

Female Infanticide: Philosophy, Perspective and Concern of SIRD

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Background

Violence is a state, of exploitation, discrimination, upholding of unequal economic and social structures, the creation of an atmosphere of terror, threat or reprisal and forms of religio-cultural and political violence [1] It can be perpetrated by those in power against the powerless or by the powerless in retaliation against coercion by others. Gender violence is deeply entrenched in almost all cultures. Its forms are: different, unequal and discriminatory treatment by the family as well as the state, such as discrimination in health care, education, access to food, right to resources, gender division of labor, gender discriminatory values against women, etc. Extreme forms of gender discrimination are female infanticide and foeticide, and the selection of sex before conception.

Female infanticide and foeticide are not unique to India - they are prevalent almost globally. Studies show that infanticide and foeticide were prevalent among Arabian tribes, the Yanomani Indians of Brazil and in ancient Rome. Exposing the female was a popular way of killing, the decision for which was taken entirely by the male members. [2]

Female infanticide was quite common in precommunist China, though it has now been replaced by foeticide. [3] Among the South Asian diaspora in Britain, USA and Canada, abortion of female foetuses has been prevalent for over 15 years. Among the immigrant Punjabi community in Canada, occasional cases of female infanticide are reported every few years.

Indian Context

Though we find mention of prayers being said for the birth of a son, we do not come across any reference to eliminating daughters at birth in the ancient Vedic period. According to the Atharva Veda. 'the birth of a girl, grant elsewhere: here, grant a boy'. Gender discrimination was strongly dictate in Manu, according to which a female is under the custody of males from womb to tomb.

However, it was the British who first documented the practice of female infanticide in India. In some parts of Rajasthan and Punjab, female infanticide was practiced in the early 19th century, and its incidence was high among the Jadeja Rajputs of Saurashtra in 1805. There were no daughters in a village in eastern Uttar Pradesh during the same period [4] Thousands of foetuses are being killed every year in Haryana, Uttar Pradesh and Himachal Pradesh to ensure that the desire for a male child is fulfilled [5] Though the practice is of recent origin among the Bhati community in Jaisalmer, their sex ratio is one of the lowest in the world (approximately 550) [6] Contemporary cases of female infanticide can be traced in parts of western Gujarat, Bihar and Madhya Pradesh. In Tamil Nadu, it is reported in the districts of Salem, Dharmapuri and Madurai.

The census data is the standard base used to study the existence of the practice in India. The sex ratio of children in the age group of 04 is taken to be an accurate indicator of the prevalence of such practice. (See Table 1 in the article 'Female Infanticide in Tamil Nadu' by Sheela Rani Chunkath and V.B. Athreya, for juvenile population of the state and districts.)

According to census data, the child sex ratio was favorable to girls in Madurai district till 1951, after which it began to decline sharply, particularly after 1981. In 10 of the 21 blocks in Madurai district, of which Usilampatti block is one, the sex ratio was below 900.

Status of Women in Kallar Community

As the heinous practice of infanticide is widely prevalent among the Kallar community, it is necessary to understand the community from a historical perspective. The Kallars are the dominant community in the Usilampatti region. They are militant in nature and indulge in anti-establishment activities for their livelihood. They are branded as criminal tribes by the British Raj and a special act was enacted to control their behavior. During this period, the male members of

the community were ordered to spend their nights in the police station. Women in this community were assertive. Since the men had to be away from their families for long periods of time for professional reasons, the production role was played by women, who supported the family in their men's absence.

When the Kallars turned to agriculture for their livelihood, they practiced sustenance agriculture. But seed, water and cattle management, were under the control of women, who played powerful productive and reproductive roles. Kinship marriage was the norm, with bride price being paid by men. Dowry was unheard of. But the expenses related to social functions prevailed. Thus the status of women was relatively better before 1950.

Keeping this perspective in mind, SIRD conducted a micro-level study for the purpose of this paper. It is generally assumed that female infanticide is a dowry-related crime. To verify the validity of this statement, we first had to find answers to several questions: how the practice took root, which agents nurtured the practice, how it spread to other communities, why it was adopted by some communities, why some communities are immune to it, etc.

Methodology

Different communities in Usilampatti region, in which this practice is prevalent, were interviewed. A sample survey was conducted in Usilai. 120 women respondents were selected. The sampling was purposive and carefully selected to meet the purpose of the study. The caste-wise break up of respondents is: Kallars - 57, Dalits - 39 and Backward Castes - 24.

