



Beti Zindabad!

Adverse Child Sex Ratio
- A feminist perspective



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Acknowledgement

*This document has been authored by Sarika Sinha with inputs from colleagues across ActionAid India offices.
Illustrations have been provided by Samidha Gunjal, a freelance artist in Mumbai.*

A world Without Women?

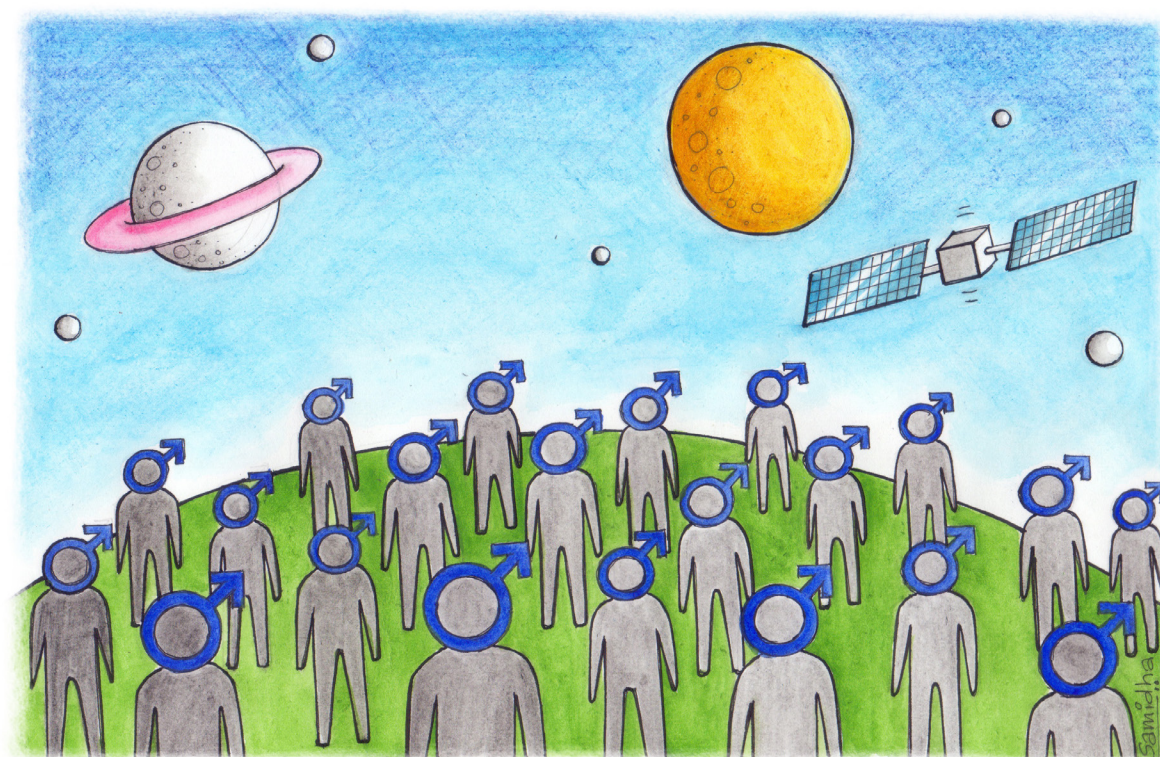
Patriarchal Epiphany

The votaries of social justice need to take note Although much is being debated over 'women's lib', they certainly haven't got it in the womb While male babies are desired, celebrated and hailed all across, female babies are dreaded, sulked and often eliminated even before they enter this world.

We need to look at not just the contours of this problem, but also the epicentre of this deficit. There is also the need to understand why women and girls are a constant source

of impoverishment and hence unwanted. The system of sub ordination of women and girls, Patriarchy and its linkages with the current neo liberal model need to be understood. There is also a fervent need to analyse the current model of development which enhances discrimination.

This note attempts to look at the underlying causes of sex selective abortion and its linkages with patriarchy and capitalism.



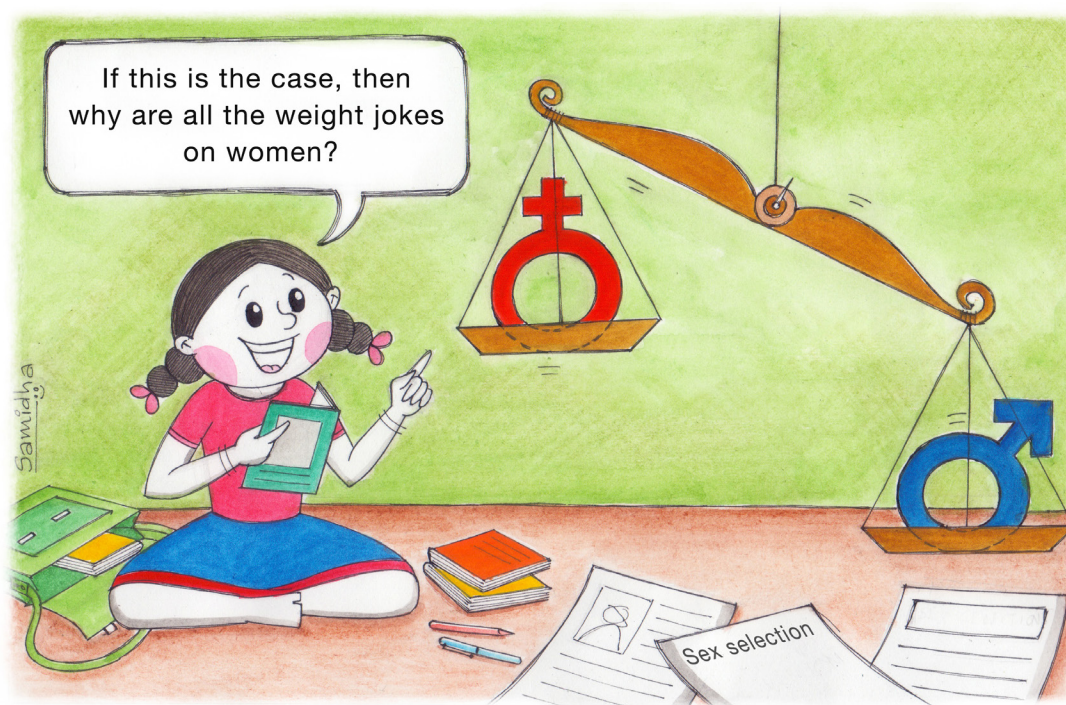
Is it a National Emergency?

The Missing Women in India

Indian population is deemed to be masculine in the coming years looking at the extremely stark child sex ratio which shows an all time lowest after the independence. India, in the coming two decades would have 20% more of men than women¹. Studies across India have also shown more than 35 million women are missing from India's population and cautioned that legalities on paper would not change matters².

Though it has been scientifically proved that in a "Normal World" the number of women will be equal to that of men or will slightly surpass it. But in India the available statistics show a reversal of this scientifically proven fact. The recently released provisional report of Census 2011 bears a testimony to this trend. The national sex ratio is still pegged at

940 women per 1000 men, a slight increase from the previous census figure of 933. Much is being said about the percentage decadal growth during 2001-2011 that has registered the sharpest decline since independence- a decrease of 3.90 percentage points from 21.54 to 17.64 percent. But the same report also depicts the alarming fact that the child sex ratio of 0-6 years at India level (914) is lowest since independence, thus reflecting a highly undesirable reversal of the norms of nature. This decline of child sex ratio has been unabated since 1961. India currently ranks 119 in the human development indices. Though the country boasts of rapid economic development in the past years, the condition of women and marginalized communities has only worsened over the period.



1. Dr Therese Hesketh and co-authors from the UCL Centre for International Health and Development, London, and published in the Canadian Medical Association Journal
2. Study by ActionAid and IDRC available at http://www.actionaid.org.uk/doc_lib/disappearing_daughters_0608.pdf



'Gendercide Pandemic' across the Globe!

