



Factors Responsible for Female Foeticide

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Available online at: www.isca.in, www.isca.me

Received 1st October 2014, revised 2nd November 2014, accepted 15th November 2014

Abstract

There are numerous interlinked webs, which are to be blamed for the practice of female foeticide. These underlining causes which are discussed in this article are conditions in which female foeticide is practiced on a large scale in various parts of India. Every practice of violence against women has some age-old reasoning behind it, which is strongly supported by people who justify the practices like infanticide and foeticide. Therefore it is essential to find such causes which have supported such practices since many decades and still continue to suppress the status of women in Indian Society. The reasons for the practice of female foeticide are somehow similar amongst various countries where daughter elimination is supported. The lawmakers and the judiciary should take immediate effective steps to handle such causes, which are root cause of such practice. Valuing of women should be encouraged and all the reasons for which female foeticide is practiced should be eliminated so that women feel secure of her birth and her existence.

Keywords: Female Foeticide, webs, lawmakers, judiciary, birth, existence, deep-rooted.

Introduction

There are several interlinked muddles, which are directly or indirectly coupled through the customary tradition of female foeticide. The grounds described for the practice of female foeticide in this article are religious, social, economical, legal and psychological. These accentuating grounds are conditions in which female foeticide is proficiently practiced on a sizeable scale in numerous portions of India. Development in science and technology cannot be controlled or restricted in any country. Every country is trying to compete with another in discovering and modifying new technologies and new modern concepts of living. Easy approach to progressive science and technology has also been one of the causes of female foeticide. Ultrasound and abortion facilities are voluntarily accessible in cities, towns and small villages, which makes the practice and exploitation of such techniques expediently easy and comprehensible. Such technologies if used for the right reason of their invention they prove to be effective and appropriately serve their purpose. It is important to determine such deep-rooted grounds, which have braced such practices since many years and still continue to suppress the prestige of women in Indian Society¹. Such socio-economic religious psychological reasons have drained the concept of humanity from the Indian soil. A woman's uniform prestige in the society can only be accomplished when she's given an equal right to be born. The intentions for the traditional custom of female foeticide are somehow parallel amongst numerous nation-states where daughter elimination is supported. The reasons of female foeticide also indicate the level of hardwork and efforts, which needs to be contributed in order to prevent girls from the brutal practice of female foeticide.

Religion Causes

The influence of religion leaves a sturdy impact on innumerable philosophies and traditional beliefs, which believe that son, is fundamental for religious formalities, which are executed at different phases of life. When a woman is married she is blessed by "Sau Putra Bhava", "Doodho Nahao Pootho Phalo" etc². Such religious blessings also signify the significance of son preference in our society. The cremation ceremonial procedure is the most essential in India. It is considered that cremation through a son guarantees that parents are blessed with direct passage to heaven. The oldest Vedas and Upanishads have directed that the prominence of such rituals and traditions can be achieved only if the son of the family performs them. These rituals are considered as a privilege and therefore this right is bestowed on the son or any male member of the family. Various Goddesses and their *avatars* are being worshipped in India, but along with killing a female foetus, devaluing women through other crimes like rape, adultery etc is also carried on. Even in *Rig Veda* Women are respected and regarded as higher and superior species in the world. Religion and traditions has enormously disturbed the gender ratio in our motherland. However no religious scriptures undervalue women, rather in antique traditional customs they possess extraordinary reverence gifted by God due to which high level of respect is bestowed on women³. Whereas a daughter is considered to be an auspicious sign of Goddess Laxmi but at the same time there are many families who kill the female foetus only because they want a male child to free them from all the sins after their death.