The micro-study gave special emphasis to change-factors such as the impact of structural adjustment programs, the marriage system, dowry, familial violence and cultural violence. However, discussions were also facilitated with academics, social researchers and other NGOs working on the same issue. The following paragraphs elucidate the outcome of the micro-level analysis with the primary stakeholders and the insights gained from deliberations at different levels with different people.

Violence Against Women before Structural Adjustment Programs

The green revolution gained momentum after 1950 and the Vaigai dam was constructed in 1958. Part of the land in Usilai region was covered by the Vaigai irrigation system, but the rest remained rain-fed. Land under the irrigation system generally gets water supply for six months. This system combined with electricity led to a boom in agricultural production. The wetland farmers shifted to cash crop cultivation. The dryland farmers had to take a gamble on nature. This gave rise to wide economic disparities between the Kallars of the rain-fed area and those of the wetland area. The economic disparity disrupted the traditional family system and marriage bonds. Economic prosperity combined with the obsessive hold of the 'sanskritisation process' encouraged the Kallars of the wetland area to spend more money on marriages. Bride price was replaced by the dowry system. Kinship marriage lost its value. Giving and receiving large dowries became a status symbol. To maintain the status quo, the dryland Kallars also adopted the dowry system. 'More daughters means more expenses' thus became the dictum of the Kallar community. An intense anti-daughter attitude developed. Thus the incidence of female infanticide increased in the recent decades.

Violence Against Women after Structural Adjustment Programs

The impact of SAP has brought new power to Kallar community. The shift from investment capital to financial capital has made several families take up money-lending in a big way. Many of them have financial institutions, which make it easy to multiply money. So land accumulation and capital accumulation set in. The Kallars soon became the economic mafia: the political nexus between this newly emerging class within the Kallar community and the ruling class gave rise to new forms of violence which they used to protect their newly gained status and power. The criminalisation of politics and the consolidation of this new class with the accumulated power dictated changes in both the private and public domain. In other words, it worked against the status of women. The preference for a male child is further reinforced as this new power is vested in and exercised by the male.

The Kallars carry the traits of self-infliction to prove their loyalty. Women have to be viewed in this context and they are forced to kill their unwanted heirs - the girl children - in order to prove their loyalty to their husband and family. It is to be noted that the majority of the Kallar families are wage laborers and they adhere to this practice as it has the community sanction.

With the coming of SAP, dalits have been denied their usufructural rights over common property resources as well as already existing employment avenues. They are thus increasingly becoming powerless. The women face class, caste and gender oppression. Sexual violence is used by the dominant classes as a tool to exercise control and to perpetuate caste hierarchy. Moreover, since male children are now entering the workforce, boys are preferred in the family. This dire situation of poverty and the anti-girl attitude result in female infanticide. But the practice among dalits in other geographical areas is yet to be explored.

Violence with Regard to Women's Labor

With the onset of green revolution, there was a shift from subsistence to cash crops. Due to the introduction of new, hybrid seeds, artificial fertilizers, new cultivation technology, electrification, mechanization, credit system, market system etc., the upgraded farm system marginalised the women from agricultural activities. Their production role thus started to diminish. Abundance of labor and scarcity of work led to a reduction in wages. This is compounded by the problem of wage discrimination. Most of the work taken up by women is unorganized, and with their role in production highly reduced, men have become even more powerful. The women work-force is also subjected to sexual violence in the work-place. As most of the dalits are landless and have to depend on other castes for their survival needs, they silently bear the sexual violence inflicted on them.

Female infanticide is also reported to have been adopted by other backward classes in this region. One can assume that this is due to the spiraling effect.

Changing Dowry System

While the procedures may vary, the dowry system prevails in all communities. Marriage expenses vary depending on the community and the economic condition of the family. Of the 57 Kallar respondents, 24 shared that they were harassed by their partners to bring more dowry. Of the 63 respondents comprising dalits and others, 19 claimed to be similarly harassed.

Name of the Community	Dowry Harassment		Practice of Foeticide/ Infanticide	
	yes	no	yes	no

Kallar	24	33	48	9
Dalit	12	27	27	12
Other castes	7	17	4	20

Dowry is generally pronounced as a reason for infanticide. While the table shows that there is a connection between the female infanticide and the institution of dowry or marriage payments, it also reveals that all the respondents who indulged in infanticide and foeticide were not necessarily the victims of dowry harassment. Among the 9 respondents of the Kallar community who did not practice female infanticide/foeticide, six had fertility lower than average and two were sterilized with two children of both sexes and one sterilized with two female children.