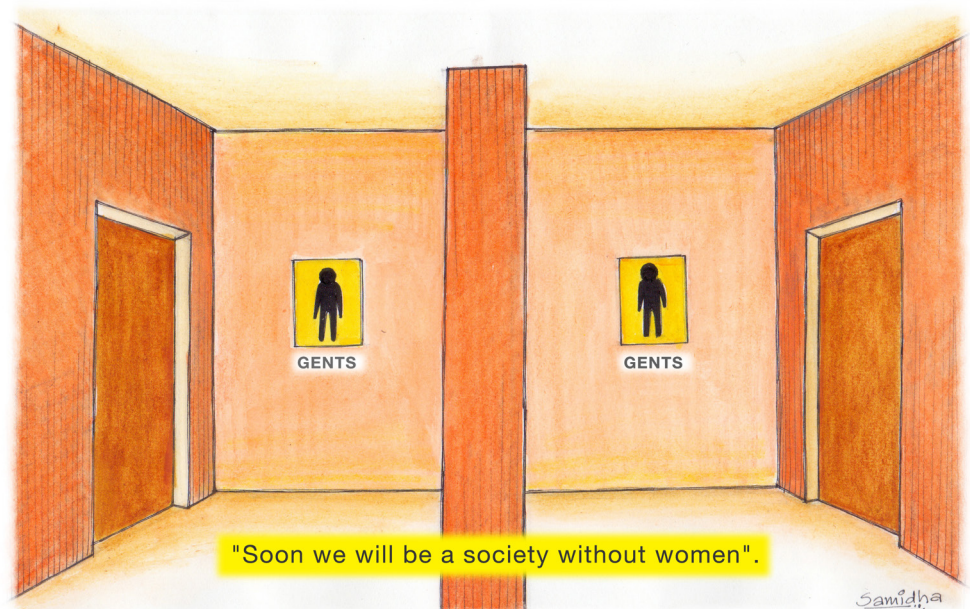
Demographic studies have shown that this trend of elimination of female babies is not just limited to our country but rampant across Asia and other parts of the world. In fact, China and India alone take a lion's share.

Results from the Indian and Chinese censuses released in 2011, show the sex ratio at birth becoming more skewed in both countries. China counted fully 118 boys born for every 100 girls, while India, which uses an alternative statistic, reported 914 girls for every 1,000 boys, for ages 0-6. (The natural human sex ratio at birth, by contrast, is 105 boys per 100 girls.)³

Sex selection, mainly through abortion, has been practiced on a broad scale in South and East Asia since the early 1980s, when cheap ultrasound machines able to detect the sex of a foetus in the second trimester were first marketed in China, India, South Korea, and Taiwan. With a highly patriarchal system in practice, new markets were opened up across developing nations to enable them to systemically eliminate daughters.

If Asia's sex ratio at birth had remained at its natural equilibrium over the past few decades as manifested in demographic studies in 2005, the continent would have an additional 163 million women and girls today⁴.

Equally alarming is the fact that sex selection is spreading. In the past fifteen years, skewed sex ratios have cropped up in countries with no history of discrimination per se- including Vietnam, Georgia, Azerbaijan, Armenia, and Albania.



In Amartya Sen's seminal essay on the missing women and girls in Asia and North Africa (over 100m of them are reportedly missing), he originally took into account the 'inequality and neglect leading to excess mortality of women'. Over a decade later, in 2000, in British Medical Journal, he refers to sex selective abortion as one of the possible causes for the deficit. It is evident that sex selection is possible because of the availability of modern techniques which determine the sex of the foetus and hence the splurge of sonography machines all across which have opened a new vista of market opportunities.

It would be, however, prudent to understand that along with the neo liberal economic globalisation we are witnessing today, patriarchy plays a crucial role in the systemic elimination of women and girls.

3. http://www.niemanwatchdog.org/index.cfm?fuseaction=ask_this.view&askthisid=525

4. Unnatural Selection: Choosing Boys Over Girls, and the Consequences of a World Full of Men by Mara Hvistendahl

A Peep into the Roots of Sex Selection

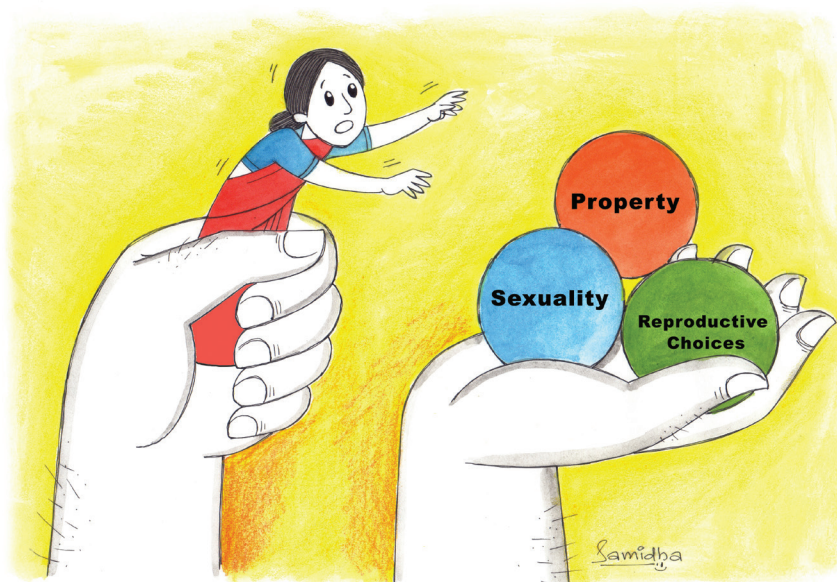
Girls and Women: A Source of Impoverishment in the Patriarchal System

In a society like ours, women are not only socialized into being silent about their experiences of violence but traditional norms teach them as well as their communities to accept, tolerate and even rationalize violence⁵. The reason behind doing so stems from patriarchy.

controlling women's sexuality and keeping the lineage) and decision making.

The roots of Patriarchy lie in biology. The basis is that since men and women are biologically different, they have different roles and are unequal. Thus the men are the protectors

and providers and take up the roles in public spaces whereas women play the second fiddle and are confined to private spaces. This might vary in some countries, but subtly, the entire system works in a manner that women have lesser agency than men. In Patriarchy, the systematic domination of women by men through unequal opportunities, rewards, punishments, and the internalization of unequal expectations through sex role differentiation takes



To put it very simply, patriarchy is a social system which subordinates women. It can be interchanged with Andro-cracy and inherently thrives on the fact that men are superior to women. This ensures that men have control over the productive assets, reproduction (by

place. Patriarchy is men having more power, both personally and politically, than women of the same rank. This imbalance of power is the core of patriarchy, but definitely not the extent of it.

5. Jaisingh, 1995; Hegde, 1996; Prasad 1999.



The rise of patriarchy did not happen all of a sudden. Neither was it a system that was always present. According to the feminist historian Gerda Lerner, it is system that approximately got established 3000-5000 years ago. Through her study of different civilisations across the world, she establishes that women were the first class to be enslaved. The famous progressive leftist intellectual, Fredrick Engels, while trying to study class inequality, wrote in 'The Origin of Family, Private Property and the State' (1885) that the era ensuing the clan culture and origin of 'Surplus' was also marked by Historic Defeat of the Mother's Right. With lineage coming in strongly, a patriarchal/patrilineal and patrilocal system was established. The cave paintings as depicted in Rahul Sanskrutayan's books are also an evidence of this.

Wasn't this
System Always
Present since
Men and Women
are Biologically
Different?

How Do We
Internalise
Patriarchy?

competitive, super-rational, etc. Occupations are valued according to these gender-linked characteristics, so social work, teaching, housework, and nursing are of lower status than the works of a business executive, judge, or professional football player.

