has authority to own property and at the time of divorce she can get half or whole of the property of husband. Similarly in Tibet, women are granted complete independence both in business and personal conduct (Narasu 1999). To large extent Buddhism and Sikkhism give equal status to women as of men, however, currently, due to political, and economic structure of India, which support Hinduism heavily influence all walks of lives where women continue to suffer.

5
WHAT MAKES WOMEN VULNERABLE?

Normal Physiology

Menstruation and Pregnancy: The phenomenon of menstruation continues to be stigmatized, even though it is a natural process that represents a healthy female body. Myths are strengthened further by religions and cultural practices and become taboos in the society. Judaism places prohibitions upon menstruating and postpartum women [Sered 15]. According to the laws of niddah, ritual purity is a must during and after menstruation. Men and women cannot have intercourse during a woman’s menstruation and for seven days afterwards. At the end of this seven-day period, before sexual relations can be reestablished, a woman must visit the mikvah where she participates in a ritual purification by immersing herself in water and reciting prayers. The implication of this whole process is that women are spiritually “dirtied” by menstruation. Throughout history, especially during the medieval period, the rabbis explicitly stressed the “unclean” nature of a woman during her menstruation, writing such absurdities as: “The glance of a menstruous woman poisons the air. . . . She is like a viper who kills with her glance” (Nahmanides, quoted in Greenberg, 115). The laws of niddah have at times been taken to such extremes as to require women and men to sleep in separate beds during this time and to refrain from all physical contact whatsoever, lest woman’s “impurity” be communicated to others.

Manu warns a man not to lie in the same converse with her (Manu Smrti 4.40 p 78). Parsi scriptures also insisted on strict separation of a menstruating woman. Sex with a menstruating woman is a capital crime.
according to Fargar of the Vandidad (Wilson 1989). The Koran puts similar strictures on menstruating women (Koran. Sura 2.222). Pliny’s view that a menstruating woman ruins crops, destroys gardens, kills bees, and turns wine to vinegar. A woman having menstruation was forbidden entry into refineries in northern France in the early twentieth century on the grounds that she could cause the sugar to blacken. In some states of India, temples are closed for few days that are considered to be menstruation period of deities. They clean the temple after that period with vermilion (Sindur). Isolation in separate room of women during menstruation period is common practice in some families of Jain and Hindu faith.

Manu Smrti warns that sex with a menstruating woman makes a man loose wisdom, strength, sight, energy and longevity. He can restore these by avoiding it (Manu Smrti 4.41, 4.42). A man who has shed his semen in a menstruating woman is asked to atone for this evil act by carrying out the ‘painful heating’ vow (Manu Smrti 11.174). Professor B Schick’s discovery in 1920 that menstruating women secreted a toxin (Menotoxin) which allegedly made plants wither, can lead to the following self-congratulatory statement. “It is indeed remarkable how thousands of years ago we recognized the influence of menstruating women on the environment” (Jame-e-Jamshed Weekly 1993). No doubt, scientific discovery can be dangerous if it is not associated with rationality and humanity.

Pregnancy is an essential process of procreation and survival of human race on earth. Why then should it be considered a disgusting process? Why should a mother of creation be labeled inferior than a man who has been created by her? Menstruation and pregnancy are the two important physiological processes that make the woman incapable of doing heavy physical work for small time period. At the same time man cannot take up the work she performs in spite of all his advanced technology. Instead of considering her inferior because of her pregnancy or menstruation he should feel inferior to her because he has no such quality despite advancement in reproductive technology.

**Dowry**

Manu unambiguously warned that no one, not even a servant, ought to accept a bride-price for his daughter, for a man who did so was covertly selling his daughter (Manu 9:98-100). However, it was just opposite in Koran. Any Muslim male who wishes to get married must stipulate a certain amount of money in his marriage contract as a bride-price. The wages due to cohabitation with a slave girl are specified in the Koran: “so marry them (slave girls) with the permission of their masters and give them their bed wages justly” (Koran 4:25). This is fixed according to the ability of bridegroom to pay (Koran 2:236). In Islam woman is considered as a commodity. In Hinduism women is considered as burden. However, due to Hindu dominance in India dowry system has already affected the Muslim community and instead of paying to bride’s father gifts are given to bridegroom’s family. The form in which dowry is given may vary, but certain uniformity features are apparent. In today’s consumerist world these include ornate saris, jewelry, Television sets, refrigerators, mixers, furniture, car/scooter, gas stove, all types of utensils, cash gifts, and sometime land property also.

Both economic and cultural factors are jointly responsible for dowry (Kishor, 1993). The spread of dowry nationwide to communities and castes where it had never been the custom is another factor of putting women at lower status. It is the process of ‘Sanskritization’, where lower castes try to achieve upward class and caste mobility by emulating the customs of the upper castes, particularly dowry and female seclusion. The rise of consumerism is also implicated, drawing people into a growing, web of expectations and demands. Another belief is that the wife givers are socially and ritually inferior to wife takers, thus necessitating the provision of a dowry. Wealthier section of the society further strengthen dowry in various forms such as lavish celebration, offering gifts to all participants and spending millions of rupees. For example, steel tycoon Lakshmi Mittal spent Rs. 250 crore in his daughter’s marriage (Time of India 2004, 24th June). Similar expenditures have been made by Ms. Jaya Lalitha, Mr. Laoo Yadav and many
hundreds of wealthy people in celebrating marriages of their daughters. Such celebrations would probably cost more than many other big celebrations occurring in any part of the world. The Indian legal system does not have any preventive impact in majority of cases. Katarina Lindahl, the head of Swedish Association for sexuality Education started on advance sex ratio that”, women in the Asian context are work off then elsewhere and it is mainly to dowry system. A women is perceived as a trade item. This completely negates the concept that she has rights. This is very dangerous (TOI 6.10.2004)

Large groups of villages in Rajasthan and Gujarat where no female child had been allowed to survive for many generations are also recorded (Vishwanath, 1996). This has a link with dowry and acquiring higher socioeconomic status. This was achieved through manipulating the marriage of sons and acquiring dowry from daughters-in-law; daughters clearly, as dowry-takers, were a liability in this scheme of things (Clark, 1983). In case of refusal of demands the bride is tortured or killed. This is found commonly in middle or lower strata (India Today Dec. 1997). Maximum cases of bride burning reported in various hospitals in India are associated with dowry.

Generally parents of a daughter are always afraid of the burden of dowry. This fear phenomenon had been fully utilized in some cities in India for advertisement of sex determination tests. Sonalda Desai reports that there are posters in Bombay advertising sex-determination tests that read, “It is better to pay Rs 500 now than Rs 50,000 (in dowry) later.”

**Polygamy**

In anthropology, polygamy is defined as the custom of having more than one spouse at the same time; however, if one has two spouses, it is called bigamy so it may be safely assumed that since poly means “many”, then polygamy etymologically means “many marriages” or a “multitude of marriages”. Of course, monogamy refers to the marriage of “one spouse” at a time. Opposite of this custom, if a woman is married to several men or has a multitude of husbands it is known as polyandry.

While polygamy was a widespread institution in ancient civilizations, it remains in practice in a few individual countries and is firmly established in the continent of Africa and in the Islamic world. On the other hand, polyandry has always been a rarity and its citations are limited to a handful of insignificant tribes.

Mohammad permitted his followers to marry women in “two and three and four” (Sura iv: 3) provided that the women were treated equally, and he allowed them to have as many concubines as affordable (Sura iv: 22). Mohammad himself married fourteen times and left nine widows when he died.

There are many reasons (Twesigye) why Africans practiced and valued polygamy:

- A man’s wealth was measured by the number of his wives as well as the number of his children and cattle or livestock particularly in rural areas.
- It was prestigious to have many wives.
- In political terms the more wives one had, the more political alliances one could form, and therefore, become a very powerful power broker and effective politician or tribal leader, chief or king.
- In agricultural societies, human labor was essential and therefore, polygamy provided more hands to work in the fields and produce more food, or more cash crops for sale. Thus, polygamy produced wealth, at least for the man as well as the whole group, which the patriarch supported.
• Women and children were safer in larger households where they were better protected from aggressors. Pride was associated with a larger family and shame and low self-esteem were associated with small families, which were symbolic of poverty.

• Men also preferred polygamy because it gave them sexual gratification and diversity in mates. In some societies, it is taboo for the couple to engage in sexual intercourse during the menstrual period and pregnancy. In that case, polygamy provided a solution to this dilemma.

• Polygamy ensured that most marriageable girls were married off. Women tended to outnumber men because men naturally die in larger numbers and earlier than women. Women are genetically tougher than men. Moreover, men also tended to engage in dangerous or fatal activities such as wars, hunting and fighting one another in drunken quarrels.

• In most of traditional Africa, there was a custom of leverate or widow inheritance. A brother’s wives passed on to the father or another brother on his death! That was designed to ensure that no widows or orphans would be left without provisions and family.

In modern times when some workers live in the city, they may prefer to have two wives and two families; one in urban and the other in the rural area on the ancestral land. Polygamy was and is the exploitation of women. This system is to the benefit of male sexual needs than those of women. It disregards what is important to women. If a woman is unhappy in this relationship, some people look at her as being demanding and disrespectful to her husband. There should not be any problem as far as choice of an individual is concerned. But in most cases women are forced by their parents to participate in this male system.

**Child Marriage**

Various types of marriages were prevalent in ancient India *Gandharva Vivaha* (love marriage), *Asura Vivaha* (marriage by abduction), *Swayamvara* (Self selection of groom by bride), etc., but *Bal Vivaha* (Child marriage) is worst of all. Child marriage in teenage is one of the most deplorable practices still present in some societies. Its origin can be traced back to sacred literature. Manu exhorts a thirty-year old man to marry a twelve-year old girl who charms his heart, and a man of twenty-four, an eight-year old girl (Manu Smrti 9.94). Kane (1941) refers to Vasnupurana, which says that the bride’s age should be one-third that of her husband; similar statements are found in Mahabharata (Anusasana 44.14). It is given in Rigveda (x85.40-1) that Soma, Ghandharva and Agni were a girl’s divine guardians. Soma was reputed to enjoy a girl first, Ghandharva staked his claim when her breasts developed, and Agni was aroused when she menstruated. The girl was therefore to be married before she developed any distinct signs of femininity. In Islam child marriage is not prohibited. Prophet Mohammad himself married Aisha when she was six years of age, and took her to his bed three years later (Al-Bukhari Al-Sahih, Art II 771). That is enough to approve this practice of child marriage among Muslims (Hekmat 1997).

Even in history several reformist movements were taken up, notably among them, Shri Raja Rammohun Roy was the pioneer in this movement. The consequence of the early marriage, widowhood and various interrelated problems were felt even in those days. After independence in spite of drafting Hindu code bill by Dr. B.R. Ambedkar and enacting laws to curb child marriage, the practice is still very much in existence. Certain States of India like Rajasthan, Uttar Pradesh, Bihar And Jharkhand are well known for active prevalence of child marriages. In Rajasthan particularly Akha Teej is famous annual festival for child marriage where in hundred of child couples tie their spiritual knots. While, in most of the other states early child marriages are not prevalent, mostly girls are married by the age of 13-16 years.
In Nepal, child marriage is not a new phenomenon. It is a socially established practice that has been carried on from generation to generation. Religion has sanctioned it, and society has ensured its continuity. The highly gender discriminative Hindu marriage law has permitted the marriage of a very young girl and a very old man. The orthodox Hindus also gave full sexual freedom to the men: they could marry as many wives as they wanted for pleasure and child rearing. The tradition of child marriage is stronger in Indo-Aryan orthodox Hindu communities such as Parbatia (Brahmins, Chhatris, etc.). It is less prominent among the Tibeto-Burman groups, such as the Kirati, Magar, Tamang, Sherpa and other hill/mountain groups because of the effect of Buddhist culture. The practice is strongest among the Maithilis living in the Terai (southern plains) (CWIN 2004).

Child marriages keep women subjugated. In some rural areas, nearly half the girls between 10 and 14 are married. Child marriages contribute to virtually every social malaise that keeps India behind in women’s rights. The problems include soaring birth rates, grinding poverty and malnutrition, high illiteracy and infant mortality and low life expectancy, especially among rural women (New York Times 1998).

Early marriage is peril both to the girls as well as society. The girls are deprived of their prime childhood, education, nourishment and health. It is in fact violation of all their basic rights. The society contemplates for their early marriage for their self-created social and vested interests (aidjharkhand.org).

Sati System

Sati is a Hindu religious rite of widow burning with the corpse of her husband. Literally, the Sanskrit word sati means a virtuous woman possessing supreme faithfulness to her husband (Harlan 1995: 80) and goodness to her kin. Hindus believe that this facilitates the attainment of spiritual salvation for her dead husband and she also is revered as a goddess. But institutionally, sati means the ritual compulsion of a wife to die with her dead husband by burning with his funeral pyre in the midst of the trumpeting crowd of the ceremony. The Greek writer, Diodorus (c 300 BC) has made an elaborate description of the arrangement of a sati (Oldenburg 1994: 166). Italian Traveler Pietro Della Valle (1586-1652) has documented the Sati ritual that he witnessed in the town of Ikkeri (in present day Karnataka state) in November of 1623 (Nagegowda) and Sleeman also described similar incidence (1844). This practice persisted almost in the same way even in the eighteenth century. Anthropologists and historians believe that the rite of human sacrifice existed in the past in many societies around the world. It was the Rajputs who practiced the rite most eminently. But in varying degrees it was observed by some castes of the Hindus of all provinces including Bengal.

Roop Kanwar, a well-educated eighteen-year-old girl from the Rajput caste of Sikar district, Rajasthan, who was married for only eight months, was forcibly burnt alive on her husband’s funeral pyre. This is a recent incidence of this cruel custom against women (Kumar 1995: 81, Parrilla V). In the state of Madhya Pradesh, Kuttu Bai also became sati in 2002. Beside the religions there are many economic and social reasons for sati system. It may also be considered as the conspiracy to preserve the caste system and to maintain supremacy of Kulin system of Brahmins in Bengal (Jamnadas 2000).

In nineteenth century, the Christian Missionaries, Anglo-Indian press, and a limited number of reformist natives including Raja Rammohun Roy had advocated humanitarian reforms. Supported by the Home Government, Governor General Lord William Bentinck (1828-1835), who was himself a humanitarian reformist, enacted the Regulation XVII, 1829 which declared “the practice of Suttee or the burning/burying alive Hindu widow illegal” (Banglapedia www.s.org/S_0130.htm; Ray & Kishore 1998). Although the sati system was banned more than 150 years ago, the concept of Mahasati (Great Virtuous Woman) or Satimata (Mother Sati) prevails in India and evokes awe and respect among the population.
Despite the existence of laws that prohibit sati in India, the glorification of a Sati (one who has successfully committed sati) is continued and has not hindered some attempts by women to perform the selfless act confirming that deeply held and deeply cherished norms cannot be changed simply by enacting laws (Kishwar 1994: 7-8).