The study therefore does not support the statement that female infanticide is only a dowry-related crime.

Familial Violence Physical

The harassment of women, particularly in the context of marriage, is a continuing social evil. Except for a negligible few, almost all the women admitted to being beaten. Some of them were beaten so brutally that they had to be treated in hospital. Battering is thus an integral part of the marital relationship. The husbands of at least half the respondents are alcoholics and 40 per cent of the remaining are occasional drinkers. The major portion of the husbands income is being spent on drinking. Most of the women said that they were beaten when their husbands were intoxicated. Alcoholism is increasingly becoming a tool to perpetuate violence against women and to institutionalize patriarchy. Battering is also committed by men belonging to the upper castes and classes. So, regardless of class and caste background, women find no way to escape from such violence. Many women regret being born as women. Most said that they had learned to live with the battering, even though they suffered acutely. Only four shared that they retaliated and beat back their husbands.

Constantly subjected to physical abuse, women lose their sense of dignity in the face of violence, shame and humiliation. Their identities have been completely submerged. The values attached to the family system support and justify domestic violence and such victims would be further condemned if they dared to oppose this violence. Unable to bear these hardships, a few of the respondents

had opted for separation. But they were forced to return to the conjugal family due to lack of parental support.

Psychological

Psychological pain followed by sexual violence is the next hardship women face in the marital relationship. There is also suffering due to social separation because the above hardships - dowry harassment, ridicule, dehumanizing treatment, caustic remarks, verbal abuse - all these contribute to the psychological pain inflicted on women. They realize that separation will not cure their psychological bruises, so they learn to live with the pain. Psychological violence leaves no visible bruise but it is as debilitating as physical assault.

Sexual Violence in the Conjugal Relationship

The respondents were reluctant to address the issue of sexual violence in the conjugal relationship due to fear of social censure. Of the 120 respondents, only 18 said that their sexual relationship was normal, that their feelings were being respected and there was compatibility. Coercion, compulsion, abnormal behavior and violence characterized the conjugal relationships of the rest of the respondents. Physical and emotional conditions are meaningless before the sexual behavior of the partners - they shared. Sexual behavior under intoxication is hateful. The problem becomes worse if the husband has some other affair. It has been proved that extramarital and premarital relationships of the husband are highly correlated with his sexual behavior in the family. Of the 120 respondents, 52 say that their partners have extra-marital relationships.

Almost all said that they had no one to confide their sufferings to. This is hardly a topic to be discussed openly, they said. They therefore suppress all feelings associated with sexual abuse and the related physical and emotional abuse within themselves and all these suppressed feelings are expressed in different forms.

Emotional Responses of the Women to the Violence

The respondents were tormented with profound feelings of remorse, depression, disgust, frustration, rage, guilt, low self-esteem, worry, hatred, despair, helplessness and hopelessness. Shouting in anger, and withdrawal were the

typical emotional responses, which in extreme form led to suicidal thoughts and suicide attempts. It was shocking to note that 63 respondents had suicidal feelings while 40 had actually attempted suicide.

Reasons for the Suffering

The respondents ascribed the suffering to the following reasons, listed in the order they were mentioned: being a woman; giving birth to more female children; alcoholic behavior of husband; suspicious tendency of the husband; failure to give birth to male children; economic condition. In their perception, being born as a woman is the main cause for all their sufferings. The ability or inability to produce sons has important repercussions on the woman's life.

Violence in the Community

Most of the respondents revealed that sexual violence or the threat of sexual violence outside the family is used by men to control the mobility and sexuality of women and young girls. In the absence of parents, the girls are no longer safe, even at home. Most of the respondents said that they were not allowed to move freely in the village when they were young. Even visiting each others was uncommon. In some families there were severe restrictions. Autonomy and initiative were not encouraged. This growing cultural devastation combined with the continuous threat of violence sanctioned by societal norms has had a negative impact on mindset and behavior of individuals. In turn, they also restrict the mobility of their daughters because they feel that the streets are not safe. However, in keeping with their married status, the respondents do have restricted and regulated freedom in domestic and outside spheres. Being widows or mothers of a large number of female children also places restrictions on mobility.

