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FEMALE FETICIDE: A DARK FACE OF INDIAN SOCIETY

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Abstract

Female feticide--the selective abortion of female fetuses--is killing upwards of one million females in India annually with far-ranging and tragic consequences.

In some areas, the sex ratio of females to males has dropped to less than 943:1000 (It is 943females on 1000 Males).This is evident from the declining sex ratio which has dropped to alarming levels, especially in the northern states according to Census 2011 reports. Women are murdered all over the world. But in India a most brutal form of killing females takes place regularly, even before they have the opportunity to be born.

The proliferation and abuse of advanced technologies coupled with social factors contributing to the low status of women such as dowry, concerns with family name and looking up to the son as a breadwinner has made the evil practice of female feticide to become common in the middle and higher socio-economic households, especially in the northern states. Females not only face inequality in this culture, they are even denied the right to be born. Why do so many families selectively abort baby daughters? Although female infanticide has long been committed in India, feticide is a relatively new practice, emerging concurrently with the advent of technological advancements in prenatal sex determination on a large scale in the 1990s. While abortion is legal in India, it is a crime to abort a pregnancy solely because the fetus is female. This article aims at making it clear that gender selective abortions have to be viewed as a social issue rather than a women issue.

Introduction

Female infanticide is not uncommon in Indian society, and is still prevalent in certain parts of the country. With the advancement of modern technology its practice, however, has taken a different shape. Now it is possible to detect the sex of the baby when it is still in the womb of the mother. This has made it possible to abort the female foetus, if it is unwanted. The most commonly used sex determination test is amniocentesis. Advances in Science and Technology are responsible for the statistic of women's oppression. Prenatal sex determination followed by selective female foetus abortion is perfect example for the same. There are technologies that prevent the birth of girl child and promote the birth of boy child. Scan centers disclose the sex of the foetus, which is against the law. Sons are preferred over daughters for various social, economic and religious reasons, which include old age security, dowry, family lineage, prestige and power, property inheritance, financial support, birth and death rituals and beliefs about religious duties and salvation. In our "civilized" society we talk about equality in all spheres, then why is there no right to take birth? There is a need to realize the right of a girl child and to what extent they are being implemented.

In the present time become changes the pathological use of medical technologies will continue. Strict laws and penalties are in place for violators. These laws, however, have not stemmed the tide of this abhorrent practice. Education, Communication campaigns and the medical colleges and professional bodies have a vital role to play by sensitizing medical students who are the doctors of tomorrow.

Over the years, a number of news items and articles have also appeared in the newspapers highlighting the increasing popularity of the sex pre-selection test. Simultaneously, a number of social organizations started campaigning for a ban on the test. They pleaded that the test is not only discriminatory and inhuman but also has dangerous social implications. The reduced sex ratio would lead to polyandry, prostitution and other crimes against women. The Medical Centre, a voluntary health organisation, has organised a number of seminars in Chandigarh and Haryana to mobilise public opinion against the test, and at present, the government of Haryana is considering a ban on the test and Haryana government has started the "Bati Bachao

Abhiyan”for safe girl child. Some peoples thought about to the female feticide, the test appears to be the solution to a number of problems like population control, dowry deaths, bride burning sand so on. They believe that the reduced sex ratio will lead to an improvement in the status of women and dowry may be replaced by bride price. They are fully satisfied to their own ego.

Sex Ratio Affected

The practice of female feticide causes an imbalance between the number of males and females in the society. Women are considered as a liability ad as a threat to the survival chances of the early societies. According to the mindset of many Indians it is better to invest in a son than in a daughter. Gender differences seem to be at the root of all the ways daughter elimination can be looked at. The socio cultural perspective focuses on gender differences in household level and the demographic perspective talks about gender differences in the desired family composition⁴. Sex ratio indicated the proportion of the number of men and women in a certain society. In India, the sex ratio is calculated as the number of females per 1000 males. The sex ratio in India indicates a high level of deficit of women in the population. According to the census of 2011 the ratio of the male 1000 and female 943. Therefore, the Indian sex ratio can thus be characterized as an adverse and a declining one, which is favorable to males when looking at the whole country.