**Caste: Dalit Women**

The caste system is an unfortunate and evil reality of the Indian Hindu society. While there is heavy discrimination against women in all castes the status of Indian Dalit women is undoubtedly worst in the world. She is the one, who is paraded naked in village, gang raped, hanged, and chopped into pieces if she marries a man of another caste. The Amnesty International report highlights patterns of violence including the beating, stripping and rape of women, particularly in Uttar Pradesh and Rajasthan. It focuses mainly on dalit (untouchables) and adivasi (tribal) women; their lack of access to justice, and the failure of the state to protect them at the local level. These women often suffer a double discrimination; discrimination on the basis of caste as well as gender. Most of the time authorities in India failed to prevent violence against women and sometimes take an active part in it. Many women don’t approach police for fear of dishonor or that they will be dismissed or further abused. Many dalits women are not aware of their rights under special legislation designed to protect them, and it is rare for police to voluntarily inform them (Amnesty International 2001, NHRC).

While Dalit males are refuters of Manuism, they are followers of principles of Manu in the matter of women. Being of a particular caste, the Dalit women have to tolerate inhuman humiliation and adversities. Both urban and rural Dalit women have no safety, security and adequate protection. However, the caste system is much more deeply entrenched and wretched in rural areas than in urban areas. Rural Dalit women have to face more atrocities from the upper caste people than Dalit men. The financial position of Dalit women is very adverse. The rural Dalit women have to face more hardships than the urban women. Majority of the Dalit women are manual workers in urban and rural areas. In 1997-98, Dalit women received an average of Rs. 23 compared to Rs 50 for male laborers - about 46 percent of men’s wages. Wage gaps sharply widened in 2002. In the same villages, women received an average of Rs. 30 and men Rs.80 - only 37.5 percent of men’s wages. Gender, class and caste inequalities are widening under current economic policy along with incidents of poverty and deprivation among Dalit women. Gender discrimination is rooted in Indian society and culture, but the globalizing economy in India has further worsened gender relations among Dalits. For instance, the use of a dowry in marriage was a custom traditionally practiced in the well-off and higher castes. However, the changing economy, including the rapidly changing consumption patterns in all aspects of Indian society, has resulted in the wide spread use of dowry in poor and Dalit households. Dowry-related harassments and crimes have risen as a result.

**Women’s Health**

Women as a group tend to live longer than men in nearly all countries. Long life expectancy of female is partly biological. Ordinarily women outnumber men, possibly because the extra X chromosome they carry makes them less susceptible to infections and diseases and protects them against sex linked recessive disorders (Lopaz 1983). When the female potential for greater longevity is not realized, it is an indication of serious health hazards in their immediate environment (WHO 1998). Women suffer considerable mortality and morbidity in relation to their sexual and reproductive health.

In Malaria, Tuberculosis, and HIV/AIDS there is a dynamic interaction among these factors, which often is disadvantageous for women. Exposure to Malaria, for example, is slightly higher in men than women. However, woman’s immunity is compromised during pregnancy making them more likely to become infected and implying differential severity of consequences. Malaria during pregnancy is an important cause of maternal mortality, spontaneous abortion, and stillbirths. Lack of time,
limited mobility, and other social constraints may prevent women from attending antenatal clinics (WHO 1998). These issues of gender differences due to diseases are usually not studied adequately.

In India, the risk of dying between ages one and five years is 30-50 percent higher for females than for males (Claeson et al 2000). Hindu children have much higher infant mortality rates than children of most other religions including Muslims, and Christians. Increasing mother’s literacy and education is associated with sharp declines in infant mortality (IIPS, Kishore J 2000). Most common causes of infant mortality are diarrhea, septicemia, acute respiratory infection, etc. Many times the cause cannot be determined (Khanna et al 2003).

The exceptionally high rates of malnutrition in South Asia are rooted deeply in the soil of inequality between men and women. “…The poor care that is afforded to girls and women by their husbands and by elders is the first major reason for levels of child malnutrition that are markedly higher in South Asia than anywhere else in the world.” Anemia is found in over 95 percent of girls aged 6-14 in Kolkata, around 67 percent in the Hyderabad area, 73 percent in the New Delhi area, and about 18 percent in the Chennai area.

India’s maternal mortality rates in rural areas are among the highest in the world. The estimates nationwide are that only 40-50 percent of women receive any antenatal care. Women’s health is harmed by lack of access to and the poor quality of reproductive services. Women’s health is further harmed by air and water pollution and lack of sanitation.

There is widespread gender inequality within households in the allocation of food and health care; women and girl children have last priority. They are fed breast milk less frequently and from infancy to adulthood given lesser calories. This directly heightens female mortality (Agarwal, 1994, Kishor, 1995). As compared to boys, female children are often brought to health facilities in more advanced stages of illness, are taken to less qualified doctors when they are ill, and medical expenditures for boys are 2.3 times higher than for girls (Chatterjee 1990, Das Gupta 1987).

Adolescent women are at even greater risk than adult women. The vagina and cervix of young women are less mature and are less resistant to HIV and other sexual transmitted diseases (STDs), such as chlamydia and gonorrhea. The younger the age the higher the risk of STDs. Women usually become infected 5-10 years earlier than men. Changes in the reproductive tract during puberty make the tissue more susceptible to penetration by HIV. An unequal balance of sexual power makes it difficult for women to protect themselves. Most HIV infected women report only one sexual partner whereas most infected men report multiple partners. Women, including schoolgirls, are vulnerable to coerced sex, including rape and other sexual abuse.

In addition to economic considerations, role expectations based on gender, stigma attached with certain diseases, health-seeking behavior of women is also affected. Access to available health services may be constrained because women do not have the resources needed to attend. Women may have other responsibilities in the household, which take precedence and thus do not seek out health care. Transportation to services may not be available and / or women’s mobility may be limited in other ways. Family members may not allow women to attend clinics. Thus, autonomous decision-making is not enough rather whole set of constraints need to be removed to make the women use health services. Otherwise poor health will keep the women vulnerable for suffering.

**Honor Killing**

Honor killing is the practice of killing girls and women who are perceived to have defiled a family’s honor by allegedly engaging in sexual activity or other improprieties before marriage or outside of marriage. “Improper” behavior justifies grounds for killing, however, has expanded to include transgressions that are not initiated by the girl, including rape,
incest, sexual abuse, or sexual rumor. Violations of honor include engaging in an illicit sexual relationship, eloping, being raped, being sexually abused by a family member and then running away, seeking divorce, and being seen alone with a man or boy even if the interaction is innocent. A girl is killed most often by male kin – father, husband, brother, uncle, or cousin - to restore honor to her family. Some children are killed for being born to a mother who is accused of violating a family’s honor. Depending on the country, community, and specific situation, girls can be strangled, shot, beaten to death, stabbed, hacked to death, or in some cases, burned. Criminal penalties for honor killing are lenient in countries where this practice is most prevalent. Legislation in some countries condones honor killings. In Iraq, Iran, and Pakistan, men are allowed to kill their wives for adultery. Egyptian law allows husband to receive a reduced sentence if he can prove that he had killed his wife in defense of his honor.

Because many cases go unreported, it is difficult to determine the number of women who are the victims of honor killing. The United Nations Population Fund (UNPF) estimates as many as 5,000 females are being killed each year as a result of honor killings (YAPI 2004). Honor killing occurs most frequently in Muslim countries, although neither Islamic religion nor law sanctions the practice. Other countries where such killings have been reported include Bangladesh, Britain, Brazil, Ecuador, Egypt, India, Israel, Italy, Norway, Jordan, Pakistan, Peru, Morocco, Sweden, Turkey, Uganda, and Venezuela.

**Female Genital Cutting/Mutilation**

Female Genital Cutting (FGC) refers to any practice that involves the removal or the alteration of the female genitalia. It is a centuries old cultural practice found in many countries among people following various religions and beliefs, but is most prevalent in Africa. Other terms for FGC include female genital mutilation, female genital circumcision, female genital operations, or clitoridectomies.

According to the United Nations Population Fund, “it is estimated that over 130 million girls and women have undergone some form of genital cutting and at least two million girls are at risk of undergoing the practice every year”(UNPF 2004). FGC is reportedly practiced in 28 of Africa’s 43 countries, most pervasive in Egypt, Eritrea, Mali, Sudan, and the Central African Republic (PATH 1997). In the Middle East, FGC is found in Iran, and the United Arab Emirates. Some immigrant populations in the United States, Latin America, and Asia (Indonesia, Sri Lanka, and Malaysia) practice FGC as well.

Research on FGC shows there are short and long-term health effects on girls. Immediate effects include hemorrhage, pain, severe bleeding, inability to urinate and shock have caused the death of many girls. Girls may develop infections such as tetanus, hepatitis, and HIV. Chronic bladder and pelvic infections, infertility, excessive scar tissue, cysts at the site of the procedure, and problems during or after childbirth are among the possible long-term complications. In addition, sexual intercourse can be very painful or dangerous after FGC, and many women become unable to experience sexual fulfillment. Scientific evidence for psychology effects of FGC on girls is lacking; however, personal accounts reveal that girls who have undergone FGC may suffer from anxiety, terror, humiliation, betrayal, and depression.

Custom and tradition are the most frequently cited reasons behind FGC (Amnesty International 2004). Other factors include the role of FGC in confirming femininity in some cultures, controlling the sexual behavior of a woman, and preserving aesthetics and cleanliness in cultures that view parts of the female genitalia as dirty or dangerous. Mostly Muslims who practice FGC sometimes cite religious justifications. However, the practice outdates Islam, the majority of Muslims do not practice FGC, and some Islamic leaders deny any link between their religion and FGC. Most other FGC practicing communities adhere to traditional Animist religions (Amnesty International 2004).
Gender-Based Violence

Violence against women is so common throughout the world and there is no immediate remedy observed by women groups. This negative attitude of both men and women has frustrated the scope of girl survival. The UN defines violence against women as "any act of gender-based violence that results in, or is likely to result in physical, sexual or psychological harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or private life" (Economic and Social Council, UN, 1992). This includes physical, sexual and psychological violence such as wife beating, burning and acid throwing, sexual abuse including rape and incest by family members, female genital mutilation, female feticide and infanticide, and emotional abuse such as coercion and abusive language. Abduction of women and girls for prostitution and forced marriages are additional examples of gender-based violence (GBV). GBV does not only occur in the family and in the general community but is sometimes also condoned or perpetuated by the state through a variety of policies and actions.

Figure 5.1: Women: Voiceless Prisoners

(Source: TOI 2004)

Violence against women is often tolerated and in a number of cases neither the women nor her family report violence to the police or take legal action against violence. Because of their gender, women are often reluctant to report such cases due to the religious or cultural norms and social stigma. Ignorance of their legal rights, fear of police inaction, or threats on the part of the offenders, or skepticism about court proceedings are other reasons (Figure 5.1). The magnitude of violence against women goes far deeper than mere statistics. According to recorded data in relation to crimes against women, the reported incidences of violence reveal “soaring crimes against women registering an increase of 56.2 per cent or and annual growth of 7.7 percent.” This is only the tip of the iceberg as the majority of cases go unreported.

Economic cost of gender-based violence

Studies indicate that between 16% and 52% of women worldwide are physically assaulted by an intimate partner at least once in their lives. The Inter-American Development Bank’s Special Report on Domestic Violence states that GBV results in the direct loss of millions of dollars in health care, police and court costs and productivity- in Canada this cost averages $1.6 billion annually, in the US this ranges between $10 - $67 billion. In Chile this is $1.56 billion in loss of battered women’s wages. There is a loss of 4.7 million years of productive life due to domestic violence (WHO). Violence has been identified as a contributory factor to maternal mortality. It is estimated that rape and domestic violence “account for 5% of the healthy years of life lost to women of reproductive age in developing countries” (World Bank, 1993).

Abused women are less likely to seek pre-natal care and more likely to give birth to low-weight babies (Heise et al, 1994). According to a WHO report, among women aged 15-44 years gender violence accounts for more death and disability than cancer, malaria, traffic injuries or war put together. Studies in India, Bangladesh, Fiji, USA, Papua New Guinea and Peru show a high correlation between domestic violence and suicide rates. Women who are victims of domestic violence are 12 times more likely to attempt suicide than those who do not experience such violence.
Magnitude of gender-based violence

Statistics published by the World Health Organization (WHO 1997) revealed that, according to 40 studies conducted in 24 countries on four continents, between 20% and 50% of the women interviewed reported that they suffered physical abuse from their male partners. Also, according to an international report (Table 5.1) the number of women reporting physical abuse by their male partner during the period 1986-1993 was from 21% to 60% (Neft & Levine 1997; CHANGE 1999).

On an average, a woman is raped in South Africa every minute (Russell, 1991). It is estimated that about 1 in every 3 women will be a victim of rape in her lifetime. A report states that more than 100 cases of child abuse (97% of them being girls) are reported daily (NGO Shadow Report to CEDAW 1998). A study in northern Nigeria found that 16% of female patients seeking treatment for STDs were children under the age of five (Kisekka & Otesanya, 1988) who must be sexually abused by adult males.

Table 5.1: Physical Abuse of Women by Male Partners

<table>
<thead>
<tr>
<th>Country</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Africa, Sub-Saharan</td>
<td>5 - 45</td>
</tr>
<tr>
<td>Asia &amp; Pacific including India</td>
<td>10 - 67</td>
</tr>
<tr>
<td>Australia</td>
<td>3 - 8</td>
</tr>
<tr>
<td>Latin America &amp; Caribbean</td>
<td>11-69</td>
</tr>
<tr>
<td>Near East &amp; North Africa</td>
<td>16 - 52</td>
</tr>
<tr>
<td>North America</td>
<td>1.3 - 29</td>
</tr>
</tbody>
</table>

Source: Centre for Health & Gender Equity for Population Report, Dec.1999 (CHANGE).

In Alexandria, Egypt, domestic violence is the leading cause of injury to women, accounting for 28% of all visits to area trauma units (Graitcer and Youssef, 1993). A systematic random sample of 1,826 married Arab women (excluding Bedouin) in Israel revealed that 32% of them had been beaten by their husbands at least once over a period of 12 months (WHO 1997).