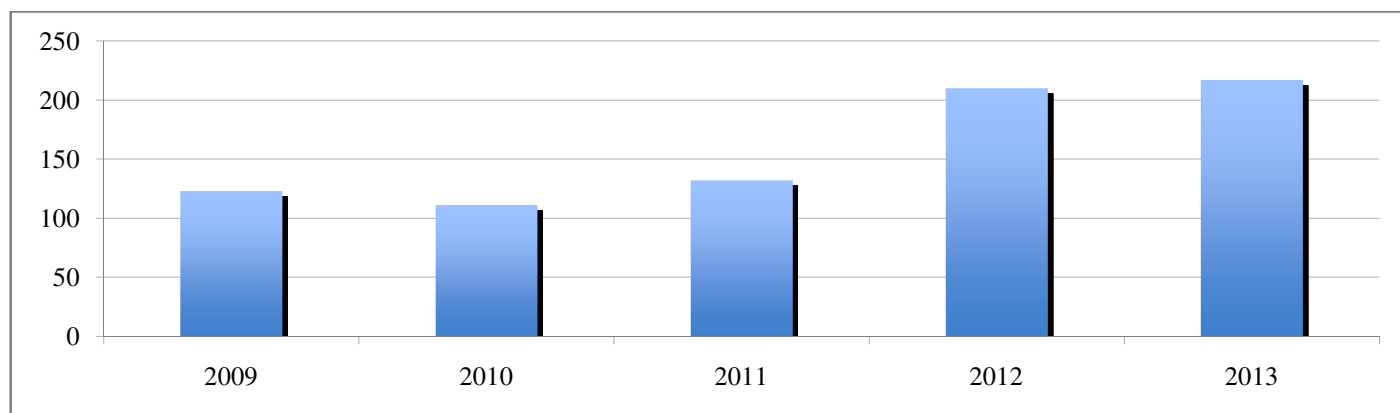
Social Causes

There have been many social causes behind the practice of female foeticide, as it is believed that daughters do not offer social security to parents. The orthodox Indian Society considers the birth of daughter a redundant investment that will yield no returns as daughters marry away and live with their husbands and his family. Dowry ascertainment to be an additional disbursement apart from the expenses in bringing her up, educating her etc. Daughters are also perceived as a disgrace in Indian society as the parents have to maintain a status in the society. A typical traditional Indian family wishes that their family name continued which according to them can be done only through a son. Thus daughters are undesirable, as they do not continue their maiden name after marriage. The practice of infanticide and foeticide especially prevail in higher caste and among the rich, as they have to sustain their prestige amongst higher caste. But for the middle class and lower class families, protection of the girl child is the main concern⁴. As crimes against women are increasing in our country there is a terror in several families regarding the protection and security of their daughters. Therefore, the parents believe that killing of the daughter before she is born is better so that she does not become the prey to the countless crimes, which will ultimately destroy her life and result in humiliation for her parents. Poverty and illiteracy is also measured as a crucial reason for the exercise of female foeticide. A large section of population is beneath the poverty line therefore a son is preferred in the family, as an economic sustenance. However bringing up daughter proves to be pricier for such families. People who inhabit in villages and distant areas of India continue to believe that devaluing women is the only solution to keep her suppressed. Due to illiteracy parents impart their future generations the same ideologies, as they are ignorant about the social change in the education in the status of women in present India. Degrading and disrespecting a woman has now transformed and taken a new step of killing her before she is born. Female foetuses are rejected from families for various reasons, but economic reasons are mostly one of the most adopted causes for such practice. The custom of female foeticide denies every right to a woman to be

born, educated and become economically independent in society at large. Many people prefer son to daughters and also encourage their son to get educated and opt for higher jobs⁵. Whereas daughters are denied basic education, as it is believed that they will be married away and need to run home by becoming a housewife. Similarly, inheritance also plays an extremely essential role in eliminating the daughter even as the law guarantees equal share to son and daughter, in many regions of rural India the parent's fear that if daughter inherits property the land is automatically lost by the father's lineage.

Legal Causes

The Pre Conception and Pre Natal Diagnostic Technique Act, 1994 was passed 18 years ago due to an alarming increase in the brutal killing of female foetuses by latest means of scientific technologies. According to the 2011 Census the child sex ratio is 914:1000 and therefore it is evident from these figures that the impact and implementation of the Act is still in doubt as there has been a continuous fall in the child sex ratio⁶. The Pre Conception and Pre Natal Diagnostic Technique Act, 1994 has proved to be insufficient and inefficient to curb the brutal custom of female foeticide. Therefore the weak implementation of the laws has indirectly proved to be a catalyst for the increasing ratio of female foeticide as the Indian community is fearless of the rules laid down by the Act. Had the laws taken stringent action and executed accordingly, countless innocent lives of girls could have been saved. It is indeed shameful for our country that even after 68 years of independence and the provision of right to equality mentioned in Article 14 of the Constitution of India, foeticide still triumphs in our country. The Genocide taking place in India is a consequence of the lack of efforts made by the Government and Organizations to frame effective laws⁷. This has influenced additional crimes against women, which has lowered their dignity in India as well as abroad. It is challenging to detect cases of female foeticide and sex selection as they are performed behind closed doors, which ultimately leads to less registration of cases in the Courts.



