“FEMALE FOETICIDE” - A SOCIAL MENACE TOWARDS DECLINING SEX RATIO IN JAMMU AND KASHMIR AND POSSIBLE RECOMMENDATIONS

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ABSTRACT

Right from 1947 till date, India has progressed by leaps and bounds. Today boon in economic, innovative technologies and improved infrastructure has become a nation’s pride but when it comes to matter of gender there is a biased attitude and it is girl child who suffers as our society still believes in son idealization. The present article is an attempt to overview the problem of female foeticide - a social menace towards declining sex ratio on the basis of survey and available literature. Primary abstract of 2011 census released has indicated an alarming level of female foeticide in Jammu and Kashmir as a drastic decrease from 941 in 2001 to 859 in 2011 with a variation -82 points. Modern medical sciences are also responsible for criminal and inhuman act of female foeticide. Infact medical advances and development have enabled scientists and medical practitioners to initiate certain methods and techniques to determine the sex of the foetus and mushrooming of variety of sex selective services. However, female foeticide is a far more heinous sin than the age old practice of killing an unwanted child. Finally this paper will review the measures taken to combat this heinous phenomenon for a balanced society.

Key words: Female foeticide, Declining sex ratio, abortion, PNDT
INTRODUCTION

No nation, society or community can hold its head high and claim to be the part of civilized world if it condones the practice of discrimination against one half of the community. Elimination/removal of girls from the family tree even before they are born clearly indicates the vehement desire for a male child. The increasing incidences of sex selective abortion has led to a drastic decrease in the number of girls to boys in India in the (0-6 years) age group from 927 in 2001 to 914 in 2011- the lowest ever child sex ratio reflects continued preference for a male child. Unfortunately better economic growth and better education do not seem to have any impact. It is interesting to note that urbanized cities are bigger culprits of this menace.

Female foeticide is defined as aborting a female foetus after sex determination test or pre-natal diagnostic test which includes ultrasonography, foetoscopy, placental tissue sampling and amniocentesis. (www.scribd.com/doc/36747759/femalefoeticide). It is the selective abortion/elimination of the girl child in the womb itself, done deliberately by the mother, after the detection of the child’s gender through medical means. The reasons behind this discrimination with girls are due to a complex mix of economic, social and cultural factors. The root causes for female foeticide lie within the cultural norms as well as the socio-economic policies of the country where this practice prevails.

In India, the reason behind rise of female foeticide is because of the strong son preference in society, universalization of the small family norm, practices like tradition of giving dowry by father of bride in cash/property to the groom, laws that govern inheritance and cultural perception about the familial name through the male line. A cross-sectional, community based study carried out by Metri and Deb in 2011 also found carrying family name and source of income/dowry as the reasons behind female foeticide. The need to have sons is reinforced in religion as well. It is believed that the son enables the father to pay off the debt he owes to his ancestors. The necessity of having a son is strengthened further when a son is required to perform the rite of lightening the funeral pyre of the father and observe the ancestral shraddha / pinda rites for the father after his death and then their souls be released from the bondage of their bodies. Daughters are not allowed by religious law to perform any vedic rites and therefore for begetting a son, any number of girls born before him are sacrificed.

Another reason for female foeticide is identity. The reason seems to be the high status of families with several sons and the low status of families with no sons. Another interesting factor for the preference for sons is the prospect of migration and a family with children abroad has a higher status and a higher income level than non-migrant families. Social security is also one of the reason behind strong male preference and consequent elimination of the female. Even though women today can easily rub shoulders with men, almost in every field, they set their mind to, the common misconception still remains that it is the male who will help run the house, and look after his parents. It is believed that sons provide economic support and security in the old age of parents. Sons are expected to stay with the family forever and help them in their twilight years. They are seen as the main source of income.
Sex selective techniques further add to this diversity. The recent technological developments in medical practices combined with a rigorous pursuit of growth of the private health sector have led to the mushrooming of a variety of sex selective services. Today many doctors provide sex selection facilities for adding extra bucks to their pockets, although they are aware of its legal implications, but they keep on doing it while others think it to be a great social and national service. These sex selective techniques give parents a choice to select a child of desired sex. This has happened not only in urban areas but deep within rural countryside also. A study conducted by Joshi in 2012, Dhingra and Metri in 2011 revealed that majority of the respondents were aware about sex selection technique. They show favourable attitude towards female foeticide and considered it right and safe method for having a son. They wanted the practice to be continued inspite of the legal restrictions and legislation against it. The reason behind this belief were stated to be economic liability and family pressure. It is amazing to know that women today, despite being aware of the ill-effects of sex selective abortion keep on going for it. A study conducted by Nawal in 2011 reveals an encouraging finding that respondents were aware that repeated prenatal sex diagnosis and abortion are detrimental to the mental and physical health of women and is wholly preventable.