Fifty one percent out of a sample of 600 families in a survey in southern Asia reported having killed a baby girl during her first week of life (Neft & Levine 1997). A study in the Punjab India estimated that for each rape case reported to the police, 70 went unregistered. Similarly, for each case of molestation filed, 375 were not registered. These unregistered cases were documented by victims to the panchayats, municipalities, mahila madals and voluntary organizations (Johnson, Cate et al, 1996). Husbands would give Talaq (divorce) or murder their wives if they refuse to have sex with them (Times of India 5th July 2004). In Bangladesh, 50% of the wives murders are performed by their husbands (Stewart 1989). A New Delhi study on violence showed that in almost 94% of cases, the victim and the offender were members of the same family. In nine out of ten cases, husbands murdered their wives (Action Aid India 1994). A study in one clinic in India showed that out of 8,000 aborted fetuses, 7,997 were female. In one year, 40,000 female fetuses were aborted in Bombay alone (Jaising 1995).

In Malaysia, a study revealed that 39% of adult women reported being physically abused by their husbands, while 68% of battered women were abused while they were pregnant (Rashidah, A et al, 1994). Almost one million children in Asia spend each night providing sexual services for adults. Most of these children are coerced, kidnapped or sold into this multi-billion dollar industry and majority of them are girls (Asia Today).

In France, 95% of the victims of violence are women, 51% of them are at the hands of their husbands (The Tribune Newsletter No. 46, 1991). In Switzerland, out of a random sample of 15000 women between 20-60 years in a relationship, it was reported that 20% had been physically assaulted (Gillioz et al., 1997). In a random sample of women in the London Borough of Islington in the UK, 25% of women...
indicated that they had been punched or slapped by a partner or ex-partner (Mooney 1995).

A Costa Rican organization for adolescent mothers found that 95% of its pregnant clients under the age of 15 years were victims of incest (Treguer & Carro 1991). In 1994 a random sample of women in Peru showed that nearly half the women reported sexual fondling in childhood and adolescence, the majority on more than one occasion; more than 1 in 10 reported being raped (Stewart et al. 1994). In Chile, a study revealed that on average 60% of women living with partners are subjected to some form of violence and more than 10% can be classified as serious physical abuse (Inter-American Development Special Report, 1997).

In Argentina, a study showed that 37% of women who had been assaulted by their husbands have had to tolerate this abuse for more than 20 years. In Columbia about 20% of women have experienced physical abuse, while 10% have been sexually abused, and a further 34% been abused mentally (Inter-American Development Special Report 1997). According to a report by the Mexican Federation of Women Trade Unions 95% of Mexican female workers are victims of sexual harassment (The Tribune Newsletter No. 46, 1991). Government estimates from Bolivia indicate that about 95% of 100,000 acts of violence against women go unpunished (Neft & Levine, 1997).

In a random sample of over 300 women in Mexico, 33% of the women have lived in violent relationships; 6% had experienced marital rape. Of the abused women 66% had also experienced physical abuse, 76% physiological abuse and 21% sexual abuse (Shrader et al. 1992).

In Canada, 1 in 4 women can expect to be assaulted at some point in their lives, one half of these before the age of seventeen. In a nationally representative sample of 12,300 women above 18 years, 29% of those ever married or in common-law relationships indicated that they had been physically assaulted by a current or former partner since the age of 16 (WHO, 1997). In the US, surveys of rape among women indicate that 14-20 percent of women would have experienced a completed rape during their lifetime (Panos Briefing No. 27, 1998). Similar reports of violence against women are obtained from Papua New Guinea and New Zealand.

**Health consequence of Violence**

The health consequences of violence (Table 5.2) include nonfatal outcomes such as minor cuts, headaches, pains and bruises and more

### Table 5.2: The Health Consequences of Gender-Based Violence

<table>
<thead>
<tr>
<th>Health Risk</th>
<th>Health Effects</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Domestic Violence</strong></td>
<td>Poor nutrition, exacerbation of chronic illness, substance abuse, brain trauma,</td>
</tr>
<tr>
<td></td>
<td>organ damage, partial or permanent disability, chronic pain, unprotected sex,</td>
</tr>
<tr>
<td></td>
<td>Pelvic Inflammatory Disease, gynecological problems, low birth weight, miscarriage, maternal mortality, depression, suicide and attempt of suicide and death.</td>
</tr>
<tr>
<td><strong>Childhood Sexual Abuse</strong></td>
<td>Gynecological problems, STDs, HIV/AIDS, early sexual experience, infertility, unprotected sex, unwanted pregnancy, abortion, high-risk behaviors, prostitution, substance abuse, and suicide.</td>
</tr>
<tr>
<td><strong>Rape</strong></td>
<td>Unwanted pregnancy, abortion, pelvic inflammatory disease, infertility, STDs, partial or permanent disability, HIV, suicide, loss of 4.7 million years of productive life, death.</td>
</tr>
</tbody>
</table>
long-term health outcomes include organ damage, chronic disabilities, mental disorders, depression and adverse pregnancy outcomes. Fatal consequences such as suicide and murders are common. For a majority of women the persistent insults, abuse, confinement, harassment and deprivation of financial and physical resources may prove more harmful than physical attacks and result in women living in a permanent state of fear and substandard mental and physical health.

Gender based violence could be due to low status and physical vulnerability of women. Her physical and mental suffering is always underestimated due to lack of appropriate indicators available to assess and lack of willingness to assess by male members of society. Repeated mental, physical and sexual abuse make her vulnerable and she falls prey to male dominance. Consequentially, in her later part of life, she may start supporting male for his exploitation drive against younger women and small girl child. She does not hesitate to bury alive her daughter and grand daughter and does not feel ashamed in burning her daughter in law for dowry, asking her to go to doctor for sex determination and if fetus female is baby then forcing her for abortion. This gives rise to the commonly used argument by males, in their defence, that ‘women are women’s own worst enemy.’ However, it needs to be clearly understood that a woman brought up in a male dominated culture, supremely suppressed from forming or expressing her own views will eventually reflect or fall prey to the views of the dominant forces i.e. men.

**Sexual Harassment**

Sexual harassment includes such unwelcome sexually determined behavior as physical contacts and advances, sexually colored remarks, showing pornography and sexual demands, whether by words or actions. Such conduct can be humiliating and may constitute a health and safety problem; it is discriminatory when the woman has reasonable grounds to believe that her objection would disadvantage her in connection with her employment, including recruiting or promotion, or when it creates a hostile working environment.

Comprehensive data on sexual harassment is scarce throughout the world, however it is a common global phenomenon. It is the relatively low status of women in work sectors that makes the problem so widespread and persistent. Harassment is also due to women’s inferior position on the job. From 1977 to 1989 in India, there was approximately a 24% increase in the number of women working in the rural and urban sectors in India. Even under the existing narrow provisions of law, between 1983 and 1993, the number of reported molestations, increased from 75 in 1983 to 20,194 cases in 1990. The latter figure comprised 50% of the total number of crimes against women reported at the all India level in 1990. While the number of convictions is not separately categorized under such crimes, general statistic reveal a high incidence of sexual offensive behavior towards women coupled with a low level of convictions.

Sexual harassment has been an invisible barrier impending women’s equal opportunities, participation and promotion in the workplace. In India only legal avenue for redress is in the Penal Code, which contains provisions of rape (section 375), use force to outrage the modesty of a woman (section 354) or use of word or gesture to insult the modesty of a woman (section 509). But this legal provision is hardly utilized due to social compulsion in male dominated society.

Repeated sexual harassment of women makes her physically and mentally vulnerable. She loses faith in social security system and demoralized for her personal development. She will never allow her future daughter to face all such harassment and would like to kill her before birth because that is directly under her control and legally approved through abortion rights.

**Prostitution**

“Prostitution involves one gender’s taking advantage of its superior social status and manipulating the other gender...Because members of this less powerful group are compelled or forced, physically or psychologically to
engage in a sexual act; prostitution is fundamentally coercive and exploitative” (Miller). Gender feminists state that society is to blame, not the prostitutes. More specifically, male-dominated society - as expressed through capitalism and patriarchy - is to blame. Gender feminists seek to eliminate the oldest profession because it is a creation of patriarchy and, thus, an inherent act of violence against women as a class.

We can go back in time and search for its origin. In Hindu Vedas and other religious books famous courtesans had been used to defeat sages, rishis and kings in their endeavor. These women were the tools of entertainment. In Bible, women of this profession has been criticized, for example it is stated that “...who marries the divorced woman commits adultery” (Matthew 5:32) and “The woman he (the priest) marries must be a virgin. He must not marry a widow, a divorced woman, or a woman defiled by prostitution, but only a virgin from his own people” (Leviticus 21:13-4). In ancient Greece, however, prostitutes were an integral part of religious rites. In Napoleonic France, courtesans were educated and talented women. They were not simply respected: they were adored and often eagerly sought out as wives. During the Buddha’s lifetime courtesans were respected and given high regards. For example, Amrapali not only proved to be educated and talented but also became nun of high order in Buddha’ Sangha. Other societies have grudgingly tolerated prostitution as a safeguard for the family. It was deemed to prevent rape and to shield virtuous wives from the unsavory sexual appetites of their husbands (McElroy).

The practice of ritual dedication of girl children to prostitution has been reported from some parts of India, mainly Karnataka and Maharashtra. In poverty, girl child is the first to be sold for a few thousand rupees (NHRC) ultimately reaches brothels.

Women in Nepal are not different from other part of the world and status is worst in most of the cases. Nepali women are sold by their families, due to extreme poverty for prostitution in India and other neighboring countries. Caste prostitution also exists; among the Bhadi, the women are traditionally sex workers whose earnings support the whole community. The girls (usually the daughters of clients, raised by their single mothers), after being trained by their mothers, begin work at menarche with great ceremony, suffer no social isolation, and retire back into the community. Seventy percent of these Bhadi workers are infected with STDs. The Nepali prostitutes returning from Indian brotheles and the seasonal migrant workers who use their services introduce HIV to a broader range of communities in Nepal (Reinfeld).

Sex work is prohibited under law of prevention of immoral trafficking in majority of countries including India. However, there are many sex rackets operating in all cities of these developing countries in which young girls are sexually exploited. A prostitute does not have any rights. In some countries, everything a prostitute owns can be taken away from her as the proceeds of illegal activity. Laws against prostitution have historically been used to harass and oppress women in the sex industry, not the men who are customers. Such repression also hinders the ability of prostitutes to organize politically. Antiprostitution laws ensure that prostitutes will be unable to report violence committed against them to the police. Because the complaints come from criminals, they are next to never taken seriously or pursued. Even the murder of a prostitute is often ignored. On the contrary, prostitutes who complain to the police are likely to be further abused. Margo St. James claims that 20% of violence against prostitutes comes from pimps, 20% from police, and 60% from clients...about whom prostitutes cannot go to the police.

There are many reasons why some women prefer the life of a prostitute. However, it is definitely true that this profession is hazardous for woman who repeatedly suffers.

Women’s Education Status

It is already reported that education decreases mortality (Herz et al. 1991, World Bank 2002). Those states in India, which have low literacy
rates such as Bihar, Uttar Pradesh, Rajasthan, and Madhya Pradesh, have high rates of infant and maternal mortality and high fertility. Literacy delays age of marriage and pregnancy. Both are the risk factors of mortality (Kishore 1999). Women and girls receive far less education than men and drop out early from their schools, due both to social norms and fears of gender violence. Some recent reports including UNICEF say that there are 121 million primary-school age children out of school worldwide. Most of these children are girls. This is mainly because of following reasons:

1. Lack of accountability: Rather than recognizing it as the right of every child, education is too often seen “nice to have all children enrolled”. It is still not considered obligatory or necessary that governments mobilize the needed resources so that all children can complete quality education. Similarly, parents do not realize that governments have the obligation to make education available to all children. Because of the persistent and often subtle gender discrimination that runs through most societies, it is girls who are sacrificed first, being the last enrolled and first withdrawn from schools when times get tough, such as in fiscal constraints or in natural disasters, or in wars and conflicts.

2. Lack of rational understanding of the relationship between economic development and preservation of human rights of marginalized population. It is never discussed in development policies to include investment in girls’ education in spite of presence of scientific evidence that prove positive impact of educated women on country’s development.

3. Overestimation of factors such as economic growth and structural adjustment cause underestimation of role of social and ethical factors in development. Similarly, people fail to take into account women’s potential to contribute in the private and public sectors to a country’s development. As a result, issues affecting women and girls are nearly invisible in the theories, policies, and practices of development.

4. Strategic failure due to traditional approaches of improving education through education department only. Why girls are not attending school? It also involves gender issues prevalent in all societies. It is better to use multisectoral approach for girls’ education.

India’s constitution guarantees free primary school education for both boys and girls up to age 14. This goal has been repeatedly confirmed, but primary education in India is not universal. Parents have several incentives for not educating their daughters. Foremost is the view that education of girls brings no returns to parents and that their future roles, being mainly reproductive and perhaps including agricultural labor, require no formal education. A large proportion of the roughly 40 million ‘nonworking’ girls who are not in school are kept at home because of responsibilities in housework. Schooling may make women more aware of health, hygiene and nutrition, but education alone is not enough to transcend the nexus of conditions that leads families to consider daughters a liability. It is customary to have the husband who possesses higher educational qualifications in all castes and religions. A well-educated woman in fact disqualifies for marriage because suitable groom may not be available. She has to compromise and seek no higher education. Just to put down the wife a well to do husband may force her to be a housewife. Some researchers observed that the education often domesticates women rather than liberates them (Das Gupta 1987; Clark & Shreeniwas 1995).

**Women’s Occupation Status**

Traditionally, women have had main responsibility for seeing to the needs of families in their homes. Responsibilities in this reproductive arena limit women from participating in so-called ‘productive’ work. Although child care, care of the elderly, obtaining fuel, preparing meals, and maintaining the home are demanding tasks, deemed to be important to households and recognized as essential for society, they are usually unpaid. Another major reason for undervaluing women’s work is that households are usually viewed as sites of consumption rather than pro-
ducers of goods and services (Budlender & Sharp 1998). Because women’s work is undervalued and often invisible, insufficient attention has been given to the value of her time and less budgetary allocations are made to protect and promote her health.

However, women work longer hours and their work is more arduous than men’s. They contribute 53 percent of the total human hours per household in agricultural work as compared to 31 percent by men. The remaining contribution comes from children (Baltiwala 1982). One study of Bangladesh estimated that women spent between 10 and 14 hours each day in productive work, including income-generating and expenditure-saving labor, in comparison with 10 or 11 hours spent by men (Rogers 1980). Another study in Java estimated women’s hours in productive labor at over 11 hours whilst men spent an average of 8.7 hours a day in such work (Rogers 1980). They are prohibited certain agricultural activities such as ploughing and using machines and always given manual work, which is considered unskilled and paid less. Still they are repeatedly blamed for being simply food eaters and doing nothing. In India, men spend 70 per cent of their wages on themselves, whilst virtually all of women’s wages goes to the household and the children (French 1985).