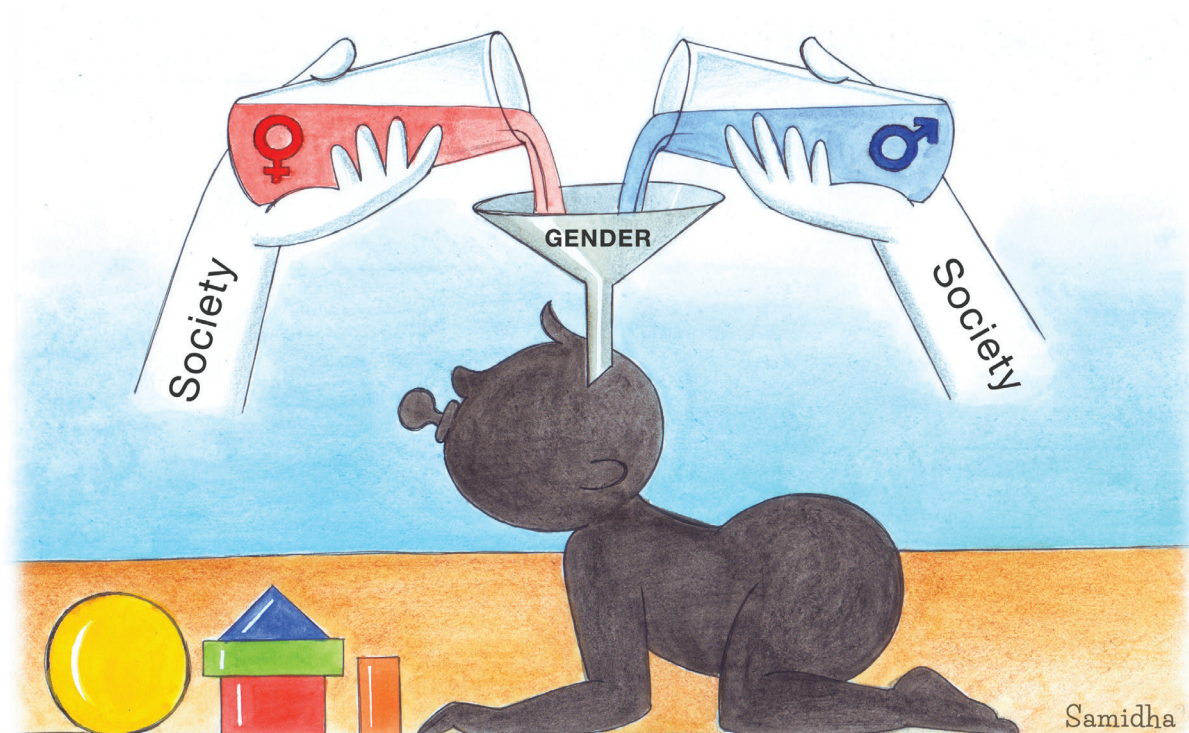
Patriarchy gives rise to the traits that men and women are required to follow in order to be in their assigned roles. These traits are known as masculinity and femininity. Masculine sexuality involves the oppression of women, competition among men, and homophobia (fear of homosexuality). It also gives the message that men's sexual urges cannot be controlled and women need to protect themselves. Further, socially, it also requires women to have softer feelings. So women should be nurturing, gentle, in touch with their feelings, etc., men should be productive,



"Boys and men also suffer from the stereotyping that exists in a patriarchal culture"

Does Patriarchy Operate in Isolation?

Though patriarchy operates at all levels, there are other inequalities pertaining to caste, class, race and religion which define the identity and status of an individual. The intersectionality of these decides the rank of a person in the society. Thus it would be erroneous to say that all women are inferior to all men. In our country, it would be important to look at caste/class and religion which also make a person vulnerable. Hence if we look at data, we find that the subaltern women from indigenous communities and religious/sexuality minorities, are the most violated. The powerlessness is evident in the low conviction rates as the state also favours the powerful



The system of patriarchy is also designed in a manner such that social institutions like family, educational institutions, Law, media, state, economic institutions and religion reinforce these values. The modality of spreading this is two-folds.

- One is through ideology. This means that cultural norms and belief are put in a manner that manifest that women are inferior. Hence women are glorified when

The Carriers of the Unjust System of Patriarchy



they wear symbols of marriage (clearly manifesting that they are committed) and sons are source of respect and daughters consistently source of impoverishment. Moreover, educational institutions and conditioning in the family socialise children to internalise discrimination. Language itself is a crucial carrier of patriarchy. This is all legalised through religion and once it comes under the garb of God's dictum, it loses all rationality. Thus as Gramscii points out, the women and men, both internalise this ideological hegemony and start believing that women are inferior.

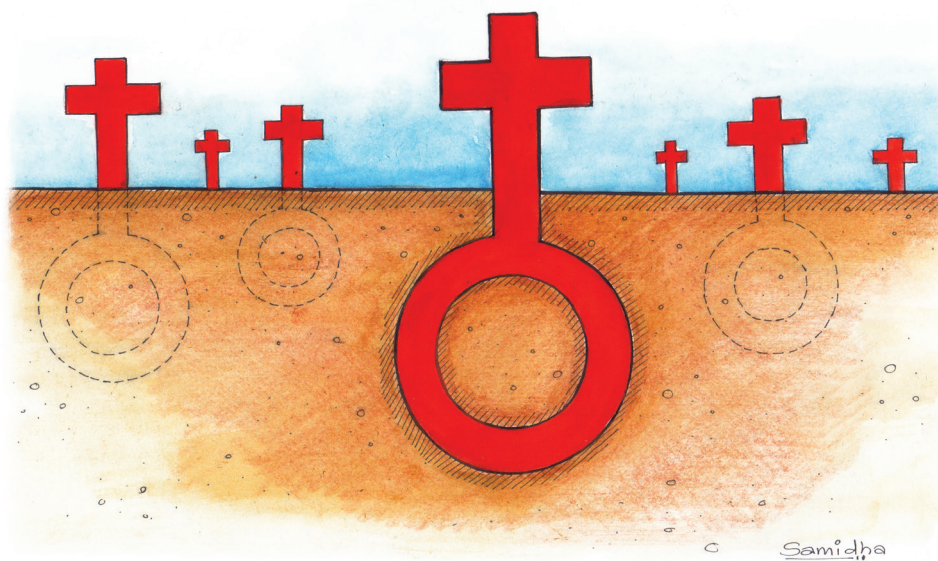
- The second is through usurpation of structures. A recent report of Food and Agricultural Organisation (FAO) shows that women, who comprise of half the world's population, own less than 10% of land. In the patriarchal society, the women are robbed of resources and hence are coerced to be dependent on their male counterparts. This system also benefits men economically. In 1995, the ILO estimated that the work done by women in the homes was tantamount to \$ 11 trillion.

Violence against Women: A Systemic Tool of Patriarchy

Most societies are patriarchal. Therefore, gender violence is universal. South Asian society is particularly patriarchal, and denies women agency and any identity other than that of a wife, mother, daughter or sister. All other women, as one of our former Indian

president said, are "bhog ki cheez" (objects of enjoyment). India privileges males to the extent of mass killing of female fetuses. Over the past century, 35 million women have gone missing - eliminated before birth. Discrimination against women is pervasive from cradle to grave. Girls get less food, medical attention and access to education than boys. Most never experience adolescence or discover their inner urges and true personalities. From girls, they suddenly become wives and mothers - and chattel slaves with no right to their own bodies⁶.

It is also imperative to note that violence against women is a weapon of patriarchy and hence is systemic and structural. In a patriarchal society, it is not accidental that one can punish/violate women and that no repercussion tends to



6. Praful Bidwai: To fight Rape Fight Masculinity.





happen. Violence is supposed to put women in their place and establish order in the society, an order that is based on inequality and subservience of a particular gender. Hence in patriarchy, it becomes an acceptable norm for men to denote power through mental, emotional and physical battering of women.

Even if there is no violence, the threat of violence always lurks large confining women

to their spaces. Social norms encourage and glorify women who remain loyal to their roles and vilify women who dare to transgress it. Thus, it might ostensibly, appear easier to eliminate a daughter before birth than take the 'risk' of raising her and keeping her safe since the cost involved both emotionally, socially and economically is too high.

Sex Selective Abortions: A Complex Web of Patriarchy and Capitalist Globalisation

This son preference trend crosses the spectrum of economic classes, and castes and is due to a complex mix of economic, social, and cultural factors. The kinship system amply manifests that daughters are a constant source of impoverishment both socially as well as economically. Sons are desired for a range of important activities starting from birth, lineage, identity, status, economic security to last rites. Even after death, the smooth transition in the other world requires sons to do the last rites amongst some religions.