In addition to the above, today parents seek many other methods to get rid of girl child which shows that despite increase in literacy, society still regards girl child a bane and not a boon. Many girl children are found abandoned by parents after giving birth to a female child. There are also instances like, leaving 1-2 day old girl child near the gates of Governmental Health Centres, Juvenile Centres, Temples and Churches leaving baby’s fate to god, Selling girl child for few hundred rupees to childless couples is another atrocity.

**LEGAL SUPPORT OF FEMALE FOETICIDE**

The Medical Termination of Pregnancy Act was conceived as a tool to let the pregnant women decide on the number and frequency of children. It gave them the right to decide on having or not having the child. However this good intentioned step was being used to force women to abort the female child. In order to do away with lacunae inherent in previous legislation, the Pre-natal Diagnostic Techniques (Regulation and Prevention of Misuse) Act, which came into force in January 1996. The Act prohibited determination of sex of the foetus and stated punishment for the violation of the provisions. The Indian government has conceded that abortion may be carried out if there is danger to the life of the mother if the pregnancy continues till the child birth, danger to the child by or at risk of being born handicapped, or if the woman has conceived the child as a result of rape or as a result of failure of contraceptive used by a married woman or her husband, it would be presumed to constitute grave injury to the mental health of the pregnant woman. But in practice, this act has provided a licence to every registered medical practitioner to terminate pregnancy, whether it is a fit case within the exception or not. The main law for prosecuting person is the Pre-conception and Pre-natal Diagnostic Techniques (Regulation and Prevention of Misuse) Act,2003.It permits and regulates the use of pre-natal diagnostic techniques for detection of specific genetic abnormalities or disorders and use of such techniques only under certain conditions and only by the registered institutions. It provides punishment for violation of the provisions given in the act.
Female foeticide is a punishable offence in our country. The offenders, both doctors and parents may be imprisoned or fined or both. Under J&K Pre-conception and Pre-natal Determination Techniques (PC-PNDT) Act 2002, any doctor or close relative of a pregnant woman who indulges in or seeks sex selection of an unborn foetus for killing unborn girl child can be imprisoned or fined. A study by Metri in 2011 reveals that more than 50% respondents were well aware regarding PNDT act.

Blatant violation of the Pre-conception and Pre-natal Diagnostic Techniques Act is going on in the out skirts of city of Jammu but they go unreported. A host of social and religious constraints, coupled with ban under the State’s own J&K Pre-conception and Pre-natal Sex Determination Act 2002, has made sex determination tests and abortion a high-profit business in J&K. In the last 15 years, J&K has witnessed a mushroom growth of illegally operated imaging centers, ultrasonography laboratories and abortion clinics, often owned and run by quacks. It is a matter of grave concern that out of total 1530 private nursing homes and clinical establishments/labs/U.S units established in the state, 161 private nursing homes and clinical establishments are operating illegally in the state. According to available information as on date, out of the total, 586 such units exists in Jammu region and out of the number of Jammu establishments, 86 including 10 nursing homes are unregistered. It is crystal clear that the Pre-natal Diagnostic Techniques (Regulation and Prevention of Misuse) Act 1996, despite the stringent penalties, failed to prevent the clinicians or the persons from the sex determination tests during the prenatal stages of pregnancy. However in practice, we find that these provisions have been misused and are proving against the interest of females.