In middle class families in India, a daughter with a job is never let off her share of domestic responsibility. A son is never expected to help in the routine of domestic chores. Once he begins to earn, he is handled with kid gloves and treated as a creature with special needs and cares. Her working outside the home is tacitly assumed to be superfluous and dispensable, even if she is professionally successful.

The health effects of occupation amongst women who are home workers are less visible than for other women. However, the insecurity of the work, the lack of control over the allocation of work, the appalling rates of pay and long hours needed, and the isolation in which the work is performed for many women have substantial effects on health, in addition to the poverty associated with this form of production (Hakim 1987, Brown 1974, Mitter 1986). Due to high unemployment among women many get involved in various risky occupations such as prostitution, drug trafficking, robbery and cheating. In all parts of Asia young women fall prey to sexual trade because they receive higher pay in this than in many other occupations (Daly 2001, Larson 2001, The Times Of India 2004). This occupation also makes them vulnerable for exploitation and lowers their status in the labor market (Figure 5.2).

Social Insecurity

Insecurity outside the household is today one of the greatest obstacles in the path of women. However, in comparison to the outside world, atrocities within the house are more endurable thereby compelling women to accept their inferior status in the house. United States of America supposed to be one of the most advanced countries reports the highest rates of rape in the world. According to an FBI report, in the year 1990, every day on an average 1756 cases of rape were committed in USA alone. Another report mentions that on an average everyday, 1900 cases of rapes are committed in USA (Naik Z 2001).

In India, every 26 minutes a woman is molested. Every 34 minutes a rape takes place and this data does not include the vast majority of unreported cases. Every 42 minutes a sexual harassment incident occurs. Every 43 minutes a woman is kidnapped. And every 93 minutes a woman is burnt to death over dowry. Women cannot seek free-
dom from husband through divorce. Divorce is rare in India — it is considered a shameful admission of a woman’s failure as a wife and daughter-in-law. Maintenance rights of women in the case of divorce are weak. A woman cannot think of living alone, particularly in rural areas. There is hardly any hostel facility for a woman to stay alone if she is not studying in a college or school. Hostels for girls are available when they are studying in colleges that too in bigger cities like Delhi, Mumbai, Chennai, Bangalore, etc. A feeling of insecurity persists even in these hostels or colleges due to the general environment of disrespect to women. Insecurity of women is more severe in developing countries such as India, Pakistan, Bangladesh, China, Malaysia, and African countries.

Scientific Development and Sex Selection

Many a times scientific development meant for welfare of humankind has been unfortunately utilized for selfish gains. To prevent maternal death from septic abortions in 1971 in India Medical Termination of Pregnancy (MTP) Act was enacted by the Parliament. This Act was a brave step toward women’s empowerment because now she could decide to discontinue an unwanted pregnancy conceived as a result of sexual assault or contraceptive failure, or if the fetus is suffering from genetic or biochemical disease or if mother is incapable of bearing a healthy child. Amniocentesis was introduced in 1975 to detect fetal abnormalities but started being used for detecting the sex of the baby. This sex detection expanded manifold after the marketing of Ultrasonography. Because this is a non-invasive technique in which a probe is applied on the skin of abdomen it gained popularity in a short span and reached remote areas. Both techniques are used to detect the sex of the baby. Recent Preconception Gender Selection (PGS) includes flowcycometry, preimplantation gender determination of the embryo and in vitro fertilization ensure the birth of baby without undergoing abortion because sex is already selected. With the development of simple and commonly available techniques of sex-determination and abortions, women have become more vulnerable for discrimination in patriarchal societies globally.

There are probably 350 plus diseases known to be linked to an X chromosome and therefore the families who have the children afflicted with such diseases would like to avoid children with two X chromosomes i.e. the females. Similarly, there are several hundred known genetic diseases that affect only males—e.g. hemophilia and Duchenne’s muscular dystrophy. In families that have a history of such diseases, parents in an attempt to reduce the chances of their child suffering serious illness may like to have the child without such illness is scientifically sound policy however, choosing of a particular sex is not ethical.

Sex-selection Methodologies

Sex is determined at fertilization when the maternal and paternal haploid genomes combine to form the embryo. In humans the male determines the sex of the offspring. During spermatocytogenesis, one diploid XY spermatogonium undergoes a series of mitotic and meiotic divisions to yield 128 X-bearing sperm and 128 Y-bearing sperm, assuming 100% spermatogenic efficiency. If there is no preferential survival of X- versus Y-bearing sperm during spermatogenesis, the proportion of X-vs. Y-bearing sperm produced by the testes should be equal and, when subsequently presented to the female, those sperm should have an equal chance of fertilizing an oocyte to result in either a female or a male embryo. Thus, the chances of a male or female are 50:50 for each conception and the sex of previous babies has no effect on that likelihood.

Choosing the child’s sex before birth can be effected before conception, after conception but before implantation in the uterus, and after implantation but before delivery. Preconception sex selection involves manipulating the proportion of X- or Y-bearing sperm to the point of meaningfully increasing the probability that a sperm carrying the desired sex chromosome will fertilize the egg.

There are various methods of sex selection and most of them are now available in majority of the world:
Pre-implantation

(a) Sperm Sorting – while all eggs carry only X chromosomes, sperms may carry either X or Y-chromosomes. This leads to different combinations at the time of fertilization. If an egg is fertilized by X sperms, the resulting child will be female while fertilization with a Y sperm will produce a male child. Since there is subtle difference in the amount of DNA and the weight of X and Y sperms (X sperms contain 2.8% more DNA) they can be separated by adopting difference techniques as:

1. Discontinuous Density Gradient Centrifugation – separating X and Y-chromosomes by centrifuging, owing to their subtle weight difference.

2. The Ericsson Albumin Technique: developed by Dr. Ronald Ericsson. The current success rate is 78 to 85 percent for boys and 73 to 75 percent for girls. Costs range from $600 to $1,200 per try. The technology is available at licensed centers throughout the United States and in many countries abroad (www.childselect.com). The method works by layering separated sperm over human serum albumin (the main protein in blood) several times. These sperm swim downward, where they are collected and washed. During this process, most of the sperm are eliminated; the remaining sperm, according to Ericsson, “are of the highest fertility and quality.” At ovulation, a woman is artificially inseminated with the isolated sperm. To boost her “girl” odds by 25 percent, she may also take the fertility drug Clomid that may have some side effects including ovarian cancers. On the average, women younger than 40 require two attempts to conceive using the Ericsson Method. Ericsson maintains “there are no known health risks for women using these procedures.”

3. Fluorescence activated flow cytometry (FACS): The flow cytometer utilizes a laser to cause sperm stained with a DNA-specific dye to fluoresce. Differences in the amount of fluorescence emitted by stained sperm allows for discrimination between the X- and Y-bearing sperm. In mammals the X chromosome is larger and contains more DNA than the Y chromosome (Moruzzi 1979; Pinkel et al 1982) in the human the X-bearing sperm have 2.8% more total DNA (Johnson et al 1993; Sumner & Robinson 1976) than Y-bearing sperm. Thus, when stained with a DNA-specific fluorochrome, the fluorescent signal emitted by an X-bearing sperm is greater than that emitted by a Y-bearing sperm. This technique is being successfully utilized for separating desired sperm for intrauterine insemination (IUI) or in vitro fertilization / intracytoplasmic sperm injection (IVF/ ICSI) (Johnson et al 1987; Johnson et al 1989; Johnson 1991; Cran et al 1993; Cran et al 1994, Levinson et al 1995; Fugger et al 1998). This has been patented under the trade name Microsort.

4. Electrophoresis i.e. distinguishing X and Y-chromosomes through electric charge.

5. Karyotyping i.e. just looking at the actual chromosomes under the microscope.

(b) Preimplantation Genetic Diagnosis: Blastomere biopsy i.e. developing embryo by In-Vitro Fertilization (IVF) and then identifying their DNA before implanting them is another method.

Post-Implantation

(a) Amniocentesis is collecting the fetal cell-at 16-18 weeks of gestation and testing for sex.

(b) Chorionic villus sampling is actually biopsy of trophoblast and test for sex.

(c) Ultrasonography is used to study the anatomy of the genitals and performed at 14-16 weeks of gestation. It is able to determine the sex of the unborn child based on an accuracy of 90% for male and 100% for female fetuses (Reece 1987).
(d) Detection of fetal hormones in the maternal blood.
(e) Detection and study of fetal red blood cells in the maternal circulation.

In Pre-gestational selection (PGS), the X- and Y sperms are separated and the enriched sperms are used to fertilize the ovum. This is best suited for prevention of X-linked diseases occurring in female embryo. Prenatal genetic screening and counseling will help couples that have a family history of an X-linked disease to decide about the pregnancy. To avoid recurrent abortion PGS can be used (Ravindran 2003). In this process, parents decide the gender of the child—a decision that is unethical or immoral. Recently House of Commons, Canada has recognized women’s vulnerability in the application of reproductive technologies and prohibits sex determination and selection.

Has Sex Selection Empowered Women?

“In the 21st century, women no longer have to rely solely on the serendipitous meeting of egg and sperm to get the son or daughter they’ve always wanted. Recent strides in reproductive science have revolutionized human conception, giving us more choices and control than our grandmothers ever imagined. Now, for example, a woman with the time, money and inclination can boost her odds of conceiving a daughter by a staggering 92 percent” said Virginia Gilbert (Gilbert 2004). A patient who had accepted the technique firmly believes that reproductive technology empowers women. “This is my attitude: If God did not want me to do this, then He would not have created the technology,” she said (Gilbert 2004). Sex selection helps the woman to avoid repeated miscarriages (Goldberg 2003).

In contrast to the feminist writers, some people believe that a reduction in the female population will cause greater competition among men for female partners thereby making them more valuable and resulting in them being treated better by males (Sen & Rachel 1994).

McCarthy argues that sex selection should be legal because, although most people do oppose many ideas (i.e., abortion), it is still legal though with certain restrictions. Moreover, he contends that if a difference in sex ratio exists, it will result in an increase in the value of women in the eyes of men. He further believes that enhancement of the offspring is a positive thing for the future, and like the American attorney and philosopher John Robertson, he holds that selecting the sex of a child “would not interfere with the basic liberties of others.” McCarthy claims that making sex selection illegal will interfere with reproductive rights.

Reasons given by many experts supporting sex selection are logical but not seen in practice. In fact, a woman is always sufferer. She does not raise her voice against her husband’s atrocity. Their status is not high even in most advanced countries. Their numbers are decreasing consistently over the last century particularly in India and China in spite of all scientific and technical development. Analysis of sex ratio at birth of all countries as reported by Federal Bureau of Investigation, USA on its website the births of females are not balanced. Equality of females and males in numbers does not restored in any of countries (Table 5.3). Females are born less in number even in most advanced countries such as Sweden, Germany, UK and USA. What can be interpreted from this? Is it natural imbalance of female at birth and theory of 50:50 percent chances of conception is incorrect or there is a deliberate attempt to decrease the number of females before or after conception.

Sex ratio at birth in favor of male could be due to male sperms that move faster than female sperms. Female sperms (X) are slow moving, large and hardy but able to survive longer duration in female vagina and cervix. But this fact cannot be the major cause of imbalance of sex ratio at birth. Other factors that affect this ratio are: pH of the vagina and cervix, position of partners during sex, occurrence of female orgasm, depth of penetration, ovulation (Lauersen & Collette 1991), diet (Labro & Papa 1985), etc. But these factors have never been proved to be successful in deciding sex of the baby. Natural selection of sex at conception must be multifactorial and cannot be naturally imbalanced as far as sex is concerned.
Table 5.3: Population in 0-14 years age group and Sex Ratio at Birth in some countries in the world (July 2004)

<table>
<thead>
<tr>
<th>Countries</th>
<th>Absolute Male</th>
<th>Population Female</th>
<th>Male/ Female Ratio at Birth</th>
</tr>
</thead>
<tbody>
<tr>
<td>Australia</td>
<td>2044449</td>
<td>1948574</td>
<td>1.05</td>
</tr>
<tr>
<td>Canada</td>
<td>3038800</td>
<td>2890579</td>
<td>1.06</td>
</tr>
<tr>
<td>China</td>
<td>153401051</td>
<td>135812993</td>
<td>1.12</td>
</tr>
<tr>
<td>Germany</td>
<td>6197490</td>
<td>5879052</td>
<td>1.06</td>
</tr>
<tr>
<td>India</td>
<td>173869856</td>
<td>164003915</td>
<td>1.05</td>
</tr>
<tr>
<td>Japan</td>
<td>9337867</td>
<td>8876996</td>
<td>1.05</td>
</tr>
<tr>
<td>Korea (North)</td>
<td>2836991</td>
<td>2755127</td>
<td>1.05</td>
</tr>
<tr>
<td>Korea (south)</td>
<td>5223344</td>
<td>4681594</td>
<td>1.09</td>
</tr>
<tr>
<td>Pakistan</td>
<td>32919441</td>
<td>31058929</td>
<td>1.05</td>
</tr>
<tr>
<td>Sri Lanka</td>
<td>2526143</td>
<td>2414876</td>
<td>1.05</td>
</tr>
<tr>
<td>Russia</td>
<td>11064109</td>
<td>10518595</td>
<td>1.06</td>
</tr>
<tr>
<td>Spain</td>
<td>2989053</td>
<td>2811350</td>
<td>1.07</td>
</tr>
<tr>
<td>Sweden</td>
<td>807193</td>
<td>762882</td>
<td>1.06</td>
</tr>
<tr>
<td>United Kingdom</td>
<td>5560489</td>
<td>5293871</td>
<td>1.05</td>
</tr>
<tr>
<td>United States</td>
<td>31122974</td>
<td>29713748</td>
<td>1.05</td>
</tr>
<tr>
<td><strong>World</strong></td>
<td><strong>925276767</strong></td>
<td><strong>875567830</strong></td>
<td><strong>1.06</strong></td>
</tr>
</tbody>
</table>

(Source FBI, USA)

In conclusion women’s status in society is one of the most important factors for female feticides. However, other factors are also playing important role for instance biological vulnerability of women during pregnancy and nursing of the baby where she is not very strong and considered inferior to man. There is myth that physical activity such as agricultural and industrial work as carried out by man a female cannot carry out. For productivity and development the role of male is considered more important. But this is all underestimation of her role. Females large scale contribution to production goes unrecognized. She is undervalued because she is vulnerable. Who made her vulnerable? It is not understood why many females themselves enjoy their vulnerability and inferior status. Justifying sex selection before and after conception by many reproductive rights experts cannot be accepted because of prevailing sex ratios at birth in the world. In history, men has targeted her for exploitation. Now in many societies she is not more than slave. In some advanced societies she has got the status of owner but not of the ruler or leader.