The technology that ultimately became the dominant method of sex selection around the world began as a tool for navigation. The story of ultrasound dates to 1794, when an Italian biologist curious about how bats find their way in the dark discovered sonar, or the fact that distance can be determined by bouncing sound waves off a faraway object and measuring how long it takes for the waves to ricochet back. Centuries later, when the growing prowess of German submarines during World War I convinced the Allies that to win the war they needed a way to navigate underwater, scientists put sonar to use. The American, British, and French governments jointly funded research into the phenomenon. The effort succeeded, and by 1918 the Allies were using

How it All Began... The History of Sex Selection

acoustic echoes to correctly pinpoint the location of German U-boats.

After the war, doctors guessed sonar might have medical applications as well. They first





used ultrasound in surgery, where it turned out sound waves could heat and destroy tissue, making them helpful for everything from treating ulcers to performing craniotomies. Then in 1949 a chemist stationed at the Naval Medical Research Institute in Bethesda, Maryland, employed the new technology to locate gallstones in dogs, and ultrasound became a diagnostic tool as well. Physicians began navigating the human body as World War I submarines had navigated dark waters, bouncing sound waves off the internal organs.

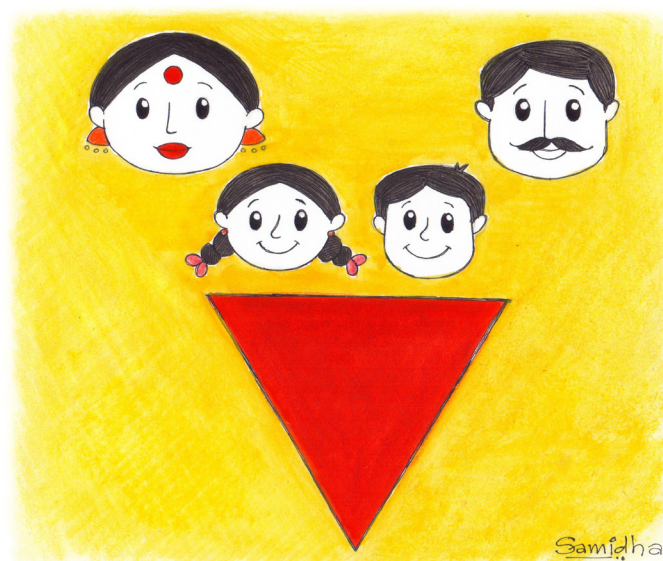
Ultrasound proved surprisingly versatile. It could do a series of multifarious tasks and hence it may have been with one of these applications in sight that in 1959 Scottish obstetrician Ian Donald used the new

technology on a woman who happened to be pregnant and noticed that the foetus returned echoes as well.

Back then, ultrasound offered the simple promise of learning more about a pregnancy. Doctors could not perform x-ray exams on pregnant women because of the risk of damaging the fetus, so Donald's discovery raised the prospect of an alternative form of prenatal imaging, giving physicians hope of monitoring high-risk pregnancies⁷.

Little did anyone realise
then that this would lead to
the elimination of over
160 million women!

Politics of Contraception and Markets in India



It is imperative to note that till the emergency, 70% of the sterilizations were done on men but after the forced family planning programme, 99% of it fell on women's shoulders. The Family Planning Programme used forced contraceptives on women without their knowledge which resulted in uterine cancer and prolapsed uterus. The MTP Act 1971, which was meant to safeguard a women's right over her reproductive health and hence children, much against its spirit, also gave the idea of abortion as a contraceptive.

Prior to this period, the trend of having large families also ensured that amongst these, there was at least one boy to carry forward the lineage. With population control, it became evident that the elimination of girls was necessary in order to have at least one baby boy. Even the symbols of an ideal family, as depicted by the state, showed a boy thus reinforcing the current patrilineal/patrilocal system. The violence of population control and forced sterilizations also led to regime change. The depiction of small family and happy family beguiled the nation into the belief that poverty was due to our rising population.

7. Excerpt by arrangement with Public Affairs from *Unnatural Selection: Choosing Boys over Girls and the Consequences of a World Full of Men* by Mara Hvistendahl. Copyright © 2011 by Mara Hvistendahl.

and had nothing to do with the inequitable distribution.

The violence could be cut considerably if people were allowed to choose. In 1980's, the practice of amniocentesis and henceforth determination of sex became the subject of campaigns by feminist groups and health movements across Delhi, Punjab and Maharashtra. Amniocentesis and sex-selection in India has a very short history.

Reproductive biology was identified as a major thrust area for R&D by the Government of India, as well as the medical research establishments from the 1960s, as the hysteria about the population crisis began to affect perceptions of the Indian intelligentsia. The All India Institute of Medical Sciences (AIIMS) was one of the major centres of research in this field, and received substantial financial support for this purpose from national and international sources. The Institute also had a Department of Human Cytogenetic, which found it possible to acquire access to some of the new sex selection technology by riding the band-wagon of the population panic. In 1974, the Department started a sample survey with the aid of amniocentesis to detect foetal abnormalities. By 1975, the AIIMS knew that the tests were being followed by abortion of female fetuses.

Abortion was legalised by the Medical Termination of Pregnancy (MTP) Act (1971). Though the statement of objectives projected the legislation as an attempt to reduce criminal abortions in unsafe conditions, and maintained that the primary objective of the law was to protect the physical and mental health of women seeking abortion, there was little doubt that in the perception of the medical establishment and of the majority of the general public, it was viewed primarily as an instrument of population control. One of the conditions under which abortion services could be provided by authorised hospitals and health centres was 'failure of contraception'. Studies on abortion under-taken by various scholars

indicate that most abortions were performed on this ground in such institutions. Abortions for other reasons continue to be performed mostly by unauthorised doctors and clinics and/or unqualified practitioners.

The AIIMS tests were eventually stopped by the Indian Council of Medical Research (ICMR). But the advent of the new reproductive technology (NRT) and its fall-out had been noted by some medical entrepreneurs. Around this time, we notice a spurt of mobile clinics advertising for sex selective abortion and thus doing a favour on the parents by saving them from the disgrace and usurpation of their resources.

It is reported that prior to 1985, the Government of India had Issued three circulars⁸ to the States and to concerned departments at the Central level, making the use of the technology of prenatal sex determination (SD) for the purpose of abortion a penal offence. In his statement to the Lok-Sabha, however, the Health Minister ruled out a ban on amniocentesis saying that "it was for the people to change their attitude to female children"⁸.

As a part of capitalist globalization, the agenda of population control has been pushed across and women do not seem to have access and control over their own reproductive health. In a patriarchal world, this boils down to sex determination in order to reduce population. With easy access to technology and evident discrimination against women, we see a boom in the sex selection market. There is immense money in sonography centers and machines. In fact, with the ageing of the west (countries in the west), newer markets are being explored in countries like India. It is reported that cheap machines are being imported in huge numbers from China.

This is evident in case of china where the one child norm has led to an acute shortage and genocide on girls. This also generally leads to increased violence against women.

8. Amniocentesis and Sex Selection by Vina Majumdar.



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The Consequences: Do Fewer Women Enjoy Better Quality of Life?

The
Consequences of
the Sex Selective
Abortions are
Alarming!

Prima facie, it seems there would excess of men/boys and a deficit of women and girls. In 2005 in China, "it was estimated that 1.1 million excess males were born across the country and that the number of males under the age of 20 years exceeded the number of females by around 32 million," writes Professor Therese Hesketh, UCL Centre for International Health and Development, London, United Kingdom with co-authors.

In India, similar disparities exist, with sex ratios as high as 125 in Punjab, Delhi and Gujarat in the north which are infamous for the deficit in daughters.

A lot many times, it is portrayed in the light that the paucity of women would lead to men not getting brides. This needs to be analysed much beyond the fact that men would not get brides as the formulation is based on women as providers of men's needs. Women's agency and the right to a life free from coercion should be the criteria instead to gauge and understand the disappearing of women. In fact, in this light, we must understand that not only the women's agency would be subdued,

but violence against women would tend to increase because of the gender imbalance.

In fact, given the patriarchal culture that we already are, if we continue killing our daughters, there's likely to be any respect for women.