Legal Implications in India by Government

The Government has realized that abuse of techniques for determination of sex of the foetus leading to female feticide is discriminatory against the female sex and also affects the dignity and status of women. The first legal response came from the government of India in form of Pre-Natal Diagnostic Technique Act, 1994 (PNDT) which was further amended into Pre-Conception and Pre-Natal Diagnostic Technique (Regulation And Prevention Of Misuse) Act, 2002 (PCPNDT). There are various provisions under the Act that play an important role in preventing the practice of female feticide. This was a powerful legal instrument to foster positive change in this modern sociological trend.

A)Pre-Natal Diagnostic Techniques (Regulation and Prevention of Misuse) Act,1994 :

This Act provides for the regulation of the use of pre-natal diagnostic techniques for the purpose of detecting genetic or metabolic disorders or chromosomal abnormalities or certain congenital malformations or sex-linked disorders and for the prevention of the misuse of such techniques for the purpose of pre-natal sex determination leading to female feticide. The legislation seeks to achieve the following objectives.

- i) Prohibition of the misuse of pre-natal diagnostic techniques for determination of sex foetus, leading to female feticide.
- ii) Prohibition of advertisement of the techniques for detection or determination of sex.
- iii) Regulation of the use of techniques only for the specific purpose of detecting genetic abnormalities or disorders.
- iv) Permission to use such techniques only under certain conditions by the registered institution.
- v) Punishment for violation of the provisions of the Act; and
- vi) To provide deterrent punishment to stop such inhuman acts of female feticide.

B) Pre-Conception And Pre-Natal Diagnostic Techniques (Prohibition of sex selection) Act 2002:

Based on the Supreme Court order and Central Supervisory Board recommendations the Parliament on December 20 passed the Preconception and Pre-Natal Diagnostic Techniques (Prohibition of Sex Selection) Act 2002. The provisions are stated below:

- i) The Act provides for the prohibition of sex selection, before or after conception.
- ii) It regulates the use of pre-natal diagnostic techniques, like ultrasound and amniocentesis by allowing them their use only to detect :
 - a) genetic abnormalities
 - b) metabolic disorders.
 - c) chromosomal abnormalities
 - d) certain congenital malformations

- e) haemoglobinopathies
- f) sex linked disorders.
- iii) No laboratory or centre or clinic will conduct any test including ultrasonography for the purpose of determining the sex of the foetus.
- iv) No person, including the one who is conducting the procedure as per the law, will communicate the sex of the foetus to the pregnant woman or her relatives by words, signs or any other method.
- v) Any person who puts an advertisement for pre-natal and pre-conception sex determination facilities in the form of a notice, circular, label, wrapper or any document, or advertises through interior or other media in electronic or print form or engages in any visible representation made by means of hoarding, wall painting, signal, light, sound, smoke or gas, can be imprisoned for up to three years and fined Rs. 10,000.

Punishment:

Any violation, including unlicensed labs, of the Act leads to seizure of equipments. The fine for those who indulge in sex selection procedure has been double from Rs. 50,000/- to Rs.1,00,000/- (one lakh) with additional provisions for the suspension and cancellation of the Registration of those as a Medical Practitioner by the concerned Medical Council or any other Registering Authority. The Act should be backed by stringent implementation machinery by the state.

Conclusion:

There is an urgent need to alter the demographic composition of India's population and to tackle this brutal form of violence against women. The enactment of any law is not sufficient; laws must be adhered to and applied rigorously, before any change in the status of women can take place. In spite of the Pre-natal Diagnostic Techniques (Prohibition of Sex Selection) Act umpteen incidences of female feticide are taking place in India. There is still utmost controversy as to who will serve as the watchdog to control the misuse of the practice of female feticide. Promoting gender balanced society involves targeting behavioural changes in society which in

turn involves a long term community based intervention, awareness programmes, programmes to promote girl children's right, addressing myths related to sons/ daughters and concerted efforts to change the mindset of people. Alterations and amendments in the present legal framework can contribute paper has made an attempt to significantly to protect girl child against female feticide. Apart from the above, a feeling has to be inculcated in the minds of the society that she is the daughter, she is the sister, she is the mother and she is the life partner of a man.

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