Source: NRCB Data

Figure-1
Number of Female Foeticide Cases Registered 2009–2013

According to survey of National Crime Record Bureau (NCRB) in the year 2009 the number of cases registered under were 123 but the number dropped in the year 2010 to 111. However in the year 2011 and 2012 the number of cases registered was 132 and 210 respectively. According to the latest records 217 cases have been registered in the year 2013. No doubt there is a constant increase in the registration of the cases on female foeticide but the judiciary is comparatively slow in implementing the laws on female foeticide. Collection of evidence turns to be problematic as the crime leaves no proof and is usually done in code words. The Ultra Sound Clinic staff and doctors prefer to deny all such allegations as the family of the pregnant women who wish to go ahead with abortion if the foetus is detected to be a female foetus pays them a heavy amount.

Law tackling female foeticide needs to be more strict and rigid in order to save the lives of many innocent and unborn girls. Since the issue of female foeticide is so critical, it is essential to adopt international policies and frame stringent laws which will prove to be effective enough to stop this genocide and save the existence and dignity of women by providing them an equal opportunity to take birth and enjoy liberty just as any other species⁸.

Suggestions

The causes discussed above have motivated the society to practice such evil crime of female foeticide. Practice of female foeticide has clearly verified the increasing son preference for several reasons, which has worsened the status of a woman in the Indian society. Every legal loophole and drawback needs to be amended and rectified by the lawmakers so that the practice of female foeticide is eliminated. Therefore, the following are the seven most important steps, which need to be taken up by our country in order to prevent the practice of female foeticide.

Education: Where on one hand education is path of guidance in our country it has also proved to be a tool, which has been misused by the educated and literate people. It is through education that people come across various ideas to misuse the technologies to detect female foetus and now there are techniques to also select the preferred foetus, which adds to the hideous crime of female foeticide. It is not the education that needs to be blamed but the misuse of education that leads to the practice of female foetus⁹. This also proves that education no doubt is very important but the right kind of education along with the right use of such education is the most essential element, which ultimately contributes in the progress of the country. Education amongst adults is as important as education amongst children.

Legal initiative: There is an urgent need to enhance the effectiveness of existing implementation structures and systems. Efforts should be made to promote extensive reform in current practices amongst the implementing and executing authorities. Inspection and monitoring authorities are essential and

imperative if fruitful working of law is expected. There is an urgent need for dedicated personnel at the state and district level to constantly monitor the implementation of The Pre Conception and Pre Natal Diagnostic Techniques (Regulation and Prevention of Misuse) Act, 1994. The legislators should introduce manuals and guidelines with special information regarding the available provisions for girl child and consequences of the practice of female foeticide. Greater engagement with and implementation can be achieved through intensified training and sensitization. The case law documentation and legal process can be strengthened through a set of actions, which ultimately will contribute significantly to a much robust legal approach. Legal Campaigns should be initiated to enhance the awareness of the provisions of The Pre Conception and Pre Natal Diagnostic Techniques (Regulation and Prevention of Misuse) Act, 1994.

Implementing Strong Ethical Code Amongst Medical Practitioners: The main cause of foeticide is the participation of medical practitioners for monetary benefits. In various countries the practice of female foeticide and related abortions have transformed to business and is given a boost by the medical practitioners themselves. The huge monetary gains that are offered to the medical practitioners usually tempt them to get into this unethical practice, which is morally and legally against the law. Under the Pre Natal Diagnostic Technique (Regulation and Prevention of Misuse) Act, 1994, Section 16 lays down the various functions of the Central Supervisory Board. Clause (iv) of the section mentions that the Central Supervisory Board shall lay down code of conduct which has to be observed by people working at the Genetic Counseling Centre, Genetic laboratories and Genetic clinics.

Awareness Campaign: Awareness campaigns have become a very famous and successful way of tackling social issues in India. People form organizations who come up with various unique ideas to throw light on the social issues and also provide preventive steps to control and eradicate social practices which are harmful for the society. Organizations also include a lot of women in their campaign who are victims of forced abortions and violence due to the practice of female foeticide¹⁰. Such campaigns also focus on schools and colleges, as the youth needs to be educated on this issue in order to protect the future generation. Awareness campaign also encourages the birth of girl child and teaches the society about the value and importance of the girl child.

Conclusion

The practice of female foeticide is alarmingly increasing day by day and this is adversely affecting the child sex ratio in India. Every person who practices female foeticide has their own reasons and excuses to eliminate the girl child from their respective families. It is evident from the above-reviewed causes that all the causes are interlinked and contribute to the practice of daughter elimination in our country. All the reasons

discussed conclude that a woman's status is severely deteriorated in our Indian society. This adversely affects the self-esteem and morale of the women and consequently they themselves do not wish to have daughters, as they do not wish their daughters to face the same trauma and degradation. Lastly, the Indian soil is waiting for a strong change in the laws and social customs to improve the status of women but it is to be understood that this can happen only when men and women stand and fight jointly against the causes of female foeticide and the elimination of female foetus.

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