Though mothers desire to educate their daughters, education is denied to them after puberty because of the threat of violence. Given their own life experiences as a result of early marriage, most respondents would prefer their daughters to get married after the age of 20. However, the threat of violence forces parents to marry off their daughters early. On the other hand, economic compulsions in the family force young girls to go out and work despite the threat of violence. Almost all the women said that utmost care is necessary to protect the girl children because of the atmosphere of increasing insecurity.

The fear of violence, which restricts women's mobility and sexuality is a very powerful weapon of subjugation, had been deeply internalized by the women.

Real Perpetrators of Female Infanticide / Foeticide

The following table shows the details of persons who are the perpetrators:

Name of the Community	Husband	Husband & Mother-in-law	Self	Others
Kallar	17	22	4	5
Dalit	10	15	2	-
Other castes	3	-	1	-

The table clearly shows that infanticide is being practiced at the instigation of the husband or mother-in-law. Others employed aged persons and ayahs to kill the child.

Attitude of Women towards Female Infanticide

An analysis of the feelings and attitudes of the respondents reveals that women are pressured by the family to commit this act. They experience depression and grief, the degree and forms of which vary from individual to individual.

Attitude towards Sex-preference of Child

All respondents wished to have at least one girl child as they felt that girls are more emotionally supportive and helpful throughout their life. Their resistance to daughters sets in when they fail to produce a son or when they have an oppressive life experience.

Perspective of SIRD

SIRD perceives female infanticide and foeticide as extreme forms of gender violence. We use the term gender as an analytical category and our political position is that the unequal power relation between men and women, which is further aggravated by the class-caste and ethnic hierarchies, form the base of this systemic violence. They also constitute themes around which women's oppression and violence against women have been interpreted.

Political Economy

At the international level, the racist bias of population policy and the commercialization of health care and medicine, the uncontrollable consumerist cult reinforced by the global market and the commercialization of human relations due to a decline in cultural values, the hegemony of imperialist nations on developing countries in terms of sharing world resources and power, turns women into easily disposable commodities. Thus objectification, domestication, and commodification of women by the market economy endangers the lives of the women.

Being a patriarchal institution, the family socializes its members to accept hierarchical relations expressed in unequal division of labor between the sexes and power over the allocation of resources.

The community (i.e. social, economic, religious and cultural institutions) provides the mechanisms for perpetuating male control over women's sexuality, mobility and labor. The state as a patriarchal unit legitimizes the proprietary rights of men over women, providing a legal basis to the family and community to perpetuate these relations. The state does this through the enactment of discriminatory laws and policies.

It is very important to contextualise the family, community and state in the ongoing recolonisation process. In India., the shift from subsistence economy to the imperialist mode of production to suit the demands of the global market resulted in feminization of poverty and pushed women to experience newer forms of violence. As the ruling class has shifted their interest from domestic capital to international capital, there is a growing lawlessness on the part of the state. While existing laws are being liberalized / diluted, we see the emergence of new, repressive laws controlling economic, political and civil rights.

Simultaneously, the state is co-opted by the market forces in exercising control over women's labour and sexuality.

In a society where women are already denied property rights, privatization of resources will worsen the condition of women, putting her in a more vulnerable position and reinforcing the anti-women attitude. The media advocacy by the global markets objectify and commodify a woman's body and she experiences even more violence outside the family and at the work-place. All these factors reinforce and strengthen the anti-women attitude.

In the early days, the women of the Kallar community often claimed a greater degree of independence in choosing their marital partners. The marriage system was so liberal that mutual consent to live together ended up in marriage. It had societal sanction. Divorce was much easier, and the divorced woman had the option to choose another partner. As she had access to maternal property, she faced fewer problems and could even take care of the children by a previous marriage.

With the introduction of the Sanskritisation process and Hindu ideology, this marriage system changed (pathiviradha and submission). It is ironical that women's sexuality was controlled and her right to live with a person was limited to one person whereas the men could have relationships with many women. This double standard of morality has resulted in both physical and mental incompatibility between the couple leading to more divorces, separations and desertion.

Though lower caste and lower class women claim a greater degree of independence with regard to choosing their men, they are more subject to social violence (social patriarchy). Their very independence defines them as sexually accessible and hence vulnerable to violence by upper caste/class. They often resort to female infanticide/foeticide because of their vulnerable status.

Concern

1. Unless women's condition and position in the family is strengthened, they will remain powerless. Power is concentrated in men because of their ownership and control of economic resources. Thus, to improve the status of women, SIRD is working to facilitate women sangams which address

issues concerning both practical gender needs and strategic gender interests.