Though there is a rise in the total number of women, it is still far behind in terms of sex ratio 100 years ago. It shows that the opportunity for survival of women has declined over the period. The girl child is disadvantaged since birth, and some girl children are never born denying them any chances for survival. Sex determination before birth is widely prevalent, in spite of the Pre-Natal Diagnostic Techniques (PNDT) Act, 1994. New techniques and modern science is only helping in the sorting the sex of the unborn child.

Hypergamous marriage markets have benefitted generations by ensuring the dependency of women over men.

Let us examine these in the context of the indices for human development for women.

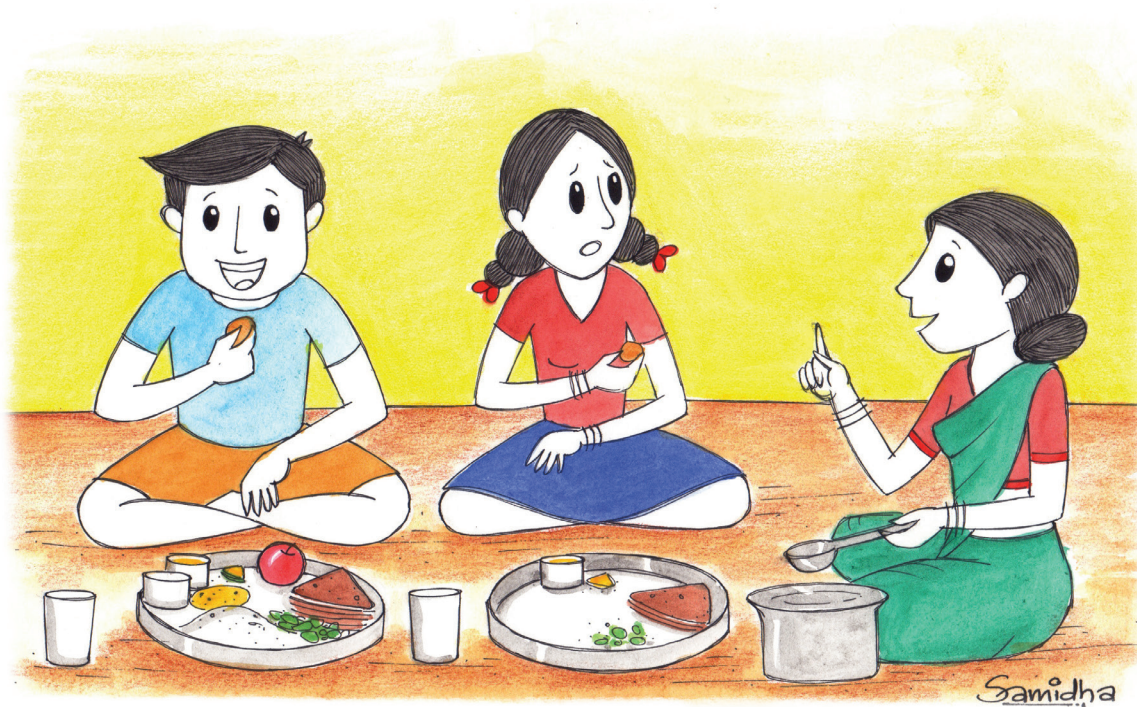
Human Development Indices: Appallingly Poor for Women!

Women in India continue to remain discriminated and lag behind on most of the development indices. India's gender Inequality Index Value is 0.617 and occupies 129th position among 149 countries. Despite over 6 decades of independence and constitution, 35% women in India are illiterate.

While girls are killed in the womb with impunity, their health status is evident if we look at the gender gap in the infant mortality rate, we find that it is maintained consistently between 3-7 points (46 for boys, 49 for girls) since 1990's. The gap between rural and urban areas also clearly shows the lack of access and adequacy of health services.⁹

Malnutrition is also closely linked to maternal nutrition and hence to the issue of intra household food distribution. The maternal mortality is 212. Maternal and women's health seem to be in dire straits if we look at their Body Mass Index (BMI)¹⁰. According to NFHS III, 47% girls (15-19) and 35.6% women (15-49) are underweight. Moreover, 55.8% (15-19) and 55.3% women suffer from Anaemia, an indicator that speaks a

IMR and Malnutrition are Closely Linked



9 SRS 2009-10.

10. The BMI is defined as weight in kilograms divided by height in metres squared (kg/m²).

lot for women in a country where special departments have been created for women's health.

The most recent round of National Sample Survey (66th, 2009-10) show that after 20 years of unprecedented economic growth, the total proportion of women in any kind of paid work is not more than 15%. This reveals stunningly the fact that 85% of all women are constrained to find their future through structural forms of dependency. Moreover, we also need to look into the worker population ratio. Worker-population ratio is an indicator which is used for analysing the employment situation in the country. This ratio is useful in knowing the proportion of population that is actively contributing to the production of goods and services of a country. If the ratio is higher, it means that the engagement of people is greater; if the ratio for a country is medium, or low, it means that a very high proportion of its population is not involved directly in economic activities. The worker population for the nation is 336 for women and 819 for men¹¹.

1999-2000 NSS rounds record higher percentage of women (91.6%) engaged in the agriculture and allied sector as compared to men (84.2%). Women get negligible return to their high labour contribution, and instead carry the burden of being illiterate, anaemic and asset less pushing them further to the brink of survival. Studies show that over 70 percent sub-altern women are anaemic and health services accounts for merely negligible of the budget.

Marital status and Female mean age at marriage are essential constituents to monitor fertility and population growth. The data on marital status has been included in SRS from 1991, whereas on Female mean age at marriage is from 1990. There is a marginal increase in the proportion of married Female from 45.7 in 1991 to 48.2 in 2010, whereas the proportion of widowed/divorced/separated female has remained stagnant at 8.0. The mean age at effective marriage for Female has improved from 19.3 years in 1990 to 21.0 years in 2010. Having been married at such a young age, a woman has very little control over her own fertility and reproductive health.

Social and Patriarchal Norms

Social evils like dowry promote preference of son over girl child. The hegemonic character of the notion of daughter is enhanced by social systems like dowry and bride price which lower the prestige and value attached to a woman.

In a patriarchal and feudal society such as ours, women are not only socialized into being

silent about their experiences of violence, but traditional norms teach them to accept, tolerate and even rationalize domestic violence (Jaisingh, 1995; Hegde, 1996; Prasad 1999).

Domestic violence in India is endemic and widespread predominantly against women. Around 70% of women in India are victims to domestic violence according to Renuka Chowdhury, junior minister for women and child development. National Crime Records Bureau reveal that a crime against a women is committed every three minutes, a women is raped every 29 minutes, a dowry death occurs every 77 minutes and one case of cruelty committed by either the husband or relative of the survivor.