Economic and social pressures to raise male children in the United States may be less than in other societies, but they are not completely absent. Furthermore, sex selection is by definition not gender neutral.
6
CONSEQUENCES OF FEMALE KILLING BEFORE BIRTH

Prenatal sex determination is a human rights violation. The tests that detect sex must be viewed as one tool of gender violence against women (USAID 1997). Demographers also warn that in the next twenty years there will be a shortage of brides in the marriage market mainly because of adverse juvenile sex ratio and overall decline in fertilities.

Gender preference is stronger in United Kingdom than Germany and people in these countries believe that their preference in sex selection using reproductive technology for social reasons is not going to affect the sex ratio according to Dr Edgar Dahl, a bioethics specialist and research fellow at the Medical Center of the University of Giessen in Germany. Further stated that preconception sex selection for non-medical reasons raises serious moral, legal and social issues. The main concern was based on the assumption that a freely available sex selection service would distort the natural sex ratio. But, for a severe gender imbalance to occur there would have to be two conditions met—a significant preference for children of a particular sex and a considerable demand for preconception sex selection (Dahl et al 2003). This may be true for United Kingdom and Germany but unfortunately it is not true for other parts of the world where preference to male child is tremendous.

In United Kingdom in another study, 80% of population did not want sex selection for non-medical reasons and expressed that “love for children should be unconditional” (Human Fertilization and Embryology Authority). However, in United States concept of “Family Balancing” is flourishing. It is to have children of both sexes for the sake of balancing sexes in the family. This is a fast emerging trend not only in the United States but also urban elites of other countries including India. Professor Leon R Kass, the President of the Council on Bioethics USA, viewed sex selection as unethical because in this, identity of children is at stake. Besides it affects the sex ratio and society in the long run. It is warned that people and policy makers of other countries follow the America’s “family balancing”. According to one estimate, at present there are nearly 50 clinics in the United States that are already offering sex selection and there is a possibility that US clinics may establish branches in the other part of the world (Darnovsky 2003).

Another long-term effect of sex selection, if it becomes a popular technique would be sex imbalances that could result in the institution of laws that would require providers to select both genders in equal numbers (ASRM Ethics Committee Report 2001). This would result in a decrease in procreative liberty, which would defy the purpose of the procedure.

When the Report on China’s Millennium Development Goals assessed by the United Nations was released in March, UN resident coordinator Khalid Malik voiced similar concerns. “The shortage of women will have enormous implications on China’s social, economic and development future,” said Malik. “In the next decade, we could have as many as 60 million missing women. People are exercising their preferences, but the consequences for society are huge. The skewed ratio of men to women will have an impact on the sex industry and human trafficking as well,” he said.

The Chinese are reportedly abducting women for marriage or reverting to an old system where families would adopt young girls and bring them up to be future brides. The parents of the girls are come from northern China or reaching out to the Philippines for wives. In India women are imported in low sex ratio from better sex ratio areas. In effect, the marriage market is going from local to global (reportsmen from Haryana marrying Russian women).
**Designed babies**

Sex selection cannot be humanitarian. If parents have the right to select the gender of their offspring as found in most of the developed nations, then they can demand to choose the color of the skin, intelligence, athletic and artistic attributes, etc. Shortly, “they will be offered a menu of genetic tests available, for everything from diseases to physical and psychological traits such as color of eyes, hair, skin, or personality, intelligence and athletics, or dance, or musical ability. The longer the list becomes the more it begins to look like the menu of options on a new car-moving toward the ultimate commodification of the process having children” said the Jeffrey Kaun (2001). We will be having baby’s designers and designed babies. This process could reinforce misogyny, sexism, and gender stereotypes; undermine the well being of children by treating them as commodities and subjecting them to excessive parental expectation or disappointment; skewed sex ratios in local population; further the commercialization of reproduction; and throw open door to high-tech consumer eugenics. This is going to be unethical and unnatural and consequences of it are unknown to mankind (Darnovsky 2004).

**Selective Abortions**

When fertility declines, particularly in urban and educated families, preference for male children remains strong, parents still takes steps to ensure the birth and survival of sons. In that case sex-determination and selective abortion of females becomes a common phenomenon.

**Medical Malpractice**

Medical professionals believe that there is no wrong in fulfilling the demands of clients. They also believe that they are the part of society and need to adhere to social norms. Most of the time they themselves are gender biased. If one goes by advertisements, in the countries like United States, sex selection is perhaps next only to Viagra, reflecting the intensity of people’s desire to balance their children’s sex ratio and also the commercial potential of this activity and participation of medical fraternity in this unethical and immoral practice.

Malpractices of medical professionals are flourishing in areas where even basic amenities are deficient. Doctors indicate that despite bans, they would continue to communicate the sex of the fetus to parents who want to know, not only verbally but also in writing, and would hike the fees of the test to compensate for their immoral and unethical practices. The bans in Maharashtra did not have much impact, as sex determination facilities have continued to burgeon (Kishwar 1995). If there is very high demand of sex determination and the legal system prohibits the same, it is bound to generate corruption and illegal practices. In the presence of a large number of unqualified practitioners, it is next to impossible to prevent sex determination and female feticides. It is reported that about 20,000 unqualified persons are practicing medicine in Delhi alone (TOI June 2004).

**Polyandry**

Skewed gender selection decreases the number of women. This inevitably creates a situation where many men have to share one woman as a wife. This has been reported in Gujjar community from Dang in India (Rohit 2001). According to Chinese estimates there would be 40 million unmarried young men who would be called guang guan or “bare branches” by 2020 because of adverse sex ratio. In such situations polyandry could be one of the solutions to fill the gap in availability of women.

**Sex Crimes**

Mary Anne Warren and the majority of feminist authors believe that an uneven sex ratio will result in more humiliation and mistreatment of women (Warren 1985). In India, it has already been reported in a daily newspaper that minor girls from the states of Assam, and West Bengal
are transported to Haryana (worst affected state) and sold for a few thousand rupees for marriage purposes (HT 2003). This is mainly due to falling number of girls of marriageable age there (Nagaranjan R 2003). A report has been published stating that due to lack of girls for marriage in some districts of Gujarat, families of bridegroom have to buy brides from nearby areas (TOI 2004, 7th July p. 15). Gujarat has one of the lowest boy-girl ratios, of 878 girls per 1000 boys in the 0-6 year age group. Another possibility is that, as the numbers of marriageable women decline men would tend to marry younger women, leading to a rise in fertility rates and finally leading to higher growth rates.

Increase in sex crimes, as evident from sharp rise in rape and molestation cases in Delhi and Haryana, could be attributed to the adverse sex ratio. Delhi has lower number of girls per 1000 boys in the same age group. Trafficking of girls is high in those areas where sex ratio is the worst. Incidences of police atrocity on women are not rare and sometimes they cross of all the limits. A married women was sold for Rs.20,000 by cops in Agra, India (TOI 28th Aug 2004). Sex crimes have many other reasons such as poverty, illiteracy, high vulnerability, etc. But all of them are directly and indirectly related with status of women in society.

**Psychological Trauma**

Women suffer from psychological trauma because of forcibly undergoing repeated abortions to conceive boys (Veticad 2001). Each time a woman has to prepare her mind for undergoing painful anesthetic and surgical procedures and face risk to life. Repeated physical and psychological threat may lead to increase risk of physical and mental diseases and deaths among women.

**Social Problem**

It was reported (TOI 1993, 2 May) that increasing abuse of amniocentesis, along with female feticide and infanticide, and the facilities of pre-selection of sex through sperm sorting could lead to sex ratio of female and male of 1:3 in Rajasthan in next 25 years. Surely, this is an exaggerated ratio, however, one cannot deny the truth of such a warning. There are some villages in Rajasthan where for many years female births have not occurred and no house celebrated their daughters marriage.

**Satta Paddhati** is a traditional custom in certain communities such as Chowdhary, Rabaris, certain Patel and Prajapati of Gujarat wherein brother and sister of one family are married to the sister and brother of another family. Due to this custom and declining sex ratio in these communities boys who do not have sisters are not getting matches for marriage (TOI 2004, 7th July).

Another problem is with children born out of parental desire. Parents might have kept high expectation from such particular gender even before his/her birth. Such child is always vulnerable of various stresses and strains and may lead to juvenile delinquency, and anxiety or depressive disorders.

**Security Problem**

Speculation on security problem due to rising bachelors in India and China are made where Valeric Hudson (Brigham Young University) and Andrea Den Boer (University of Kent), argued that too many unmarried males in India and China could be potential threat to the security of planet. In presence of unemployment, dangers will range from an increase in everyday violence and crime to national or international terrorism. As a rising economic power, China could be easily dream of military adventurism to keep its surplus bachelors busy. Similar incidence has happened in Kuwait when Iraq invaded the country under Saddam Husain rule. This fact was exposed by Saddam Husain himself during trial after his capture. Another analyst, Nicholas Eberstadt of the American Enterprise Institute, wonders how China’s further cohorts of young men are to be socialized with no prospect of settled family life and no tradition of honorable bachelorhood.
7 PREVENTION OF SEX-DETERMINATION

In 1997, European Union adopted the “Convention for the protection of Human Rights and Dignity of the Human Being with regard to the Application of Biology and Medicine: Convention on Human Rights and Biomedicine”, prohibiting sex selection of future children for any purpose other than serious hereditary sex-linked diseases. However, despite above pronouncement, the activity of sex-selection goes on unhindered in several countries, including USA, UK, Germany and other European countries. In Belgium, some doctors are offering couples “to choose the sex of their child, for a payment of 6300 euros”. The customers come from all over Europe i.e., Spain, Norway, UK and Berlin (FuturePundit 2002).

For fifteen years (1979-1994), when private sex determination clinics were first established and the practice of female feticide flourished in northwestern India, the people received no message questioning the morality of this practice. Women groups, human rights activists and subsequent census findings indicated growing gaps in sex ratios. At the same time women’s empowerment was felt one of the vital areas of concern required for development. The enactment of the law enabled the National Human Rights Commission to direct the Medical Council of India to take action against Doctors found abusing prenatal diagnostic techniques. Today, blatant advertisements for fetal sex determination once seen in Mumbai Trains in the early eighties and in Delhi newspapers in the late eighties and nineties have virtually disappeared.

The first state law enacted in Maharashtra against sex determination was the Maharashtra Regulation of Use of Prenatal Diagnostic Techniques Act, 1988. This was the result of vigorous public campaigning in the state. After this law was enacted the number of sex-determination clinics in Mumbai went down and the practice of sex determination also lessened. This achievement was all due to sustained campaigning and active monitoring of the Act by the Forum Against Sex Determination and Sex Pre-selection (FASDSP). Unfortunately this campaign slowed down subsequently and quite a few of the Mumbai sex determination clinics resumed operation. However this campaign proved that a lot could be accomplished by sustained efforts and eradicating complacency in the state governments.

In 1994, Government of India notified in gazette the Prenatal Diagnostic Techniques (Registration & Prevention of Misuse) Act and later in 1996, notified the Prenatal Diagnostic Techniques Rules with the aim to prevent female feticide. The progress of implementation of this Act was slow initially and Delhi, which is the capital of India was unable to implement this Act for many years.

The inadequacies of the present law were largely because of the Government of India had not been seriously committed to achieving the intent of this Act – The elimination of Sex Determination Testing. Also, due to effective lobbying of Doctors in the early nineties, several positive features of the Maharashtra Act 1988 were watered down in the 1994 National Act. A recent administrative directive from the Family Welfare Ministry excluded a sex determination technique like Ericson’s from the purview of the 1994 Act asserting that it applied only to tests conducted on pregnant women. The immediate reaction to this directive was the resumption of newspaper advertisements in Northwest India again promoting this sophisticated reproductive technology. These very advertisements had been stopped only a year before when ‘Women against Violence’ filed a petition challenging the illegality of these advertisements with the Punjab Human Rights Commission. The unwillingness of the Government to interpret the legislation to keep it in tune with the inexorable progress in technology is self-defeating.

The Directive from the Supreme Court to the Center and the Governments of States and Union Territories to furnish status reports on
the implementation of the Pre-Natal Diagnostic Techniques (Regulation & Prevention of Misuse) Act, 1994, is indeed timely considering the growing nexus between sex-selective abortions and gender discrimination and consequent adverse demographic implications. But the issues raised at the meeting of Members of Parliament on proposed amendments to the 1994 Act, however, betray a vested interest against attempts to plug loopholes in the law. Unregulated access to technologies for sex-determination and subsequent abortion of female fetuses is perhaps the surest form of reinforcing prevalent gender bias beyond the present generation. The Indian law which provides safeguards against this form of gender discrimination, wherein females are disadvantaged even before childbirth, has been rendered less effective owing to lack of proper enforcement over the years. Consequently, the apex court, in responding to petitions, has in particular laid emphasis on the constitution of authorized agencies at the district and subdistrict levels in order to monitor the proliferation of unregistered clinics and the misuse of medical technology. The court has already banned the use of ultrasound scanners by unregistered clinics and ordered their confiscation. However, there has been little overall progress either in terms of setting up statutory bodies to oversee the enforcement of the law, or achieving a reduction in the incidence of female feticide. The act was amended and renamed as the Preconception and Prenatal Diagnostic Techniques (Prohibition of sex selection) act 1994 and notified in 2003.

Unrestricted access to ultrasound scanning technology has been found to have an adverse impact on sex-ratios in societies in the Asia-Pacific region; notably in China, where a decline in female population and consequent shortfall in the supply of women in the labor force is said to be responsible for the increase in urban violence. In India, experts have alluded to the availability of sex-selection technology as a major cause behind declining sex ratio in the 0-6 year of age group. In Delhi, one in seven female fetuses is aborted, whereas Punjab, Haryana, Himachal Pradesh, Maharashtra and Gujarat are much worse states in India as far as sex ratio is concern. There are strong apprehensions that States where the appeal of ultrasound scanning technology is somewhat more recent could likewise begin to reflect this adverse trend in a matter of years. The other danger is that since under-reporting of female births and female infanticide have accounted for the negative ratio for many decades, this fact could well deflect attention from the more recent phenomenon of aborting female fetuses with the aid of advanced medical technology. While it is a matter of utmost urgency that provisions in the relevant law in its current form must be invoked to ensure that all legitimate uses of modern medical technology are not jeopardized, legislators must also recognize that important amendments to some of its provisions tolerate no delay. For instance, there is a good case to prohibit sperm and embryo sexing methods considering that sex-selection before conception has already become a reality. Similarly a debate is also required for human cloning.