2. Women are facilitated to actively participate in the Panchayat Raj system, which is another strategic intervention by SIRD for the political empowerment of women.
3. Training and organizing efforts to enable women undertake issue-based struggles and campaigns to achieve gender justice. SIRD also facilitates the networking of these women's organizations with other like-minded networks at both micro and macro level.
4. Economic empowerment of women by implementing many developmental programs.
5. As a step towards ideological empowerment, training on gender analysis and sensitization is extended to sangam women, men and other allied forces like student communities and academicians.
6. Informal discussions with adolescent girls reveal that they too have a preference for boys but do not intend to kill their female infants. They are aware of the constraints under which they live. They said that they would limit the size of their family, which should ideally be composed of two children. They said that they would not mind even if both are girls. They felt that education and economic independence would go a long way in strengthening their position. Thus their reaction to the birth of a girl child is not adverse. SIRD intends to build the next generation with new values, social skills and behavioral patterns to challenge the violence and thus improve their condition and position. As a proactive strategy, adolescent girls and boys are being organized and given gender awareness training. Skill training is also being planned for them.
7. Alcoholism among men triggers off physical, psychological, sexual, class, caste and community violence. Anti-liquor campaigning was thus adopted as a program by SIRD, and it is an integral part of the campaign against violence on women. The campaign against violence on women actively addresses every issue that affects women.

8. Documenting cases of domestic violence and providing services like counseling, legal aid and protection to the victims in their short stay home.
9. As a proactive strategy, a monitoring wing in each village comprising members of the community is being constituted to directly monitor pregnant women and children in the age group of 0-6, and to look after their health care needs etc.
10. It is involved in legislative advocacy and lobbying to change discriminatory personal laws. As a step towards this, it is planning to bring out a status report of Kallar and dalit women.
11. SIRD is part of a wider network at the regional level and participates in national level campaigns and networks which work for gender just laws.

Legal Aspects of Female Infanticide

Most NGOs and activists associated with the fight against female infanticide have stressed the need for a change in the interpretation of the law. The present situation reveals that the state has failed to function and is therefore unable to protect its citizens.

For example, dowry deaths, however cold-blooded, are considered to be social crimes and not murder, and the law can only sentence the offender for a maximum of seven years in prison. Even when there have been convictions; they have hardly served as deterrents to others as the crime has not shown any signs of declining.

As regards NGO attempts to deal with social issues through the law, not very much has been accomplished. Often, only appeals have been made.

Similarly, in trying to convict those who run sex-determination clinics, the legal system cannot help NGOs very much. It is very difficult to prove that the test was conducted in order to determine the sex of the foetus, as clinics do several tests on pregnant women for various reasons. Although there is a law, there are too many loopholes in it for it to be implemented as a case of professional misconduct, and strike the doctor off the registers and confiscate his license to practice.

We should understand that criminal law is repressive against economically backward people. NGOs can conduct public hearings, hold people's courts and publicize their actions widely.

Source: Ms M. Kavitha, Consumer Action Group, Chennai - CRHSE Seminar Report 1995.

Legal Assistance for Victims of Repression by the Government

- In the recent judgement in the case of female infanticide (*Karuppayee vs State*, through Inspector of Police, Usilampatti police station in Cr.No.49/94, in the court of the Second Additional District and Sessions Judge, Madurai, dated 24 December, 1996, S.C.No.173/95), only the mother of the deceased two-day old infant was convicted and given life imprisonment under 302 IPC. Though the father of the deceased infant was also accused, he was acquitted since it was contended that the infant was under the care and protection of the mother; the two-day old infant could be handled only by the infant's mother and no other person could have had access to her. The judgement reveals the gender bias against women, and is another instance of the atrocities committed by the state on women. The judgement reflects the values of a patriarchal system. SIRD has appealed against this judgement. The state is now in the process of drafting a new bill prohibiting female infanticide. The Campaign Against Female Infanticide launched by different women networks in Tamil Nadu, in which SIRD has played a key role, are seriously involved in advocacy work. They intend to file a Public Interest Litigation (PIL) against the new bill if it is favorable to women.
- All family members who are partners in the act of female infanticide, should be brought before the law and be seriously punished. Husbands and mothers-in-law are the partners in most of the killings. Would punishing the men improve the position and condition of women? This question is still being debated in our network. If the perspective is to change the unequal gender-relations and gender hierarchy, a punitive attitude would further weaken the position and condition of women. SIRD fears that it would reinforce the anti-women attitude rather than dilute it.

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