11. Census 2011

Percentage of women between 15-49 who have suffered domestic violence

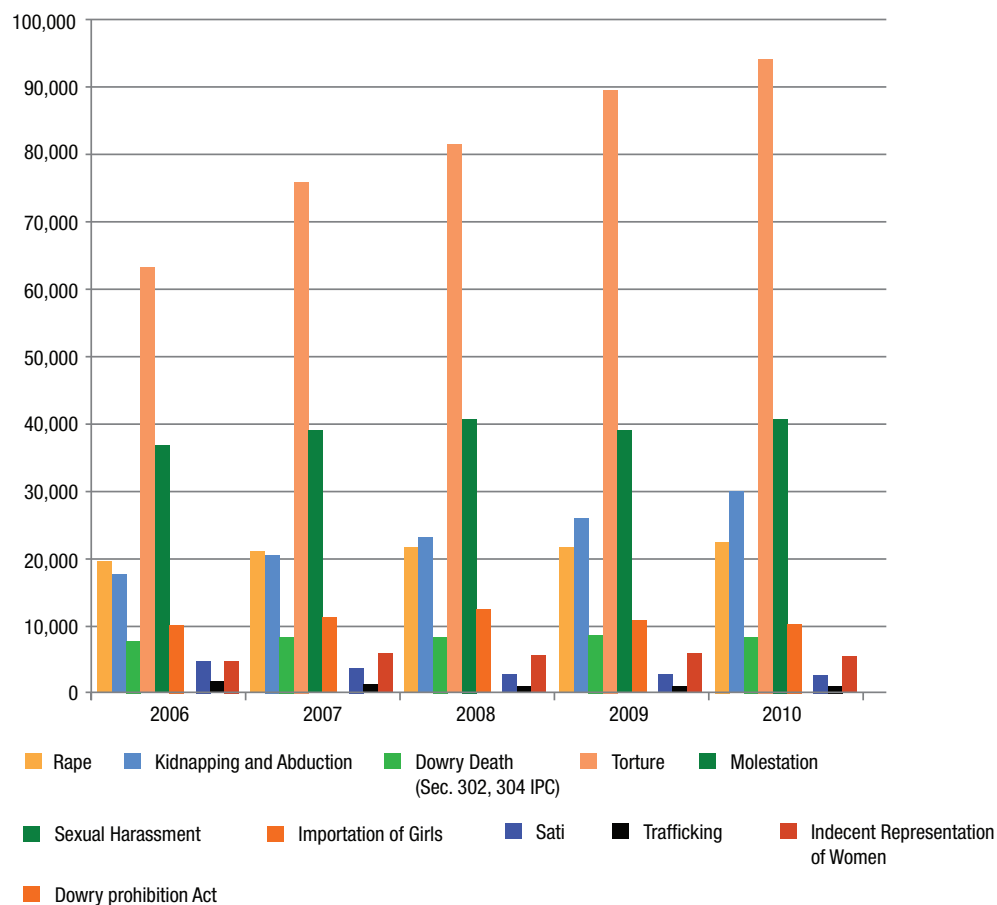
| India | Physical violence | Sexual violence | Physical and sexual violence | Physical or sexual violence |
|-------|-------------------|-----------------|------------------------------|-----------------------------|
| | 26.9 | 1.8 | 6.7 | 35.4 |

Source: NFHS III

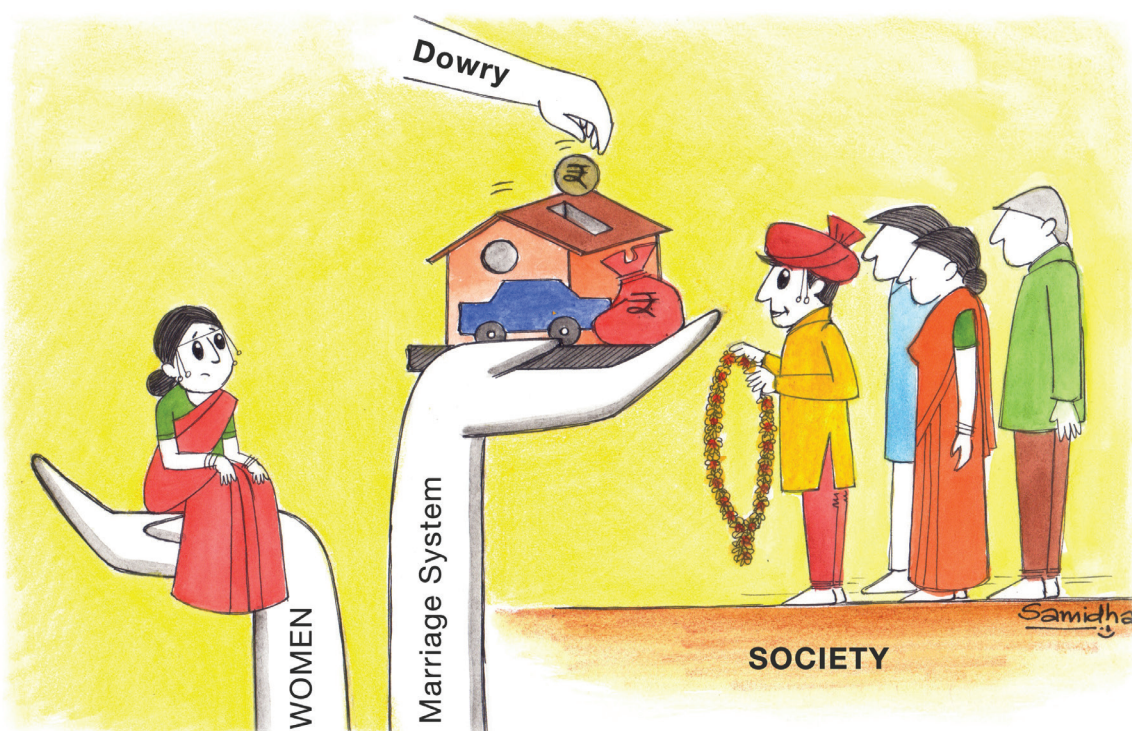
According to reports appearing in the Indian media, there were 8391 reported cases of bride burning in India in 2010, working out to one such incident almost every hour. To add to the problem the conviction rate in cases of bride burning has dipped from a low 37% in 2008 to 34% in 2010. In cases falling under section 498A of the Indian Penal Code (Cruelty by husband or relatives), the conviction rate is only 19%, although there were 94,000 reported cases in 2010.

The Times of India, reporting on January 28, 2012, says, "...perhaps the primary reason for the spread of this cancer has been the almost complete absence of any public campaign... As a result, girls are considered a burden on the parents, families go bankrupt trying to get their daughters married off, choice in forming relations is frowned upon and thousands of young women suffer violence silently behind closed doors."

Figure 8c. Incidents of Crime Against Women during 2006-2011



Source: National Crime Records Bureau



Dalit and tribal women, although enjoy relative freedom of movement, are regularly exposed to the risk of sexual harassment at workplace, in addition to domestic violence. In fact, the conviction rates for crimes against women, SC's and ST's are

28%, 31.8% and 19%. Their woes mostly get stifled as it is often met with resistance from exposing themselves on patriarchal grounds, and even if it does find its way to the police and judiciary, it is rarely met with conviction

Violence Against Women



A total of 2,28,650 incidents of crime against women (both under IPC and SLL) were reported in the country during the year 2011 as compared to 2,13,585 incidences in the

year 2010 recording an increase of 7.1% during the year 2011. While one cannot help but notice the low rate of conviction, it is imperative to note that rape crimes have increased by 8 times since 1971 and the dowry crimes by 27% since the last year.

Many women from states like Odisha, MP, Jharkhand and likewise are trafficked

to states like Haryana and Punjab as they have a very poor sex ratio and are married off to men who are willing to pay a hefty sum. This further increases the exploitation of women as they find themselves in a totally alien environment. Mostly innocent tribal women are survivors of this mal practice. As one sees

the effect of the capitalist globalisation in terms of the uprooting of the communities from its traditional dwelling places, thus destroying the social fabric, one also sees the trafficking, exploitation and decline in the sex ratio which are all very intertwined issues

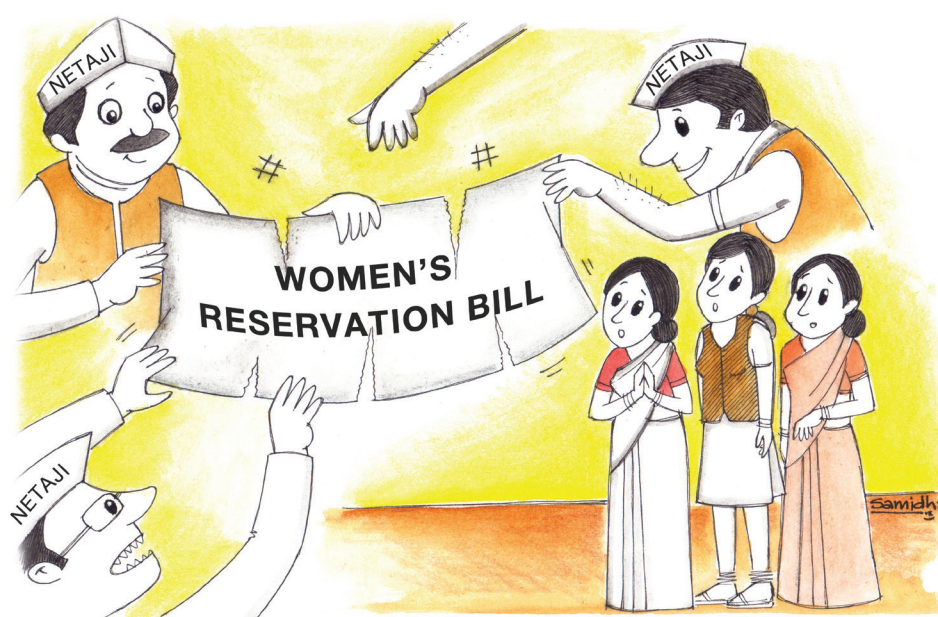
Women have occupied the political democratic space but the systemic nature of patriarchy always poses hindrance. The current Lok Sabha has astonishingly 10.8% representation of women. Despite six decades of independence, this ratio on an average remains the same.