IMPACT OF FEMALE FOETICIDE ON TRENDS AND LEVELS OF SEX RATIO

Declining sex ratio in Jammu and Kashmir

<table>
<thead>
<tr>
<th>State/District</th>
<th>2001</th>
<th>2011</th>
<th>Variance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jammu &amp; Kashmir</td>
<td>941</td>
<td>859</td>
<td>-82</td>
</tr>
<tr>
<td>Rajouri</td>
<td>905</td>
<td>837</td>
<td>-68</td>
</tr>
<tr>
<td>Poonch</td>
<td>959</td>
<td>895</td>
<td>-64</td>
</tr>
<tr>
<td>Kishtwar</td>
<td>977</td>
<td>922</td>
<td>-55</td>
</tr>
<tr>
<td>Ramban</td>
<td>968</td>
<td>931</td>
<td>-37</td>
</tr>
<tr>
<td>Reasi</td>
<td>952</td>
<td>921</td>
<td>-31</td>
</tr>
<tr>
<td>Doda</td>
<td>959</td>
<td>932</td>
<td>-27</td>
</tr>
<tr>
<td>Udhampur</td>
<td>912</td>
<td>887</td>
<td>-25</td>
</tr>
<tr>
<td>Jammu</td>
<td>819</td>
<td>795</td>
<td>-24</td>
</tr>
<tr>
<td>Kathua</td>
<td>847</td>
<td>836</td>
<td>-11</td>
</tr>
<tr>
<td>Samba</td>
<td>798</td>
<td>787</td>
<td>-11</td>
</tr>
<tr>
<td>Pulwama</td>
<td>1046</td>
<td>836</td>
<td>-210</td>
</tr>
<tr>
<td>Budgam</td>
<td>1004</td>
<td>832</td>
<td>-172</td>
</tr>
<tr>
<td>Kupwara</td>
<td>1021</td>
<td>854</td>
<td>-167</td>
</tr>
<tr>
<td>Ganderbal</td>
<td>1014</td>
<td>863</td>
<td>-151</td>
</tr>
<tr>
<td>Anantnag</td>
<td>977</td>
<td>832</td>
<td>-145</td>
</tr>
</tbody>
</table>
A study conducted by Barakade in 2012 reveals that the reasons commonly put forward to explain the consistently low levels of sex ratio are son preference and neglect of the girl child. Strong male preference, with the extreme consequence of elimination of the female child, has continued to increase rather than decline with the spread of education and economic development. The 15th Indian census reveals that overall sex ratio has improved, but the child sex ratio in the age group of 0-6 years has touched its lowest since independence. In 1961, there were 978 females to 1000 male children, by 2011 the figure has declined to 914.

Experts have pointed out that there is lesser female child sex ratio among the educated urban elite class, where the sizes of family by and large decreased by the perverse culture, guided by an obnoxious and retrogressive mind set of discriminating against the girl child which continues to persist. Study carried out by Singariya in 2011 reveals that increase in male literacy has reducing effect on the juvenile sex ratio.

This means with an increasing level of ultrasound machines female foeticide has been flourishing freely in the state since last two decades. 2011 figures have pointed out that the child sex ratio has improved in the two neighbouring states-Punjab and Haryana unlike Jammu and Kashmir where it has dipped. J&K is among the three states where the child sex ratio has dropped as compared to 2001 census (Bihar, Gujarat and J&K). In 2001, there were 941 females but in 2011, the girl child sex ratio has plummeted to 859 per 1000 males. At district level- the situation is worse in the Jammu region as the number of females in the 0-6 years age group Jammu precariously placed at 795 girls per 1000 boys which points out not just the inadequacies of existing laws in J&K but also a complete social and official denial to the enormously alarming situation.

The declining sex ratio in the country has sent shockwaves across all sections of society. It seems that the socio-cultural factors are so embedded in the psyche of the people that they even accept wrong ways of life for the sake of social superiority. It is not poverty alone that kills baby girls- the choices made by her parents and family have a great role to play in curtailing her life. Custom and tradition shape these choices and when resources are meager; these can make a difference between life and death. The problem of Declining sex ratio can lead to many serious demographic and social consequences.