Enhancement of penalties for violations, presumption of innocence of women undergoing sex-determination tests and mandatory records maintenance of scans are also required for effectiveness of the law. As such, the challenge facing administrators and the medical fraternity alike is to ensure that society does not deny itself the fruits of scientific advances while it strives decisively to rid itself of the stranglehold of patriarchy. Recently, the Act and rules were amended and replaced by the Preconception and Prenatal Diagnostic Techniques (Prohibition of Sex Selection) Act 1994. However, its implementation is still lagging behind.

Provision of Preconceptions ad Prenatal Diagnostic Techniques (Prohibition of Sex Selection) Act 1994 of India (PCPNDT Act)

In United Kingdom the sex selection for medical reasons is regulated by Human Fertilization and Embryology Authority (HFEA) and there is a growing feeling that sex selection for nonmedical purpose is an unethical practice but as per the prevailing regulations, there seems to be enough scope to carry out sex selection by the clinics. Any clinic that offers IVF, PGD, or sperm donation or storage must be licensed by the HFEA and is expected to follow the HFEA code of practice. Clinics that do not offer any of the techniques that require licensing by the HFEA are freely able to provide sperm sorting services such as Ericsson tech-
nique. But there is huge public consensus against allowing parents to select a child’s sex (Parliament of UK 2003). Similar developments are acknowledged in India and many social organizations, press reports, and findings of census 1991 had indicated the growing gap in sex proportions that lead to enactment of law for Prohibition of sex selection.

In Canada, on 11 February 2004 the House of Commons passed the Assisted Human Reproduction Act, which recognizes women’s vulnerability in the applications of reproductive technologies and prohibits prenatal sex determination and selection, except for the purpose of excluding sex-linked disorders or diseases. According to the Section 60 there are stringent punishments for violations of the law, which may extend to ten years imprisonment and / or a fine up to 5000,000 Canadian dollars.

When compared to other jurisdictions such as UK, USA and Europe, the Indian scenario is distinct in as much as while the former allow sex selection on medical grounds, under the Indian law, sex selection is not permissible even for the purpose of preventing birth of children suffering from sex-linked disorders or diseases. The Act allows detection of genetic abnormalities or metabolic disorders or chromosomal abnormalities or certain congenital malformations or sex-linked disorders but does not permit determination of selection of sex during these procedures.

In India, the Act has a central and state level supervisory board, appropriate authority and supporting advisory committee. Function of supervisory board is to make amendments, supervision, monitoring of provision in the Act. Appropriate authority provides registration, and all administrative work for inspection, search and penalizing defaulters. Advisory committee provides expert and technical support to the appropriate authority. Whosoever contravene any provision of the Act may be punished with imprisonment with a terms which may extend up to 3 years and with fine of Rs. 10,000 in first offence and 5 years imprisonment and fine of Rs. 50,000 in subsequent offences. Appropriate authority informs the central or state medical council to take action against medical professionals for erasing his/her name from register temporarily or permanent.

Before conducting any prenatal diagnostic procedure, a written consent in local language that the pregnant woman understands, needs to be obtained. For following conditions prenatal tests may be performed:

- Chromosomal abnormalities,
- Genetic metabolic disorders,
- Hemoglobinopathies,
- Sex-linked genetic diseases,
- Congenital anomalies, and
- Any other abnormalities as may be specified by Central Supervisory Board.

In following conditions above mentioned diseases are expected:

- Age of the pregnant woman is above thirty-five years;
- The pregnant woman has undergone two or more spontaneous abortions or fetal loss;
- The pregnant woman had been exposed to potentially teratogenic agents such as drugs, radiation, infection or chemicals;
- The pregnant woman or her spouse has a family history of mental retardation or physical deformities such as, spastically or any other genetic disease; and
- The board may specify any other conditions as.

**Implementation of (PCPNDT) Act in India**

For implementation of any program or legal provision, government has to see that (1) planning of the program is properly made and clearly written in a stepwise manner; (2) resources need to materialize the objectives like trained manpower, equipment to perform the specific
tasks, buildings, vehicles, stationary are available; (3) execution of plan by observing activities like number of complaints received, inspections carried out, number of clinics registered, penalties imposed; (4) supervision and monitoring is carried out simultaneously. From time to time evaluation of preventive program directed by Act and Rules need to be carried out. If we analyze present legislation and program against female feticide according to above stated manner, it is found that progress is not consistent, comprehensive, and in all concern sectors. The National Population Policy 2000 has also emphasized strict enforcement of this Act 1994 but fail to include in its strategic themes (Govt. of India 2000). Similarly, National Policy for the Empowerment of Women 2001 and the National Health Policy 2002 have ignored this issue of female feticide. There is mention of Bioethics but the document is unable to point out malpractice of medical professionals as far as sex detection is concerned. There is no separate policy for professionals of other system of medicine. In light of this gross ignorance female feticide may go on.

Operational Gaps in Implementation of the PCPNDT Act

In one of the studies (Grewal 2003) it was observed that regular meetings were not held to supervise and monitor the Act. Human rights activists were not involved in these meetings. It was found that till date of writing this manuscript the Appropriate Authority of Delhi and South Delhi district had canceled no registration for violation. Only after the inspection carried out by the Central Supervisory Board, the state Directorate got activated its machinery for registration and inspection. Nine District Level Appropriate Authorities at District Level and a separate Authority for defence installations of Delhi were established by 31.3.2004. One State level Appropriate Authority was constituted.

Only 36% of the inspected places were allotted registration whereas 40% of the clinics and health centers have not applied on the day of inspection. More clinics and centers have displayed the boards than who got the registration. This indicates that owners of these clinics and centers do not know the provisions of the Act. Those who have got the registrations majority (88.8%) have displayed but only 66.6% were keeping the records. Overall observation was that around 76% of them were violating the Act (Grewal 2003).

Faster disposal of cases and heavy penalties would definitely reduce the sex determination. Fraternity bias is always present during inspection and preparing cases against doctors by the doctors. A senior medical officer from Delhi Government informed that author that the appropriate authority facing resistant from implementing doctors to report cases against violating doctors. During inspection some non-medical person from woman organizations or human right activists should be included to make sure that action against violators is actually taken place.

Managerial Problems

There are many priority managerial problems that need to be addressed:
- Delay in responding to the central or state government initiative.
- Manpower is not given separately to implement this Act. Medical officers looking after other duties overburdened with this work. Some expect honorarium for this work. Interpretation of ‘clinics’ and ‘centers’ are confined to those where ultrasonography and echocardiography are carried out. No extra efforts are made to recognize health centers where genetic screening is being carried out.
- Lack of job description of doctors and staff who are given dual charges.
- Lack of monitoring and supervision.
- Lack of commitment expressed through irregular meetings and non-punishment of offenders (Gupta & Sen 2001). There were 73 complaints pending in the court for PCPNDT Violation on 31.3.2004 but none of the violator has been penalized.
- Lack of motivation of staff and administration because of wide level of corruption.
- It was also observed that the Act is highly relying on records, which increases the burden of work of health department.
- Lack of IEC activities evident from interviews with patient and
doctors. Training of doctors and health workers including private doctors need to be carried out to sensitize them about the issues and its implication on humanity.

- Lack of indicators to assess the success of PCPNDT Act. For its successful implementation it is pertinent to ask how a program is going to be assessed. There is no inbuilt mechanism to assess the achievement of the Act using valid indicators. The PCPNDT Act aims to stop feticide and reverse sex ratio conforming to world figures. Other issues related to feticide are; status of women in the society, life expectancy, literacy and participation in politics, industries, commercial and economic development activities of the country.

- Adverse attitude of health professionals for strict implementation of the Act and use of sex determination technology are major challenge for the government. Bardia at al (2004) concluded in their study that female feticide is a ‘felt need’ of the people and there is social pressure and acceptability of the practice. The technology of sex selective abortion is widely available, despite a ban by the government, and the likely users have adequate knowledge about its use. Government control has had limited success in curbing this practice. These facts suggests that as long as there is a ‘demand’, the technology would continue to be ‘supplied’.

Following indicators should be assessed every five year plan period through special surveys like National Family Health Survey I (1993-1994) and II (1998-1999):

1. Life expectancy of females
2. Female Literacy
3. Female Infant Mortality
4. Sex ratio at birth and age one
5. Per cent registration of females at clinics, centers, hospitals
6. Per cent mass awareness about female feticide and the ban
7. Per cent early redressel disposal of complaints made against culprits
8. Frequency of meetings of National Supervisory Board, State and District Appropriate Authority, and Advisory committees

The Hon’ble Supreme Court of India took serious note of prevailing practices of sex selection and female feticide in India and directed the country’s executive to take effective steps to curb this social evil. The government and states would furnish quarterly returns of following:

1. Survey of bodies specified in section 3 of the Act.
2. Registration of bodies
3. Action taken against non-registered bodies
4. Complaints received by the Appropriate Authorities under the Act and Action taken pursuant thereto
5. Number and nature of awareness campaigns conducted and their results

After directive of the Court Delhi government registered 1664 such facilities under PCPNDT Act till 31.3.2004.

Lack of Awareness About Prohibition of Sex - Determination

According to a report from Delhi (Grewal & Kishore 2004), ten percent each of male and female patients knew about sex detection clinics in their area. Similarly 20% of the female patients accepted that someone in their area had got sex detected. Only 40% of the male and 30% of female patients were aware of that there is a ban on sex detection. However, majority (90% each male and female patients) stated that it is good to ban sex detection, but, at the same time accepted that male baby is necessary for family lineage. In an interview of 100 Muslim women conducted in Okhla, New Delhi in 2004, author observed that majority of women were aware of possibility of sex detection somewhere in their locality but do not go to these clinics because of economic constraints. In-laws prefer more male births whereas mothers do not have any such preference. They have little idea about legal ban on sex selection. Therefore, it appeared that male preference is common in Muslim community also but is mainly because of wishes of grandparent. Awareness campaign is failing to have an impact on general public even in urban areas. Dr. M. Toppo, a senior consultant from Raipur, Chhatisgarh stated that there is poor awareness of PCPNDT
Act among medical professionals and second trimester abortions are rampant due to males demand. Doctors are many times soft on the issue since they feel there is no wrong in sex determination if a couple already has girl children and is desirous of a male baby. Because of low awareness about the Act and girls’ rights, the Supreme Court of India has directed the central and state governments to launch an awareness campaign using electronic and traditional media.

Initiatives Taken Against Female Feticides in China

At present, China’s rate of congenital deformity is 3 to 5 per cent meaning nearly 1 million infants are born with various anomalies every year. In addition, 1 percent of newborns suffer from fatal diseases. The maladies include congenital heart disease, limb abnormality, intelligence-impacting chromosome bane like Down syndrome. Therefore, China has accepted that there is a need to regulate prenatal service in hospitals to control congenital anomaly (Eastday.com Regulating Prenatal Service, December 5, 2002).

The Chinese Government has taken note of the phenomenon of imbalance and set the goal of lowering the gender ratio among newborns to normal level by 2010. To achieve that goal, departments of health, public security and justice nationwide have joined forces to severely punish those who use ultrasonic scanning to do prenatal sex selection and other misdeeds involving selective abortion.

The Chinese government issued a regulation recently banning abortion intended to select the sex of the baby. The regulation, jointly issued by the State Commission for Population and Family Planning, the Ministry of Health and the State Food and Drug Administration, aims to discourage the discriminatory practice of giving preference to male babies over females.


According to the regulation, determining the sex of the fetus and then aborting can only be done for medical reasons. No medical organizations or persons are allowed to do so for other reasons or without approval from health departments. According to the new regulation, the local health administration department will decide the names of hospitals qualified to perform sex-determining examinations and abortions. When determining the sex of the fetus, the hospital must set up a team of at least three experts. Doctors who perform the procedure must also verify the name of the pregnant woman and have the certificate of diagnosis and other related papers before the abortion. According to regulation abortion-inducing medicine can only be used in designated hospitals and family planning departments. The regulation also clarified the punishment for those who violate the regulation. (Xinhua News Agency 2003)

China has’ tightened the management of human sperm depositories to check profit-making tendency in collecting and providing sperm. The regulation stipulates that sperm depositories must be established in medical institutions. The collection and provision must act on the will of people concerned and conform to social ethics (Xinhua 2001).

China has launched several programs, including “Care for Girls” in many rural and underdeveloped areas, to tackle sex imbalance among newborn babies by advocating gender equality. There are schemes for farming families who adopt small family norms.

The survey, conducted by Beijing Institute of Population Research on 1,206 urban and rural residents, found that 60 per cent of respondents had no particular preference for boys or girls. And interviewees claiming to prefer girls outnumbered those who preferred boys (China Daily 2004).
Prevention of Female Killing Before Birth

Correcting Religious Scripts

Discarding regressive religious scripts and prohibition of widespread publicity of orthodox religions and cultures. All religious disparity of gender should be immediately removed by changing their scripts. Change in traditional value system that enhances gender disparity, is also needed. This can be done by organizing debates, seminars and conferences at all levels. Educational material in schools and colleges should be such that does not discriminate gender and any historical bias should be selectively removed. A chapter on gender issue can be included in school textbooks. Values and human rights based education systems would be more useful for bringing about a revolution in human society. On political forums, many a times, religious books such as Manu-Smṛti and kind have been burned publicly to express revolt against their discriminatory and biased ideology. Leaders of religious groups can be legally compelled to make appropriate modifications. Mass protest against religious inequality word be more useful (Figure 8.1).

Strengthening of Women’s Rights and Women’s Empowerment

Freedom and justice bring strength to women. Discrimination against women starts in society where status of women is low and full potential of women is not realized. Preventing sex discrimination and sex detection in intrauterine would be strong steps to strengthen women rights. Beside these activities, health departments need to engage in motivating people for small families, women’s nutrition, women’s education, and women’s emploiment.

One of the Millennium Development Goals of United Nation is promoting gender equality and empowerment of women. But this is limited to primary and secondary education level only. In their evaluation criteria gender equality and empowerment will be measured by assessing the number of seats occupied by women in parliament and wage employments. China is an example where wage employment of women is very good but still sex ratio is adverse for them. Most advanced countries like America, United Kingdom and Germany do not have equal participation of women as far as parliaments are concerned. Still they have better equality at the sex ratio. Women’s empowerment and gender equality do not come only by securing seats in parliament and in employment. For example: for a long time Bangladesh has been ruled by the female Presidents. Female Prime Ministers have also headed India and Pakistan. However, conditions of women remain pathetic in these countries due to the absence of social and religious transformation.