With the 73rd and 74th amendments, we should have seen a rise in the number of Panchayati raj representatives. Sadly, there are a mere 1.78 million women representatives across the nation and many of these are coerced to remain at home with their male relatives taking over the panchayats¹².

In fact, at the panchayats women's representation crosses the mandatory 33% to exceed to 39% with a total of 327 women

Women as PRI Representatives

panchayats members. Though Madhya Pradesh is the first state to usher in 33% percent reservations with the 73rd and 74th Amendments in 1993, it has in effect done less in truly providing with an enabling environment for women to exercise their political power. The challenge is to convert their statutory right to political participation into a real empowering process. In the current government, out of 19 MLAs only two were accommodated.



12. Working group on women's agency and empowerment, Gol.

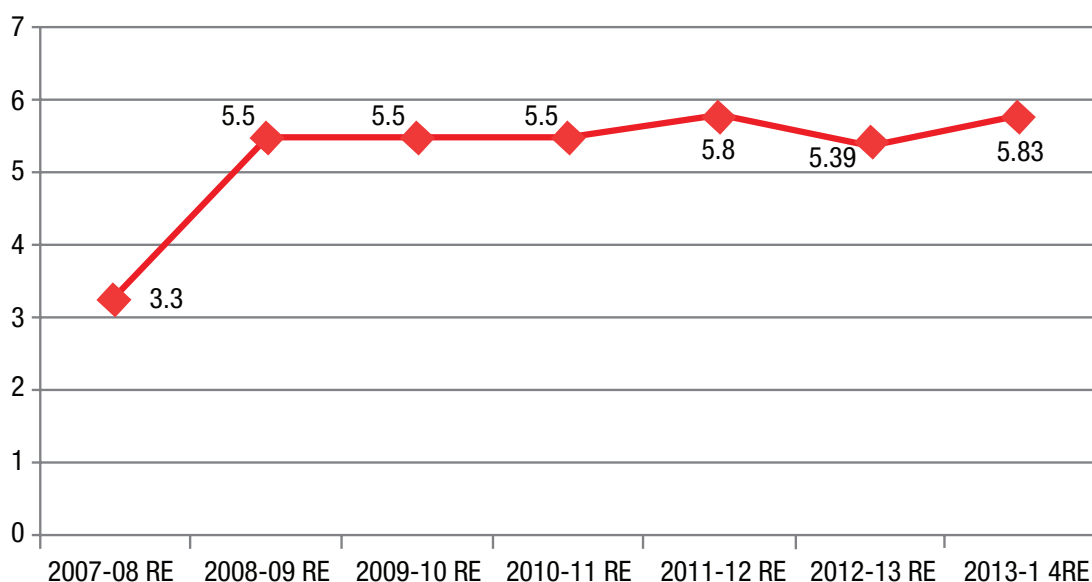
State Response: Reinforcing Patriarchal Hegemony

The state, in its nature, is as patriarchal as the society. To begin with, the gender budgets analysed over the years, reveals very little allocation for women. Secondly, the schemes that are meant for women do not challenge their position in the society. In fact, they are stop gap arrangements to woo voters and beguile them into the belief that girls are recognised as able and important citizens of the nation.

A 2010 desk review of 15 conditional cash transfer schemes¹³ (Dhan Lakshmi, Ladli, Beti Hai Anmol, Kanyadan, and others) conducted by TV Sekher of IIPS for UNFPA is revealing. Most of them promised relatively small

amounts at maturity, had complex conditions (immunisation, school enrolment, institutional delivery, sterilisation, among others), gave cash amounts at the age of 18 (for dowry?), and were aimed at poor or BPL families. Quite apart from the objectionable attempt to arm twist every imaginable kind of 'desired' behaviour (immunise, educate, sterilise) in return for small sums of money, the big problem is that these schemes are targeted largely at poor families. This is not a poor or BPL-only phenomenon. Small cash amounts are unlikely to make an iota of difference to families who have resources to pay for sex selective technology. On this issue, Indian policymakers, accustomed to 'targeting' the poor (i.e. BPL) need to bravely enter the unfamiliar terrain of targeting the not-so-poor, the upwardly mobile, the wealthy.

Union Budget 2013-14 acknowledges the need to increase the gender responsiveness of budgets. In a country like India, where gender based inequality continues to persist and gender based violence has been growing at an alarming rate, this recognition is certainly a welcome step. But is that enough?



13. The schemes selected are *Dhan Lakshmi* Scheme of Government of India, *Ladli* Scheme of Delhi, *Ladli Lakshmi Yojana* of Madhya Pradesh, *Bhagy-lakshmi* Scheme of Karnataka, *Balri Rakshak Yojana* in Punjab, *Ladli* Scheme of Haryana, *Kanyadan* scheme of Madhya Pradesh, *Girl Child Protection Scheme* in Andhra Pradesh, *Indira Gandhi Balika Suraksha Yojna* in Himachal Pradesh, *Mukhya Mantri Kanya Vivah Yojana* of Bihar, *Rajalakshmi* scheme in Rajasthan (discontinued), *Balika Samrudhi Yojana* in Gujarat and Himachal Pradesh, *Kunwarbainu Mameru* scheme in Gujarat, *Beti Hai Anmol* Scheme in Himachal Pradesh (initiated in 2010) and *Mukhya Mantri Kanya Suraksha Yojana* of Bihar.

The graph here shows that the allocation of Gender Budget statement (GBS) from the Union Budget has only seen a marginal increase. Given that there has been nearly 240% increase in the instances of violence against women since 1991 (Source: NCRB), and that most of it has happened in the last decade, this steady graph indicates the apathy of the ruling class towards women.

The new union budget has indicated at a Women's Bank - one wonders what purpose it serves beyond the obvious symbolism in a pre-election year. Instead, it has the potential to ghettoise finance to Dalit & Tribal women, especially in the cities. One can already imagine scenarios where a domestic help trying to open an account in a nearby bank and the official pushing her away to the nearby 'women's bank'. Given that their meagre saving account is of no interest to the bank, the chances of these situations arising are pretty predictable.

The new budget presented is a mere redistribution in resource allocation rather than any focused, committed intervention. No new scheme has been introduced by the government. Although the allocation for ICDS sees 11.67 per cent increase to ₹17,700 crore over last year, this is far short of the target average annual amount of ₹36,600 crore recommended by the 12th Plan Working Group on Child Rights for ICDS (₹183,000 crore) over the entire plan period). Even with over 40 percent of children in the country being underweight, (significant/ major portion being girls) there is still no commitment towards universalisation of ICDS. An allocation of ₹585 crore has been proposed for the Rajiv Gandhi Scheme for Empowerment of Adolescent Girls (SABLA), which is lower than the previous year's allocation of ₹750 crore. This figure again does not come close to the working group recommendation of an average annual amount of ₹6,400 crore. (Source: CGBA)

| Year | No. of Ministries/ Departments (No. of Demands) | Total Magnitude of Gender Budget (BE) (in ₹ Crore) | Percentage of Gender Budget to Total Budget |
|---------|---|---|--|
| 2005-06 | 9 (10) | 14,378.68 | 2.79% |
| 2006-07 | 18 (24) | 28,736.53 | 5.09% |
| 2007-08 | 27 (33) | 31,177.96 | 4.5% |
| 2008-09 | 27 (33) | 27,661.67 | 3.68% |
| 2009-10 | 28 (33) | 56,857.61 | 5.57% |
| 2010-11 | 28 (33) | 67,749.80 | 6.11% |
| 2011-12 | 29 (34) | 78,251.02 | 6.22% |
| 2012-13 | 29 (34) | 88,142.80 | 5.91% |

Source: Statement 20 and Budget at a Glance, Expenditure Budget Volume 1, Union Budget, Government of India, Various Years

Legal Framework

Apart from the international covenants, Declarations, laws and our constitution, there are two laws that must be spoken about when we speak of sex selective abortions.