According to UNFPA, by the year 2025, a significant share of men above 30 would still be single and that many will never be able to marry at all. Men in the states of Haryana and Punjab are already experiencing an early 20% deficit of marriageable women. (Garg and Nath, 2008). There are already examples of brides being imported from poorer eastern states. In Mansa, one of the most backward place in Punjab, where one can easily come across families practicing polyandry with modern draupadis becoming wives of more...
than one real brother. There are about 100 persons unmarried at village Makhna in Mansa. About half of them have already crossed the age of 40 and the other half are between 20-30 years. The chances of marriage of persons having crossed 40 have almost diminished and this is due to skewed sex ratio. In the villages in Mehsana district, the problem of declining number of girls has created a major social crisis as almost all villages have hundreds of boys who are left with no choice but to buy brides from outside. In Devra village of Rajasthan, a barat came after 110 years. There are also instances of villages in Rajasthan with not a single girl child present. Similarly in Dhing village of Gujarat, a woman is married to eight brothers. This is all due to non-availability of girls. A study conducted by Joshi in 2012 reveals that majority of the respondents were aware about the imbalanced sex ratio, its legal aspects and the impact of female foeticide. (The Times of India, 2004). Apart from non-availability of brides in future and increase in violence against women, female foeticide can have an adverse effect on the mental and physical health of mother.

Declining sex ratio has now been increasingly recognized as a complex and an urgent problem and needs to be addressed head on before it will lead to serious far reaching consequences. The eleventh five year plan also stresses on elimination of all forms of discrimination so as to enable women to enjoy not only de-jure but also de-facto rights and fundamental freedom on par with men in all spheres and complete eradication of female foeticide. Sex ratio imbalance has been a persistent problem and there is no escaping the fact that we need to change mindsets for the girl child to be universally desired and nurtured.

DISCUSSION

Declining sex ratio is a harsh reminder of India’s enduring hatred for the girl child. The practice of eliminating females is believed to be one of the main reason for adverse sex ratio and it may have serious ramifications in the future in case this trend is not checked forth with because an imbalanced sex ratio not only spells economic and social disaster but also means an uncertain future and a poor quality of life for surviving girls and their future. Time is quickly ticking away. A shortage of girls would lead to shortage of eligible brides.

We have a greater task infront of us i.e to change the mindset of doctors and parents, to create a socio-cultural milieu that is conducive for girl child’s survival and monitor the activities of commercial minded techno-docs thriving an sexist prejudices, then only we will be able to check the process of declining sex ratio resulting into deficit of girls. Female foeticide is one of the nefarious crime on this earth, so the need of the hour is strict implementation of the law. The administration has a key role to play in this matter by keeping a close watch over ultrasound clinics. Those indulging in illegal activities should be dealt sternly according to the law of the land.

Suggestive Measures/Recommendations

Awareness campaigns should be organised to change the mind set of society which is still scared of the birth of female child being a liability. Sensitization programmes on issues related to girl child should be
organised for anganwadi workers and strictly included in mahila mandals so that they can disseminate information to the masses.

Dowry Prohibition Act should be implemented more rigorously and stringently to ensure change in the attitude of the parents towards daughters.

Collection of data on yearly basis is also an urgent need to identify the pockets of declining sex ratio, trends of declining and possible reasons. Anganwadi workers should be made aware about various schemes launched by the state/central government for the girl child. They should popularize those schemes in operation in the state through which economic benefits accrue to those families who have daughters.

The mass media, both print and electronic should be mobilised to disseminate the relevant information to prevent female foeticide.

Religious and spiritual leaders can help to create awareness in their communities and issue directives to stop this in human practice. The society members must seek the support of religious organisations and preachers.

Moral education should be imparted in schools. Children should be taught to uphold morals and refrain from practices of dowry, female foeticide and gender bias.

Medical professionals on account of their position of strength and repute, should be made responsible to counsel their patients and families on the importance of girl child and the impact of the skewed sex ratio in the society.

SAVE THE GIRL CHILD!!

REFERENCES