As long as religious fundamentalists govern code of conducts in society, situation of women will not improve. Women’s liberation in Western countries is a result of behavioral transformation in which women dare to ignore religious norms in day to day activities. With scientific development, they have adopted rational and scientific ways

Neither whores... ... nor slaves.

Figure 8.1: Demostration against veil, Paris, 8 March 2004 (Reproductive Health Matters)
of life and their standard of life has improved. Developing countries such as India and China must learn from the western world as far as scientific development is concerned. While maintaining the glory of their past and culture they should proceed further in to the new world.

**Promoting cultures that support empowerment of women**

In Comoros, however, certain landholdings called *magnahouli* are controlled by women and inherited through the female line, apparently in observance of a surviving matriarchal African tradition. Similarly Nair families in South India are matriarchal in nature and women enjoy better status. However, these families are recently getting affected by adjacent Hindu cultural practices. There is need to preserve and protect the Nairs from harmful acculturation.

Promoting legal action is a support of women’s empowerment. In Indian Constitution “right to equality” is a fundamental right [Article 14], and there is prohibition of discrimination on grounds of religion, race, caste, sex or place of birth [Article 15(1)]. Equal rights are given to all citizens for employment or appointment [Article 16 (1) (2)]. There is right to freedom, protection of life, and personal liberty [Article 19 (1) (g) and Article 21]. There is legal provision for the safeguard of modesty of women [Indian Penal Code (IPC) Section 354 and 509] and stringent punishment for rape [IPC Sections 376, 228A, 327, 114A]. Besides these legal provisions there are special legislations such as The Factories Act, 1948 for women working in factories, the Maternity Benefit Act, 1961 for women serving in other sectors, the Equal Remuneration Act, 1976 for equal wage, and MTP Act for safe abortion.

India also has the National Human Rights Commission established in 1993 under the Protection of Human Rights Act 1993, that looks into the human right issues in the country. India is signatory to the International Bill of Human Rights that ensure equal rights to women in all aspects besides provision for special care during periods of vulnerability. India has actively participated in the Fourth World Conference on

Women in Beijing and signed the “Beijing Declaration” in 1995. National Policy for the Empowerment of Women 2001 is also another step to strengthen women’s empowerment.

In spite of such a huge legal backup and national and international commitment, female feticide goes undetected and unpunished. Fingers are pointed towards women themselves accusing them for not coming forward for their rights and not being ready to fight against discrimination. But, it is to be questioned that who has plotted this conspiracy since antiquity? Who has invented religious books where females are treated brutally and murdered? Who has invented Gods in male forms alone and forced all women to provide services to them and worship them despite their mal-treatment?

**Right to Abortion**

Right to Abortion is an essential right of women. Besides, other Acts like the Medical Termination of Pregnancy Act 1971, Dowry Act 1961, and the Sharing of Property Act, need to be implemented strictly. More local bodies need to be formed, with focuses on gender issues such as anti-dowry campaigns, female trafficking, violence against women and female killing before birth it in the responsibility of state and every citizen to project the vanishing girl.

**Education of Girl Child**

Education is everybody’s human right. It means that no girl, however, poor, however desperate her country’s situation, is to be excluded from school. There is no acceptable excuse for denying her the opportunities to develop to her fullest potential. Education saves and improves the lives of girls and women. It allows women greater control, of their lives and provides them with skills to contribute to their societies. It enables them to make decisions for themselves and to influence their families. It is this power that produces all the other developmental and social benefits. Education will encourage women’s participation and influence in
governments, families, communities, economy and provision of services. It leads to more equitable development, stronger families, better services, and better child health.

The many long-term benefits of educating girls are:

- **Enhanced economic development**: Girls education has a positive effect on economic development, i.e., as primary enrollment increases, so does gross domestic product per capita (King et al 2001) and those fail to raise level of women’ education also slow down in economy (Dollar et al 1999).

- **Education for the next generation**: If educated girls become mothers they are much more likely to send their children to school thereby passing on and multiplying benefits both for themselves and society in a positive intergenerational effect. Literacy and language skills gained by girls at school not only result in improved health outcomes for themselves and their children but also eventually for their grandchildren.

- **The multiplier effect**: An education means that children are less likely to be trafficked or exploited as labor, and are less vulnerable to abuse and violence; and since girls are more likely to suffer these assaults, education is especially important for their protection.

- **Healthier families**: Family size of educated women is much lesser, children are much healthier and fewer die (Herz et al. 1991).

- **Less maternal mortality**: educated mothers are less likely to die during pregnancy. This could be due to adoption of healthier food, better health seeking behavior, lesser pregnancies with appropriate spacing (World bank 2002).

For these reasons, the second Millennium Development Goal of the United Nations is ensuring universal primary education to all boys and girls. This has to be achieved by 2015 but due to present circumstances this cannot be achieved even by 2029 in sub-Saharan Africa (UN 2001). However, nothing is impossible if people are determined to bring about the change. As far as sex discrimination is concern, education alone is not enough. This has been observed in the state of Punjab, Haryana and Delhi where education and literacy is relatively good but sex ratios are the worst in the country.

## Rights of the Girl Child

The rights of children and their healthy development are very well acknowledged in the Constitution of India provides both in Chapter 3 and 4, for the protection, safety, growth and development of children. The provisions are as follows:

- **The State shall make special provisions for children** [Art 15 (3)];

- **No child below the age of 14 years shall be employed to work in a factory, mine or any other hazardous employment** [Art. 24];

- **The tender age of children is not abused and that citizens are not forced by economic necessity to enter vocations unsuited to their age or strength** [Art. 39 e];

- **Children are given opportunities and facilities to develop in a healthy manner and in conditions of freedom and dignity and that youth are protected against exploitation and against moral and material abandonment** [Art. 39 f];

In 1974, the National Policy for Children was announced. It committed to provide for adequate services to children, both before and after birth and throughout the period of growth, to ensure their full physical, mental and social development. Many programs and legislations were started for healthy development of children. However,
achieved is still far behind as compared to the developed nations. In view of speedy progress to restore rights of the children, a revised policy “National Policy and Charter for Children” (Draft) was announced in 2001.

National Charter for Children, 2003: This charter once again ensures Children’s rights - economic, social, cultural and civil as fundamental human rights and must be protected through combined action of the State, civil society, communities and families in their obligation to fulfilling children’s rights (Govt. of India 2004).

Children’s rights must be exercised in the context of intrinsic and attendant duties directed towards preserving and strengthening the family, society and the Nation, and by inculcating a sense of values directed towards the same end. India has already endorsed on the United Nations Convention on Rights of the Child in 1992.

There are various rights given to children for their protection and development. Certain rights are vital for girl survival and to bring gender equality. The policy and charter for children envisaged the following measures:

- **Survival, Life and Liberty**: ensures that the child is protected and problems of infanticide and feticide, especially of female child and all other emerging manifestations, which deprive the girl child, are removed.

- **Right to Health**: ensures that all children enjoy the highest attainable standard of health, and provides for preventive and curative facilities at all levels especially immunization and prevention of micronutrient deficiencies. Special emphasis is needed for protection of mental and physical health of children and for children from families below poverty line.

- **Right to Nutrition**: provides all children from families below the poverty line with adequate supplementary nutrition and to undertake adequate measures for ensuring environmental sanitation and hygiene.

- **Right to a Standard of Living**: provides every child a standard of living that fosters full development of the child’s faculties; to prepare a social security policy for children, especially for abandoned children and street children; removes fundamental causes which result in abandonment of children, and provide infra-structural and material support by way of shelter, education, nutrition and recreation.

- **Right to Early Childhood Care**: provides early childhood care for all children and encourages programs which will stimulate and develop their physical and cognitive capacities; provides a care center in every village where infants and children of working mothers can be adequately cared for; and provides these facilities to children from Scheduled Castes/Scheduled Tribes and marginalized sections of society.

- **Right to Education**: provides elementary education to all children free of cost and special incentives to ensure that children from disadvantaged social groups are enrolled, retained, and participate in schooling; provides access to education for all at secondary level and provides supportive facilities to the disadvantaged groups; ensures that all the educational institutions function efficiently and are able to reach universal enrolment, universal retention, universal participation and universal achievement; recognizes the right of all children to education in their mother tongue; ensures that education is child-oriented and meaningful. It also ensures to take appropriate measures to make education sensitive to girl child from various cultural backgrounds; ensures that school discipline and matters related thereto do not result in physical, mental, psychological harm or trauma to the child; and formulates special programs to spot, identify, encourage and assist gifted children for their development in their field of excellence.
• **Right to be Protected from Economic Exploitation**: provides protection to children from economic exploitation and from hazardous work; ensures appropriate regulation of conditions of work in occupations; and total ban of all forms of child labor. Female child is more exploited in such situation where labor is bonded.

• **Right to Protection**: provides all children to be protected against neglect, maltreatment, injury, trafficking, sexual and physical abuse of all kinds, corporal punishment, torture, exploitation, violence and degrading treatment; ensures legal action against those committing such violations even if they be legal guardians of such children; ensures to set up mechanisms for identification, reporting, referral, investigation and follow-up of such acts, while respecting the dignity and privacy of the child; takes strict measures to ensure that children are not used in the conduct of any illegal activity, namely, trafficking of narcotic drugs and psychotropic substances, begging, prostitution, pornography or armed conflicts; and ensures immediate rescue, appropriate care and protection; ensures welfare of children in distress and their all-round development; and ensures protection of children during the occurrence of natural calamities.

• **Right to Protection of the Girl Child**: ensures that offences committed against the girl child, including child marriage, forcing girls into prostitution and trafficking are speedily abolished; and ensures measures, including social, educational and legal, for greater respect for the girl child in the family and society.

• **Right to Equality**: ensures that all children are treated equally without discrimination on grounds of the child’s or the child’s parents’ or legal guardian’s race, color, caste, sex, language, religion, political or other opinion, national, ethnic or social origin, disability, birth, political status, or any other consideration.

• **Right to Freedom of Expression**: ensures all children every opportunity for all round development of their personality, including creativity of expression.

• **Right to a Family**: In case of separation of children from their families, the State shall ensure that priority is given to re-unifying the child with the parents. Wherever the State perceives adverse impact of such a re-unification, the State shall make alternate arrangements immediately, keeping in mind the best interests and the views of the child; all children have a right to maintain contact with their families, even when they are within the custody of the State for various reasons; ensures measures to the children without families for adoption, preferably intra-country adoption, or foster care or any other family substitute services; ensures that appropriate rules with respect to the implementation of such services are drafted in a manner that are in the best interest of the child and that regulatory bodies are set up to ensure the strict enforcement of these rules; and all children shall have the right to meet their parents and other family members who may be in custody.

• **Responsibilities of the Parents**: ensure common responsibilities of both parents in rearing the children.

• **Rights of Child Victims**: ensure plans for the identification and rehabilitation of child victims and ensure that they are able to recover, physically, socially and psychologically, and re-integrate into society.

**Ethical Development**

The issue of Gender Violence and discrimination also has an ethical dimension. Researchers, policy-makers and health workers working with discriminated and exploited women may, in order to raise awareness about gender violence, unintentionally increase the risk of violence experienced by women. Without sensitivity and attention to confidentiality and safety of the individual, survivors of violence may be put in
both physical and psychological danger. It is essential that all research on GBV prioritize a woman’s safety, thereby ensuring that it is carried out in an ethical and sensitive manner (IPPF 1998). A publication launched by the Centre for Health and Gender Equity (CHANGE), The International Women’s Health Coalition and The Population Council identifies three core ethical principles that provide a valuable guide when pursuing research in gender violence:

- **Respect for Persons**: incorporates at least two ethical convictions—first, that individuals should be treated as autonomous agents; second, that persons with diminished autonomy are entitled to protection. The notion of ‘informed consent’ derives from this principle.

- **Beneficence**: two general conditions have been formulated as complementary expressions of beneficent actions. These include (1) minimize harm (2) and maximize benefits for the individual.

- **Justice**: refers to the equitable distribution of both the burdens and the benefits of research.

**Global Advances in Addressing Gender Violence**

Recent international conferences and campaigns have resulted to a large extent in increasing awareness and breaking the wall of silence that surrounded gender-based violence. The Convention on the Elimination of All Forms of Discrimination against Women (The Women’s Convention) has several provisions which are applicable to GBV, however, to date thirty countries have not signed the convention. A third of these countries have signed with reservations while 24 others have specifically opposed Article 16, a key provision that guarantees equality between men and women in marriage and family life (UNFPA, 1998).

Nevertheless, globally, women’s groups and feminist movements have lobbied and put pressure on governments to enact legislation and policies that punish, prevent or protect women against GBV. In response concerned non-governmental organizations have also established programs and services to either support, care or inform women who have been abused. Programs that target changing community attitudes towards GBV have proved most beneficial (Neft and Levine 1997).

**Political Power**

Women’s reservation in sharing political power, jobs, and membership in higher bodies is also required so that they can get opportunity to develop as equal to men. Mindset of male politicians needs to be changed for gender issues. They must understand their role in sustainable development of the country and world. Sharing political power with women is vital for overall development of the country (Figure 8.2).

**Reproductive Rights**

Reproductive rights through better and quality health care services would be beneficial. This also includes proper implementation of PCPNDT Act. Family planning programs should focus on effective public education, good counseling and service delivery, and voluntary community participation to increase contraceptive use, reduce unplanned pregnancies, and minimize the need for induced abortion.

![Figure 8.2: Political power of the women is necessary for their emancipation.](Source: India Today)
Implementation of PCPNDT Act

Code of Conduct is not the qualification of the employed doctor which matters but their attitude towards sex detection. Ethical code of conduct may be inculcated among doctors through repeated trainings starting from the undergraduate level. It is their responsibility as a sensible and respected citizen of the country that they should not become the part of this abominable conduct. In the US House of Representatives, Mr. Dornan from California has accused Indians for this heinous crime of feticide against gender (Dorman 1991). Similar, criticisms are observed in all world forums. All Indians and Chinese should take this seriously and pledge for change to restore glory of their cultures and dignity as human beings.

Legislation against infanticide, abandonment and neglect of female children, as well as laws and regulations to protect women and children should be strictly enforced. Easy and simple methods of complaint registration to the appropriate authorities should be made so that needy women can make use of services.

Mass Awareness and Effective Advocacy

Mass awareness with different modes of media should be used to spread awareness about the provision of this Act and also about the gravity of the problem. Penalties and offences should be made known.

The principle of equality between men and women should be more widely promoted through news media to change the preference for sons and improve the general public’s awareness; gender equality should also be reflected in specific social and economic policies to protect basic rights of women and children, especially girls.