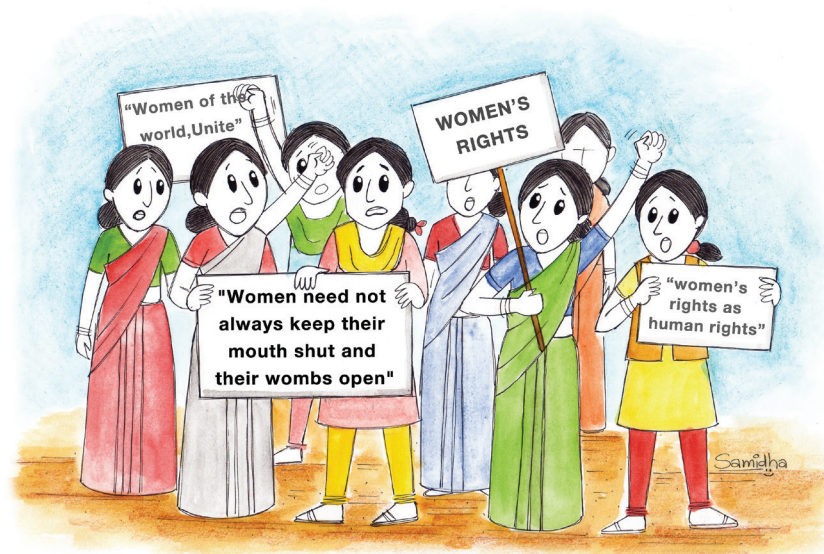
The first one is known as the Medical Termination of Pregnancy Act 1971 (MTP) and the second one as Pre Conception and Pre Natal Diagnostic Technique (prohibition of Sex Selection) Act 1994 (PCPNDT).

MTP came in 1971 when the women's movement across India was still getting consolidated. It came more as a measure of population control rather than as a feminist issue. The law takes into consideration termination of pregnancy up to 12 weeks in consultation with a single doctor and from 12-20 weeks in consultation with two doctors. The reasons for abortion can be clustered into 5 categories namely threat to the woman, contraceptive failure, pregnancy under sexual assault, risk of mental/physical well being and foetal disorder.

There has been a lot of debate in the movements of the disabled about the agency

of an individual to be born if s/he is disabled. The independent entity of the foetus and the mother has constantly been debated. It is often told that since the individual cannot survive outside the womb, it does not have an independent entity. Moreover, we very well know that a woman's role and her aspirations are completely confined to domestic spaces on the pretext of child rearing. Women do not have any control over their sexuality or bodily integrity. They also cannot determine the number and spacing of children. Thus, there is no monolithic right to abortion. The control under which a woman is forced to undergo abortion also needs to be understood. However, if a woman is free from coercion from family, society and the state, this is one right that is a must and across the globe, in many countries, the feminist movements are fighting for it. The right to safe abortion and the decision to choose whether a woman will bring her child into this world or not, (and when) are also closely linked with the right to self determination.

Despite the MTP, women have to go through the routine of falling into some category or the





other in order to abort with the final decision lying in the hands of the medical practitioner. The physical cost of population control is also forced upon women's shoulders since they have to go through invasive and hormone altering methods and the onus of not having babies lies on them.

According to Guttmacher Institute, two-fifth of the abortions are unsafe and over 20,000 women die every year in trying to abort through illegal means¹⁴.

Looking at the underlying reasons for abortion in a patriarchal world, the PCPDNT Act was

brought to ensure that women are not coerced into sex selective abortion and this was also backed up by the women's movement.

In a nutshell, the law criminalises sex selective abortions and medical practitioners who perform it. It also helps in the creation of a database to track down women who might be coerced into this practice without prescribing any punitive action. The law certainly needs to be implemented with the zest and precision required for a law like this.

What Can We Do?

We can facilitate campaign towards social justice wherein women enhance their agency towards reclaiming their rightful position in the society.

- **Working towards sensitisation and politicisation of community groups (both rural and urban) to assert the rightful position of women in the society:** This would involve awareness, politicisation and hence challenging the patriarchal norms. This needs to happen with both men and women and with the use of creative medium like theatre, mass mobilisations, facilitation of leadership skills of women to name a few.
- **Strengthen the legal regime towards an enhanced implementation of the PCPDNT Act. The PCPDNT Act:** which is progressive and also deals with the supply side thereby penalising the medical practitioners and hence the globalised markets, needs to

be implemented with a heavy hand. The advisory committees need to be sensitized with precedences to be created across the nation that penalise sex selective abortion. We could also look at systemic delays and also get into legal advocacy.

- **Review and advocate with the state and other state institutions to bring about a change in the patriarchal policies and schemes:** There is an urgent need to look into the schemes which reinforce patriarchal and 'right wing' values and advocate with the state to modify them. For this, we could begin with a review of these schemes which are also neo liberal since they involve direct cash transfer and more or less assert the lower position of women in the society.
- **Advocacy on the larger issues of feminist equity with elected PR representatives, media, lawyers and medical council:** there is a strong need to work with the Local governance systems and ensure that the community groups as well as the PRI representatives, lawyers, young students/ people and others support and resolve to end this practice. For this, we need to reach out to a larger support group and take them on board.

14. Abortion as a Feminist Issue: Nivedita Menon.

- **Feminist laws/schemes/policies for women:** While on one hand, we need to constantly debate and dialogue with the state about the regressive laws, we also, at the same time, need to engage in the

enhanced implementation of laws/schemes which structurally guarantee equity. We also are required to look at structures in terms of gender budgeting and enhanced resources (land and others) for women.

Conclusion

The discrimination against women is a social construction and has strong political, economic, social and ecological dimensions. It's time we asked ourselves whether we wanted to live in a society which flourishes on exploitation of women and similar other subaltern and powerless. It is high time we thought about a transformation in the societal relationships and within our families. The anger that one sees on the roads needs to be directed inwards too. We need to socialise our children not to internalise discriminatory roles. There needs to be a change in the curriculum and a review of our culture and norms.

The state needs to be made accountable for social justice. The opinion leaders and their retrograde ideas need to be responded and shunned. Media needs to be more alert and stop the 'dabangisation' and commoditisation of women.

There's nothing unfamiliar about the multi layered, multi sectoral discrimination of the women and the subaltern. What is startling is the persistence of this bias. Six decades after our constitution laid a framework for equality, women still remain invisible and second grade citizens.

It is time to rise up and toss aside this
milieu of fear!!

Women of the world, Unite!







A declining child-sex ratio, emanating primarily from the resistance most families have in bearing a daughter, is a manifestation of the many evils of patriarchy – a system that believes men are superior to women – socially, culturally, politically and economically.

It is this system of patriarchy, which has been around since many centuries, that is now manifesting in the form of – sex-selective discrimination, dismal infant mortality rates of girls, lack of access to health-care and education for girls, early marriage, forced pregnancies, dowry deaths, domestic violence, lack of sexual autonomy and choice, wage inequality, exclusion from economic participation, lack of political participation, and rape and gender based violence .

Beti Zindabad! is a coming together of various social movements and organisations in this larger vision to defeat patriarchy.

OUR VISION

To defeat patriarchy and bring about social justice for women and girls who are forced to bear the brunt of this unjust system and to challenge the patriarchal institutions which, legitimise discrimination and elimination of girl children.

OUR APPROACH

We are reaching out to panchayats, urban bodies, women's self help groups, medical associations, paramedics, young parents and students in this appeal to make gender equality a lived reality.

We strive to enforce the strict implementation of the Pre-conception and Pre-Natal Diagnostic Techniques (Prohibition of Sex Selection) (PCPNDT) Act, with the aim to break the legitimacy that this practice of sex-selection has even among the medical fraternity. We demand that Central, State and Local governments fulfil all their obligations, as provided by law and The Honourable Courts, towards girls and women.

We also challenge the dominant patriarchal mindset by mobilising women and men, girls and boys, who support us in our endeavours, in this road towards equality.

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