University students must be made aware about sexual harassment of women in colleges and at workplace. One of the most common obstacles to understanding this issue are the myths, which have emerged around this issue. People believe that sexual harassment is rare and should be ignored or that women who are harassed invite such undue attention by their own inappropriate behavior. Such myths and stereotypes shape the dismissive attitudes and disbelief, which often confront women who wish to complain about sexual harassment.

Gender advocacy is the promotion of public debate and influencing the public opinion on a gender issue on a sustained basis through various audience and channels. Gender advocacy means, in a way, reaching out to all key partners, institutions of civil society, community groups and leaders who could act as ‘change agents’. A successful advocacy campaign is the one that addresses the root causes of a social issue in this case the issue is female feticide. The root cause of female feticide appears to be low status of women. Religions have strengthened this further. Advocacy related to this issue would help decision-making process of people for sustainable policies and programs. Advocacy is needed not just to change policies and laws but also to generate action where favorable policies exist but are not implemented properly. Following measures may be adopted for advocacy to eliminate the practice of female feticide:

• Discussing female feticide as a human right, ethical, social and development issue and not merely a women’s issue.

• Discussing the issue of female feticide in meetings, formal and informal including public meetings, committee meetings and party meetings. Utilizing the feedback received during such meetings in the process of policy formulation and program development.

• Sharing views and perceptions with other representatives to identify common concerns and differences.

• Mentioning the issue of female feticide in political party programs and election manifesto.
• Proper coordination of projects, programs, effective implementation of PCPNDT Act and other legislations concerning the rights of girls.

• Increasing cooperation between government and NGOs to stop the evil practices of female feticide.

• Increasing pressure on government to raise budgetary allocation in all those sectors and areas in which women can be empowered.

Involvement of NGOs and Corporate Sector

Most NGOs and the medical profession bodies concerned with female feticide for the past two decades, failed to recognize the likelihood of its rapid spread. In the early eighties attention was being given to the issue of female infanticide but activists had not anticipated the problem of female feticide. Although the spread of this problem was initially slower, many taluks even in backward parts of Karnataka and Andhra Pradesh in India and some rural provinces in China now have sex determination clinics. There were occasional media reports from 1992 onwards about the abuse of ultrasound for fetal sex determination in major cities. Despite expression of concerns from the mid nineties about the prevalence of female feticide in rural areas, NGOs and others involved in work against infanticide did not prioritize action against feticide. Even elementary steps were not taken; for instance there was no lobbying with the state to set up the mechanisms to register sex determination clinics as mandated by the 1994 Indian law; and there also was a failure to confront the medical profession’s insensitivity to the gross violation of medical ethics.

For better community involvement there is a need to involve dedicated NGOs. Although there is a provision to involve senior persons from the community in formation of district society in India but selection of member should be through electorate. More involvement could be possible through allotment of fund to carry out campaign against sex determination.

The Indian Medical Association has declared that no medical professionals would involve themselves in this heinous crime directly or indirectly (Reuters 1999). Such commitments are still not coming forwards from other specialist medical associations, groups, and bodies. Public health professionals have not proposed any appropriate plan for curbing this menace in the community.

Corporate houses should be more than economic institutions and must divert some energy into social responsibility. They should understand the problem of female feticide and benefits of women empowerment. They can provide resources to the government and other social institutions for work against female feticide. They can create a gender sensitive environment, provide equal rights and facilities to women employees, proper medical and reproductive health care, and efficient insurance system. They can promote women’s employment at all level of management and production. They can promote school and college education, nutritional programs, rehabilitation, and vocational institutions where females can be given priority.

Networking and Support from International Agencies

The Mexico Plan of Action (1975), the Nairobi Forward Looking Strategies (1985), the Beijing Declaration as well as the Platform for Action (1995) and the Outcome Document adopted by the UNGA Session on Gender Equality and Development & Peace for the 21st century have been good development in the world for gender equality.

Since International Convention on Population Development (ICPD), a number of donors and international agencies have been working to operationalise the reproductive health approach. IPPF, WHO, and UNFPA have developed materials relating to reproductive rights (IPPF 1995, Cook R, UNFPA 1997). The Commonwealth Secretariat, has developed tools to integrate into national budgetary processes (Commonwealth 1999), and also identified enabling factors, which facilitate mainstreaming gender in health (SIDA 1998, Commonwealth 1998).
The United Nations has designated 25th November as the “Day Against Violence” to highlight the issue of gender based violence.

This is indeed a great achievement that health, education, poverty, gender and environment are at the center of the Millennium Development Goals of United Nations. All countries are committed to participate in achieving these goals. This process will help in networking various countries and generating support and funding for the development programs.

**Monitoring, Surveillance and Research**

- Registration of all births, deaths and pregnancy by all public and government agencies is essential to calculate various rates and for comparing them according to gender.

- Monitoring of all abortions particularly in second trimesters, and female infanticides.

- Proper registration and implementation of PCPNDT Rules framed for genetic counseling, screening, and treatment centers.

- Documentation of activities and efforts made against female feticide in the geographical area that may be utilized to strengthen the advocacy program.

- Creation of a database through specialized and qualitative surveys and research to understand status of girl child within the society and possible measures to curb the problem of female feticide so that proper planning with specific strategy can be framed.

- It is estimated that more than 60% of the world’s poor are women. The health of these women is often adversely affected not only by their poverty but also by the gender inequalities that continue to divide many of the world’s poorest countries. The 10/90 gap in research addressing gender issues also continues. Global Forum for Health Research recently declared in their report that they have adopted a strategy to integrate gender issues in all aspect of their work (GFHR 2004).

**Conclusion**

Most societies of the world have created strict gender definitions and segregated gender into male or female. The genders are assigned certain roles and duties depending on the particular sociocultural context. Any deviation from these roles is considered abnormal, to be rejected.

Roles and duties evolved through the ages, entrenching themselves so deeply into the human psyche that they are now considered by most as ‘natural’ and ‘biological’. History of humans indicates that from the time of evolution, physical strength determined survival and dominance. Those that possessed more physical strength attained supremacy with their prowess. They made societal rules, assigned duties. By nature, men possess little more muscular strength. Therefore they believed themselves superior in all ways. Women automatically came to be inferior.

While men ruled politically, they also were the social, cultural and religious leaders. Women were made the home makers, under protection of their male partners. They therefore became property that could be acquired per force by stronger men from weaker to establish their dominance. The play of physical strength is obvious even in the societies of today. For example, the attacks carried out by the United States of America on countries like Afghanistan, Iraq, Somalia, Indonesia, etc., on the pretext of restoring or keeping ‘peace’ thereby attempting to establish its supremacy as the sole harbinger of peace in the world. However, the commercial motive behind the exercise was clear to all and the fact well known that peace cannot be brought about by showing physical strength or war or violence. Later, UN Secretary General Kafi Annan declared the Iraq invasion by America was illegal (TOI 17
Sept. 2004). On the other hand, well-experimented and widely revered Buddha’s philosophy disapproves, the violence and discrimination against any person, caste, creed, or gender. The United Nations endorses the Buddhist principles and suggests that peace can only be brought about by friendly dialogue.

The huge impact of religion on human attitudes, behavior and practices cannot be overemphasized. Religious texts are a reflection of what the society is at that point of time or what it aspires to be. The male dominated religious leadership further solidified women’s status as inferior by putting in words rigid rules and regulations. Gods were made protectors and Goddesses served them selflessly in all possible ways. The more selfless and devoted a woman was, the more feminine and desirable she was considered. Deviations, self interest or rebellions were severely punished. By authority of words allegedly spoken by Gods, men bound women down beyond question. Religious texts of most commonly followed religions have been quoted earlier to give credence to this argument. The powerlessness of women is common to all religions varying only by small degrees among them.

Evils plaguing the powerless women are many. The dowry system, a unique and outrageous phenomenon in India has lead to the death by burning of many a young Indian bride. Besides, child marriage, polygamy, sati, honor killing, female genital cutting, gender based violence, sexual harassment and exploitation in the form of prostitution, all lead to a deep sense of insecurity among girls and their parents. Less education and financial dependance further add to this feeling of helplessness.

Scientific development has revolutionized many sectors. However, the creation of technology that enables sex determination, selection and termination of pregnancy, has unfortunately harmed more than it has helped. It has significantly contributed to the heinous crime of female foeticide. Despite the institution of laws against it, shameful medical malpractice continues unabated promoting female foeticide. There is a school of thought that believe that falling sex ratio will help in population control and also raise the value of the fewer women who do survive. This may be logical. However, human behavior is far from logical and this has not been ever seen in practice. Rather, a falling sex ratio works in an opposite fashion. It makes men more and more possessive of their women and closet their women further. Sex crimes and polyandry emerge destroying the social fabric, as can be seen in certain states of India where the sex ratio is very poor.

What can be done about this? The Pre-conception & Prenatal Diagnostic Techniques (PCPNDT) Act and other such Acts provide for punishment to anyone going in for sex determination of fetus, any doctor disclosing the sex of the fetus or doing female feticide. The Act however, still needs to be more strictly enforced by ensuring heavy penalty/punishment for whoever commits this crime without exception or exemption. Empowering the girl child through education, awareness about rights, ethical development of society to a degree so as to respect the human and reproductive rights of women is essential. Involving dedicated Non-Governmental Organizations (NGOs), Community-Based Organizations (CBOs), corporate bodies, government and international agencies will help promote these rights and monitor and supervise them.

Perhaps it is also time to change the revered religious preaching to make them more in tune with the needs of changing times. Roles and status of women need to be redefined in these texts. Passages and viewpoints degrading women should be deleted or rewritten. More minds need not be corrupted by regressive ideas of discrimination on the basis of caste or gender as are blatantly expressed in these texts. The division of gender roles on the basis of physical strength alone, as is still in practice, is a gross oversimplification of an immensely complex modern social structure. It certainly and urgently needs to be redefined.

Wherever opportunities are made available women have proved to be as efficient as men besides, women possess the unique ability of procreation. Women may be weak during the period of pregnancy and
for a few weeks after that. But this is the period of creation; not to be considered as any sign of weakness; particularly by those who can never take over this function. Despite scientific development such as cloning and in vitro fertilization, men cannot take over the role of creation. Although I have given many reasons in this book explaining why women are not considered equal to men by society at large, I believe that the role of the ‘creator’ alone assigned biologically to women makes them not only equal but more than equal to men. Female feticide is a social, medical, political, religious and environmental evil and need to be totally eliminated for the survival and ascent of humankind.

REFERENCES


Ahuwalia K. “Amniocentesis, the controversy continues.” The Times of India, 8th March 1986.


Ambedkar BR. The Rise and Fall of Hindu Women. Govt.of Maharastra.

Ambedkar BR. The Riddle of Rama and Krishna. Govt. of Maharashtra.


Amnesty Internationala. India: Violence against women - a double discrimina-
tion AI Index ASA 20/029/2001 - News Service Nr. 71


Ayyar ASP. A Layman’s Bhagavad Gita, Madras 1956 Vol II.


Charles Hamilton. Man has lesser punishment than woman according to the Muslim law. Lahore 1975; 2: 9.


Chnmayananda Swami: The Bhagwad Gita, Madras 1979 (ed) Chapter VII, VIII and IX.


Cook R. Women’s health and human rights: The promotion and protection of women’s health through International Human Rights Law. Genera WHO.


FFRF (Freedom From Religion Foundation). Why women need freedom from Religion. FFRF, PO Box 750, Madison WI 53701 (www.ffrf.org).


Grewal I, Kishore J. Female Feticide in India. International Humanist News 2004; May.


Hanson, K. Gender Violence: Examining education’s role (for teachers, administrators, school boards and community programmes) WEEA Equity Resource Center 1995.


Kane PV. History of Dharmashastra. Bhandarkar Oriental Research Institute, Poona 1941 Vol II.


Kishwar, Madhu. When daughters are unwanted: sex determination tests in India. Manushi 1995; 86:15-22


Menon, N. The impossibility of ‘justice’: female foeticide and feminist discourse on abortion in Patricia Uberoi (ed.) Social Reform, Sexuality and the


Nagegowda HL. Pravasi kanda India (India through the eyes of foreign travelers), Vol 1-4, 1966-1972

Naik Z. Why does Islam degrade women by keeping them behind the veil? Islamic Voice 2002; Vol 15-08, 188.


PATH. The Facts: Female Genital Mutilation, PATH (Program for Appropriate Technology in Health), December 1997: 1.


Queen Hatshepsut (eighteenth dynasty) reigned from 1503 to 1482 B.C.


Ravindran GD. Physician must not help parents decide the gender of their unborn child: The case against preconception gender selection. The Na-
tional Medical Journal of India 2003; 16 (2): 92-93.


Renaudot E. Ancient Accounts of India and China by Mohammedan Travelers, p.34.

Reuters. Indian doctors to fight female feticide. Internet accessed on November 12, 1999.


SIDA. Gender equality in sexual and reproductive Rights and Health 1998.

Sleeman W.H., Rumble and Recollections of an Indian Official, 1844


Tulsidas’ Ramcharitra Manas. Aranya Kand Ch 44.

- Ay K Ch 117
- Ayodhuya Kanda Ch 19.
- Bala Kanda Ch 25.
- Kishkindha Kanda Ch 66.
Aranya Kand Ch 43.

Twesigye Emmanuel K. On Polygamy. Professor and Director, Black World Studies, Ohio Wesleyan University, OH 43015, USA; Internet accessed on 29.6.2004.


UNFPA. The state of the world population 1997. The right to choose: Reproductive Rights and Reproductive health. UNFPA.


World Health Organization. Women’s health in a social context in the Western Pacific Region. WHO 1997.


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The Vanishing Girl Child: Female killing before birth is one of the extreme manifestations of violence against women. Unfortunately this practice exits in all societies of the world. Female fetuses are selectively aborted after pre-natal sex determination. Why do parents practice such a heinous act? Why do women have lower status? Why are we failing in achieving gender equality? This book is the outcome of the author’s perceptions of the agony of suffering women, their undervalued status, humiliation, dangerous imbalance of sex ratio, killing of unborn girl child, and urgent need for change in the mindset of people to save the vanishing girl child.

The book is based on a comprehensive analysis of various reasons that cause gender-based violence including female feticide. The outstanding feature of the book is that it reviews the latest literature and extracts the best from the fields of human rights and women empowerment. It is a landmark book in the realm of human rights and public health.

Dr. J Kishore is a medical educator and public health expert; he developed deep interest in human rights and social reform while working on projects related to health issues of women including female feticide. He is an author of many books: “The Great Warriors of Human Rights Movement in India”, “The Pioneering Social Reformers of India”, “A Dictionary of Public Health”, “National Health Programs of India: National Policies and Legislation related to Health,” and “Biomedical Waste Management of India”, beside few books written in Hindi. His mission is to liberate the human being through protecting human rights and development of public health.